

**MINUTES OF THE NHLC**  
**DIVISION OF ENFORCEMENT & LICENSING MEETING**  
**FOR THURSDAY, JUNE 8, 2017**

**1. SCHEDULED ADMINISTRATIVE HEARINGS:**

**Date to be determined:**

Little Tokyo & Saigon, 2800 Lafayette Road, Unit 4, Portsmouth, NH.  
Restaurant On-Premises Beverage/Wine/Liquor License #1496203 issued pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: April 22, 2016.  
Case #: 16-141-OF.

**2. NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Chi Cha, 5 Pleasant Street Extension, Concord, NH.  
Cigar Bar On-Premises Beverage/Wine/Liquor/Cigar License #403006 issued pursuant to RSA 178:20-a.  
Cited for violation of RSA 178:20-a, II(a) – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.  
Date of violation: January 20, 2017.  
Case #: 17-29-OF.  
\$100 administrative fine.  
**ON JUNE 1, 2017, DEPUTY COMMISSIONER MILLIGAN REQUESTED THAT THE LICENSEE APPEAR BEFORE THE COMMISSION AT ITS NEXT REGULARLY SCHEDULED BUSINESS MEETING ON JUNE 8, 2017;**  
**LICENSEE, MAHER ABBAS APPEARED BEFORE THE COMMISSION; DEPUTY COMMISSIONER MILLIGAN REQUESTED THAT INVESTIGATOR GLEN BULLOCK AND EXAMINER JIM BARBUTI WORK WITH MR. ABBAS TO BRING HIM INTO COMPLIANCE.**
- b. Fitzwilliam Quick Mart, 646 Route 12 South, Fitzwilliam, NH.  
Combination Off-Premises Beverage/Wine/Tobacco License #3203847 issued pursuant to RSA 178:18/RSA 126-K:4.  
Cited for violation of RSA 179:5, I – sold alcoholic beverage to an under-aged individual – 2 counts.  
Date of violations: November 12, 2016 & January 21, 2017.  
Case #: 16-404-OF.  
An administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing June 10, 2017 and re-granted on June 12, 2017 and Manager Hitendra Patel shall attend a Management Training Seminar (MTS) within thirty (30) days from the date of the approved agreement.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- c. New Wa Toy, 611 Mast Road, Goffstown, NH.  
Restaurant On-Premises Beverage/Wine/Liquor License #1416903 issued pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage – 2 counts.  
Date of violations: December 3, 2016.  
Case #: 16-386-OF.  
PENDING MOTION TO CONTINUE FILED BY THE LICENSEE ON APRIL 25, 2017.  
PETITION GRANTED ON APRIL 26, 2017.  
SETTLEMENT IS PENDING AS OF MAY 2, 2017.  
An administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days with two (2) days to be held in abeyance for twelve (12) months pending no like violation to be served on June 24, 2017 and Li Ying Zheng shall attend a Management Training Seminar (MTS) within thirty (30) days from the date of the approved agreement.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

**3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:**

Café Nachos, 179 Main Street, Lincoln, NH.  
Restaurant On-Premises Beverage/Wine/Liquor License #1446803 issued pursuant to RSA 178:21.  
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: May 18, 2017.  
Case #: 17-170-OF.  
\$100 administrative fine paid.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

