

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 14, 2019

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD MARCH 7, 2019.

2. SCHEDULED HEARINGS:

None

3. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Maplefields, 390 Meadow Street, Littleton, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3352547 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – sold alcoholic beverage to an individual who was under the age of twenty-one.
Cited for violation of RSA 179:8, I – failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada which bears the date of birth, name, address and picture of the licensee.
Date of violations: August 25, 2018.
Case #: 18-239-OF.
For violation of RSA 179:5, I, an administrative fine of \$500, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing March 23, 2019 and re-granted on March 25, 2019; for violation of RSA 179:8, I, an administrative fine of \$100.
- b. Tropical Lounge, 14 West Hollis Street, Nashua, NH.
Restaurant, Full Service With Lounge License #1533203 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage – 4 counts.
Cited for violation of RSA 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age – 4 counts.
Cited for violation of RSA 179:27 – allowed patrons to serve alcohol beverages to themselves.
Date of violations: November 24, 2018.
Case #: 18-346-OF.
For violation of RSA 179:5, II, an administrative fine of \$2,000 with \$500 suspended for twelve (12) months pending no like violation, eight (8) points shall be assessed to the liquor license, the license to sell, serve or consume alcohol shall be suspended for ten (10) days with three (3) days held in abeyance for twelve (12) months pending no like violation commencing March 18, 2019 and re-granted on March 25, 2019 and Benny Lantigua shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date the licensee received the fully signed agreement; for violation of RSA 179:8, I, an administrative fine of \$400; and for violation of RSA 179:27, an administrative fine of \$250.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Boys and Girls Club of Greater Salem, 3 Geremonty Drive, Salem, NH 03079.
To be issued a Special, One-Day, Voluntary Nonprofit Organization Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/6/2019.

- b. Chi Family LLC DBA New Kim Lai Chinese Restaurant, 599 Lafayette Road, Unit 12, Portsmouth, NH 03801.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1579903 pursuant to RSA 178:21.
30-Day Temporary License issued 3/10/2019.
- c. Debernardo, Nicholas DBA Debernardo's Restaurant, 175 Main Street, Epping, NH 03042.
To be issued Restaurant, On-Premises Beverage & Wine License #1571703 pursuant to RSA 178:20.
30-Day Temporary License issued 3/7/2019.
- d. Granite YMCA, Castleton Banquet Hall, 58 Enterprise Drive, Windham, NH 03087.
To be issued a Special, One-Day, Voluntary Nonprofit Organization Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 4/4/2019.
- e. Infinity Brewing Company LLC DBA Farnham Ale & Lager, 82 Ethan Allen Drive, South Burlington, VT 05403.
To be issued Beverage Vendor, Off-Premises Beverage Only License #90331 pursuant to RSA 178:15.
Manufacturer: Infinity Brewing Company.
- f. Intervale Country Club, Inc., 1491 Front Street, Manchester, NH 03102.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1581203 pursuant to RSA 178:21.
30-Day Temporary License issued 3/1/2019.
- g. Keene Family YMCA, 200 Summit Road, Keene, NH 03431.
To be issued a Special, One-Day, Voluntary Nonprofit Organization Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 4/13/2019.
- h. Rigz Kids, Inc. DBA City Tobacco and Beverage Center #1, 17 Signal Street, Rochester, NH 03857.
To be issued Beer Specialty, Off-Premises Beverage/Wine/Tobacco License #4001307 pursuant to RSA 178:19-d.
30-Day Temporary License issued 3/5/2019.
- i. Sapporo USA, Inc., 19 West 44th Street, Suite 1410, New York, NY 10036.
To be issued Beverage Vendor, Off-Premises Beverage Only License #92431 pursuant to RSA 178:15.
Manufacturer: Anchor Brewing Company LLC.
- j. 7-Eleven, Inc. DBA 7-Eleven 16199J, 7 Spit Brook Road, Nashua, NH 03060.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3380747 pursuant to RSA 178:18/RSA 179:19-a.
30-Day Temporary License issued 3/6/2019.
- k. Vino.com LLC DBA Total Beverage Solution, 421 Wando Park Blvd., Suite 200, Mt. Pleasant, SC 29464.
To be issued Beverage Vendor, Off-Premises Beverage Only License #91931 pursuant to RSA 178:15.
Manufacturer: Devans Modern Breweries Ltd.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING MARCH 8, 2019: 1,193

