

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 27, 2018

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 20, 2018.**
DEPUTY COMMISSIONER MILLIGAN TABLED THIS ITEM AS HE WAS NOT PRESENT DURING THE MEETING OF SEPTEMBER 20, 2018.

2. **SCHEDULED HEARINGS:**

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

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

Glowbar, 123 Hanover Street, Manchester, NH.

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

ON 9/18/18, AN ASSENTED-TO MOTION TO CONTINUE WAS FILED BY THE CITY SOLICITOR ON BEHALF OF COUNSEL FOR THE LICENSEE AND GRANTED; HEARING DATE YET TO BE DETERMINED.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. 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.
Settlement was reached on September 24, 2018 and the hearing scheduled for October 5, 2018 was cancelled.
For violation of RSA 179:5, I, an administrative fine of \$1,500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended in the stage room only for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation and three (3) days to serve commencing October 20, 2018 and re-granted on October 23, 2018; last call shall occur no later than 11:30 p.m. on October 19, 2018 and the bar, all tables and any other effected area as described above shall be cleared of glasses, bottles or other containers utilized for the service/consumption of alcohol by 12:00 a.m. on October 20, 2018; during the suspension period, the dining room(s) and any other approved area shall not allow over-flow from the stage room or be used as a substitute for the stage room, and John Brewster shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of this fully executed agreement; for violation of RSA 179:27, an administrative fine of \$250; and for violation of RSA 179:44, I, an administrative fine of \$250 suspended for twelve (12) months pending no like violation.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

- b. R'Evolution Sports Bar & Restaurant, 8 Temple Street, Nashua, NH.
Restaurant, Full Service With Lounge License #1558103 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:17 – allowed the sale or consumption of alcoholic beverage on the premises after the expiration of the serving hour – 2 counts.
Dates of violation: July 22, 2018 & August 4, 2018.
Case #s: 18-208-OF & 18-209-OF.
\$500 administrative fine with \$250 suspended for twelve (12) months pending no like violation and mandatory attendance at a Management Training Seminar (MTS) for Nelson Ramirez within forty-five (45) days from the date of the approved agreement.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Attitash Mountain Resort DBA Bear Peak Base Lodge, 775 US Route 32, Bartlett, NH 03812.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor Licenses pursuant to RSA 178:22, V(l).
Event dates: 10/6/2018 & 10/7/2018.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- b. Chichester, Noelle DBA Local Color, 960 Sagamore Avenue, Portsmouth, NH 03801.
To be issued Retail Table Wine, Off-Premise Wine Only License #3163846 pursuant to RSA 178:19.
30-Day Temporary License issued 9/21/2018.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- c. Exeter Junior Baseball & Softball League, Inc.,
Neighborhood Beer Company, 156 Epping Road, Exeter, NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/20/2018.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- d. Greater Lawrence Young Women's Christian Association, Inc.
DBA YWCA Northeastern Massachusetts,
YWCA Camp Y-Wood, 58 Liberty Street, Captain's Pond, Salem 03079.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/4/2018.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- e. GT's Living Foods LLC, 4646 Hampton Street, Los Angeles, CA 90058.
To be issued Beverage Vendor License #87131 pursuant to RSA 178:15.
Manufacturer: GT's Living Foods LLC, Vernon, CA.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- f. James W. Foley Legacy Foundation,
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(l).
Event date: 10/20/2018.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- g. Northwoods Brewing Company LLC, 1334 First NH Turnpike, Northwood, NH 03261.
To be issued Nano Brewery, Beer and/or Specialty Beer License #204922 pursuant to RSA 178:12-a.
30-Day Temporary License issued 9/17/18.
DEPUTY COMMISSIONER MILLIGAN APPROVED.

- h. Prescott Park Arts Festival, 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(l).
Event date: 10/7/2018.
DEPUTY COMMISSIONER MILLIGAN APPROVED.

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 21, 2018: 1,187

- a. Cooper Wine Company LLC, 35306 North Sunset Road, Benton City, WA 99320.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- b. Natural Selections 357 LLC DBA The Crane Assembly,
1240 Holm Road, Suite B, Petaluma, CA 94954.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- c. Pervino, Inc., 306 East 3rd Street, Austin, TX 78701.
Renewal Application for Direct Shipper, Retailer Permit #8204833 pursuant to RSA 178:27.
Permittee was denied at the Enforcement Agenda meeting of 2/8/18 because they are a Retailer.
(Retailer)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- d. Sherry-Lehmann, Inc., 505 Park Avenue, New York, NY 10022.
Renewal Application for Direct Shipper, Retailer Permit #8043833 pursuant to RSA 178:27.
Permittee was denied at the Enforcement Agenda meeting of 2/1/18 because they are a Retailer.
(Retailer)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- e. Sonoma Valley Vineyards, Inc., 21481 8th Street, Suites 3-6, Sonoma, CA 95476.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- f. White Rock Vineyards, Inc., 1115 Loma Vista Drive, Napa, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN APPROVED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Beava Divas LLC DBA 19th Hole at Beaver Meadow, 1 Beaver Meadow Street, Concord, NH 03301.
Sports Recreation Facility, On-Premise Cocktail Lounge License #6018605 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/20/2018.
Date petition approved: 9/20/2018.
Requested approval for authorization of other area, to wit, an outside, tented area with a capacity of 160 for September 21 & 24, 2018 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

