

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MAY 16, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD MAY 9, 2019.**
DEPUTY COMMISSIONER MILLIGAN ACCEPTED THE MINUTES OF MAY 9, 2019.

2. **SCHEDULED HEARINGS:**

May 31, 2019 at 9:30 a.m.:

- a. 82 Scores Sports Bar & Grill, 82-84 Main Street, Keene, NH.
Restaurant, Full Service With Lounge License #1473903 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 – 5 counts.
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage – 3 counts.
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 179:44, I – gave free drinks to customers, patrons, members or guests.
Dates of violations: September 30, 2018, October 12, 2018, November 3, 2018, March 23, 2019, March 24, 2019 & April 25, 2019.
Case #: 18-307-OF, 18-322-OF, 19-42-OF, 19-200-OF & 19-255-OF.
COMMISSION ACKNOWLEDGED.
ON MAY 9, 2019, THE DIVISION OF ENFORCEMENT FILED AN ASSENTED-TO MOTION TO CONTINUE ON BEHALF OF THE LICENSEE; THE MOTION WAS GRANTED ON MAY 9, 2019. DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

June 7, 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.
ON MAY 6, 2019, AN ASSENTED-TO MOTION TO CONTINUE THIS HEARING WAS FILED BY THE LICENSEE AND GRANTED ON MAY 7, 2019.

3. NOTIFICATION OF DISCIPLINARY ACTION:

Applebee's Neighborhood Grill and Bar, 40 Key Road, Keene, NH.
Restaurant, Full Service With Lounge License #1430603 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.

Dates of violation: December 1, 2018 January 17, 2019.

Case #: 19-75-OF.

\$1,000 administrative fine 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 with one (1) day held in abeyance for twelve (12) months
pending no like violation commencing May 30, 2019 and re-granted on June 1, 2019 and Chelsea Wilder and
Madison Brumaghim shall complete a Total Education in Alcohol Management (TEAM) seminar online within
thirty (30) days from the date of the fully executed agreement.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

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

a. Candia Vineyards, 702 High Street, Candia, NH.
Wine Manufacturer License #561430 licensed pursuant to RSA 178:8.
Cited for violation of RSA 178:8/Liq. 706.06(c) – failed to file an annual TTB wine production report.
Date of violation: May 1, 2019.

Case #: 19-263-OF.

\$100 administrative fine paid.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

b. Country Cook'n @ Lakeside, 1457 Lakeshore Road, Gilford, NH.
Restaurant, On-Premises Beverage & Wine License #1265203 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: May 3, 2019.

Case #: 19-272-OF.

\$100 administrative fine paid.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

c. Downeast Cider House, 256 Marginal Street, East Boston, MA.
Beverage Vendor License #61431 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to
expiration.

Date of violation: May 3, 2019.

Case #: 19-268-OF.

\$100 administrative fine paid.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. Ashworth Mountainside LLC DBA Shattuck Golf and Dublin Road Taproom,
53 Dublin Road, Jaffrey, NH 03452.
To be issued Restaurant, Beverage and Wine License #6021205 pursuant to RSA 178:20.
30-Day Temporary License issued 5/2/2019.

DEPUTY COMMISSIONER MILLIGAN APPROVED.

b. Beauty and the Feast LLC DBA The Crepe Escape, 138 North Main Street, Concord, NH 03301.
To be issued Restaurant, Beverage and Wine License #1584203 pursuant to RSA 178:20.
30-Day Temporary License issued 5/7/2019.

DEPUTY COMMISSIONER MILLIGAN APPROVED.

- c. Crum Bum Bakery LLC DBA Crumb Bar, 97A Main Street, Littleton, NH 03561.
To be issued Restaurant, Beverage and Wine License #1579603 pursuant to RSA 178:20.
30-Day Temporary License issued 5/8/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- d. Demand Transport LLC, 29 Armory Road, Milford, NH 03055.
To be issued Carrier, Beverage/Wine/Liquor License #758816 pursuant to RSA 178:14.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- e. Native Bean LLC, 115 Lafayette Road, Hampton Falls, NH 03844.
To be issued Restaurant, Beverage and Wine License #1584203 pursuant to RSA 178:20.
30-Day Temporary License issued 5/3/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- f. O Club LLC (The) DBA The O Club, 2025 White Mountain Highway, North Conway, NH 03860.
To be issued Restaurant, Beverage and Wine License #6021005 pursuant to RSA 178:20.
30-Day Temporary License issued 5/8/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- g. Senh Habitat for Humanity DBA Moffatt-Ladd House, 154 Market Street, Portsmouth, NH 03801.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 6/6/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- h. Smoke Shop Outlet LLC, 6 West Broadway, Derry, NH 03038.
To be issued Retail Tobacco, Tobacco Only License #146517 pursuant to RSA 178:19-a.
30-Day Temporary License issued 5/8/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- i. Tequilas Premium, Inc., 40 Columbus Avenue, Suite 210, San Francisco, CA 94133.
To be issued Liquor and Wine Vendor License #124945 pursuant to RSA 178:9.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- j. Tuckerman Brewing Co. LLC, 166 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 6/8/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- k. Tuckerman Brewing Co. LLC, 166 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 8/24/2019.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- l. VIno.com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mount Pleasant SC 29464.
To be issued Beverage Vendor License #93231 pursuant to RSA 178:15.
Manufacturer: Saigon Beer Alcohol Beverage Corp.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- m. VIno.com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mount Pleasant, SC 29464.
To be issued Beverage Vendor License #93331 pursuant to RSA 178:15.
Manufacturer: Florida Beer Company.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- n. VIno.com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mount Pleasant, SC 29464.
To be issued Beverage Vendor License #93431 pursuant to RSA 178:15.
Manufacturer: Privatbrauerei Gaffel Becker & Co. OHG.
DEPUTY COMMISSIONER MILLIGAN APPROVED.
- o. VIno.com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mount Pleasant, SC 29464.
To be issued Beverage Vendor License #93531 pursuant to RSA 178:15.
Manufacturer: The Black Sheep Brewery PLC
DEPUTY COMMISSIONER MILLIGAN APPROVED.

