

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, AUGUST 15, 2019

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD AUGUST 8, 2019.

CHAIRMAN MOLLICA ACCEPTED THE MINUTES OF AUGUST 8, 2019.

2. SCHEDULED HEARINGS:

a. 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.

b. September 20, 2019 at 9:30 a.m.:

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 179:27 – allowed patrons to self-serve alcohol beverages.

Date of violations: June 23, 2019.

Case #: 19-378-OF.

c. September 25, 2019 at 9:30 a.m.:

Castaways Boathouse, 31 Cocheco Street, Dover, NH.

Restaurant, Full Service With Lounge License #1291303 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 – 4 counts.

Cited for violation of RSA 179:51 – failed to maintain an orderly premise.

Date of violations: December 18, 2018.

Case #: 19-39-OF.

3. NOTIFICATION OF DISCIPLINARY ACTION:

Fody's Great American Tavern, 9 Clinton Street, Nashua, NH.

Restaurant, Full Service With Lounge License #1264903 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: November 12, 2018.

Case #: 18-343-OF.

An administrative fine of \$1,500 with \$750 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 four (4) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing August 18, 2019 and re-granted on August 21, 2019; last call shall occur no later than 1:00 a.m. on August 18, 2019 and the bar, all tables and any other effected area as described above shall be cleared of glasses, bottles or other containers utilized for the service/consumption of alcohol by 1:30 a.m. on August 18, 2019 and a manager shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date the licensee receives the fully signed agreement.

COMMISSION ACKNOWLEDGED.

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

Buck Rub Pizza Pub, 2253 North Main Street, Pittsburg, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1217403 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: August 1, 2019.
Case #: 19-430-OF.
\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Annunciation Greek Orthodox Church, Hellenic Center, 219 Longhill Road, Dover, NH 03820.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event dates: 8/30-31/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. First Parish Church, 218 Dover Street, Dover, NH 03820.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 8/31/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Lake Sunapee Region VNA & Hospice,
New London Historical Society, 179 Little Sunapee Road, New London, NH 03257.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 8/27/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Manchester Bowling LLC DBA Yankee Lanes Entertainment,
216 Maple Street, Manchester, NH 03103.
To be issued Sports Recreation Facility With Cocktail Lounge License #6021905 pursuant to RSA 178:22, V(v).
30-Day Temporary License issued 8/8/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. MCB Variety LLC DBA Murphy's Village Store, 967 Whittier Highway, Moultonborough, NH 03254.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3385847 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 8/6/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- f. Mutiny Distribution LLC, 49-29 Metropolitan Avenue, Suite D, Ridgewood, NY 11385.
To be issued Carrier, Beverage/Wine/Liquor License #759316 pursuant to RSA 178:14.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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 AUGUST 9, 2019: 1,210

Wine Retriever LLC DBA Scout & Cellar, 4455 Simonton Road, Farmers Branch, TX 75244.
To be issued Direct Shipper, Importer Permit pursuant to RSA 178:27.
(Importer)

DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Botanica Restaurant and Gin Bar, 110 Brewer Lane, Suite 105, Portsmouth, NH 03801.
Restaurant, Beverage and Wine License #1575603 licensed pursuant to RSA 178:20.
Date petition received: 7/26/2019.
Date petition approved: 8/6/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 18 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Boston Culinary Group, 719 Cherry Valley Road, Gilford, NH 03246.
Sports Recreation Facility With Cocktail Lounge License #572305 licensed pursuant to RSA 178:22, V(v).
Date petition received: 8/7/2019.
Date petition approved: 8/9/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 1,000 for 8/17/2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Compass Café, 329 Lakeside Avenue, Laconia, NH 03247.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1560803 licensed pursuant to RSA 178:21.
Date petition received: 7/12/2019.
Date petition approved: 8/6/2019.
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.
COMMISSION ACKNOWLEDGED.
- d. Jamie Lynn's Kitchen, 7 Lisbon Road, Bath, NH 03740.
Restaurant, Beverage and Wine License #1590603 licensed pursuant to RSA 178:20.
Date petition received: 8/2/2019.
Date petition approved: 8/7/2019.
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.
COMMISSION ACKNOWLEDGED.

