

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, JUNE 21, 2018

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JUNE 14, 2018.

2. SCHEDULED ADMINISTRATIVE HEARINGS:

None

3. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

Bully Boy Distillers, 35 Cedric Street, Roxbury, MA.

Liquor & Wine Vendor License #108045 issued pursuant to RSA 178:9.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: June 6, 2018.

Case #: 18-153-OF.

\$100 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. M & T LLC DBA Eastern Paradise Asian Cuisine, 50 Marketplace Boulevard, Rochester, NH 03867.
To be issued Restaurant Full Service With Lounge License #1560403 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 6/13/2018.
- b. Gilmanton Country Foods LLC DBA Gilmanton Café, 518 Province Road, Gilmanton, NH 03237.
To be issued Off-Premise Beverage & Wine Combination License #3369047 pursuant to RSA 178:18.
30-Day Temporary License issued 6/11/2018.
- c. Golden Koi LLC DBA Golden Koi, 437 Nashua Street, Milford, NH 03055.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1566903 pursuant to RSA 178:21.
30-Day Temporary License issued 6/11/2018.
- d. Grace Organics LLC DBA Table and Tonic,
3358 White Mountain Highway, North Conway, NH 03860.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1541703 pursuant to RSA 178:21.
30-Day Temporary License issued 6/12/2018.
- e. La Esquina Del Pollo Restaurant LLC DBA La Esquina Del Pollo Restaurant,
363 Chestnut Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1565003 pursuant to RSA 178:21.
30-Day Temporary License issued 6/8/2018.
- f. Metro Amusement, Inc., 61 Canal Street, Manchester, NH 03102.
To be issued Tobacco Vending Machine License #838137 pursuant to RSA 178:19.
30-Day Temporary License issued 6/13/18.

- g. MGM Restaurants LLC DBA Balducci's Pizza, 419 South Broadway, Salem, NH 03079.
To be issued Restaurant Beverage & Wine License #153503 pursuant to RSA 178:20.
30-Day Temporary License issued 6/13/2018.
- h. Phugginburger LLC, 6 Main Street, Somersworth, NH 03878.
To be issued Restaurant Beverage & Wine License #1566203 pursuant to RSA 178:20.
30-Day Temporary License issued 6/12/18.
- i. Pim's Thai Orchid LLC DBA Pim's Thai Orchid, 70 Hanover Street, Lebanon, NH 03766.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1564103
pursuant to RSA 178:21.
30-Day Temporary License issued 6/12/2018.
- j. Spencer's Place LLC, 10 Westminster Street, Walpole, NH 03608.
To be issued Restaurant Full Service With Lounge License #1560203 pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 6/13/2018.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JUNE 15, 2018: 1,163