**4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

- a. 351 North Main LLC DBA The Sandy Point Restaurant, 190 Mount Major Highway, Alton Bay, NH 03810.  
To be issued Seasonal Restaurant On-Premise Beverage, Wine and Liquor License #1544803 pursuant to RSA 178:21.  
30-Day Temporary License issued 5/26/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- b. 7<sup>th</sup> Catering LLC, Henry Law Park, Henry Law Avenue, Dover, NH 03820.  
To be issued a Beer Festival License pursuant to RSA 178:30.  
Event date: 5/26/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- c. Carlson, Colleen, 3 Collins Avenue, Merrimack, NH 03054.  
To be issued Alcohol Consultant License #510644 pursuant to RSA 178:27-a.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- d. Cielito Mexican Restaurant LLC, 50 South Main Street, Bristol, NH 03222.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1543303 pursuant to RSA 178:21.  
30-Day Temporary License issued 6/2/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- e. Clayton, Laurence, 44 Bay Ridge Drive, Apt. F, Nashua, NH 03062.  
To be issued Alcohol Consultant License #510344 pursuant to RSA 178:27-a.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- f. Hilltop Golf Course LLC, 49 High Street, Peterborough, NH 03458.  
To be issued Seasonal Sports Recreation Facility License #6020105 pursuant to RSA 178:22, V(v).  
30-Day Temporary License issued 6/1/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- g. Hold The Door LLC DBA Bayside Market, 210 Ocean Boulevard, Unit 2, Seabrook, NH 03874.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3355747 pursuant to RSA 178:18 & RSA 178:19-a.  
30-Day Temporary License issued 5/26/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- h. Laconia Best Warehousing & Distribution Corp. DBA Rateliner, 28 Locke Road, Concord, NH 03301.  
To be issued Liquor, Wine and Beverage Warehouse License #172412 pursuant to RSA 178:11.  
ON MAY 11, 2017, DEPUTY COMMISSIONER MILLIGAN MOVED TO TABLE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED. AS OF MAY 18, 2017, THIS ITEM REMAINS TABLED PENDING REVIEW OF AN OPERATON PLAN; AS OF MAY 25, 2017, THIS ITEM REMAINS TABLED; AS OF JUNE 1, 2017, THIS ITEM REMAINS TABLED.  
**THIS ITEM REMAINS TABLED.**
- i. Marsh Brothers Deli @ The Little Store LLC, 55 School Street, Lebanon, NH 03766.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3354047 pursuant to RSA 178:18 & RSA 178:19-a.  
30-Day Temporary License issued 5/26/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**

- j. Orouke Hospitality Management LLC DBA Merland's Deli and Draft, 96 Main Street, Upper Level, North Woodstock, NH 03262.  
To be issued Restaurant On-Premise Beverage and Wine License #1545803 pursuant to RSA 178:20.  
30-Day Temporary License issued 6/2/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- k. Orouke Hospitality Management LLC DBA Truants Taverne, 96 Main Street, Lower Level, North Woodstock, NH 03262.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1545903 pursuant to RSA 178:21.  
30-Day Temporary License issued 6/2/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- l. Pizza Peddler & Mini Mart LLC, 70 Hancock Road, Peterborough, NH 03458.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3354447 pursuant to RSA 178:18 & RSA 178:19-a.  
30-Day Temporary License issued 6/1/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- m. Pops Enterprises LLC DBA Ollie's Food and Spirits, 761 Mast Road, Manchester, NH 03102.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1544203 pursuant to RSA 178:21.  
30-Day Temporary License issued 6/1/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- n. Twin Lake Village, Inc., 164 Twin Lake Villa Road, Springfield, NH 03284.  
To be issued Seasonal Caterer-Off-Site License #1286634 pursuant to RSA 178:22, V(e).  
30-Day Temporary License issued 5/31/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- o. Vietnamese Community of NH,  
Hellenic Community Center, 650 Hanover Street, Manchester, NH 03104.  
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).  
Event date 6/17/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- p. Winnepesaukee Playhouse (The), 50 Reservoir Road, Meredith, NH 03253.  
To be issued Performing Arts Facility License #399508 licensed pursuant to RSA 178:22, V(m).  
30-Day Temporary License issued 6/2/2017.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**

**5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**6. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JUNE 2, 2017: 1,178**

- a. Barboursville Winery, Inc., 17655 Winery Road, Barboursville, VA 22923.  
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**
- b. Mora's Fine Wine and Spirits DBA Mora's Fine Wines, 280 Route 25A, East Setauket, NY 11733.  
Direct Shipper Permit Importer, Wholesaler or Retailer pursuant to RSA 178:27.  
**ON JUNE 1, 2017, DEPUTY COMMISSIONER MILLIGAN MOVED TO TABLE THIS ITEM FOR FURTHER DISCUSSION; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED. AS OF JUNE 8, 2017, THIS ITEM REMAINS TABLED.**
- c. Reid Family Vineyards, 1020 Borrette Lane, Napa, CA 94558.  
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.  
**DEPUTY COMMISSIONER MILLIGAN APPROVED.**