- p. Vino.com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mount Pleasant, SC 29464.
To be issued Beverage Vendor License #93631 pursuant to RSA 178:15.
Manufacturer: Carlow Brewing Company Ltd.
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 MAY 10, 2019: 1,207

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Ancient Fire Mead & Cider LLC, 8030 South Willow Street, Manchester, NH 03103.
Restaurant, Beverage and Wine License #1558303 licensed pursuant to RSA 178:20.
Date petition received: 5/2/2019.
Date petition approved: 5/3/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 30
pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- b. Ancient Fire Mead & Cider LLC, 8030 South Willow Street, Manchester, NH 03103.
Wine Manufacturer, Off-Premises Wine Only License #567430 licensed pursuant to RSA 178:8.
Date petition received: 5/7/2019.
Date petition approved: 5/8/2019.
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 p.m.
and 7:00 p.m. from 6/5/2019 to 9/25/2019 pursuant to RSA 178:24/RSA 179:44, II-a.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- c. Averill House Vineyard, 21 Averill Road, Brookline, NH 03033.
Wine Manufacturer, Off-Premises Wine Only License #566730 licensed pursuant to RSA 178:8.
Date petition received: 5/7/2019.
Date petition approved: 5/8/2019.
Requested approval for authorization for tasting and retail sales at farmers' market, to wit, Merrimack
Farmers' Market, 526 Daniel Webster Highway, Merrimack, NH on Wednesdays between 3:00 p.m.
and 6:00 p.m. from 6/12/2019 through 10/10/2019 pursuant to RSA 178:24/RSA 179:44, II-a.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- d. Burnt Timber Brewing, 96 Lehner Street, Wolfeboro, NH 03894.
Beverage Manufacturer License #290918 licensed pursuant to RSA 178:12.
Date petition received: 4/27/2019.
Date petition approved: 5/7/2019.
Requested approval for authorization of service to another area for tasting and retail sales at farmers'
market, to wit, Wolfeboro Area Summer Farmers' Market, Clark Park, 2333 South Main Street,
Wolfeboro, NH on Thursdays between 12:30 p.m. and 4:30 p.m. from 5/23/2019 to 10/31/2019
pursuant to RSA 178:24/RSA 179:44, II-a; The Town of Wolfeboro allows retail sales only at their
farmers' markets.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

- e. Iron Furnace Brewing LLC, 155 Main Street Franconia, NH 03580.
Nano Brewery, Beer and/or Specialty Beer License #206422 licensed pursuant to RSA 178:12-a.
Date petition received: 4/18/2019.
Date petition approved: 5/3/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 392 for 5/4/2019 and 8/3/2019 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- f. La Catrina Authentic Mexican Restaurant, 138 Main Street, Ashland, NH 03217.
Restaurant, On-Premises Beverage/Wine/Liquor License #1572903 licensed pursuant to RSA 178:21.
Date petition received: 5/1/2019.
Date petition approved: 5/3/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 20 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- g. Pemi Pub, 115 Main Street North Woodstock, NH 03262.
Restaurant, On-Premises Beverage/Wine/Liquor License #1572903 licensed pursuant to RSA 178:21.
Date petition received: 5/7/2019.
Date petition approved: 5/7/2019.
Requested approval for an outside area, to wit, to increase the outside seating from a capacity of 28 to 50 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- h. Renegades Pub, 103 Nashua Road, Unit A, Londonderry, NH 03053.
Performing Arts License #399708 licensed pursuant to RSA 178:22, V(m)
Date petition received: 5/3/2019.
Date petition approved: 5/7/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 33 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- i. Shattuck Golf and Dublin Road Taproom, 53 Dublin Road, Jaffrey, NH 03452.
Sports Recreation Facility, On-Premises Cocktail Lounge License #6021205 licensed pursuant to RSA 178:22, V(v).
Date petition received: 5/2/2019.
Date petition approved: 5/3/2019.
Requested approval for 2 outside areas, to wit, 2 outside areas with capacities of 50 and 35 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.
- j. Squamscott Winery LLC, 12 River Road, Newfields, NH 03856.
Wine Manufacturer, Off-Premises Wine Only License #567030 licensed pursuant to RSA 178:8.
Date petition received: 5/3/2019.
Date petition approved: 5/7/2019.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, Dover Farmers' Market on Sundays between 10:00 a.m. and 2:00 p.m. from 5/9/2019 through 10/13/2019 pursuant to RSA 178:24/RSA 179:44, II-a.
DEPUTY COMMISSIONER MILLIGAN 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:

Durham, NH;
Gilford, NH; and
Wakefield, NH.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

ALCOHOL COMPLIANCE CHECKS –

Bow:

Alltown, 728 Route 3A, Bow, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3288747 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: April 20, 2019.

Case #: 19-233-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.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

Wolfeboro:

Hunters Shop N Save, 60 South Main Street, Wolfeboro, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3291347 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 21, 2019.

Case #: 19-105-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.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

TOBACCO COMPLIANCE CHECKS –

Cheshire County:

West of the Border, 1044 US Route 119, Rindge, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3364747 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: April 25, 2019.

Case #: 19-235-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.

DEPUTY COMMISSIONER MILLIGAN ACKNOWLEDGED.

16. **ADMINISTRATIVE HEARING DECISION PENDING:**

None

17. **ADMINISTRATIVE HEARING DECISION:**

None

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

None