- a. Brick Barn Winery LLC DBA Brick Barn Wine Estate, 795 West Highway 246, Buellton, CA 93427.
To be issued Direct Shipper - Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Connoisseur Encounters, Inc. DBA The Wine Cellar Group,
1341 Barclay Boulevard, Buffalo Grove, IL 60089.
Renewal Application for Direct Shipper - Retailer Permit #8001733 pursuant to RSA 178:27.
Permittee was denied renewal at the Enforcement agenda meeting of 3/19/18 because they
are a Retailer.
(Retailer)
- c. Grapewagon Corp. DBA Liquid Vineyl, 851 Magnolia Drive, Healdsburg, CA 95448.
To be issued Direct Shipper - Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- d. Middleton Family Wines LLC, 4910 Edna Road, San Luis Obispo, CA 93401.
Renewal Application for Direct Shipper - Retailer Permit #8047833 pursuant to RSA 178:27.
Permittee was denied renewal at the Enforcement agenda meeting of 5/3/18 because they are a
Retailer.
(Retailer)
- e. SzKutak Wine Ventures LLC DBA SAMsARA Wine Company,
9050 San Antonio Road, Orcutt, CA 93455.
To be issued Direct Shipper - Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Barn (The) LLC, 341 Daniel Webster Highway, Plymouth, NH 03264.
Caterer-On-Site License #1279026 licensed pursuant to RSA 178:22, V(e).
Date petition received: 6/5/2018.
Date petition approved: 6/11/2018.
Requested approval for authorization of other area, to wit, an outside area with capacity of 435 pursuant to RSA 178:24 and Liq. 404.05.
- b. Boston Culinary Group, Inc., 719 Cherry Valley Road, Gilford, NH 03246.
Sports Recreation License #572305 licensed pursuant to RSA 178:22, V(v).
Date petition received: 3/20/2018.
Date petition approved: 6/13/2018.
Requested approval for authorization of other area, to wit, an outside area with capacity of 10,500 for June 13, 2018 pursuant to RSA 178:24 and Liq. 404.05.
- c. Buckey's Restaurant & Tavern, 240 Governor Wentworth, Moultonborough, NH 03254.
Restaurant Full Service With Lounge License #1217703 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Date petition received: 6/11/2018.
Date petition approved: 6/14/2018.
Requested approval for authorization of other area, to wit, an outside area with a total capacity of 53 from June 14 to June 16, 2018 pursuant to RSA 178:24 and Liq. 404.05.
- d. Coffin Cellars LLC, 1224 Battle Street, Webster, NH 03303.
Wine Manufacturer Off-Premise Wine Only License #562930 licensed pursuant to RSA 178:8.
Date petition received: 5/3/2018.
Date petition approved: 6/6/2018.
Requested approval for authorization of other area for retail sales at farmers' market, to wit, Town of Warner on Saturdays between 9:00 am and 1:00 pm from May 19, 2018 to the end of the year pursuant to RSA 178:8; the Town of Warner will not allow sampling of wine at this event.
- e. Grace Organics DBA Table and Tonic, 3358 White Mountain Highway, North Conway, NH 03860.
Restaurant On-Premise Beverage/Wine/Liquor License #1541703 licensed pursuant to RSA 178:21.
Date petition received: 6/11/2018.
Date petition approved: 6/13/2018.
Requested approval for authorization of other areas, to wit, 2 outside areas with a total capacity of 16 pursuant to RSA 178:24 and Liq. 404.05.
- f. Laconia Broken Spoke LLC DBA Broken Spoke Saloon, 1072 Watson Road, Laconia, NH 03246.
Restaurant Full Service With Lounge License #1507303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Date petition received: 6/8/2018.
Date petition approved: 6/8/2018.
Requested approval for authorization of other area, to wit, an outside area with a total capacity of 3,900 from June 9 to June 17, 2018 pursuant to RSA 178:24 and Liq. 404.05.
- g. O'Rourke Hospitality Management LLC DBA Truant's Taverne, Lower Level, 96 Main Street, North Woodstock, NH 03262.
Restaurant Beverage & Wine License #1545903 licensed pursuant to RSA 178:20.
Date petition received: 6/4/2018.
Date petition approved: 6/8/2018.
Requested approval for authorization of other area, to wit, an outside area with a total capacity of 143 pursuant to RSA 178:24 and Liq. 404.05.

- h. Phugginburger LLC, 6 Main Street, Somersworth, NH 03878.
Restaurant Beverage & Wine License #1566203 licensed pursuant to RSA 178:20.
Date petition received: 5/24/2018.
Date petition approved: 6/4/2018.
Requested approval for authorization of other area, to wit, an outside area with capacity of 26 pursuant to RSA 178:24 and Liq. 404.05.
- i. Polyculture Brewing Company LLC, 3 Camel Hump Road, Croydon, NH 03773.
Beverage Manufacturer License #292818 licensed pursuant to RSA 178:12.
Date petition received: 6/11/18.
Date petition approved: 6/12/18.
Requested approval for authorization of other area for sampling and retail sales at farmers' market, to wit, Lebanon Farmers' Market, 51 N. Park Street every Thursday between 4:00 pm and 7:00 pm from June 21 to September 27, 2018 pursuant to RSA 178:24 and Liq. 404.05.
- j. John Putnam DBA Putnam's Waterview Restaurant, 40 Main Street, Goffstown, NH 03045.
Restaurant Beverage & Wine License #1071503 licensed pursuant to RSA 178:20.
Date petition received: 6/7/2018.
Date petition approved: 6/8/2018.
Requested approval for authorization of other area, to wit, an outside area with capacity of 30 pursuant to RSA 178:24 and Liq. 404.05.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