- e. Mohawk Falls, 1478 Route 26, Colebrook, NH 03576.
Caterer, Off-Site License #1288734 licensed pursuant to RSA 178:22, V(e).
Date petition received: 8/2/2019.
Date petition approved: 8/7/2019.
Requested approval for authorization of other areas, to wit: an outside deck area with a capacity of 20; an outside gazebo area with a capacity of 120; and an outside fire pit area with a capacity of 100 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- f. Oaks Golf Links, 100 Hideaway Place, Route 108, Somersworth, NH 03878.
Sports Recreation Facility With Cocktail Lounge License #6009605 licensed pursuant to RSA 178:22, V(v).
Date petition received: 8/5/2019.
Date petition approved: 8/8/2019.
Requested approval for authorization of other area, to wit, an outside area for 8/9, 8/19, 9/10, 9/23, 10/1, 10/7, 10/11, and 10/18/2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

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

ON AUGUST 8, 2019, THIS ITEM WAS TABLED.

CHIEF MARK ARMAGANIAN RECOMMENDED THIS ITEM BE TAKEN OFF THE TABLE; DEPUTY COMMISSIONER JORDAN MOVED TO TAKE THIS ITEM OFF THE TABLE; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED; DEPUTY COMMISSIONER JORDAN ACCEPTED THE MINUTES OF AUGUST 1, 2019.

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Requests approval of Goose Island 2-Year Reserve Bourbon County Brand Stout with an alcohol content of 14.9% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a/RSA 179:40-a; sample provided.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Founders Brewing Company, 235 Grandville Avenue SW, Grand Rapids, MI 49503.
Requests approval of Underground Mountain Brown with an alcohol content of 12.01% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a/RSA 179:40-a; sample provided.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Nashua P.A.L., Holman Stadium, 67 Amherst Street, NH 03063.
Requests approval for Cornerstone Cider with an alcohol content of 7% at 60 degrees Fahrenheit by volume and Heart & Soul with an alcohol content of 6.9% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; beer festival license for sampling only; no samples provided.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

Krebs Brewing Company, 120 SW 8th Street, Krebs, OK 74554.
Requests approval of Prairie Pirate Noir with an alcohol content of 12.11% at 60 degrees Fahrenheit by volume and Pirate Bomb with an alcohol content of 14.99% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a/RSA 179:40-a.
Recommend denial of these products pursuant to RSA 179:31, VII (b); samples provided.
CHIEF ARMAGANIAN RECOMMENDED THAT THIS ITEM BE TABLED FOR FURTHER RESEARCH; DEPUTY COMMISSIONER JORDAN MOVED TO TABLE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

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 –

Rockingham County:

Food Plus, 5 Plaistow Road, Plaistow, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #855247 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: August 6, 2019.
Case #: 19-413-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.
COMMISSION ACKNOWLEDGED.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Boys & Girls Club of Souhegan Valley, 29 Mont Vernon Street, Milford, NH 03055.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #600441 pursuant to RSA 178:22, V(l).
Event date: 8/6/2019.
Commission approved on 8/6/2019.
COMMISSION ACKNOWLEDGED.
- b. Boys & Girls Club of Souhegan Valley, 29 Mont Vernon Street, Milford, NH 03055.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #600541 pursuant to RSA 178:22, V(l).
Event date: 8/9/2019.
Commission approved on 8/6/2019.
COMMISSION ACKNOWLEDGED.

- c. Cite Ecologique Farm, 85 Angels Road, Colebrook, NH 03576.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #600641 pursuant to RSA 178:22, V(I).
Event date: 8/10/2019.
Commission approved on 8/7/2019.
COMMISSION ACKNOWLEDGED.
- d. Our Lady of the Cedars Church, 140 Mitchell Street, Manchester, NH 03103.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #600741 pursuant to RSA 178:22, V(I).
Event dates: 8/16-18/2019.
Commission approved on 8/8/2019.
COMMISSION ACKNOWLEDGED.