- a. Cellardoor Winery, Inc., 367 Youngtown Road, Lincolnville, ME 04849.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Sheldrake Point Vineyard LLC DBA Sheldrake Point Winery, 7448 County Road 153, Ovid, NY 14521.
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. Alburritos Mexican Restaurant LLC, 406 Union Street, Littleton, NH 03561.
Restaurant, On-Premises Beverage/Wine/Liquor License #1398203 licensed pursuant to RSA 178:21.
Date petition received: 3/4/2019.
Date petition approved: 3/5/2019.
Requested approval for authorization to transfer business location, to wit, to transfer the business location from 406 Union Street, Littleton, NH to 106 Main Street, Littleton, NH on March 10-12, 2019 pursuant to RSA 178:29, VIII.
- b. Flag Hill Winery, 297 North River Road, Lee, NH 03861.
Wine Manufacturer, Off-Premises Wine Only License #565030 licensed pursuant to RSA 178:8.
Date petition received: 3/5/2019.
Date petition approved: 3/5/2019.
Requested approval for authorization for tasting at farmers' market, to wit, Made in NH EXPO, Radisson Hotel, 700 Elm Street, Manchester, NH between 1 pm and 8 pm on Friday, March 22, 2019, between 10 a.m. and 7:30 pm on Saturday, March 23, 2019 and between 10 am and 4 pm on Sunday, March 24, 2019 pursuant to RSA 178:24/RSA 179:44, II-a; The City of Manchester has approved both tasting and retail sales at this event.
- c. Fody's Tavern LLC, 187.5 Rockingham Road, Derry, NH 03038.
Restaurant, On-Premises Beverage/Wine/Liquor License #1580703 licensed pursuant to RSA 178:21.
Date petition received: 2/28/2019.
Date petition approved: 3/4/2019.
Requested approval for outside area, to wit, an outside area with a capacity of 50 pursuant to RSA 178:24/Liq. 404.05.
- d. Hermit Woods, Inc, 72 Main Street, Meredith, NH 03253.
Wine Manufacturer, Off-Premises Wine Only License #563330 licensed pursuant to RSA 178:8.
Date petition received: 3/4/2019.
Date petition approved: 3/5/2019.
Requested approval for authorization for tasting at farmers' market, to wit, Made in NH EXPO, Radisson Hotel, 700 Elm Street, Manchester, NH from 1 pm to 8 pm on Friday, March 22, 2019, from 10 am to 7:30 pm on Saturday, March 23, 2019 and from 10 am to 4:00 pm on Sunday, March 24, 2019 pursuant to RSA 178:24/RSA 179:44, II-a; The City of Manchester has approved both tasting and retail sales at this event.
- e. Jewell Towne Vineyards, Inc., 65 Jewell Street, South Hampton, NH 03827.
Wine Manufacturer, Off-Premises Wine Only License #561530 licensed pursuant to RSA 178:8.
Date petition received: 2/26/2019.
Date petition approved: 3/5/2019.

Requested approval for authorization for tasting at farmers' market, to wit, Made in NH EXPO, Radisson Hotel, 700 Elm Street, Manchester, NH from 1 pm to 8 pm on Friday, March 22, 2019, from 10 am to 7:30 pm on Saturday, March 23, 2019 and from 10 am to 4 pm on Sunday, March 24, 2019 pursuant to RSA 178:24/RSA 179:44, II-a; The City of Manchester has approved both tasting and retail sales at this event.

- f. 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. Date petition received: 2/26/2019. Date petition approved: 3/5/2019. Requested approval for authorization for tasting at farmers' market, to wit, Made in NH EXPO, Radisson Hotel, 700 Elm Street, Manchester, NH from 1 pm to 8 pm on Friday, March 22, 2019, from 10 am to 7:30 pm on Saturday, March 23, 2019 and from 10 am to 4 pm from Sunday, March 24, 2019 pursuant to RSA 178:24/RSA 179:44, II-a; The City of Manchester has approved both tasting and retail sales at this event.
- g. Moonlight Meadery LLC, 23 Londonderry Road, Unit 17, Londonderry, NH 03053. Wine Manufacturer, Off-Premises Wine Only License #563230 licensed pursuant to RSA 178:8. Date petition received: 2/26/2019. Date petition approved: 3/5/2019. Requested approval for authorization for tasting at farmers' market, to wit, Made in NH EXPO, Radisson Hotel, 700 Elm Street, Manchester, NH from 1 pm to 8 pm on Friday, March 22, 2019, from 10 am to 7:30 pm on Saturday, March 23, 2019 and from 10 am to 4 pm on Sunday, March 24, 2019 pursuant to RSA 178:24/RSA 179:44, II-a; The City of Manchester has approved both tasting and retail sales at this event.
- h. SNH Development DBA Crotched Mountain Ski Area, Route 47, Bennington, NH 03442. Sports Recreation License #572205 licensed pursuant to RSA 178:22, V(v). Date petition received: 3/4/2019. Date petition approved: 3/4/2019. Requested approval for outside area, to wit, an outside area with a capacity of 300 for March 2, 3, 9, 10, 16, 17, 23, 24, 30 & 31, 2019 pursuant to RSA 178:24/Liq. 404.05.
- i. TGI Friday's DBA TGI Friday's #645, 1516 South Willow Street, Manchester, NH 03103. Restaurant, Full Service With Lounge License #1577303 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Date petition received: 3/5/2019. Date petition approved: 3/5/2019. Requested approval for outside area, to wit, an outside area with a capacity of 300 for March 2, 3, 9, 10, 16, 17, 23, 24, 30 & 31, 2019 pursuant to RSA 178:24/Liq. 404.05.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