Jackson Family Wines, Inc. DBA Spire Collection, 3299 Bennett Lane, Calistoga, CA 94515.
Renewal Application for a Wine Manufacturer Permit #8147133 pursuant to RSA 178:27.
Recommend denial pursuant to RSA 178:27 because Permittee is an Importer.
ON MAY 24, 2018, DIRECTOR MARK ARMAGANIAN RECOMMENDED THAT THIS ITEM BE TABLED RATHER THAN DENIED UNDER SECTION #8 OF THIS AGENDA SO THAT ISSUES SURROUNDING THE PERMIT COULD BE RESOLVED; THE PERMITEE, WHO IS ACTUALLY A MANUFACTURER, NEEDS TO FILE THE APPROPRIATE PAPERWORK PER DIRECTOR DAN ST. HILAIRE; A QUICK TURN AROUND IS EXPECTED.
ON MAY 31, 2018, CHIEF ARMAGANIAN STATED THAT THE DIVISION OF ENFORCEMENT HAD BEEN IN CONTACT WITH THE PERMITEE ON 3 OCCASIONS IN AN EFFORT TO HAVE THEM FILE THE NECESSARY PAPERWORK AND PAY THE FEE FOR A DIRECT SHIPPER - IMPORTER PERMIT WHICH IS THE APPROPRIATE PERMIT GIVEN THE NATURE OF THIS BUSINESS; HOWEVER, THE PERMITEE STOPPED RESPONDING TO THE DIVISION; THE CHIEF RECOMMENDED THAT THIS ITEM REMAIN TABLED FOR ANOTHER WEEK TO GIVE THE PERMITEE THE OPPORTUNITY TO COMPLETE THE PROCESS; IF THEY FAIL TO DO SO, HE WILL RECOMMEND THAT THE APPLICATION BE DENIED; DEPUTY COMMISSIONER MILLIGAN STATED THAT THIS PLAN OF ACTION IS REASONABLE AND MOVED TO APPROVE THE CHIEF'S RECOMMENDATION; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
ON JUNE 7, 2018, THIS ITEM REMAINED TABLED; THE PERMITEE HAS BEEN IN CONTACT WITH THE DIVISION OF ENFORCEMENT AND WILL BE FILING A NEW APPLICATION.
ON JUNE 14, 2018 CHIEF ARMAGANIAN STATED THAT THE PERMITEE IS STILL IN THE PROCESS OF SUBMITTING THE PROPER APPLICATION; HE RECOMMENDED LEAVING THIS ITEM ON THE TABLE; DEPUTY COMMISSIONER MILLIGAN MOVED TO ACCEPT THE RECOMMENDATION; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Errol General Store, 76 Main Street, Errol, NH 03579.
Agency Store Off-Premise Liquor Only License #980704 licensed pursuant to RSA 177:9.
Requested approval for renewal of license, to wit, to renew Agency Store Off-Premise Liquor Only License for the period 7/1/2018 to 6/30/2019 pursuant to RSA 177:9.
Recommendation: Approval.
ON JUNE 18, 2018 DIRECTOR NICOLE BRASSARD-JORDAN CONTACTED LICENSEE ROBERT OUELLET TO OFFER THE COMMISSION'S ASSISTANCE RELATIVE TO THIS LIQUOR LICENSE; MR. OUELLET STATED THAT THEY REQUIRED NOTHING AT THAT TIME.
- b. CMDR Jonathan Crane, 243 Mountain View Drive, Monroe, NH 03771.
Military serviceman wishes to import his collection of alcohol consisting of 70 bottles to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175.6.
Recommendation: Approval.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Goffstown, NH; and
Walpole, NH.
COMMISSION ACKNOWLEDGED.

Woodsville, NH; and
Haverhill, NH.
COMMISSION ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Androscoggin Valley Chamber,
Service Credit Union Heritage Park, 942 Main Street, Berlin, NH 03570.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 6/16/2018.
Recommendation: Expedited approval.
Commission approved on 6/8/2018.
- b. Franklin Business and Industrial Corp., Trestle View Park, Central Street, Franklin, NH 03235.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor Licenses pursuant to RSA 178:22, V(I).
Event dates: 6/22/2018 & 6/23/2018.
Recommendation: Expedited approval.
Commission approved on 6/12/2018.

- c. Hampton Area Chamber of Commerce, Abenaki Country Club, 231 Central Road, Rye, NH 03871.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 6/14/2018.
Recommendation: Expedited approval.
Commission approved on 6/11/2018.
- d. Lincoln-Woodstock Chamber Of Commerce,
Western White Mountain Chamber, Loon Mountain, 60 Loon Mountain Road, Lincoln, NH 03251.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 6/23/2018.
Recommendation: Expedited approval.
Commission approved on 6/15/2018.
- e. Littleton Studio School, Opera House, Main Street, Littleton, NH 03561.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 6/21/2018.
Recommendation: Expedited approval.
Commission approved on 6/11/2018.
- f. Share Our Strength, Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 6/20/2018.
Recommendation: Expedited approval.
Commission approved on 6/11/2018.