

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 28, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD MARCH 21, 2019.**
DEPUTY COMMISSIONER MILLIGAN ACCEPTED THE MINUTES OF MARCH 21, 2019.

2. **SCHEDULED HEARINGS:**

May 2 & 3, 2019 at 9:30 a.m.:

Jade Palace, 28 Portsmouth Avenue, Stratham, NH.

Restaurant, Full Service With Lounge License #1476403 licensed 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 – 3 counts.

Cited for violation of RSA 179:5, I – served or 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.

Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.

Cited for violation of RSA 179:49 – stored beverages or liquor in any building other than that designated in their license.

Dates of violations: 2/29/2016 & 3/1/2016.

Case #: 16-65-OF.

COMMISSION ACKNOWLEDGED.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Le Davignon, 218 Wilson Street, Manchester, NH.

Social Club License #10901 licensed pursuant to RSA 178:22, V(h).

Cited for violation of RSA 178:1, VI – sold tobacco without a license.

Date of violation: January 5, 2019.

Case #: 19-36-OF.

An administrative fine of \$500 and Jay Harkins, Sandra LaRose, Cathleen A. Cere and Robert DeSimone shall attend a Management Training Seminar (MTS) within thirty (30) days from the date the licensee receives the fully executed settlement agreement.

COMMISSION ACKNOWLEDGED.

- b. Pembroke Pub, 42 Whittemore, Pembroke, NH.

Sports Recreation Facility License #6015405 licensed pursuant to RSA 178:22, V(u)(1).

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.

Date of violation: December 15, 2018.

Case #: 18-366-OF.

An administrative fine of \$1,500 with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to serve or consume alcohol shall be suspended in the cocktail lounge only for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing March 29, 2019 and re-granted on March 31, 2019, Angela Case shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the signed agreement and Martha Delong shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom within thirty (30) days from the date of the signed agreement.

COMMISSION ACKNOWLEDGED.

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

Smokin' Deal, 112 DW Highway, Nashua, NH.

Combination, Off-Premises Beverage/Wine/Tobacco License #3348447 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 175:1/Liq. 404.02 - failed to have representative grocery items commonly found in a grocery or convenience store.

Date of violation: March 15 2019.

Case #: 19-172-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. AR Tobacco NH LLC DBA Raja's Smoke Shack, 51B Plaistow Road, Plaistow, NH 03865.

To be issued Retail Tobacco License #146417 pursuant to RSA 178:19-a.

30-Day Temporary License issued 3/18/2019.

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

b. Concord Family YMCA, Capitol Center for the Arts, 44 South Main Street, Concord, NH 03301.

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

Event date: 4/3/2019.

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

c. Connecticut Valley Brewing Company LLC, 765 Sullivan Avenue, South Windsor, CT 06074.

To be issued Beverage Vendor, Off-Premises Beverage Only License #92331 pursuant to RSA 178:15.

Manufacturer: Connecticut Valley Brewing.

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

d. D & V International, Inc., 147 Barcelona Drive, Jupiter, FL 33458.

To be issued Beverage Vendor, Off-Premises Beverage Only License #91031 pursuant to RSA 178:15.

Manufacturer: Verhaeghe.

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

e. D & V International, Inc., 147 Barcelona Drive, Jupiter, FL 33458.

To be issued Beverage Vendor, Off-Premises Beverage Only License #89431 pursuant to RSA 178:15.

Manufacturer: St. Bernardus NV.

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

f. Exeter Area Chamber of Commerce,

Stratham Hill Park, 270 Portsmouth Avenue, Stratham, NH 03885.

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

Event date: 5/4/2019.

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

g. Neenan, Nanci M. DBA Underground Bakery and Café,

1976 White Mountain Highway, North Conway, NH 03860.

To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1581803 pursuant to RSA 178:21.

30-Day Temporary License issued 3/21/2019.

