

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 18, 2019

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD APRIL 11, 2019.

2. SCHEDULED HEARINGS:

May 10, 2019 at 9:30 a.m.:

- a. Whiskeys 20, 20 Old Granite Street, Manchester, NH.
Restaurant, On-Premises Beverage/Wine/Liquor License #1516403 licensed pursuant to RSA 178:21.
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.
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 – accepted photographic identification that was expired, not consistent with the appearance of the person, not correct and free of alteration, erasure, blemish or other impairment.
Dates of violations: July 6, 2018 & September 22, 2018.
Case #: 18-219-OF & 18-280-OF.

May 17, 2019 at 9:30 a.m. - Motions Hearing:

- b. 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 MOTIONS 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:

Fagin's Pub, 777 Main Street, Berlin, NH.
Restaurant, Full Service With Lounge License #1229303 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.
Date of violation: March 9, 2019.
Case #: 19-160-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 27, 2019 and re-granted on April 30, 2019 and Sean Lamontagne shall attend a Management Training Seminar (MTS) in a classroom within forty-five (45) days from the date of this fully signed agreement.

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

- a. Cantore's Pizza, 1 Glen Road, West Lebanon, NH.
Restaurant, On-Premises Beverage & Wine License #1433303 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: April 2, 2019.
Case #: 19-218-OF.
\$100 administrative fine paid.
- b. Enfield Shaker Museum, 447 NH Route 4A, Enfield, NH.
Caterer, Off-Site License #1279534 licensed pursuant to RSA 178:22, V(e).
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: April 1, 2019.
Case #: 19-216-OF.
\$100 administrative fine paid.
- c. Heavenz Smoke & Vape World, 380 South Broadway, Salem, NH.
Retail Tobacco License #132217 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: March 15, 2019.
Case #: 19-171-OF.
\$100 administrative fine paid.
- d. I-Smoke, 341 South Broadway, Salem, NH.
Retail Tobacco License #132117 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: March 15, 2019.
Case #: 19-170-OF.
\$100 administrative fine paid.
- e. Trinity Trading Corp., 116 Thomas Cary Court, Charleston, SC.
Direct Shipper Permit #8257933 licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V(c) – failed to submit copies of invoices.
Date of violation: March 15, 2019.
Case #: 19-169-OF.
\$100 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Bean, Cathy R. DBA Cathy and Stu's Pleasant Valley Store, 253 US Route 4, Canaan, NH 03741.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3379347
pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 4/11/2019.

- b. Belknap House, Beane Conference Center, 35 Blueberry Lane, Laconia, NH 03246.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 5/2/2019.
- c. Chief Michael Maloney Memorial Fund,
Town of Greenland Office-Fields, 11-16 Town Square, Greenland, NH 03840.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/28/2019.
- d. CSTK Holdings, Inc., 7-Eleven 32498C, 37 Freetown Road, Raymond, NH 03077.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3379847 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 4/11/2019.
- e. For The Love of Dogs Rescue, Arms Park, 10 Arms Park, Manchester, NH 03101.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/28/2019.
- f. Granite State Music Hall LLC, 546 Main Street, Laconia, NH 03246.
To be issued Restaurant, Full Service With Lounge License #1583903 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 4/5/2019.
- g. La Carreta Portsmouth LLC, 172 Hanover Street, Portsmouth, NH 03801.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1559103 pursuant to RSA 178:21.
30-Day Temporary License issued 4/11/2019.
- h. RK North End Superette LLC, 1308 Elm Street, Manchester, NH 03101.
To be issued Combination, Off-Premises Beverage/Wine/Tobacco License #3381647 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 4/9/2019.
- i. Sun Asian Bistro LLC, 91 West Broadway, Derry, NH 03038.
To be issued Restaurant, On-Premises Beverage/Wine/Liquor License #1576403 pursuant to RSA 178:21.
30-Day Temporary License issued 4/11/2019.
- j. Upper Valley Haven, Hanover Inn, 2 East Wheelock Street, Hanover, NH 03755.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/28/2019.

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 12, 2019: 1,202

- a. Bright Cellars, Inc., 980 Airway Court, Building 2, Suites A-F, Santa Rosa, CA 95403.
To be issued Direct Shipper, Importer Permit pursuant to RSA 178:27.
(Importer)

