

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 13, 2018

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 6, 2018.

DEPUTY COMMISSIONER MILLIGAN MOVED TO ACCEPT THE MINUTES OF SEPTEMBER 6, 2018; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

2. SCHEDULED HEARINGS:

a. REVOCATION HEARING TO BE HELD AT THE ALDERMANIC CHAMBERS, ONE CITY HALL PLAZA, MANCHESTER, NH:

September 19, 2018 at 9:30 a.m.:

Glowbar, 123 Hanover Street, Manchester, NH.

Cigar Bar On-Premises Beverage/Wine/Liquor/Cigar License #403906 issued pursuant to RSA 178:20-a.

b. ADMINISTRATIVE HEARING TO BE HELD AT COMMISSION HEADQUARTERS, 50 STORRS STREET, CONCORD, NH:

October 5, 2018 at 9:30 a.m.:

82 Scores Sports Bar & Grille, 82 – 84 Main Street, Keene, NH.

Restaurant Full Service With Lounge License #1473903 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in an area not approved by the Commission.

Cited for violation of RSA 179:44, I – gave free drinks to customers, patrons, members or guests.

Date of violations: December 31, 2016.

Case #: 17-163-OF.

3. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

a. American Spirits Exchange, 408 East Fourth Street, Suite 209, Bridgeport, PA.

Liquor & Wine Vendor License #104745 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: August 8, 2018.

Case #: 18-246-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

b. Cloud 9 Bar & Grille, 225 Ocean Blvd., Hampton, NH.

Restaurant Full Service With Lounge License #1494703 issued pursuant to

RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.

Date of violation: August 24, 2018.

Case #: 18-233-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/20/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 10/4/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 10/18/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 11/1/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Derry Village Rotary Club, Derry Boys & Girls Club, 40 East Derry Road, Derry, NH 03038.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 9/29/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Easterseals NH, Inc., Funspot, 579 Endicott Street North, Laconia, NH 03246.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/29/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Nomad's LLC DBA Nomad's Kitchen, 9 Madbury Road, Suite 4, Durham, NH 03824.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1570603 pursuant to RSA 178:21.
30-Day Temporary License issued 9/5/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Queen City Rotary Club Foundation,
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(I).
Event date: 9/29/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- i. Rochester Agricultural and Mechanical Association DBA Rochester Fair, 72 Lafayette Street, Rochester, NH 03867.
To be issued State Fair On-Premise Beverage and Wine License #531223 pursuant to RSA 178:20, II.
30-Day Temporary License issued 9/6/2018.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING SEPTEMBER 7, 2018: 1,173

None

COMMISSION ACKNOWLEDGED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Flight Deck (The) LLC, 80 Airport Road, Swanzey, NH 03446.
Restaurant On-Premise Beverage/Wine/Liquor License #1526003 licensed pursuant to RSA 178:21.
Date petition received: 8/31/2018.
Date petition approved: 9/4/2018.
Requested a waiver of RSA 178:21, II, a (2) for authorization for reduction of hours, to wit, to reduce the hours of operation to less than 5 days a week between October 15, 2018 and April 1, 2019 as indicated in a letter dated August 22, 2018.
COMMISSION ACKNOWLEDGED.
- b. Madear's LLC, 175 Hanover Street, Manchester, NH 03104.
Restaurant On-Premise Beverage/Wine/Liquor License #1539103 licensed pursuant to RSA 178:21.
Date petition received: 9/4/2018.
Date petition approved: 9/6/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 24 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Mel's Funway Park LLC, 454 Charles Bancroft Highway, Litchfield, NH 03052.
Restaurant On-Premise Beverage & Wine License #1531903 licensed pursuant to RSA 178:20.
Date petition received: 8/30/2018.
Date petition approved: 9/6/2018.
Requested approval for authorization of other areas, to wit, 2 outside areas with a total capacity of 990 for September 21, 2018 to November 3, 2018 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. White Mountain Moose Lodge DBA Moose Club, 1746 Route 16, Madison, NH 03849.
Social Club On-Premise Cocktail Lounge License #400401 licensed pursuant to RSA 178:22, V(h).
Date petition received: 8/29/2018.
Date petition approved: 9/5/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 84 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.

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

None

11. **TABLED ITEMS:**

None

12. **MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:**

Indian Peaks Brewing Company DBA Left Hand Brewing Company,
1265 Boston Avenue, Longmont, CO 80501.

Beverage Vendor License #73331 licensed pursuant to RSA 178:15.

Date petition received: 8/24/2018.

Requests approval of 25th Anniversary Imperial Stout with an alcohol content of 12.16% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-a/RSA 179:40-a; a sample was provided.

**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**

13. **MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:**

None

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

Bedford, NH.

15. **NOTIFICATION OF COMPLIANCE CHECKS:**

Rockingham County:

Klemm-4 Mammoth Road, 18 Mammoth Road, Windham, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3334047 licensed pursuant to
RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check.

Date of violation: August 22, 2018.

Case #: 18-230-OF.

Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within
ninety (90) days from the date of the violation.

COMMISSION ACKNOWLEDGED.

16. **NOTIFICATION OF DENIED FELON WAIVER:**

None

17. **ADMINISTRATIVE HEARING DECISION PENDING:**

Smokey Quartz Distillery, 894 Lafayette Road, Seabrook, NH.

Liquor Manufacturer License #287519 issued pursuant to RSA 178:6.

Cited for violation of RSA 179:25 – brand advertising of liquor on an internally illuminated sign.

Date of violation: July 11, 2018.

Case #: 18-170-OF.

THE HEARING TOOK PLACE ON SEPTEMBER 7, 2018.

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Rochester Main Street, Rochester Community Center, 150 Wakefield Street, Rochester, NH 03867.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License
pursuant to RSA 178:22, V(I).

Event date: 9/12/2018.

Recommendation: Expedited approval.

Commission approved on 9/6/2018.

COMMISSION ACKNOWLEDGED.