

AGENDA OF THE NHL
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 29, 2018

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD NOVEMBER 15, 2018.

2. SCHEDULED HEARINGS:

None

3. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Brahm Gas 1NH LLC, 557 DW Highway, Merrimack, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3362047 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:53 – altered premises without Commission approval.
Date of violation: October 24, 2018.
Case #: 18-319-OF.
\$250 administrative fine paid.
- b. Bungalow Bar and Grill/Cabana Lounge, 333 Valley Street, Manchester, NH.
Restaurant, On-Premises Full Service With Lounge License #1497503 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in an area not approved by the Commission.
Date of violation: October 27, 2018.
Case #: 18-326-OF.
\$250 administrative fine paid.
- c. Candela Tapas Lounge, 15 Lebanon Street, Hanover, NH.
Restaurant, On-Premises Beverage/Wine/Liquor License #1464603 issued pursuant to RSA 178:21.
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.
Date of violation: October 26, 2018.
Case #: 18-325-OF.
\$250 administrative fine paid.
- d. My Campus Convenience, 152 Winchester Street, Keene, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3296747 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:18/Liq. 404.02 - failed to have representative grocery items commonly found in a grocery or convenience store.
Date of violation: October 11, 2018.
Case #: 18-306-OF.
\$100 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 1176 Hooksett Road Hooksett SH LLC DBA Smokers' Haven Hooksett,
1176 Hooksett Road, Hooksett, NH 03106.
To be issued Retail Tobacco License #145517 pursuant to RSA 178:19-a.
30-Day Temporary License issued 11/13/2018.

- b. Bungalow Club at Exeter LLC, 1 Franklin Street, Exeter, NH 03833.
To be issued Restaurant, On-Premises Full Service with Lounge License #1574903 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 11/15/2018.
- c. Electric Avenue LLC, 24 Bridge Street, Manchester, NH 03101.
To be issued Restaurant, On-Premises Beverage & Wine License #1569103 pursuant to RSA 178:20.
30-Day Temporary License issued 11/19/2018.
- d. Honest Weight Artisan Beer LLC, 131 West Main Street, Units 103/104, Orange, MA 01364.
To be issued Beverage Vendor License #89631 pursuant to RSA 178:15.
Manufacturer: Honest Weight Artisan Beer.
- e. JL Sullivan's The Parting Glass LLC DBA JL Sullivan's, 891 NH Route 49, Thornton, NH 03285.
To be issued Restaurant, On-Premises Full Service with Lounge License #1575203 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 11/14/2018.
- f. KPCC Food Service LLC DBA Brick House Pizza and Wings, 101 Key Road, Keene, NH 03431.
To be issued Restaurant, On-Premises Beverage & Wine License #1572803 pursuant to RSA 178:20.
30-Day Temporary License issued 11/9/2018.
- g. Keyser, Adam, 5 Lydia Lane, Milton, NH 03851.
To be issued Alcohol Consultant, Direct Shipper Affiliated License #515244 pursuant to RSA 178:27-a.
Direct Shipper Name: ITO Wines, License #8192033.
- h. Krebs Brewing Company, Inc., 120 Southwest 8th Street, Krebs, OK 74554.
To be issued Beverage Vendor License #89331 pursuant to RSA 178:15.
Manufacturer: Krebs Brewing Company.
- i. Labarre, Tammy, 605 Spruce Street, Manchester, NH 03103.
To be issued Alcohol Consultant, Direct Shipper Affiliated License #515144 pursuant to RSA 178:27-a.
Direct Shipper Name: ITO Wines, License #8192033.
- j. Lexies-Epping LLC, 88 Shirkin Road, Epping, NH 03042.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1566003 pursuant to RSA 178:21.
30-Day Temporary License issued 11/15/2018.
- k. Terra Gia LLC DBA Terragia, 100 Main Street, Nashua, NH 03060.
To be issued Restaurant, On-Premises Beverage & Wine License #1575403 pursuant to RSA 178:20.
30-Day Temporary License issued 11/16/2018.
- l. To Share Brewing Company LLC, 720 Union Street, Manchester, NH 03104.
To be issued Nano Brewery, Beer and/or Specialty Beer/Restaurant License #207022 pursuant to RSA 178:12-a.
30-Day Temporary License issued 11/16/2018.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING NOVEMBER 26, 2018: 1,193