- b. Moras Fine Wine & Spirits DBA Moras Fine Wine, 280 Main Street, East Setauket, NY 11733.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- c. Shadybrook Estate LLC DBA Shadybrook Estate Winery, 100 Rapp Lane, Napa, CA 94558.
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. Dam Brewhouse LLC, 1323 NH Route 175, Campton, NH 03223.
Beverage Manufacturer License #293218 licensed pursuant to RSA 178:12.
Date petition received: 4/4/2019.
Date petition approved: 4/11/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 24 pursuant to RSA 178:24/Liq. 404.05.
- 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: 4/9/2019.
Date petition approved: 4/11/2019.
Requested approval for authorization of other areas for retail sales and sampling at Farmers' Market, to wit, NH's Ultimate Food Trucks and Specialty Food Festival, Dover Ice Arena, Dover, NH between 10 am and 4 pm on April 27, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.
- c. Friends of The Music Hall, 104 Congress Street, Portsmouth, NH 03801.
Performing Arts License #398308 licensed pursuant to RSA 178:22, V(m).
Date petition received: 4/10/2019.
Date petition approved: 4/11/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 2,000 on June 16, 2019 pursuant to RSA 178:24/Liq. 404.05.
- d. KPCC Food Service LLC DBA Brick House Pizza and Wings, 101 Key Road, Keene, NH 03431.
Restaurant, Beverage and Wine License #1572803 licensed pursuant to RSA 178:20.
Date petition received: 4/4/2019.
Date petition approved: 4/11/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 100 from June 1, 2019 to November 1, 2019 pursuant to RSA 178:24/Liq. 404.05.
- e. Merlino's Steak House LLC, 1717 White Mountain Highway, North Conway, NH 03860.
Restaurant, Full Service With Lounge License #1542503 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Date petition received: 2/6/2019.
Date petition approved: 4/12/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 100 on May 4, 2019 pursuant to RSA 178:24/Liq. 404.05.
- f. Mountain Music Winery, 3447 US Route 3, Thornton, NH 03285.
Wine Manufacturer, Off-Premises, Wine Only License #567230 licensed pursuant to RSA 178:8.
Date petition received: 4/8/2019.
Date petition approved: 4/8/2019.

Requested approval for authorization of other areas for retail sales and sampling at Farmers' Market, to wit, NH's Ultimate Food Trucks and Specialty Food Festival, Dover Ice Arena, Dover, NH between 10 am and 4 pm on April 27, 2018 pursuant to RSA 178:24/RSA 179:44, II-a.

- g. Patty B's Eatery and Drinkery LLC DBA Patty B's, 34 Dover Point Road, Suite 100, Dover, NH 03820. Restaurant, On-Premises Beverage/Wine/Liquor License #1438603 licensed pursuant to RSA 178:21. Date petition received: 4/2/2019. Date petition approved: 4/9/2019. Requested approval for an outside area, to wit, an outside area with a capacity of 35 pursuant to RSA 178:24/Liq. 404.05.
- h. RFSMITHNH Holdings LLC DBA Wine'ing Butcher, 254 Wallace Road, Bedford, NH 03110. Combination, Off-Premises Beverage/Wine License #3316447 licensed pursuant to RSA 178:18. Date petition received: 4/11/2019. Date petition approved: 4/12/2019. Requested permission to transfer alcohol inventory to a new location, to wit, from Wine'Ing Butcher in Bedford, NH, License #3316447 (store closing) to 3 other Wine'ing Butcher locations: Gilford, NH, License #3216347, Meredith, NH, License #3236047 and Pembroke, NH, License #3236047 pursuant to RSA 178:29, VIII.
- i. Squamscott Winery LLC, 12 River Road, Newfield, NH 03856. Wine Manufacturer, Off-Premises, Wine Only License #567030 licensed pursuant to RSA 178:8. Date petition received: 4/4/2019. Date petition approved: 4/8/2019. Requested approval for authorization of other areas for retail sales and sampling at Farmers' Market, to wit, NH's Ultimate Food Trucks and Specialty Food Festival, Dover Ice Arena, Dover, NH between 10 am and 4 pm on April 27, 2018 pursuant to RSA 178:24/RSA 179:44, II-a.
- j. Squamscott Winery LLC, 12 River Road, Newfield, NH 03856. Wine Manufacturer, Off-Premises, Wine Only License #567030 licensed pursuant to RSA 178:8. Date petition received: 4/4/2019. Date petition approved: 4/8/2019. Requested approval for authorization of other areas for retail sales and sampling at Farmers' Market, to wit, Exeter Farmers' Market at Swasey Parkway on Thursdays between 2:15 pm and 6:00 pm from May 2, 2019 through October 31, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.

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:

Bow, NH;
Gilford, NH;
Wakefield, NH; and
Wolfeboro, NH.

15. NOTIFICATION OF COMPLIANCE CHECKS:

ALCOHOL COMPLIANCE CHECKS –

Belmont, NH:

- a. China Garden, 20 DW Highway, Belmont, NH.
Restaurant, On-Premises Beverage/Wine/Liquor License #1466803 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 28, 2019.
Case #: 19-162-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.
- b. Shooters Tavern/Corner Deli & Pizzeria, 190 DW Highway, Belmont, NH.
Restaurant, On-Premises Beverage/Wine/Liquor License #1330303 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 28, 2019.
Case #: 19-162-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.

Lincoln, NH:

- a. Chieng Gardens, Lincoln Square, Main Street, Lincoln, NH.
Restaurant, On-Premises Beverage/Wine/Liquor License #462203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 1, 2019.
Case #: 19-138-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.
- b. Seven Birches, 22 South Mountain Drive, Lincoln, NH.
Wine Manufacturer License #563430 licensed pursuant to RSA 178:8.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 1, 2019.
Case #: 19-138-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.

16. **ADMINISTRATIVE HEARING DECISION PENDING:**

None

17. **ADMINISTRATIVE HEARING DECISION:**

None

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

None