

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 17, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 10, 2019.**
DEPUTY COMMISSIONER JORDAN ACCEPTED THE MINUTES OF OCTOBER 10, 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.
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 MOLLIKA ACKNOWLEDGED.
THE HEARING HAS BEEN RE-SCHEDULED FOR NOVEMBER 13, 2019 AT 9:30 A.M.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Applebee's Neighborhood Grill and Bar, 232 Indian Brook Drive, Dover, NH.
Restaurant, Full Service With Lounge License #1430303 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.
Dates of violation: June 20 - 21, 2019.
Case #: 19-399-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 serve, consume or possess 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 October 24, 2019 and re-granted on October 26, 2019 and Danielle Getter shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the fully executed agreement.

DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

- b. Jay's Amherst Market, 24 Amherst Street, Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3331947 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 under the age of twenty-one.
Cited for violation of RSA 179:8, I – failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada, which bears the date of birth, name, address and picture of the licensee.
Date of violations: August 18, 2019.
Case #: 19-457-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, 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 commencing October 20, 2019 and re-granted on October 23, 2019 and Jahangir Ahmed shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully signed agreement; for violation of RSA 179:8, I, a \$100 administrative fine.

DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

- c. La-Michoacana Market, 112 Pine Street, Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3181247 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 #: 19-431-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 27, 2019 and re-granted on October 29, 2019 and Eduardo Molina shall complete a Grocer Education Training Seminar (GETS) online within thirty (30) days from the date of the fully signed agreement.

DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

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

L Street Tavern, 17 L Street, Hampton, NH.
Restaurant, Full Service With Lounge License #1550903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Date of violation: August 11, 2019.
Case #: 19-452-OF.
\$100 administrative fine paid.

DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. @RINCHA, Inc., 80 Continental Blvd., Unit B, Merrimack, NH 03054.
To be issued Restaurant, On-Premises, Beverage & Wine License #1594903 pursuant to RSA 178:20.
30-Day Temporary License issued 10/9/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- b. A&S Mediterranean Restaurant Corp. DBA Plaistow Pizza Company,
133 Plaistow Road, Plaistow, NH 03865.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1594403
pursuant to RSA 178:21.
30-Day Temporary License issued 10/10/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- c. A Lot Of Thai, Inc., 360 Daniel Webster Highway, Suite 121, Merrimack, NH 03054.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1592903
pursuant to RSA 178:21.
30-Day Temporary License issued 10/8/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- d. Boys & Girls Clubs of Central NH,
Grappone Conference Center, 70 Constitution Avenue, Concord, NH 03301.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License
607141 pursuant to RSA 178:22, V(l).
Event date: 10/17/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- e. Da Wine & Spirits LLC, 16 Cindy Drive, Hooksett, NH 03106.
To be issued Liquor & Wine Vendor License #128545 pursuant to RSA 178:9.
DEPUTY COMMISSIONER JORDAN APPROVED.
- f. Da Wine & Spirits LLC, 16 Cindy Drive, Hooksett, NH 03106.
To be issued Liquor & Wine Representative License #610135 pursuant to RSA 178:10.
DEPUTY COMMISSIONER JORDAN APPROVED.
- g. GJS Sales, Inc., 1106 South 3rd Street, La Crosse, WI 54601.
To be issued Beverage Vendor License #92131 pursuant to RSA 178:15.
Manufacturer: GJS Sales.
DEPUTY COMMISSIONER JORDAN APPROVED.
- h. League of NH Craftsmen, Great Bay Community College, 320 Corporate Drive, Portsmouth, NH 03801.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License
606741 pursuant to RSA 178:22, V(l).
Event dates: 11/2/2019 & 11/3/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- i. Port Owner Harbor LLC DBA Sheraton Portsmouth Harborside Hotel,
250 Market Street, Portsmouth, NH 03801.
To be issued Hotel, On-Premises With Cocktail Lounge License #373502 pursuant to
RSA 178:21, II(b)(1).
30-Day Temporary License issued on 10/4/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- j. SAI International LLC DBA I-Smoke Shop, 341 South Broadway, Salem, NH 03079.
To be issued Retail Tobacco License #147817 pursuant to RSA 178:19-a.
30-Day Temporary License issued 10/10/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- k. Saito LLC DBA Sakura, 166 Daniel Webster Highway, Nashua, NH 03060.
To be issued Restaurant, Full Service With Lounge License #1594303 pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued on 10/9/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.