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

- h. Roman Catholic Bishop of Manchester,
Sacred Heart School, 289 Lafayette Road, Hampton, NH 03842.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 4/6/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Salem Boys & Girls Club, Inc., 3 Geremonty Drive, Salem, NH 03079.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 4/6/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Seacoast United Foundation,
The Rim Sports Complex, 311 Winnacunnet Road, Building B, Hampton, NH 03842.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 4/12/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. Thirsty Moose Merrimack LLC DBA Thirsty Moose Taphouse,
360 DW Highway, Unit 3, Merrimack, NH 03054.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1580903 pursuant to RSA 178:21.
30-Day Temporary License issued 3/21/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- l. Trader Joe's East, Inc. DBA Trader Joe's Store 562, 2 Market Street, Bedford, NH 03110.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3381447 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 3/18/2019.
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 MARCH 22, 2019: 1,202

- a. Browne Family Wines LLC, 4525 Slusser Road, Windsor, CA 95492.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Hard Six Cellars LLC, 1010 Big Tree Road, Saint Helena, CA 94574.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Las Colinas Winery LLC DBA Alta Colina, 2825 Adelaida Road, Paso Robles, CA 93446.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Chef Joe's Catering, 651 Main Street, Franconia, NH 03580.
Caterer, On-Site License #1274926 licensed pursuant to RSA 178:22, V(e).
Date petition requested: 3/18/2019.
Date petition approved: 3/19/2019.
Requested approval for outside area, to wit, an outside patio/deck with a capacity of 74 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Hold The Door LLC DBA Harp's Variety (formerly Bayside Market),
438 Lafayette Road, Hampton, NH 03842.
Combination, Off-Premises Beverage/Wine/Tobacco License #3355747 licensed pursuant to RSA 178:18/RSA 178:19-a.
Date petition requested: 3/18/2019.
Date petition approved: 3/18/2019.
Requested approval for authorization to transfer business location, to wit, to transfer location from 210 Ocean Boulevard, Unit 2, Seabrook, NH to 438 Lafayette Road, Hampton, NH on April 1, 2019 pursuant to RSA 178:29, VIII.
COMMISSION ACKNOWLEDGED.
- c. Intervale Country Club, Inc., 1491 Front Street, Manchester, NH 03102.
Sports Recreation License #6020905 licensed pursuant to RSA 178:22, V(v).
Date petition received: 3/19/2019.
Date petition approved: 3/19/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 16 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Loon Mountain Recreation Co. DBA Loon Mountain Ski Area,
60 Loon Mountain Road, Octagon Lodge Café, Lincoln, NH 03251.
Restaurant, On-Premises Beverage & Wine License #404103 licensed pursuant to RSA 178:20.
Date petition received: 3/15/2019.
Date petition approved: 3/21/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 500 for April 6, 2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Pups Cider Company LLC, 193 East Road, Greenfield, NH 03047.
Wine Manufacturer, Off-Premises Wine Only License #567330 licensed pursuant to RSA 178:8.
Date petition received: 2/28/2019.
Date petition approved: 3/21/2019.
Requested approval for authorization of service to another area for sampling and retail sales at farmers' market, to wit, Peterborough Farmers' Market, Peterborough Community Center, 25 Elm Street, Peterborough, NH on Wednesdays between 3:00 pm and 6:00 pm from April 3, 2019 to December 31, 2019.
COMMISSION ACKNOWLEDGED.
- f. Pups Cider Company LLC, 193 East Road, Greenfield, NH 03047.
Beverage Manufacturer License #288918 licensed pursuant to RSA 178:12.
Date petition received: 2/28/2019.
Date petition approved: 3/21/2019.
Requested approval for authorization of service to another area for sampling and retail sales at farmers' market, to wit, Peterborough Farmers Market, Peterborough Community Center, 25 Elm Street, Peterborough, NH on Wednesdays between 3:00 pm and 6:00 pm from April 3, 2019 to December 31, 2019.
COMMISSION ACKNOWLEDGED.

