

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, AUGUST 22, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD AUGUST 15, 2019.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF AUGUST 15, 2019; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

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:**

- a. The Halligan Tavern, 32 West Broadway, Derry, NH.
Restaurant, Full Service With Lounge License #1391903 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.
Cited for violation of RSA 179:17 – allowed the sale or consumption of alcoholic beverage on the premises after expiration of the selling or serving hour.

Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.

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

Date of violations: June 12, 2018.

Case #: 18-177-OF.

For violation of RSA 179:5, I, an administrative fine of \$1,500 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 four (4) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing August 25, 2019 and re-granted on August 28, 2019 and a manager shall attend a Management Training Seminar (MTS) within thirty (30) days from the date of the signed agreement; for violation of RSA 179:17, an administrative fine of \$250; for violation of RSA 179:20, II, an administrative fine of \$100; and for violation of RSA 179:51, an administrative fine of \$250.

COMMISSION ACKNOWLEDGED.

- b. Yee Dynasty, 830 South Willow Street, Manchester, NH.

Restaurant, Full Service With Lounge License #1482603 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: May 16, 2019.

Case #: 19-302-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 28, 2019 and re-granted on August 30, 2019, Brian Yee shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the approved agreement and Sean Regan shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the signed agreement.

COMMISSION ACKNOWLEDGED.

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

- a. Envy Sports Club & Café, 298 Queen City Avenue, Manchester, NH.

Restaurant, On-Premises Beverage & Wine License #1548803 licensed pursuant to RSA 178:20.

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

Date of violation: June 30, 2019.

Case #: 19-394-OF.

\$250 administrative fine paid.

COMMISSION ACKNOWLEDGED.

- b. Hudson Stateline Convenience, 71 Dracut Road, Hudson, NH.

Combination, Off-Premises Beverage/Wine/Tobacco License #3356647 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 – purchased tobacco products from an unlicensed wholesaler/source without paying the required taxes.

Date of violation: December 11, 2018.

Case #: 18-377-OF.

\$250 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Cider Press at the Barn (The) LLC, 30 Middleton Road, Wolfeboro, NH 03894.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1591803 pursuant to RSA 178:21.
30-Day Temporary License issued 8/12/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Contoocook Chamber of Commerce,
Contoocook/Hop Railroad Museum & Visitor Center, 896 Main Street, Contoocook, NH 03229.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 8/28/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Contoocook Chamber of Commerce,
Contoocook/Hop Railroad Museum & Visitor Center, 896 Main Street, Contoocook, NH 03229.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 9/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Contoocook Chamber of Commerce,
Contoocook/Hop Railroad Museum & Visitor Center, 896 Main Street, Contoocook, NH 03229.
To be issued a Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 9/11/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Gilroy, Alison, 78 Harkness Road, Jaffrey, NH 03452.
To be issued Alcohol Consultant License #516444 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Happy Island LLC DBA Wing-Itz, 96 Main Street, Newmarket, NH 03857.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1591703 pursuant to RSA 178:21.
30-Day Temporary License issued 8/9/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. 9th State Wine and Spirits LLC, PO Box 3851, Concord, NH 03301.
To be issued Liquor/Wine Representative License #609835 pursuant to RSA 178:10.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA 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 16, 2019: 1,216

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

Twins Barns Brewing Company LLC, 194 Daniel Webster Highway, Meredith, NH 03253.
Brew Pub, On-Premises, Cocktail Lounge License #2004315 licensed pursuant to RSA 178:13
Date petition received: 8/8/2019.
Date petition approved: 8/14/2019.
Requested approval for authorization of other area, to wit, an outside deck area with a capacity of 82 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

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.
ON AUGUST 15, 2019, 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.
CHIEF MARK ARMAGANION RECOMMENDED THAT THIS ITEM BE TAKEN OFF THE TABLE; DEPUTY COMMISSIONER JORDAN MOVED TO TAKE THIS ITEM OFF THE TABLE; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED; CHIEF ARMAGANIAN THEN MOVED THIS ITEM TO #12 OF THIS AGENDA; THE COMMISSION ACKNOWLEDGED.

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

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.
ON AUGUST 15, 2019, 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.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

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 –

Hillsborough County:

- a. Crown Hill Market, 90 Allds Street, Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3358047 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 9, 2019.
Case #: 19-435-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.
- b. Rosalinda Mini Market, 58 Chestnut Street, Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3268947 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 9, 2019.
Case #: 19-435-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 #601241 pursuant to RSA 178:22, V(l).
Event date: 8/13/2019.
Special approval received on 8/12/2019.
COMMISSION ACKNOWLEDGED.
- b. Contoocook Chamber of Commerce,
Contoocook/Hop Railroad Museum & Visitor Center, 896 Main Street, Contoocook, NH 03229.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #602041 pursuant to RSA 178:22, V(l).
Event date: 8/21/2019.
Special approval received on 8/15/2019.
COMMISSION ACKNOWLEDGED.
- c. Friends of Bridges House, 21 Mountain Road, Concord, NH 03301.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #601341 pursuant to RSA 178:22, V(l).
Event date: 8/25/2019.
Special approval received on 8/13/2019.
COMMISSION ACKNOWLEDGED.

- d. Little Angels Service Dogs, 1088 US Route 302, Bartlett, NH 03812.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #602141 pursuant to RSA 178:22, V(I).
Event date: 8/24/2019.
Special approval received on 8/15/2019.
COMMISSION ACKNOWLEDGED.
- e. Londonderry Lions Club, 98 Sargent Road, Londonderry, NH 03053.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #602241 pursuant to RSA 178:22, V(I).
Event date: 8/17/2019.
Special approval received on 8/16/2019.
COMMISSION ACKNOWLEDGED.
- f. Nashua Pal, Holman Stadium, 67 Amherst Street, Nashua, NH 03064.
Issued Beer Festival License #4007114 pursuant to RSA 178:30.
Event date: 8/17/2019.
Commission approved on 8/9/2019.
COMMISSION ACKNOWLEDGED.
- g. New Hampshire Telephone Museum, 1 Depot Street, Warner, NH 03278.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #601641 pursuant to RSA 178:22, V(I).
Event date: 8/18/2019.
Commission approved on 8/14/2019.
COMMISSION ACKNOWLEDGED.