

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, AUGUST 8, 2019

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD AUGUST 1, 2019. THIS ITEM WAS TABLED.

2. SCHEDULED HEARINGS:

a. August 8, 2019 at 9:00 a.m.:

Good Times Smoke Shop Nashua, 449 Amherst Street, Nashua, NH.
Cigar Bar, On-Premises, Beverage/Wine/Liquor/Cigars/Tobacco License #400606 licensed pursuant to RSA 178:20-a.

Cited for violation of Liq. 604.01(a) – failed to pay an administrative fine within five (5) days of receipt of a fine order letter.

Date of violation: July 17, 2019.

Case #: 19-351-OF.

**FINE PAID; HEARING CANCELED.
CHAIRMAN MOLLICA ACKNOWLEDGED.**

b. August 8, 2019 at 9:30 a.m.:

Madear's, 175 Hanover Street, Manchester, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1539103 licensed pursuant to RSA 178:21.
Cited for violation of Liq. 604.01(a) – failed to pay an administrative fine within five (5) days of receipt of a fine order letter.

Date of violation: July 19, 2019.

Case #: 19-367-OF.

**FINE PAID; HEARING CANCELED.
CHAIRMAN MOLLICA ACKNOWLEDGED.**

c. 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:

99 Restaurant, 154 Laconia Road, Tilton, NH.
Restaurant, Full Service With Lounge License #1235903 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: February 2, 2019.

Case #: 19-101-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 and remain on the liquor license for twelve (12) calendar months commencing the date of adjudication, the license to sell, 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 August 17, 2019 and re-granted on August 19, 2019, if still employed by the Licensee, Kristen Brown shall attend a Management Training Seminar (MTS) in a classroom within forty-five (45) days from the date of this fully executed agreement and if still employed by the Licensee, Shawn Wright shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of this fully executed agreement.

CHAIRMAN MOLLICA ACKNOWLEDGED.

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

Dinner Table Restaurant (The), 121 Old Homestead Highway, Swanzey, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1456603 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: July 25, 2019.

Case #: 19-419-OF.

\$100 administrative fine paid.

CHAIRMAN MOLLICA ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Londonderry Lions Club, 42 Main Street, Londonderry, NH 03053.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 8/17/2019.
CHAIRMAN MOLLICA APPROVED.
- b. Maine Distilleries DBA Cold River, 437 US Route 1, Freeport, ME 04032.
To be issued Liquor and Wine Vendor License #127745 pursuant to RSA 178:9.
CHAIRMAN MOLLICA APPROVED.
- c. Marathon Acres LLC DBA Plainfield Country Store, 1190 Route 12A, Plainfield, NH 03781.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3384647
pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 7/29/2019.
CHAIRMAN MOLLICA APPROVED.
- d. NOCI LLC DBA DW Diner, 416 Daniel Webster Highway, Merrimack, NH 03054.
To be issued Restaurant, Beverage and Wine License #1591203 pursuant to RSA 178:20.
30-Day Temporary License issued 8/1/2019.
CHAIRMAN MOLLICA APPROVED.
- e. North Sandwich Store LLC, 2 Maple Ridge, Center Sandwich, NH 03227.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3385547
pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 7/31/2019.
CHAIRMAN MOLLICA APPROVED.
- f. Prestella Ventures LLC DBA Stella Blu, 70 E. Pearl Street, Nashua, NH 03060.
To be issued Restaurant, On-Premises, Beverage and Wine License #1589503
pursuant to RSA 178:20.
30-Day Temporary License issued 8/1/2019.
CHAIRMAN MOLLICA 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 AUGUST 2, 2019: 1,209

- a. Big Table Farm, Inc., 26851 NW Williams Canyon Road, Gaston, OR 97119.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
CHAIRMAN MOLLICA APPROVED.
- b. Keuka Spring Vineyards LLC, 243 Route 54, East Lake Road, Penn Yan, NY 14527.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
CHAIRMAN MOLLICA APPROVED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Currier Winter Garden Café, 150 Ash Street, Manchester, NH 03104.
Caterer, On-Site License #1279626 licensed pursuant to RSA 178:22, V(e).
Date petition received: 7/25/2019
Date petition approved: 7/29/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 300 for 8/1/2019 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Nashua Elks Lodge 720, 12 Murphy Drive, Nashua, NH 03060.
Social Club, On-Premises, Cocktail Lounge License #11601 licensed pursuant to RSA 178:22, V(h).
Date petition received: 7/24/2019
Date petition approved: 7/31/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 1,500 for 8/17/2019 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. Polish American Club, 15 School Street, Nashua, NH 03060.
Date petition received: 7/25/2019
Date petition approved: 7/31/2019.
Requested approval to transfer license to other location, to wit, to transfer the license to American Legion, 43 Baboosic Lake Road, Merrimack, NH 03054 between 10:00 am and 5:00 pm on August 10, 2019 pursuant to RSA 178:25.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- d. Rhum Caribbean Cuisine and Rum Bar, 138 Main Street, Nashua, NH 03060.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1588503 licensed pursuant to RSA 178:21.
Date petition received: 7/26/2019.
Date petition approved: 7/29/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 10 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- e. Stark Brewing Company, 500 N. Commercial Street, Manchester, NH 03101.
Brew Pub, On-Premises, Cocktail Lounge License #2001715 licensed pursuant to RSA 178:13.
Date petition received: 7/29/2019.
Date petition approved: 7/30/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 250 for 8/3/2019 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Kiluk, Myrla B., SMSgt, USAF, 435 Deer Path Lane, Pembroke, NH 03275.
Military servicemember wishes to import her collection of 40 bottles of alcohol to New Hampshire from overseas where she is currently stationed and have the 25% fee waived pursuant to RSA 175.6.
CHAIRMAN MOLLICA THANKED SMSGT. KILUK FOR HER SERVICE AND APPROVED THIS ITEM.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Durham, NH; and
Gilford, NH.
COMMISSION ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO COMPLIANCE CHECKS –

Grafton County:

Lisbon Riverside Market, 6 North Main Street, Lisbon, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3344047 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 18, 2019.
Case #: 19-353-OF.
\$250 administrative fine and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Freedom Historical Society, 28 Old Portland Road, Freedom, NH 03836.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #599841 pursuant to RSA 178:22, V(I).
Event date: 8/5/2019.
Commission approved on 7/29/2019.
CHAIRMAN MOLLICA ACKNOWLEDGED.

- b. Hills House Field, 211 Derry Road, Hudson, NH 03051.
Issued Beer Festival License #4006714 pursuant to RSA 178:30.
Event dates: 8/8 - 8/10/2019.
Commission approved on 7/29/2019.
CHAIRMAN MOLLICA ACKNOWLEDGED.