- g. Pups Cider Company LLC, 193 East Road, Greenfield, NH 03047.
Wine Manufacturer, Off-Premises Wine Only License #567330 licensed pursuant to RSA 178:8.
Date petition received: 2/28/2019.
Date petition approved: 3/21/2019.
Requested approval for authorization of service to another area for sampling and retail sales at farmers' market, to wit, Francestown Community Market, Horse Stalls, Junction of Main Street and Route 136, Francestown, NH on Fridays between 4:00 pm and 7:00 pm from April 19, 2019 to December 20, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.
COMMISSION ACKNOWLEDGED.
- h. Pups Cider Company LLC, 193 East Road, Greenfield, NH 03047.
Beverage Manufacturer License #288918 licensed pursuant to RSA 178:12.
Date petition received: 2/28/2019.
Date petition approved: 3/21/2019.
Requested approval for authorization of service to another area for sampling and retail sales at farmers' market, to wit, Francestown Community Market, Horse Stalls, Junction of Main Street and Route 136, Francestown, NH on Fridays between 4:00 pm and 7:00 pm from April 19, 2019 to December 20, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.
COMMISSION ACKNOWLEDGED.
- i. TGI Friday's, Inc. DBA TGI Friday's 645, 1516 South Willow Street, Manchester, NH 03103.
Restaurant, Full Service With Lounge License #1577303 licensed 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 an outside area, to wit, an outside area with a capacity of 20 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:

- a. Canarchy Craft Brewery Collective LLC DBA Oskar Blues Brewery,
1800 Pike Road, Longmont, CO 80501.
Beverage Vendor License #54431 licensed pursuant to RSA 178:15.
Requests approval of Bamburana Imperial Stout Aged in Whiskey & Brandy Barrels with Figs that has an alcohol content of 12.66% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a; sample provided.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Floyd's Spike Beverages LLC, 21 Brentwood Court, Basking Ridge, NJ 07920.
Beverage Vendor License #87231 licensed pursuant to RSA 178:15.
Requests approval of Spike Ice Tea with an alcohol content of 7.72% at 60 degrees Fahrenheit by volume and Spike Lemonade with an alcohol content of 7.71% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1 VIII, samples provided.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- c. Southern Tier Brewing Company LLC, 2072 Stoneman Circle, Lakewood, NY 14750.
Beverage Vendor License #57831 licensed pursuant to RSA 178:15.
Requests approval of Barrel House Series Sapsquatch with an alcohol content of 13.68% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a; sample provided.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Belmont, NH; and
Wolfeboro, NH.

COMMISSION ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

ALCOHOL –

Belknap County:

Canoe A Restaurant & Tavern, 232 Whittier Highway, Center Harbor, NH.
Restaurant, Full Service With Lounge License #1258603 licensed 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 a minor during a
compliance check.

Date of violation: February 28, 2019.

Case #: 19-140-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a
Management Training Seminar (MTS) within ninety (90) days from the date of the violation.

COMMISSION ACKNOWLEDGED.

Carroll County:

Dollar General Store 14968, 929 Whittier Highway, Moultonboro, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3356747 licensed pursuant to
RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a
compliance check.

Date of violation: February 28, 2019.

Case #: 19-141-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a
Management Training Seminar (MTS) within ninety (90) days from the date of the violation.

COMMISSION ACKNOWLEDGED.

TOBACCO –

Belknap County:

- a. Circle K 7224, 90 Laconia Road, Tilton, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3223147 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: March 9, 2019.

Case #: 19-166-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.

- b. Sanbornton Country Store, 666 New Hampton Road, Sanbornton, NH.
Combination, Off-Premises Beverage/Wine/Tobacco License #3148247 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: March 9, 2019.
Case #: 19-167-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. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Children's Museum of New Hampshire, 6 Washington Street, Dover, NH 03820.

To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).

Event date: 3/30/2019.

Recommendation: Expedited approval.

Commission approved on 3/20/2019.

COMMISSION ACKNOWLEDGED.