- I. St. Mark The Evangelist, One South Road, Londonderry, NH 03053.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606941 pursuant to RSA 178:22, V(l).
Event date: October 26, 2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- m. Yahso Foods LLC DBA Yahso Jamaican Grille, 149 Main Street, Keene, NH 03431.
To be issued Restaurant, On-Premises, Beverage & Wine License #1591103 pursuant to RSA 178:20.
30-Day Temporary License issued 10/7/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.

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 11, 2019: 1,215

Heritage Distilling Company, Inc., 3207 57th Street Court, Gig Harbor, WA 98335.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
DEPUTY COMMISSIONER JORDAN APPROVED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Adventures Suites, 3440 White Mountain Highway, North Conway, NH.
Hotel, Full Service With Lounge License #372802 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Date petition requested: 9/25/2019.
Date petition approved: 10/14/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 80 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- b. Brewster Academy, 80 Academy Road, Wolfeboro, NH.
Caterer, On-Site License #1276526 licensed pursuant to RSA 178:22, V(e).
Date petition requested: 10/4/2019.
Date petition approved: 10/11/2019.
Requested approval to authorization of other area, to wit, a new space in the gymnasium of the Rogers Building with a capacity of 605 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- c. Crotched Mountain Ski Area, Route 47, Bennington, NH.
Sports Recreation Facility License #572205 licensed pursuant to RSA 178:22, V(u)(1).
Date petition requested: 9/27/2019.
Date petition approved: 10/8/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 250 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- d. Greenleaf LLC, 54 Nashua Street, Milford, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1579503 licensed pursuant to RSA 178:21.
Date petition requested: 10/4/2019.
Date petition approved: 10/10/2019.

Requested approval for authorization of other area, to wit, an outside area with a capacity of 125 on 10/12/2019 pursuant to RSA 178:24/Liq. 404.05.

DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

- e. Inn At Thorn Hill, 40 Thorn Hill Road, Jackson, NH.
Hotel, On-Premises, Beverage/Wine/Liquor License #373802 licensed pursuant to RSA 178:24, II(b)(1).
Date petition requested: 10/3/2019.
Date petition approved: 10/4/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 40 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- f. Loon Mountain Ski Area, Octagon Lodge Café, 60 Loon Mountain Road, Lincoln, NH.
Restaurant, On-Premises, Beverage & Wine License #404103 licensed pursuant to RSA 178:20.
Date petition requested: 10/2/2019.
Date petition approved: 10/9/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 1,000 on 10/12/2019 & 10/13/2019 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- g. Lucky 7 Bar & Grill, 216 West Street, Keene, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1591003 licensed pursuant to RSA 178:21.
Date petition requested: 9/27/2019.
Date petition approved: 10/8/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 40 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- h. Profile Club, Inc., 198 Profile Club Road, Franconia, NH.
Seasonal Sports Recreation Facility License #6021305 licensed pursuant to RSA 178:22, V(u)(1).
Date petition requested: 8/29/2019.
Date petition approved: 10/10/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 200 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- i. Raymond Post #90 American Legion, 32B Harriman Hill Road, Raymond, NH.
Veterans Club License #394939 licensed pursuant to RSA 178:22, V(h).
Date petition requested: 9/24/2019.
Date petition approved: 10/8/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 50 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- j. Sheraton Portsmouth Harborside Hotel, 250 Market Street, Portsmouth, NH.
Hotel, On-Premises With Cocktail Lounge License #373502 licensed pursuant to RSA 178:21, II(b)(1).
Date petition requested: 10/4/2019.
Date petition approved: 10/4/2019.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 120 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- k. Tandy's Top Shelf, 1 Eagle Square, Concord, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1404103 licensed pursuant to RSA 178:21.
Date petition requested: 10/1//2019.
Date petition approved: 10/10/2019.
Requested approval for authorization of other area, to wit, an outside atrium area with a capacity of 206 on 10/10/2019 pursuant to RSA 178:24/Liq. 404.05.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Diageo Beer Company USA, 801 Main Avenue, Norwalk, CT 06851.
Beverage Vendor License #30031 licensed pursuant to RSA 178:15.
Requests approval of Smirnoff Ice Smashed Blue Raspberry & Blackberry with an alcohol content of 8% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided.
DEPUTY COMMISSIONER JORDAN APPROVED.
- b. Yahso Jamaican Grille, 149 Main Street, Keene, NH.
Restaurant, On-Premises, Beverage & Wine License #1591103 licensed pursuant to RSA 178:20.
Requests exception for access to another business, to wit, direct access to Walpole Creamery as indicated in a letter dated 10/7/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.

