

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 12, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 5, 2019.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF SEPTEMBER 5, 2019; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOST 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 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.

 - c. **Date to be determined:**

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.
AUGUST 26, 2019, MOTION TO CONTINUE FILED BY THE LICENSEE.
SEPTEMBER 3, 2019, OBJECTION TO RESPONDENT'S MOTION TO CONTINUE AND THE COMMISSION'S REQUEST FOR A PREHEARING CONFERENCE FILED BY THE DIVISION OF ENFORCEMENT & LICENSING.
COMMISSION ACKNOWLEDGED.
ON SEPTEMBER 9, 2019, CHIEF HEARINGS OFFICER JOSEPH PLAIA CANCELLED THE HEARING THAT HAD BEEN SCHEDULED FOR SEPTEMBER 20, 2019 AND DIRECTED THE PARTIES TO SCHEDULE A PREHEARING CONFERENCE TO BE HELD AS SOON AS POSSIBLE.

3. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Tobacco Outlet, 27 Main Street, Nashua, NH.
Retail Tobacco License #112017 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 179:51 – 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: March 28, 2019.
Case #: 19-450-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Up In Smoke, 919 Lafayette Road, Seabrook, NH.
Retail Tobacco License #724017 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: August 12, 2019.
Case #: 19-447-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Asian Garden, Inc. DBA Asian Gourmet, 780 Meadow Street, Littleton, NH 03561.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1591603 pursuant to RSA 178:21.
30-Day Temporary issued 8/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Birch Wood Vineyards Winery LLC, 199 Rockingham Road, Derry, NH 03038.
To be issued Wine Manufacturer License #568230 pursuant to RSA 178:8.
30-Day Temporary issued 9/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Claremont Kiwanis Charities,
Claremont Visitors Center Green, 14 North Street, Claremont, NH 03743.
To be issued Beer Festival License #4007214 pursuant to RSA 178:30.
Event date: 9/21/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. The Community Kitchen, Inc., 37 Mechanic Street, Keene, NH 03431.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603041 pursuant to RSA 178:22, V(l).
Event date: 9/21/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Djinn Spirits LLC, 2 Townsend West, Suite 9, Nashua, NH 03063.
To be issued Rectifier License #281332 pursuant to RSA 178:7.
30-Day Temporary issued 9/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- f. The Fells, The Fells Historic Estate & Gardens, 453 Route 103A, Newbury, NH 03255.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603141 pursuant to RSA 178:22, V(l).
Event date: 10/5/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. The Fells, The Fells Historic Estate & Gardens, 453 Route 103A, Newbury, NH 03255.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603241 licensed pursuant to RSA 178:22, V(l).
Event date: 11/1/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. The Fells, The Fells Historic Estate & Gardens, 453 Route 103A, Newbury, NH 03255.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603341 licensed pursuant to RSA 178:22, V(l).
Event date: 11/6/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. La Medina LLC, 99 Union Square, Milford, NH 03055.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1591903 pursuant to RSA 178:21.
30-Day Temporary issued 9/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Modestman LLC DBA Modestman Brewing, 100 Main Street, Keene, NH 03431.
To be issued Nano Brewery, Beer and/or Specialty Beer/Restaurant License #207422 pursuant to RSA 178:12-a.
30-Day Temporary issued 9/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. Optima Courier, Inc., 130 New Boston Street, Suite 201, Woburn, MA 01801.
To be issued Carrier, Beverage/Wine/Liquor License #758916 pursuant to RSA 178:14.
30-Day Temporary issued 9/3/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- l. Ramciel Store Market LLC, 381 Massabesic Street, Manchester, NH 03103.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco #3386547 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary issued 8/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- m. Tendercrop Catering At The Red Barn, Inc., 151 Dover Point Road, Dover, NH 03820.
To be issued Caterer, On-Site License #1280126 pursuant to RSA 178:22, V(e).
30-Day Temporary issued 8/30/2019.
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 SEPTEMBER 6, 2019: 1,218

