

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 14, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD FEBRUARY 7, 2019.**
DEPUTY COMMISSIONER MILLIGAN ACCEPTED THE MINUTES OF FEBRUARY 7, 2019.

2. **SCHEDULED HEARINGS:**

None

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

Ming House, 3 Hillside Avenue, Berlin, NH.

Restaurant, Full Service With Lounge License #1171303 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 – 5 counts.

Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 2 counts.

Dates of violation: June 22, 2018, July 7, 2018 & October 6, 2018.

Case #: 18-151-OF & 18-302-OF.

For violation of RSA 179:5, I:

1. The Licensee shall pay an administrative fine of \$500 to come forward from a violation adjudicated on May 10, 2018; the License shall pay an additional \$2,000 fine with \$1,500 suspended for twelve (12) months pending no like violation;
2. Twelve (12) points shall be assessed to the liquor license;
3. The license to sell alcohol in the cocktail lounge only shall be suspended for one (1) day to come forward from a violation adjudicated on May 10, 2018 and an additional twelve (12) days with three (3) days held in abeyance for twelve (12) months pending no like violation commencing February 18, 2019 and re-granted on February 28, 2019;
4. New patrons shall not be allowed to enter the premise after 11:00 pm.; the sale and service of alcohol shall stop at 11:30 pm for ninety (90) days from the date of this fully signed agreement; upon satisfactory review, the following restrictions will be implemented;

New patrons shall not be allowed to enter the premise after 11:30 pm; the sale and service of alcohol shall be extended to 12:00 am for sixty (60) days; upon satisfactory review, the following restrictions will be implemented;

New patrons shall not be allowed to enter the premise after 12:00 am; the sale and service of alcohol shall be extended to 12:30 am for a period of thirty (30) days; upon satisfactory review, full license privileges shall be reinstated;

All beverages and liquor served on the premises shall be consumed no later than 30 minutes after the expiration of the serving hour;

If there is any violation of RSA 179:5 - Prohibited Sales relative to over-service of alcohol during the above-stated 180-day period, the sale and service of alcohol shall return to 11:00 pm immediately upon written notification from the Division of Enforcement & Licensing and will remain in effect until such case is adjudicated;

5. The Licensee shall purchase liquor liability insurance at a value no less than \$300,000 for a twelve (12) month period and provide an Insurance Binder or Declaration of Coverage to the Division of Enforcement & Licensing within thirty (30) days from the date of this fully signed agreement; upon a 12-month period of no like violation, liquor liability insurance may be canceled;
6. Ke Tat shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of this fully signed agreement;
7. Bambi Labbe shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom within thirty (30) days from the date of this fully signed agreement; and

For violation of RSA 179:51:

8. The Licensee shall pay an administrative fine of \$500 to be suspended for twelve (12) months pending no like violation.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

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

Newburyport Brewing Co., 4 New Pasture Road, Newburyport, MA.
Beverage Vendor License #70231 issued pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to furnish a report by the tenth of the following month.
Date of violation: January 25, 2019.
Case #: 19-64-OF.
\$100 administrative fine paid.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. DG Retail LLC DBA Dollar General Store #20060, 1 Jaffrey Road, Peterborough, NH 03458.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3380247 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 2/1/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- b. Finest Food Factory Trading Company, 136 Central Avenue 2nd Front, Ocean City, NJ 08226.
To be issued Liquor & Wine Vendor License #125945 pursuant to RSA 178:9.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- c. Gomarlo & Sons LLC DBA Gilsum Village Store, 18 Main Street, Gilsum, NH 03448.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3379547 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 2/1/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- d. Liars' Bench Beer Company, 459 Islington Street, Suite #4, Portsmouth, NH 03801.
To be issued a Beer Festival License pursuant to RSA 178:30.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- e. Night Owl Catering Co. LLP, 70 Main Street, Suite 106, Peterborough, NH 03458.
To be issued Caterer, Off-Site License #1292334 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 1/31/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- f. Sublime Brewing Company LLC DBA 1766 Brewing Company, 61 Main Street, Plymouth, NH 03264.
To be issued Brew Pub License #2003915 pursuant to RSA 178:13.
30-Day Temporary License issued 2/1/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.

- g. Sublime Brewing Company LLC DBA Last Chair, 5 Route 25, Plymouth, NH 03264.
To be issued Brew Pub License #2003815 pursuant to RSA 178:13.
30-Day Temporary License issued 2/1/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- h. Village Eatery LLC (The), 583 Daniel Webster Highway, Unit 3, Merrimack, NH 03054.
To be issued Restaurant, On-Premises Beverage & Wine License #1570903 pursuant to RSA 178:20.
30-Day Temporary License issued 2/7/2019.
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 FEBRUARY 8, 2019: 1,193

- a. E String Cellars LLC DBA Capo Creek Winery, 7171 West Dry Creek Road, Healdsburg, CA 95448.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- b. Jopo's, Inc. DBA D & M Wine & Liquors, 2200 Fillmore Street, San Francisco, CA 94115.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- c. Koger Co. (The), 1325 Airport Boulevard, Suite A, Napa, CA 94558.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- d. Roy Wine Estates LLC DBA Roy Estate, 4326 Big Ranch Road, 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. Bungalow Club of Exeter LLC, 1 Franklin Street, Exeter, NH 03933.
Performing Arts License #1574903 licensed pursuant to RSA 178:22, V(m)
Date petition requested: 2/4/2019.
Date petition approved: 2/8/2019.
Requested a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five (5) days a week until July 7, 2019.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- b. Common Man Meredith, Inc. DBA Lago Trattoria, 1 NH Routes 3 & 25, Meredith, NH 03253.
Restaurant, Full Service With Lounge License #1019903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Date petition requested: 1/4/2019.
Date petition approved: 2/1/2019.
Requested approval for outside area, to wit, an outside, roped-off area with a capacity of 450 for February 1, 2 & 3, 2019.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

- c. Hospitality Resources, Inc. DBA Bedford Village Inn & Restaurant, 2 Olde Bedford Way, Bedford, NH 03110. Hotel Full Service With Lounge License #349602 licensed pursuant to RSA 178:21, II(b)(1)/178:22, V(k). Date petition requested: 1/18/2019. Date petition approved: 2/5/2019. Requested approval for outside area, to wit, an outside area with a capacity of 175 for February 7, 8 & 9, 2019.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- d. Sublime Brewing Company LLC DBA Last Chair, 5 Route 25, Plymouth, NH 03264. Brew Pub License #2003815 licensed pursuant to RSA 178:13. Date petition received: 2/1/2019. Date petition approved: 2/1/2019. Requested approval for an outside area, to wit, an outside area with a capacity of 90 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- e. WVSR LLC DBA T-Bars Restaurant at Waterville, 220 Ski Area Road, Waterville Valley, NH 03215. Sports Recreation License #6013605 licensed pursuant to RSA 178:22, V(v). Date petition received: 2/1/2019. Date petition approved: 2/7/2019. Requested approval for an outside area, to wit, an outside area with a capacity of 1,100 for 2/9/2019 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:

Moonlight Meadery LLC DBA Hidden Moon Brewing, 23 Londonderry Road, Unit 17, Londonderry, NH 03053. Beverage Manufacturer License #291418 licensed pursuant to RSA 178:12. Requests approval of G-Sting with an alcohol content of 6.5% at 60 degrees Fahrenheit by volume; licensed pursuant to RSA 178:1, LXIV-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:

None

15. NOTIFICATION OF COMPLIANCE CHECKS:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. **ADMINISTRATIVE HEARING DECISION:**

None

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

None