

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 10, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 3, 2019.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF OCTOBER 3, 2019; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

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.
COMMISSION ACKNOWLEDGED.

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:**

Churchside Market, 56 West Hollis Street, Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3135947 licensed pursuant to RSA 178:18/RSA 126-K:4.
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: August 4, 2019.
Case #: 19-432-OF.

An administrative fine of \$1,000 with \$500 suspended for twelve (12) months pending no like violation, 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 alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing October 20, 2019 and re-granted on October 22, 2019 and Sudha Lekhi shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom within thirty (30) days from the date of the fully signed agreement.

COMMISSION ACKNOWLEDGED.

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

- a. Manchester Mobil Mart, 210 Eddy Road, Manchester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3347747 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 3, 2019.
Case #: 19-493-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. North Conway Grand Hotel, 72 Common Court, Conway, NH.
Hotel, Full Service With Lounge License #350502 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
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: January 8, 2019.
Case #: 19-362-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued Special, One-Day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606241 pursuant to RSA 178:22, V(l).
Event date: 10/24/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. Backlund, Amanda, 4 Anderson Pond Road, Grantham, NH 03753.
To be issued Alcohol Consultant Affiliated License #516644 pursuant to RSA 178:27-a.
Direct Shipper Name: ITO Wines, License #8192033.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- c. Broken Yolk Grill LLC (The), 116 Bridge Street, Pelham, NH 03076.
To be issued Restaurant, On-Premises, Beverage & Wine License #1594103 pursuant to RSA 178:20.
30-Day Temporary License issued 9/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Diageo Americas, Inc. DBA Casamigos Sales Company, 801 Main Avenue, Norwalk, CT 06851.
To be issued Liquor and Wine Vendor License #128345 pursuant to RSA 178:9.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- e. Del Tufo-Welch, Alissa DBA Vino Amore, 28B Main Street, Raymond, NH 03077.
To be issued Retail Wine License #3164246 pursuant to RSA 178:19.
30-Day Temporary License issued 10/2/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- f. Evaton, Inc., 1010 Washington Blvd., Stamford, CT 06901.
To be issued Liquor and Wine Vendor License #127845 pursuant to RSA 178:9.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- g. Freethinker's Corner LLC (A), 652 Central Avenue, Suite A, Dover, NH 03820.
To be issued Retail Wine License #3165246 pursuant to RSA 178:19.
30 Day Temporary License issued 9/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. Iron Furnace Brewing LLC, 115 Main Street, Franconia, NH 03580.
To be issued Beverage Manufacturer License #293818 pursuant to RSA 178:12.
30-Day Temporary License issued 10/2/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. Iron Furnace Brewing LLC, 115 Main Street, Franconia, NH 03580.
To be issued Restaurant, On-Premises, Beverage & Wine License #1594503 pursuant to RSA 178:20.
30-Day Temporary License issued 10/2/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- j. Jimmy K's Restaurants LLC DBA Jimmy K's Diner, 264 Lafayette Road, Seabrook, NH 03874.
To be issued Restaurant, On-Premises, Beverage & Wine License #1591303 pursuant to RSA 178:20.
30-Day Temporary License issued 9/27/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- k. Lucky 7 Bar & Grill LLC, 216 West Street, Keene, NH 03431.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1591003 pursuant to RSA 178:21.
30-Day Temporary License issued 9/27/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- l. Manchester Historic Association, 200 Bedford Street, Manchester, NH 03101.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606041 pursuant to RSA 178:22, V(l).
Event date: 10/24/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- m. MBC Associates LLC DBA Inn At Thorn Hill, 40 Thorn Hill Road, Jackson, NH 03846.
To be issued Hotel License #373802 pursuant to RSA 178:24, II(b)(1).
30-Day Temporary issued 10/3/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- n. Portsmouth Music and Arts Center, 973 Islington Street, Portsmouth, NH 03801.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606141 pursuant to RSA 178:22, V(l).
Event date: 10/25/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- o. Punk & Hippie LLC DBA The Big Bean Café, 8 Jenkins Court, Madbury, NH 03823.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1590703 pursuant to RSA 178:21.
30-Day Temporary License issued 9/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- p. Southern New Hampshire University, 2500 North River Road, Manchester, NH 03106.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606341 pursuant to RSA 178:22, V(l).
Event date: 10/19/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- q. Vignobles Sullivan LLC, 99 Motivation Drive, Lawrenceburg, TN 38464.
To be issued Liquor and Wine Vendor License #128245 pursuant to RSA 178:9.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- r. Vop Wine Holdings NY LLC DBA Village Wine Imports, 624 Worthen Street, Bronx, NY 10474.
To be issued Liquor and Wine Vendor License #126545 pursuant to RSA 178:9.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- s. Vulgar Brewing Company LLC, 378 Central Street, Franklin, NH 03235.
To be issued Nano Brewery, Beer and/or Specialty Beer w/Restaurant License #207522 pursuant to RSA 178:12-a.
30-Day Temporary License issued 10/2/2019.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE 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 OCTOBER 4, 2019: 1,213