**7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**8. NOTIFICATION OF APPROVED PETITIONS:**

- a. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.  
Wine Manufacturer Off-Premise Wine Only License #563830 licensed pursuant to RSA 178:8.  
Date petition received: 5/30/2017.  
Date petition approved: 6/1/2017.  
Requested approval for authorization for tasting and retail sales at farmers' market, to wit, Bedford Farmers' Market, 190 Meetinghouse Road, Bedford, NH between 3:00 pm and 6:00 pm from June 6, 2017 to October 4, 2017 pursuant to RSA 178:24 and RSA 179:44, II-a.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- b. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.  
Wine Manufacturer Off-Premise Wine Only License #563830 licensed pursuant to RSA 178:8.  
Date petition received: 5/30/2017.  
Date petition approved: 6/1/2017.  
Requested approval for authorization for tasting and retail sales at farmers' market, to wit, Derry Homegrown Farm & Artisan Market, 1 West Broadway, Derry, NH on Wednesdays between 3:00 pm and 7:00 pm from June 7, 2017 to September 20, 2017 pursuant to RSA 178:24 and RSA 179:44, II-a.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- c. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.  
Wine Manufacturer Off-Premise Wine Only License #563830 licensed pursuant to RSA 178:8.  
Date petition received: 5/30/2017.  
Date petition approved: 6/1/2017.  
Requested approval for authorization for tasting and retail sales at farmers' market, to wit, Salem Farmers' Market, 224 North Broadway, Salem, NH on Sundays between 10:00 a.m. and 2:00 pm from June 4, 2017 to October 29, 2017 pursuant to RSA 178:24 and RSA 179:44, II-a.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- d. Buckey's Rest. & Tavern LLC, 240 Gov. Wentworth Highway, Moultonborough, NH 03254.  
Restaurant On-Premise Cocktail Lounge License #1217703 licensed pursuant to RSA 178:22.  
Date petition received: 5/24/2017.  
Date petition approved: 6/2/2017.  
Requested approval for authorization of other area, to wit, an outside tented area with a capacity of 53 for event dates June 15,16,17, 2017 pursuant to RSA 178:24 and Liq. 404.05.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- e. Eagle Mountain House LLC DBA Eagle Mountain House and Golf Club,  
179 Carter Notch Road, Jackson, NH 03846.  
Hotel On-Premise Cocktail Lounge License #368402 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).  
Date petition received: 5/26/2017.  
Date petition approved: 6/1/2017.  
Requested approval for authorization of other area, to wit, an outside tented area with a capacity of 210 for event dates June 1, 2017 through October 31, 2017 pursuant to RSA 178:24 and Liq. 404.05.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- f. LRM INC. DBA The Mug, 62 Daniel Webster Highway, Center Harbor, NH 03226.  
Restaurant On-Premise Beverage/Wine/Liquor License #309503 licensed pursuant to RSA 178:21.  
Date petition received: 5/30/2017.  
Date petition approved: 6/2/2017.  
Requested approval for authorization of other area, to wit, an outside garden area with a capacity of 53 for event dates June 9, 2017 through June 18, 2017 pursuant to RSA 178:24 and Liq. 404.05.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**
- g. Rockingham Brewing Company LLC, 1 Corporate Park Drive, #1, Derry, NH 03038.  
Nano Brewery, Beer and/or Specialty Beer License #202222 licensed pursuant to RSA 178:12-a.  
Date petition received: 5/30/2017.  
Date petition approved: 6/1/2017.

Requested approval for authorization of other areas for retail sales only at farmers' market, to wit, Derry Farmers' Market (Derry Homegrown Farm & Artisan Market) every Wednesday between 3:00 pm and 7:00 pm from June 7, 2017 to September 20, 2017 pursuant to RSA 178:24 and Liq. 404.05.

**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

- h. Row 34 Portsmouth LLC DBA Row 34 Oyster Bar, 5 Portwalk Place, Portsmouth, NH 03801. Restaurant On-Premise Cocktail Lounge License #1501903 licensed pursuant to RSA 178:22. Date petition received: 5/10/2017. Date petition approved: 5/26/2017.

Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 18 pursuant to RSA 178:24 and Liq. 404.05.

**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

- i. Smith, Banks and Brown, Inc. DBA Sweet Fire Barbecue and Take Out, 116 Mulberry Street, Claremont, NH 03743. Restaurant On-Premise Beverage/Wine/Liquor License #309503 licensed pursuant to RSA 178:21. Date petition received: 5/25/2017. Date petition approved: 5/26/2017.

Requested approval for authorization of other area, to wit, an outside parking area with a capacity of 300 for event date May 27, 2017 pursuant to RSA 178:24 and Liq. 404.05.

**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

- j. Union Coffee Company LLC, 42 South Street, Milford, NH 03055. Restaurant On-Premise Beverage and Wine License #1498203 licensed pursuant to RSA 178:20. Date petition received: 5/19/2017. Date petition approved: 5/30/2017.

Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 62 pursuant to RSA 178:24 and Liq. 404.05.

**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

- k. Vibes Gourmet Foods LLC DBA Vibes Gourmet Burgers, 25 South Main Street, Concord, NH 03301. Restaurant On-Premise Beverage and Wine License #1512803 licensed pursuant to RSA 178:20. Date petition received: 5/24/2017. Date petition approved: 6/1/2017.

Requested approval for authorization of other area, to wit, an outside sidewalk area with a capacity of 14 pursuant to RSA 178:24 and Liq. 404.05.

**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**

**9. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:**

Skinny Pancake-Hanover LLC, 3 Lebanon Street, Unit 20, Hanover, NH 03755. Restaurant On-Premise Beverage and Wine License #1525103 licensed pursuant to RSA 178:20. Date petition received: 5/31/2017.

Requested approval for retention of invoices at another location, to wit, a home office located at 100 Dorset Street, Suite 20B, South Burlington, VT pursuant to RSA 179:35.

**New Hampshire Liquor Commission, Division of Enforcement & Licensing does not have jurisdiction out of state. There would be no legal authority to inspect or access the Licensee's records for audits or other lawful matters.**