- a. Canard Vineyards LLC, 4550 Silverado Trail, Calistoga, CA 94515.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Harder Group, Inc. (The) DBA James Cole Winery, 5014 Silverado Trail, Napa, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- c. Napa Winery Group LLC DBA Ashes & Diamonds Winery, 4130 Howard Lane, Napa, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- d. Quixote Winery LLC, 6126 Silverado Trail, Napa, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- e. Vintage Wine Estates, Inc. DBA Tamarack Cellars, 700 C Street, Walla Walla, WA 99362.
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. Frogg Brewing LLC, 108 Main Street, Marlborough, NH 03455.
Nano Brewery Beer and/or Specialty Beer/Restaurant License #206522 licensed pursuant to RSA 178:12-a.
Date petition received: 10/4/2018.
Date petition approved: 11/15/2018.
Requested approval for an outside area, to wit, an outside area with an additional capacity of 16 pursuant to RSA 178:24/Liq. 404.05.
- b. Fulchino Vineyard, Inc., 178 Pine Hill Road, Hollis, NH 03049.
Wine Manufacturer License #562830 licensed pursuant to RSA 178:8.
Date petition received: 11/20/2018.
Date petition approved: 11/20/2018.
Requested approval for authorization for tasting at farmers' market, to wit, Made in NH EXPO, Double Tree by Hilton, 700 Elm Street, Manchester, NH on Saturday, December 8, 2018 between 10 am and 7:30 pm and Sunday, December 9, 2018 between 10 am and 5 pm pursuant to RSA 178:24/RSA 179:44, II-a. The City of Manchester has approved retail sales at this event.
- c. KPCC Food Service LLC DBA Brick House Pizza and Wings, 101 Key Road, Keene, NH 03431.
Restaurant, On-Premises Beverage & Wine License #1572803 licensed pursuant to RSA 178:20.
Date petition received: 11/9/2018.
Date petition approved: 11/15/2018.
Requested approval for an outside area, to wit, an outside area with a capacity of 25 pursuant to RSA 178:24/Liq. 404.05.

- d. To Share Brewing Company LLC, 720 Union Street, Manchester, NH 03104.
Nano Brewery Beer and/or Specialty Beer/Restaurant License #207022 licensed pursuant to RSA 178:12-a.
Date petition received: 11/16/2018.
Date petition approved: 11/16/2018.
Requested a waiver of leasing/having access to part of business, to wit, to allow a doorway connecting two businesses that will be locked at all times with no access between them pursuant to RSA 179:48, IV.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

1-800 Wine Shop.com, Inc., 525 Airpark Road, Napa, CA 94558.
Renewal Application for Direct Shipper, Wine Manufacturer Permit #8007233 pursuant to RSA 178:27.
Recommend denial pursuant to RSA 178:27, I(a)/Liq. 1101.01(f) because Permittee is a Retailer.
ON NOVEMBER 8, 2018, DEPUTY COMMISSIONER MILLIGAN MOVED TO TABLE THIS ITEM;
CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
ON NOVEMBER 15, 2018, THIS ITEM REMAINED TABLED.

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Requests approval of Rita's Passion Fruit Sparkling Margarita with an alcohol content of 7.91% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-a/RSA 179:40-a; sample provided.
- b. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Requests approval of Rita's Sangria Spritz Strawberry Blueberry with an alcohol content of 6.09% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-a/RSA 179:40-a; sample provided.
- c. Jack's Abby Brewing LLC DBA Jack's Abby Craft Lagers, 100 Clinton Street, Framingham, MA 01702.
Beverage Vendor License #77231 licensed pursuant to RSA 178:15.
Requests approval of Bourbon Barrel-Aged EIS Maker with an alcohol content of 13.0% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-a/RSA 179:40-a; sample provided.
- d. White Mountain Distillery LLC DBA Stowe Cider, 17 Town Farm Lane, Stowe, VT 05672.
Beverage Vendor License #86231 licensed pursuant to RSA 178:15.
Requests approval of Touch of Grape Hard Cider with an alcohol content of 6.03% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-a/RSA 179:40-a; sample provided.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

None

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO

Coos County:

- a. Hollow Village General Store, Route 3, Stratford, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #827047 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 13, 2018.
Case #s: 18-189-OF & 18-223-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.
- b. Young's General Store, 2792 North Main Street, Pittsburg, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3146047 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 13, 2018.
Case #s: 18-189-OF & 18-225-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.

Hillsborough County:

- a. First Chance Convenience, 10 Bridge Street, Pelham, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3100747 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 6, 2018.
Case #s: 18-189-OF & 18-245-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.
- b. Hannaford Supermarket #15, 150 Bridge Street, Pelham, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #707647 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 6, 2018.
Case #s: 18-189-OF & 18-245-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.
- c. Ray's Stateline Market, 8 Mammoth Road, Pelham, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #805247 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 6, 2018.
Case #s: 18-189-OF & 18-245-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.

Grafton County:

Ashland Mobil, 162 Main Street, Ashland, NH.

Combination, Off-Premises Beverage/Wine/Tobacco License #3123647 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 3, 2018.

Case #s: 18-189-OF & 18-224-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.

16. NOTIFICATION OF DENIED FELON WAIVER:

None

17. ADMINISTRATIVE HEARING DECISION PENDING:

Eclipse Bar and Restaurant, 253 Wilson Street, Manchester, NH.

Denial of Restaurant, Full Service With Lounge License issued pursuant to

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

COMMISSION ACKNOWLEDGED.

THE HEARING WAS HELD ON NOVEMBER 16, 2018 BEFORE CHIEF HEARINGS OFFICER JOSEPH PLAIA.

18. ADMINISTRATIVE HEARING DECISION:

None

19. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. American Independence Center DBA American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued a One-day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor #589241 pursuant to RSA 178:22, V(l).
Event date: 11/30/2018.
Recommendation: Expedited approval.
Commission approved on 11/19/2018.
- b. Family Promise of Greater Nashua, Radisson Hotel, 11 Tara Boulevard, Nashua, NH 03062.
To be issued a One-day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor #589341 pursuant to RSA 178:22, V(l).
Event date: 11/29/2018.
Recommendation: Expedited approval.
Commission approved on 11/20/2018.