

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 3, 2019

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 26, 2019.

2. SCHEDULED HEARINGS:

a. November 6, 2019 at 11:30 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.
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 AND DIRECTED THE PARTIES TO SCHEDULE A PREHEARING CONFERENCE TO BE HELD AS SOON AS POSSIBLE.
PRE-HEARING CONFERENCE SCHEDULED FOR SEPTEMBER 25, 2019 AT 1:00 P.M.
PRE-HEARING CONFERENCE WAS HELD ON SEPTEMBER 25, 2019; HEARING IS SCHEDULED FOR NOVEMBER 6, 2019 AT 11:30 A.M.

b. November 13, 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.
ON SEPTEMBER 11, 2019, THE LICENSEE REQUESTED A 30-DAY CONTINUANCE; SAID REQUEST WAS GRANTED ON SEPTEMBER 12, 2019.
CHAIRMAN MOLLICA ACKNOWLEDGED.
THE HEARING HAS BEEN RE-SCHEDULED FOR NOVEMBER 13, 2019 AT 9:30 A.M.

3. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

La Esquina Del Pollo Restaurant, 363 Chestnut Street, Manchester, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1565003 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in an area not approved by the Commission.
Date of violation: August 16, 2019.
Case #: 19-433-OF.
\$250 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Eastern Depot Restaurant LLC, 443 Main Street, Gorham, NH 03580.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1592703 pursuant to RSA 178:21.
30-Day Temporary License issued 9/25/2019.
- b. Exeter Brewing Co. LLC, 25 Pine Road, Brentwood, NH 03833.
To be issued Nano Brewery, Beer and/or Specialty Beer License #207822 pursuant to RSA 178:12-a.
30-Day Temporary License issued 9/23/2019.
- c. Grand Summit Hotel Condo Unit Owner's Association DBA Black Diamond Grille,
104 Grand Summit Road, Bartlett, NH 03812.
To be issued Restaurant, On-Premises, Beverage & Wine License #1593403 pursuant to RSA 178:20.
30-Day Temporary License issued 9/26/2019.
- d. Han Fusion Asia Restaurant, Inc., 3 Lebanon Street, Hanover, NH 03755.
To be issued Restaurant, On-Premises, Cocktail Lounge License #1593103 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 9/25/2019.
- e. Long Blue Cat Brewing Co. LLC, 298 Rockingham Road, Londonderry, NH 03053.
To be issued Brew Pub, On-Premises, Cocktail Lounge License #2004815 pursuant to RSA 178:13.
30-Day Temporary License issued 9/25/2019.
- f. Milford Rotary Club, Milford Community House Lawn, 5 Union Street, Milford, NH 03055.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event dates: 10/11/2019 - 10/12/2019.
- g. Mt. Washington Valley Motor Lodge LLC DBA Adventure Suites,
3440 White Mountain Highway, North Conway, NH 03860.
To be issued Hotel, With Cocktail Lounge License #372802 pursuant to RSA 178:21, II(b)(1).
30-Day Temporary License issued 9/25/2019.
- h. Opus Lounge LLC, 14 West Hollis Street, Nashua, NH 03060.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1593703 pursuant to RSA 178:21.
30-Day Temporary License issued 9/23/2019.
- i. Roman, Ana DBA Ana Food Market, 353 Maple Street, Manchester, NH 03101.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3367547 pursuant to RSA 178:18/RSA 178:19-a.
30-Day Temporary License issued 9/25/2019.
- j. Tap Public House, Inc. DBA Brookside Pizza II, 930 Laconia Road, Belmont, NH 03220.
Caterer, Off-Site License #1293934 licensed pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 9/25/2019.
- k. Tower Hill Tavern LLC, 264 Lakeside Avenue, Laconia, NH 03246.
To be issued Caterer, Off-Site, License #1293634 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 9/20/2019.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING SEPTEMBER 27, 2019: 1,211