Cisco Brewers, Portsmouth (a not yet licensed Brew Pub)
Requesting approval to sublet space to Craft Brew Alliance, Inc. (License #287718), to wit, a space to operate a retail room within their brewpub premise pursuant to RSA 179:48.
Recommendation: Denial.
ON FEBRUARY 21, 2019, MR. PETER BURKE OF CISCO BREWERS APPEARED BEFORE THE COMMISSION TO EXPLAIN THE REQUEST TO SUBLET; DEPUTY COMMISSIONER MILLIGAN TABLED THIS ITEM SO THAT MORE INFORMATION COULD BE OBTAINED; HE STATED THAT COMMISSION REPRESENTATIVES WOULD VISIT THIS FACILITY IN THE NEAR FUTURE.

ON FEBRUARY 28, 2019, CHIEF MARK ARMAGANIAN RECOMMENDED THAT THIS ITEM REMAIN TABLED; HE STATED THAT DEPUTY CHIEF SCOTT DUNN IS IN THE PROCESS OF SCHEDULING A MEETING BETWEEN THE DIVISION OF ENFORCEMENT & LICENSING, DIRECTOR ROSEMARY WIANT AND THE APPLICANT; DEPUTY COMMISSIONER MILLIGAN REQUESTED THAT THE COMMISSION BE KEPT APPRISED OF THE OUTCOME OF THE MEETING AND THAT HE APPRECIATES THE DIVISION'S CAUTIOUS CONSIDERATION IN THIS MATTER.

ON MARCH 7, 2019, DEPUTY COMMISSIONER MILLIGAN MOVED TO TAKE THIS ITEM OFF THE TABLE FOR DISCUSSION; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED; CHIEF MARK ARMAGANIAN STATED THAT HE AND DEPUTY CHIEF SCOTT DUNN VISITED THIS FACILITY AND FOUND NO ISSUES OF CONCERN; A FINAL INSPECTION IS SCHEDULED FOR MARCH 8, 2019; A 30-DAY LICENSE WILL BE ISSUED IF THE INSPECTION IS A SUCCESS; DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THE TEMPORARY LICENSE UNDER THE FOREGOING CONDITIONS; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

ON MARCH 12, 2019, THE FINAL INSPECTION WAS CONDUCTED; THE APPLICANT HAS AGREED TO BUILD A 10 FOOT WALL TO SEPARATE CISCO FROM CBA; NO RETAIL ACTIVITY WILL TAKE PLACE IN THIS AREA UNTIL THE WALL IS CONSTRUCTED.

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Cigar City Brewing LLC, 3924 West Spruce Street, Tampa, FL 33607. Beverage Vendor License #90731 licensed pursuant to RSA 178:15. Requests approval of Caffe Americano Double Stout with an alcohol content of 12.00% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided. Recommendation: Approval.
- b. Citizen Cider LLC, 316 Pine Street, Suite 114, Burlington, VT 05401. Beverage Vendor License #79231 licensed pursuant to RSA 178:15. Requests approval of Citizen Cider Tree Tapper with an alcohol content of 6.79% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided. Recommendation: Approval.
- c. Phusion Projects LLC, 1106 South Third Street, La Crosse, WI 54601. Beverage Vendor License #51431 licensed pursuant to RSA 178:15. Requests approval of Moskato Life Rose with an alcohol content of 6.01% at 60 degrees Fahrenheit by volume and Moskato Life Strawberry with an alcohol content of 6.01% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; samples provided. Recommendation: Approval.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Henniker, NH; and
Wolfeboro, NH.

15. NOTIFICATION OF COMPLIANCE CHECKS:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Easterseals NH, Inc., Doubletree By Hilton, 700 Elm Street, Manchester, NH 03101.
To be issued a Special, One-Day, Voluntary Nonprofit Organization Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 3/16/2019.
Recommendation: Expedited approval.
Commission approved on 3/4/2019.

- b. Nashua Police Athletic League,
Nashua Community College, 505 Amherst Street, Nashua, NH 03063.
To be issued a Special, One-Day, Voluntary Nonprofit Organization Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 3/14/2019.
Recommendation: Expedited approval.
Commission approved on 3/7/2019.

- c. New England Disabled Sports, Loon Mountain Resort, 60 Loon Mountain Road, Lincoln, NH 03251.
To be issued an Off-Sale, Special, Voluntary Nonprofit Organization Beverage/Wine/Liquor License pursuant to RSA 178:17, II.
Event date: 3/9/2019.
Recommendation: Expedited approval.
Commission approved on 3/5/2019.