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. Bow Mobil, 519 South Street, Bow, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3186347 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 20, 2019.
Case #: 19-467-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.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- b. Kwik Stop Pembroke, 530 Pembroke Street, Pembroke, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3278147 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 20, 2019.
Case #: 19-467-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.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- c. Suncook River Convenience, 270 Pinewood Road, Allenstown, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3151447 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 20, 2019.
Case #: 19-467-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.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Attitash Mountain Resort, Bear Peak Base Lodge, 775 US Route 302, Bartlett, NH 03812.
Issued Special Beer Festival License #4008514 pursuant to RSA 178:30.
Event dates: 10/12/2019 & 10/13/2019.
Recommendation: Expedited approval.
Commission approved on 10/9/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- b. Boys & Girls Club of Souhegan Valley, Zinger's, 29 Mont Vernon Street, Milford, NH 03055.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606541 pursuant to RSA 178:22, V(I).
Event date: 10/11/2019.
Recommendation: Expedited approval.
Commission approved on 10/8/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- c. Boys & Girls Club of Souhegan Valley, Zinger's, 29 Mont Vernon Street, Milford, NH 03055.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606641 pursuant to RSA 178:22, V(I).
Event date: 10/12/2019.
Recommendation: Expedited approval.
Commission approved on 10/8/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- d. Enfield Shaker Museum, 447 NH Route 4A, Enfield, NH 03748.
Issued Special Wine Festival License #12721 pursuant to RSA 178:22, V(I).
Event date: 10/13/2019.
Recommendation: Expedited approval.
Commission approved on 10/9/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- e. Enfield Shaker Museum, 447 NH Route 4A, Enfield, NH 03748.
Issued Special Beer Festival License #4008414 pursuant to RSA 178:30.
Event date: 10/13/2019.
Recommendation: Expedited approval.
Commission approved on 10/9/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- f. Exeter Jr. Baseball & Softball League LLC, The Exeter YMCA, 56 Linden Street, Exeter, NH 03833.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606841 pursuant to RSA 178:22, V(I).
Event date: 10/19/2019.
Recommendation: Expedited approval.
Commission approved on 10/9/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

- g. Prescott Park Arts Festival, Cisco Brewery, 1 Redhook Way, Portsmouth, NH 03801.
Issued Special Beer Festival License #4008314 pursuant to RSA 178:30.
Event date: 10/12/2019.
Recommendation: Expedited approval.
Commission approved on 10/8/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- h. Prescott Park Arts Festival, Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #606441 pursuant to RSA 178:22, V(I).
Event date: 10/13/2019.
Recommendation: Expedited approval.
Commission approved on 10/8/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- i. Queen City Rotary Club Foundation, Hellenic Community Center (St. George),
650 Hanover Street, Manchester, NH 03104.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #607041 pursuant to RSA 178:22, V(I).
Event date: 10/12/2019.
Recommendation: Expedited approval.
Commission approved on 10/10/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.