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Amherst Country Club, 72 Ponemah Road, Amherst, NH 03031.
Sports Recreation License #6012905 licensed pursuant to RSA 178:22, V(v)/RSA 178:22, V(e).
Date petition requested: 9/16/2019.
Date petition approved: 10/2/2019.
Requested approval for authorization to extend service area, to wit, to extend service to an area recently constructed with an additional capacity of 39 pursuant to RSA 178:29, VIII.
COMMISSION ACKNOWLEDGED.
- b. Loon Mountain Ski Area, Octagon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03252.
Restaurant, On-Premises, Beverage & Wine License #404103 licensed pursuant to RSA 178:20.
Date petition requested: 10/1/2019.
Date petition approved: 10/2/2019.
Requested approval for outside area, to wit, an outside area with a capacity of 1,000 for October 12, 2019 & October 13, 2019 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Palace Theatre, 80 Hanover Street, Manchester, NH 03101.
Performing Arts License #388108 licensed pursuant to RSA 178:22, V(m)/RSA 178:22, V(e).
Date petition requested: 9/26/2019.
Date petition approved: 10/2/2019.

Requested approval for an additional area, to wit, the spotlight room with a capacity of 100 pursuant to RSA 178:24/Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- d. Twin Barns Brewing Company, 194 Daniel Webster Highway, Meredith, NH 03253.

Brew Pub License #2004315 licensed pursuant to RSA 178:13.

Date petition requested: 9/16/2019.

Date petition approved: 9/27/2019.

Requested approval for an outside area, to wit, an outside area with a capacity of 297 for September 28, 2019 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:

None

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 –

Rockingham County:

- a. Chester General Store, 2 Haverhill Road, Chester, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3314047 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 #: 19-371-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. Jay Ambe Mataji, 57 Rockingham Road, Windham, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3353247 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 19, 2019.
Case #: 19-371-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. Oceanfront Convenience, 339 Oceanfront Blvd., Hampton, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3327447 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: July 2, 2019.
Case #: 19-371-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.
- d. Petey's Red Roof Enterprises, 1207 Ocean Blvd., Rye, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3036047 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: July 18, 2019.
Case #: 19-371-OF.
\$500 administrative fine and mandatory attendance for John Carter at a Management Training Seminar (MTS) within thirty (30) days from the date of the fully signed agreement.
COMMISSION ACKNOWLEDGED.
- e. Portsmouth Mobil, 1980 Woodbury Avenue, Portsmouth, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3360247 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: July 18, 2019.
Case #: 19-371-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.
- f. Portsmouth Provisions, 148 State Street, Portsmouth, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3338547 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: July 18, 2019.
Case #: 19-371-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.
- g. Portsmouth Truck Stop – North, 720 Lafayette Road, Seabrook, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3227347 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: July 16, 2019.
Case #: 19-371-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:**

None