- a. AK LLC DBA Perdido Liquor, 8058 West Highway 98, Pensacola, FL 32506.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- b. McKahn Family Cellars LLC, 2245 South Vasco Road, Suite A, Livermore, CA 94550.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. American Citizens of Polish Descent, 18 Central Street, Newmarket, NH 03857.
Social Club, On-Premises, Cocktail Lounge License #10601 licensed pursuant to RSA 178:22, V(h).
Date petition received: 9/16/2019.
Date petition approved: 9/23/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 40 on 10/27/2019 pursuant to RSA 178:24/Liq. 404.05.
- b. Capitol Center for the Arts, 44 South Main Street, Concord, NH 03301.
Performing Arts License #398008 licensed pursuant to RSA 178:22, V(m).
Date petition received: 9/19/2019.
Date petition approved: 9/23/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 239 from 9/27/2019 - 9/29/2019 pursuant to RSA 178:24/Liq. 404.05.
- c. Liars' Bench Beer Company LLC, 459 Islington Street, Suite #4, Portsmouth, NH 03801.
Nano Brewery, Beer and/or Specialty Beer License #203722 licensed pursuant to RSA 178:12-a.
Date petition received: 7/25/2019.
Date petition approved: 9/23/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 350 on 9/29/2019 pursuant to RSA 178:24/Liq. 404.05
- d. Mulligan Holdings II LLC DBA Mulligan's Tap Room and Eatery,
28 Village Road, Waterville Valley, NH 03215.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1519903 licensed pursuant to RSA 178:21.
Date petition received: 9/19/2019.
Date petition approved: 9/26/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 30 on 9/28/2019 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. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #54131 licensed pursuant to RSA 178:15.

Requests approval of Goose Island Bourbon County Brand Double Barrel Stout with an alcohol content of 18% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1 LXIV-a/RSA 179:40-a; sample provided.

Requests approval of Goose Island Bourbon County Mon Cheri Stout with an alcohol content of 14.1% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1 LXIV-a/RSA 179:40-a; sample provided.

Requests approval of Goose Island Bourbon County Brand Reserve Rye with an alcohol content of 14.5% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1 LXIV-a/RSA 179:40-a; sample provided.

- b. Eastern Depot Restaurant LLC, 443 Main Street, Gorham, NH 03580.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1592703 pursuant to RSA 178:21.
Requests a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five (5) days a week as indicated in letter dated 9/25/2019.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Raymond, NH.
COMMISSION ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO COMPLIANCE CHECKS –

Merrimack County:

- a. Kwik Stop, 81 South Main Street, Concord, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3323747 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: September 10, 2019.
Case #: 19-468-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. 7 Eleven #37383H, 9 Village Street, Penacook, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3349347 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: September 3, 2019.
Case #: 19-469-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.

- c. Village Street Discount Beverage, 308 Village Street, Penacook, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3382047 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: September 3, 2019.
Case #: 19-469-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. Chapel & Main, Henry Law Park, 1 Washington Street, Dover, NH 03820.
Beer Festival License #4008014 licensed pursuant to RSA 178:30.
Event date: 9/28/2019.
Special Approval received on 9/20/2019.
- b. Chocorua Community Association,
The Preserve at Chocorua, 88 Philbrook Neighborhood Road, Tamworth, NH 03886.
Special, One-day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #605741 licensed pursuant to RSA 178:22, V(1).
Event date: 9/29/2019.
Special Approval received on 9/26/2019.
- c. Concord Coalition to End Homelessness, Bank of NH Stage, 238 N. Main Street, Concord, NH 03301.
Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #605441 licensed pursuant to RSA 178:22, V(I).
Event date: 10/5/2019.
Special Approval received 9/23/2019.
- d. Easterseals NH, Inc./Veterans Count DBA Funspot, 579 Endicott Street North, Laconia, NH 03246.
Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #605941 licensed pursuant to RSA 178:22, V(I).
Event date: 9/28/2019.
Special Approval received on 9/26/2019.
- e. NH Humane Society DBA Gunstock Mountain Resort, 719 Cherry Valley Road, Gilford, NH 03249.
Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #605841 licensed pursuant to RSA 178:22, V(I).
Event date: 9/28/2019.
Special Approval received on 9/26/2019.
- f. Slow Food Seacoast, Bakie Farm, 35 Pow Wow River Road, Kingston, NH 03848.
Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #605541 licensed pursuant to RSA 178:22, V(I).
Event date: 9/29/2019.
Special Approval received on 9/23/2019.

- g. Tuckerman Brewing Co. LLC,
Conway Market Place, 50 White Mountain Highway, Conway, NH 03818.
Beer Festival License #4008114 licensed pursuant to RSA 178:30.
Event date: 9/22/2019.
Special Approval received on 9/20/2019.