

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 11, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD APRIL 4, 2019.**
CHAIRMAN MOLLICA ACCEPTED THE MINUTES OF APRIL 4, 2019.

2. **SCHEDULED HEARINGS:**

Date to be determined:

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.

A PRE-HEARING CONFERENCE WAS HELD ON APRIL 5, 2019 TO DISCUSS SETTLEMENT; THE HEARING THAT WAS TO BE HELD ON MAY 2 - 3, 2019 WAS POSTPONED AND A MOTION HEARING WAS SCHEDULED FOR MAY 17, 2019 AT 9:30 A.M. TO CONTINUE NEGOTIATIONS AND LITIGATE ISSUES PRIOR TO A FULL ADJUDICATORY HEARING.
COMMISSION ACKNOWLEDGED.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Brookside House Of Pizza, II, The Tap Public House, 930 Laconia Road, Belmont, NH.

Restaurant, Full Service With Lounge License #1088003 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 under the age of twenty-one.

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.

Date of violations: February 21, 2019.

Case #: 19-121-OF.

For violation of RSA 179:5, I, 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 sell, serve or consume alcohol in the cocktail lounge only shall be suspended for three (3) days commencing April 23, 2019 and re-granted on April 26, 2019 and Michael Campione shall complete a Management Training Seminar (MTS) within thirty (30) days from the date of the approved agreement; for violation of RSA 179:8, I, a \$100 administrative fine.

COMMISSION ACKNOWLEDGED.

- b. Fraternal Order of Eagles, 8 Green Street, Berlin, NH.
Social Club License #9301 licensed pursuant to RSA 178:22, V(h).
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: March 8, 2019.
Case #: 19-159-OF.
An administrative fine of \$1,000 with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to sell, serve or consume alcohol shall be suspended in the cocktail lounge only for three (3) days commencing April 18, 2019 and re-granted on April 21, 2019, Officer Heather Linteau shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully signed agreement and Jeanene McDonald shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the fully signed agreement.
COMMISSION ACKNOWLEDGED.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 110 Grill WLNH LLC DBA 110 Grill, 230 Plainfield Road, West Lebanon, NH 03784.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1581403 pursuant to RSA 178:21.
30-Day Temporary License issued 4/2/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Alibi Lounge (The) LLC, 137 Wilson Street, Manchester, NH 03103.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1582703 pursuant to RSA 178:21.
30-Day Temporary License issued 4/2/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Cisco Brewers, Inc. DBA Cisco Brewers Portsmouth, Pease International Tradeport, 35 Corporate Drive, Portsmouth, NH 03801.
To be issued Brew Pub, On-Premises Cocktail Lounge License #2004115 pursuant to RSA 178:13.
30-Day Temporary License issued 4/1/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Concord Regional VNA, Company C, 102 Old Turnpike Road, Concord, NH 03301.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 5/8/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Greater Dover Chamber of Commerce, Wentworth Douglas Hospital, 789 Central Avenue, Dover, NH 03820.
To be issued an Off-Sale, Special, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:17, II.
Event date: 5/3/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- f. Mills, John DBA 7-Eleven 33233A, 16 Manchester Road, Derry, NH 03038.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3381547 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 4/2/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Porsche Thai LLC DBA Lemon Thai & Sushi, 470 South Main Street, Manchester, NH 03102.
To be issued Restaurant, On-Premises Beverage & Wine License #1576503 pursuant to RSA 178:20.
30-Day Temporary License issued 4/2/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. W.A. Alumni Association DBA World Academy Alumni Association,
138 Spitbrook Road, Nashua, NH 03062.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 5/10/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Sandwich Hospitalian Industries LLC DBA Corner House Inn,
22 Main Street, Center Sandwich, NH 03227.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1578903 pursuant to RSA 178:21.
30-Day Temporary License issued 4/3/2019.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Shreeji LLC DBA Village Street Discount Beverage, 308 Village Street, Penacook, NH 03303.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3382047 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 4/3/2019.
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 APRIL 5, 2019: 1,199

- a. Cima Collina Winery LLC, 3344 Paul Davis Drive, Suite 6, Marina, CA 93933.
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. Keola LLC DBA Aaron Wines, 3050 Limestone Way, 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.
- c. Telaya LLC DBA Telaya Wine Co., 240 East 32nd Street, Garden City, ID 83714.
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. 110 Grill WLNH LLC DBA 110 Grill, 230 Plainfield Road, West Lebanon, NH 03784.
Restaurant, On-Premises Beverage/Wine/Liquor License #1581403 licensed pursuant to RSA 178:21.
Date petition received: 4/2/2019.
Date petition approved: 4/3/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 36 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.
Wine Manufacturer, Off-Premises Wine Only License #563830 licensed pursuant to RSA 178:8.
Date petition received: 3/29/2019.
Date petition approved: 3/29/2019.
Requested approval for authorization for tasting and retail sales at Farmers' Market, to wit, Derry Homegrown Farm & Artisan Market, 1 West Broadway, Derry, NH on Wednesdays between 3:00 pm and 7:00 pm from June 5, 2019 to September 25, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.
COMMISSION ACKNOWLEDGED.
- c. LBO Holding, Inc. DBA Attitash/Bear Peak Resort, Route 302, Bartlett, NH 03812.
Restaurant, On-Premises Beverage/Wine/Liquor License #1009403 licensed pursuant to RSA 178:21.
Date petition received: 2/20/2019.
Date petition approved: 4/3/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 400 from March 2, 2019 to April 14, 2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Sandwich Hospitalian Industries LLC DBA Corner House Inn, 22 Main Street, Center Sandwich, NH 03227.
Restaurant, On-Premises Beverage/Wine/Liquor License #1578903 licensed pursuant to RSA 178:21.
Date petition received: 4/3/2019.
Date petition approved: 4/3/2019.
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:

None

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 COMPLIANCE CHECKS –

Henniker, NH:

- a. College Convenience, 19 Bridge Street, Henniker, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3373347 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: March 23, 2019.
Case #: 19-165-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.

- b. Country Spirit Restaurant & Tavern, 262 Maple Avenue, Henniker, NH.
Restaurant, Full Service With Lounge License #1331503 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: March 23, 2019.
Case #: 19-165-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.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. American Heart Association, Wentworth by the Sea, 588 Wentworth Road, New Castle, NH 03854.
To be issued an Off-Sale, Special, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/13/2019.
Recommendation: Expedited approval.
Commission approved on 4/4/2019.
COMMISSION ACKNOWLEDGED.

- b. Mental Health Center of Greater Manchester,
Noah's Event Venue, 379 South River Road, Bedford, NH 03110.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 4/11/2019.
Recommendation: Expedited approval.
Commission approved on 4/4/2019.
COMMISSION ACKNOWLEDGED.