**Recommendation: Denial.**

**DEPUTY COMMISSIONER MILLIGAN APPROVED THE RECOMMENDATION TO DENY THIS PETITION.**

**10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:**

None

**11. NOTIFICATION OF DENIED FELON EXCEPTIONS:**

None

**12. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:**

None

**13. NOTIFICATION OF COMPLIANCE CHECKS:**

None

**14. ADMINISTRATIVE HEARING DECISION PENDING:**

- a. Fire & Ice Hookah Lounge, 990 Elm Street, Manchester, NH.  
Cigar Bar On-Premises Beverage/Wine/Liquor/Cigar License #403106 issued pursuant to RSA 178:20-a.  
Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in areas not approved by the Commission – 3 counts.  
Cited for violation of RSA 179:51 – insufficient lighting – 2 counts.  
Dates of violations: October 9, 2016 & December 30, 2016.  
Case #: 16-343-OF & 17-1-OF.  
HEARING CONTINUED BY CHIEF HEARINGS OFFICER JOSEPH PLAIA.  
SETTLEMENT CONFERENCE HELD 2/21/17.  
SETTLEMENT PENDING.  
PETITION FOR REVOCATION OF LICENSE FILED BY THE CITY OF MANCHESTER TO BE HEARD.  
REQUEST FOR PRE-HEARING CONFERENCE MADE BY THE LICENSEE ON APRIL 27, 2017; A PRE-HEARING CONFERENCE WAS HELD ON MAY 1, 2017 AND THE HEARING WAS RESCHEDULED TO MAY 8, 2017 AT 9:00 A.M.  
THE HEARING COMMENCED MAY 8, 2017 AND WILL RESUME ON MAY 17<sup>TH</sup> AT 9:00 A.M. AT LIQUOR COMMISSION OFFICES.  
ORDER DATED MAY 10, 2017 INDICATES THE LICENSE "IS HEREBY REINSTATED IMMEDIATELY ON A TEMPORARY AND PROBATIONARY BASIS UNTIL A FINAL DECISION AND ORDER IS ISSUED WITH REGARD TO THE PETITION FILED BY THE CITY OF MANCHESTER ON APRIL 19, 2017. THE TERMS OF THE REINSTATEMENT ARE AS FOLLOWS:  
1. SERVICE OF ANY ALCOHOL BEVERAGES SHALL CEASE AT 12:00 A.M. AND ALL ALCOHOLIC BEVERAGES SHALL BE CLEARED FROM TABLES AND PATRONS SHALL LEAVE THE PREMISES BY 12:30 A.M.  
2. ANY VIOLATIONS OF LAW ON THE PREMISES SHALL BE IMMEDIATELY REPORTED TO THE MANCHESTER POLICE DEPARTMENT.  
3. FIRE & ICE AND ALL OF ITS OWNERS, MEMBERS, MANAGERS AND EMPLOYEES SHALL STRICTLY ADHERE TO ALL LAWS AND RULES CONTAINED WITHIN NH TITLE XIII.  
4. ANY VIOLATIONS OF NH TITLE XIII, LIQ RULES OR STATE STATUTES WILL RESULT IN IMMEDIATE SUSPENSION WITHOUT A HEARING UNTIL A FINAL DECISION AND ORDER IS REACHED WITH REGARD TO THIS MATTER.  
5. THE LICENSEE WILL EMPLOY AT HIS EXPENSE A TWO OFFICER MANCHESTER POLICE DETAIL ON FRIDAY, SATURDAY AND SUNDAY NIGHTS. THESE DETAILS WILL BE EMPLOYED BY THE LICENSEE ON HOLIDAYS AND OTHER SUCH DAYS THE LICENSEE CAN REASONABLY FORESEE A HIGH VOLUME OF PATRONS.  
6. THE LICENSEE WILL IMMEDIATELY TERMINATE ANY SECURITY PERSONNEL, WHETHER ON DUTY OR NOT, WHO ENGAGES IN ASSAULTIVE BEHAVIOR. \*(NOTE: THE LICENSEE HAS TERMINATED THE SECURITY STAFF MEMBER WHO WAS DOCUMENTED ON VIDEO ASSAULTING A PATRON ON APRIL 16, 2017).  
7. THE LICENSEE WILL ADOPT WRITTEN PROTOCOL FOR ITS SECURITY PERSONNEL, HAVE MANDATED TRAINING FOR NEW HIRES AND EXISTING SECURITY PERSONNEL AND PROVIDE A COPY OF THE PROTOCOL TO THE DIVISION OF ENFORCEMENT AND MANCHESTER POLICE DEPARTMENT PRIOR TO THE HEARING ON MAY 17, 2017. THE PROTOCOL SHALL BE CONSISTENT WITH RSA 627:4 USE OF FORCE STATUTE.  
8. THE LICENSEE SHALL UTILIZE THE INFORMATION PROVIDED BY THE CITY OF MANCHESTER AND IDENTIFY ANY PATRONS WHO HAVE ENGAGED IN ASSAULTIVE

BEHAVIOR AND IMMEDIATELY BAN SUCH INDIVIDUALS AND PROVIDE A LIST OF SAME TO ALL PERSONNEL OF THE ESTABLISHMENT, THE DIVISION OF ENFORCEMENT AND THE MANCHESTER POLICE DEPARTMENT.

9. THE LICENSEE WILL CONTINUE TO COOPERATE WITH THE MANCHESTER POLICE AND MAKE SECURITY FOOTAGE AND ALL STAFF AVAILABLE TO THE DIVISION OF ENFORCEMENT AND MANCHESTER POLICE TO ASSIST WITH ANY INVESTIGATIONS.”

THE HEARING WAS CONCLUDED ON MAY 17, 2017; FINAL DECISION AND ORDER IS PENDING.

