

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

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JULY 10, 2019.

2. SCHEDULED HEARINGS:

September 18, 2019 at 9:30 a.m.:

Red Parka Pub, Route 302, Bartlett, NH.

Restaurant, Full Service With Lounge License #301503 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: December 15, 2018.

Case #: 18-368-OF.

THE HEARING DATE WAS AMENDED FROM JULY 12, 2019 AT THE REQUEST OF THE HEARINGS OFFICER.

ON JUNE 26, 2019, THE LICENSEE REQUESTED THAT THE AUGUST 2, 2019 HEARING BE CONTINUED; REQUEST GRANTED JULY 5, 2019.

COMMISSION ACKNOWLEDGED.

3. NOTIFICATION OF DISCIPLINARY ACTION:

Hilltop Pizza II, 1724 Dover Road, Epsom, NH.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1553303 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 179:51 – failed to maintain an orderly premise.

Date of violations: March 9, 2019.

Case #: 19-193-OF.

For violation of RSA 179:5, I, an administrative fine of \$1,000 with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to and remain on the liquor license for twelve (12) calendar months commencing the date of adjudication and the license to sell, serve or consume alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing August 3, 2019 and re-granted on August 5, 2019; for violation of RSA 179:51, an administrative fine of \$500; also, the Licensee shall file an affidavit for any employee who does not have one on file with the Division of Enforcement & Licensing within ten (10) calendar days from the date the licensee receives the fully signed agreement.

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

- a. Belmont Village Store, 139 Main Street, Belmont, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3296347 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law.
Date of violation: April 11, 2019.
Case #: 19-356-OF.
\$250 administrative fine paid.
- b. R & E Grocery, 304 Merrimack Street, Manchester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3174747 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law.

Date of violation: March 13, 2019.

Case #: 19-384-OF.

\$250 administrative fine paid.

- c. Union Street Market, 621 Union Street, Manchester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3304947 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law.
Date of violation: March 5, 2019.
Case #: 19-383-OF.
\$250 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. AVS Corp. DBA Cigar & Smoke Shop, 2420 NH Route 16, Side Bldg., West Ossipee, NH 03890.
To be issued Retail Tobacco License #147117 pursuant to RSA 178:19-a.
30-Day Temporary License issued 7/5/2019.
- b. Demoulas Super Markets, Inc. DBA Market Basket, 69 Central Street, Salem, NH 03079.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3382247
pursuant to RSA 178:18/RSA 179:19-a.
30-Day Temporary License issued 7/11/2019.
- c. Fire By Wicked Fresh LLC, 2 Common Court, Unit A28, North Conway, NH 03860.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1590203
pursuant to RSA 178:21.
30-Day Temporary License issued 7/11/2019.
- d. FSNB - Newport LLC DBA Newport Gold Club, 112 Unity Road, Newport, NH 03773.
To be issued Sports Recreation Facility With Cocktail Lounge License #6021805 pursuant to
RSA 178:22, V(v).
30-Day Temporary License issued 7/3/2019.
- e. Looseleaf LLC DBA The Baited Hook, 83 Route 4A, Lebanon, NH 03766.
To be issued a Restaurant, On-Premises, Beverage and Wine License #1587403
pursuant to RSA 178:20.
30-Day Temporary License issued 7/9/2019.
- f. Momson LLC DBA Thai Chili, 473 South Broadway, Salem, NH 03079.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1589803
pursuant to RSA 178:21.
30-Day Temporary License issued 7/8/2019.
- g. No. 4 Mill Restaurant LLC DBA The Refinery, 4 Mill Road, Andover, NH 03216.
To be issued Restaurant, Full Service With Lounge License #1585303 pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 7/5/2019.
- h. Pratt, Michele & Kevin DBA Flossie's General Store & Gift Emporium,
21 Main Street, Jackson, NH 03846.
To be issued Retail Wine License #3165146 licensed pursuant to RSA 178:19.
30-Day Temporary License issued 7/10/2019.
- i. Prost Beverage Company LLC, 5300 Glades Cutoff Road, Fort Pierce, FL 34981.
To be issued Liquor & Wine Vendor License #127545 licensed pursuant to RSA 178:9.
Liquor/Wine Representative: Baystate Wine & Spirits.