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Crumb Bar, 97A Main Street, Littleton, NH 03561.
Restaurant, Beverage and Wine License #1579603 licensed pursuant to RSA 178:20.
Date petition received: 9/5/2019.
Date petition approved: 9/6/2019.
Requested approval for extension of service to another area, to wit, additional dining space without increasing the total capacity pursuant to RSA 178:24.
COMMISSION ACKNOWLEDGED.
- b. Governor Adams Lodge, Loon Mountain, Lincoln, NH 03251.
Spots Recreation Facility License #284805 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/3/2019.
Date petition approved: 9/6/2019.
Requested approval for authorization of other areas, to wit, additional outside areas for the NH Highland Games on 9/19, 9/20, 9/21 & 9/22/2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. La Medina, 99 Union Square, Milford, NH 03055.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1591903 licensed pursuant to RSA 178:21.
Date petition received: 9/3/2019.
Date petition approved: 9/3/2019.
Requested a waiver for leasing/access to part of business, to wit, to allow the doorway connecting the upstairs private residence to a business that will be locked at all times pursuant to RSA 179:48, IV.
COMMISSION ACKNOWLEDGED.
- d. Loon Mountain Ski Area, Octagon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage and Wine License #404103 licensed pursuant to RSA 178:20.
Date petition received: 9/3/2019.
Date petition approved: 9/6/2019.
Requested approval for authorization of other areas, to wit, additional outside areas for the NH Highland Games on 9/19, 9/20, 9/21 & 9/22/2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. North Atlantic Hockey Group LLC DBA The Rinks At Exeter NAHG,
40 Industrial Drive, Exeter, NH 03833.
Restaurant, Beverage and Wine License #258403 licensed pursuant to RSA 178:20.
Date petition received: 9/4/2019.
Date petition approved: 9/5/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 115 for 9/8/2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- f. Reklis Adventures LLC, 2085 Main Street, Bethlehem, NH 03574.
Brew Pub License #2003515 licensed pursuant to RSA 178:13.
Date petition received: 8/27/2019.
Date petition approved: 9/5/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 140 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. **PETITIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

11. **TABLED ITEMS:**

None

12. **MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:**

Downeast Cider House LLC, 256 Marginal Street, East Boston, MA 02128.
Beverage Vendor License #61431 licensed pursuant to RSA 178:15.
Requests approval of Downeast Cider Native Blueberry with an alcohol content of 6.32% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided.

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

13. **MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:**

None

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

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

15. **NOTIFICATION OF COMPLIANCE CHECKS:**

TOBACCO COMPLIANCE CHECKS –

Merrimack County:

- a. Circle K #4707266, 28 West River Road, Hooksett, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3228347 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 13, 2019.
Case #: 19-434-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. Cue & Cushion, 1271 Hooksett Road, Unit 2, Hooksett, NH.
Retail Tobacco License #837517 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check.
Date of violation: August 13, 2019.
Case #: 19-434-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.
- c. Mega-X II, 1560 Hooksett Road, Hooksett, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3277647 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 13, 2019.

Case #: 19-434-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.

Manchester, NH:

- a. Manchester Fuel, Inc., 219 Londonderry Turnpike, Manchester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3370047 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 12, 2019.
Case #: 19-436-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. Mr. Mike's, 1932 Wellington Road, Manchester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3289447 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 12, 2019.
Case #: 19-436-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.
- c. UR 1ST Stop Convenience, 49 Amoskeag Street, Manchester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3202647 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 12, 2019.
Case #: 19-436-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. 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: 9/18/2019.
Special Approval received on 9/5/2019.
COMMISSION ACKNOWLEDGED.
- b. Ellen Lambert Murphy Memorial Association,
Ashuelot Covered Bridge, Gunn Mountain Road & Route 119, Ashuelot, NH 03441.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603441 pursuant to RSA 178:22, V(l).

Event date: 9/7/2019.
Special Approval received on 9/3/2019.

COMMISSION ACKNOWLEDGED.

- c. Muscular Dystrophy Association,
Seacoast Harley Davidson, 17 Lafayette Road, North Hampton, NH 03862.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603541
pursuant to RSA 178:22, V(I).
Event date: 9/6/2019.
Special Approval received on 9/4/2019.
COMMISSION ACKNOWLEDGED.
- d. New London Hospital Association, The Fells, 456 Route 103A, Newbury, NH 03253.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603641
pursuant to RSA 178:22, V(I).
Event date: 9/13/2019.
Special Approval received on 9/5/2019.
COMMISSION ACKNOWLEDGED.
- e. Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #603741
pursuant to RSA 178:22, V(I).
Event date: 9/7/2019.
Special Approval received on 9/6/2019.
COMMISSION ACKNOWLEDGED.