- b. Capitol Center For The Arts, 44 South Main Street, Concord, NH 03301.
Performing Arts, On-Premise Cocktail Lounge License #398008 licensed pursuant to RSA 178:22, V(m)
Date petition received: 9/12/2018.
Date petition approved: 9/18/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 219 for September 28 through September 30, 2018 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- c. Glen House LLC, 975 NH Route 16, Gorham, NH 03581.
Hotel, On-Premise Beverage/Wine/Liquor License #372602 licensed pursuant to RSA 178:24, II(b)(1).
Date petition received: 9/6/2018.
Date petition approved: 9/17/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 99 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- d. Loon Mountain Recreation Co. DBA Loon Mountain Ski Area,
Octagon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant, On-Premise Beverage & Wine License #404103 licensed pursuant to RSA 178:20.
Date petition received: 9/17/2018.
Date petition approved: 9/20/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 1,000 on October 6 & 7, 2018 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- e. Nomad's LLC DBA Nomad's Kitchen, 9 Madbury Road, Suite 4, Durham, NH 03824.
Restaurant, On-Premise Beverage/Wine/Liquor License #1570603 licensed pursuant to RSA 178:21.
Date petition received: 9/5/2018.
Date petition approved: 9/14/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 49 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- f. Purity Spring Resort, Inc. DBA King Pine Ski Area, 115 Eaton Road, Madison, NH 03849.
Sports Recreation Facility, On-Premise Cocktail Lounge License #398805 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/12/2018.
Date petition approved: 9/18/2018.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 620 for September 30, 2018 & October 6, 2018 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- g. Ukrainian American Citizens Club of New Hampshire, 148 Manchester Street, Manchester, NH 03101.
Social Club, On-Premise Cocktail Lounge License #10001 licensed pursuant to RSA 178:22, V(h).
Date petition received: 9/17/2018.
Date petition approved: 9/19/2018.
Requested approval for authorization of other area, to wit, an outside parking area with a capacity of 185 for September 22, 2018 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

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

None

11. **TABLED ITEMS:**

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.

Beverage Vendor License #54131 licensed pursuant to RSA 178:15.

Date petition received: 9/13/2018.

Requests approval of Goose Island Bourbon County Brand Bramble Rye Stout with an alcohol content of 12.82% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-a & RSA 179:40-a; sample provided.

DEPUTY COMMISSIONER MILLIGAN APPROVED.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Bedford, NH; and

Durham, NH.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO:

Hillsborough County:

- a. Alltown Market Manchester, 1050 South Willow Street, Manchester, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3357447 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: September 18, 2018.
Case #: 18-265-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.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- b. Hannaford Food & Drug, 201 John E. Devine Drive, Manchester, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #788047 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: September 18, 2018.
Case #: 18-265-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.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- c. 99 Cent & Cigarette Market, 352 Kelley Street, Manchester, NH.
Retail Tobacco License #801117 issued pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check.
Date of violation: September 18, 2018.
Case #: 18-265-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.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- d. Uncle Bob's Superette, 435 Kelley Street, Manchester, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3366047 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: September 18, 2018.

Case #: 18-265-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.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

16. NOTIFICATION OF DENIED FELON WAIVER:

None

17. ADMINISTRATIVE HEARING DECISION PENDING:

None

18. ADMINISTRATIVE HEARING DECISION:

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.

DECISION ISSUED BY CHIEF HEARINGS OFFICER JOSEPH S. PLAIA ON SEPTEMBER 19, 2018: THE LICENSEE AND ALL LICENSEES ARE HEREBY GIVEN NOTICE THAT BRAND ADVERTISING OF LIQUOR OR BEVERAGES ON LED MATRIX SIGNS OUTSIDE A LICENSED PREMISES CONTRAVENES THE PURPOSE OF RSA 179:25, AND ANY SUCH ADVERTISING WILL BE CONSIDERED A VIOLATION IN THE FUTURE; THERE SHALL BE NO PENALTY DUE TO LACK OF PROPER NOTICE.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

19. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Outing Club (The), Woodward Park, 119 Parkside Road, New London, NH 03257.

To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).

Event date: 9/15/2018.

Recommendation: Expedited approval.

Commission approved on 9/11/2018.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.