- j. Spice Continent LLC DBA Dawat, 295 DW Highway, Suite 6A, Nashua, NH 03060.
To be issued Restaurant, On-Premises Beverage & Wine License #1581703 licensed pursuant to RSA 178:20.
30-Day Temporary License issued 7/10/2019.
- k. Vino E Vino LLC, 163 C-1 Water Street, Exeter, NH 03833.
To be issued Retail Wine License #3164746 pursuant to RSA 178:19.
30-Day Temporary License issued 7/10/2019.
- l. Yvette Convenience Store LLC, 250 Laurel Street, Manchester, NH 03103.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3382847 pursuant to RSA 178:18/RSA 179:19-a.
30-Day Temporary License issued 7/11/2019.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JULY 12, 2019: 1,210

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Greenleaf, 54 Nashua Street, Milford, NH 03055.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1579503 licensed pursuant to RSA 178:21.
Date petition received: 7/12/2019.
Date petition approved: 7/12/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 10 from July through September, 2019 pursuant to RSA 178:24/Liq. 404.05.
- b. Nonna's Kitchen, 19 Exchange Street, Gorham, NH 03581.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1541403 licensed pursuant to RSA 178:21.
Date petition received: 7/12/2019.
Date petition approved: 7/12/2019.
Requested approval for an outside area, to wit, an outside area with a capacity of 16 from July through October, 2019 pursuant to RSA 178:24/Liq. 404.05.
- c. Pickering House, 116 South Main Street, Wolfeboro, NH 03894.
Liquor & Wine Vendor License #1279326 licensed pursuant to RSA 178:9.
Date petition received: 7/11/2019.
Date petition approved: 7/11/2019.
Requested approval to charge a corkage fee, to wit, to charge a fee when serving a bottle of wine brought in by a customer, to be stored separately from licensed alcohol and served when requested and when a full course meal is consumed pursuant to RSA 178:21, II a (5).
- d. VFW Post 4479, 39 Main Street, Raymond, NH 03077.
Veterans Club License #23139 licensed pursuant to RSA 178:22, V(h).
Date petition received: 7/3/2019.
Date petition approved: 7/12/2019.

Requested approval for an extension of area, to wit, to extend service of alcohol to an outside, fenced-in area on July 13, 2019 pursuant to RSA 178:24/Liq. 404.05.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Cuscuna, Aaron M. SFC, O Troop, 4/2 CR, Rose Barracks, Vilseck, Germany. Military serviceman wishes to import 61 bottles of alcohol to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175:6.
- b. Duvel Moortgat USA Ltd., 21 Railroad Avenue #32, Cooperstown, NY 13326. Beverage Vendor License #33631 licensed pursuant to RSA 178:15. Requests approval of ciders containing more than 6% alcohol by volume to include Ommegang Dry Cider that has an alcohol content of 6.28% at 60 degrees Fahrenheit by volume and Ommegang Rose Cider that has an alcohol content of 6.55% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; samples provided.
- c. White Mountain Distillery LLC DBA Stowe Cider, 17 Town Farm Lane, Stowe, VT 05672. Beverage Vendor License #86231 licensed pursuant to RSA 178:15. Requests approval of a cider containing more than 6% alcohol by volume, Rose Hard Cider that has an alcohol content of 6.17% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Durham, NH; and
Gilford, NH.

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO COMPLIANCE CHECKS –

Carroll County:

Pine Cone Country Store, 427 Route 109, Melvin Village, NH.
Combination Off-Premises, Beverage/Wine/Tobacco License #3291047 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: June 21, 2019.
Case #: 19-352-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.

Manchester, NH:

- a. Afshin Convenience, 570 Elm Street, Manchester, NH.
Combination Off-Premises, Beverage/Wine/Tobacco License #3206747 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: June 20, 2019.
Case #: 19-368-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.
- b. Northend Superette, 1308 Elm Street, Manchester, NH.
Combination Off-Premises, Beverage/Wine/Tobacco License #3123247 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: June 20, 2019.
Case #: 19-368-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.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. American Independence Museum,
Folsom Tavern at the American Independence Museum, 164 Water Street, Exeter, NH 03833.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Approved 7/9/2019.
- b. Friends of Dartmouth Hitchcock Norris Cotton Cancer Center,
Arms Park, 10 Arms Street, Manchester, NH 03101.
To be issued a Beer Festival License pursuant to RSA 178:30.
Approved 7/11/2019.
- c. Hillsborough Area Community Service Corp.,
Grimes Field, 29 Preston Street, Hillsboro, NH 03240.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Approved 7/9/2019.
- d. Piscataqua Maritime Commission, Sea Coast Science Center, 570 Ocean Blvd., Rye, NH 03870.
To be issued a One-Day Auction License pursuant to a RSA 178:17.
Approved 7/11/2019.
- e. Seacoast United Foundation,
The Rim Above the Sports Complex, 311 Winnacunnet Road, Bldg. B, Hampton, NH 03042.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Approved 7/9/2019.

- f. Slow Food Seacoast, Tuckaway Farm, 36 Captain Smith Emerson Road, Lee, NH 03861.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Approved 7/9/2019.

- g. Swimming With A Mission, Inc., Wellington State Park, 614 W. Shore Road, Bristol, NH 03222.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Approved 7/9/2019.