**DECISION AND ORDER EFFECTIVE JUNE 1, 2017: “THE CITY PRESENTED EVIDENCE THAT ON SEVERAL OCCASIONS (AT LEAST NINE) OFFICERS OF THE MANCHESTER POLICE DEPARTMENT EITHER HAD BEEN DISPATCHED OR PERSONALLY OBSERVED FIGHTS AT FIRE & ICE HOOKAH LOUNGE BETWEEN JANUARY AND APRIL OF 2017. ON MORE THAN ONE OCCASION, THESE FIGHTS WERE SO LARGE (CONSISTING OF AN ESTIMATED 20 TO 30 PEOPLE) THEY MADE ELM STREET IN MANCHESTER IMPASSABLE. ON MORE THAN ONE OCCASION, THE ASSAULTS THEMSELVES WERE COMMITTED BY SECURITY STAFF OF FIRE & ICE. THE VIDEO SUBMITTED BY THE CITY IS EXTREMELY CONCERNING. NOT ONLY DOES IT DEPICT ONE SECURITY OFFICER VIOLENTLY ASSAULTING A PATRON, IT SHOWS SEVERAL OTHER SECURITY OFFICERS ACTIVELY TRYING TO BAIT SEVERAL PEOPLE IN THE STREET INTO A FIGHT. BASED ON THE TESTIMONY AND EXHIBITS PRESENTED, I FIND BY A PREPONDERANCE OF THE EVIDENCE THAT THE FIGHTS AND ASSAULTS OCCURRING IN AND AROUND FIRE & ICE HOOKAH LOUNGE ARE DIRECTLY ATTRIBUTABLE TO THE PATRONS AND SECURITY STAFF OF THIS LICENSED ESTABLISHMENT. I FIND THAT THE NATURE AND AMOUNT OF FIGHTS OCCURRING AT THIS ESTABLISHMENT ARE EXTRAORDINARY AND THE HEALTH, SAFETY AND WELFARE WARRANTED THE IMMEDIATE SUSPENSION OF FIRE & ICE PURSUANT TO RSA 541-A:30, III. RSA 179:57 PROVIDES IN PERTINENT PART. . . “OR IF THE PREMISES ARE REGULARLY THE SITE OF VIOLENCE THE LICENSE OF SUCH LICENSEE MAY BE SUSPENDED OR REVOKED AFTER NOTICE AND HEARING, IN ACCORDANCE WITH RSA 541-A:31-36.” THE EVIDENCE PRESENTED BY THE CITY OF MANCHESTER SHOWS THAT FIRE AND ICE HOOKAH LOUNGE IS A REGULAR SITE OF VIOLENCE. FURTHERMORE, I FIND THE UNLAWFUL CONDUCT IN THE ASSAULTS AND FIGHTS OCCURRING AT FIRE & ICE TO BE A GROSS DEVIATION FROM PUBLIC SAFETY AND WELFARE PURSUANT TO LIQ. RULE 603.03 AND THE SPECIAL PENALTY EXCEPTIONS FOR SPECIFIC OFFENSES IN RSA 179:57 ARE JUSTIFIED BY A PREPONDERANCE OF THE EVIDENCE. PENALTY: PURSUANT TO THE AUTHORITY GRANTED BY RSA 179:57 LICENSE #403106 IS HEREBY REVOKED.”**

- b. Twin Mountain Country Store, 130 Route 3, Twin Mountain, NH.  
Combination Off-Premises Beverage/Wine/Tobacco License #3286047 issued pursuant to RSA 178:18/RSA 126-K:4.  
Cited for violation of RSA 179:5, I – sold alcoholic beverage to an under-aged individual – 3 counts.  
Cited for violation of RSA 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age – 3 counts.  
Cited for violation of RSA 179:17 – sold alcoholic beverage outside the hours of 6:00 a.m. and 11:45 p.m. – counts.  
Date of violations: 12/1/16, 1/7/17 & 4/9/17.  
Case #s: 16-324-OF, 17-12-OF & 17-124-OF.  
**HEARING WAS HELD MAY 24, 2017 AT LANCASTER DISTRICT COURT, LANCASTER, NH;  
DECISION AND ORDER IS PENDING.**

**15. NOTIFICATION OF HEARING RESULTS:**

None

**16. MISCELLANEOUS ITEM FOR COMMISSION APPROVAL:**

None

**17. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

Shelter from the Storm, Woodbound Inn, 247 Woodbound Road, Rindge, NH 03461.  
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).  
Event date: 6/4/2017.  
Recommendation: Expedited approval.  
Commission approved on 6/1/2017.  
**DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.**