

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 24, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 17, 2019.**
THIS ITEM WAS TABLED BY CHAIRMAN MOLLICA UNTIL DEPUTY COMMISSIONER JORDAN IS PRESENT.

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:

Northern Star, 1 Ocean Blvd., Hampton, NH.

Seasonal Vessel, Lounge License #160013 pursuant to RSA 178:22, V(s).

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 179:20, II – allowed an employee to consume alcoholic beverage while working.

Date of violations: August 10, 2019.

Case #: 19-460-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 serve, consume or possess alcohol shall be suspended for three (3) days commencing August 8, 2020 and re-granted on August 11, 2020 and Denise Gauron and Angel Gauron Eaton shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully executed agreement; and for violation of RSA 179:20, an administrative fine of \$100.

CHAIRMAN MOLLICA ACKNOWLEDGED.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Barreled Souls Brewing Company LLC, 11 Mill Brook Road, Saco, ME 04072.

To be issued Beverage Vendor License #94531 pursuant to RSA 178:15.

Manufacturer: Barreled Souls Brewing Company LLC.

CHAIRMAN MOLLICA APPROVED.

- b. Bow Rotary Club Foundation, Bow Community Building, 3 Bow Center Road, Bow, NH 03304.

To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #607541 pursuant to RSA 178:22, V(I).

Event date: 11/2/2019.

CHAIRMAN MOLLICA APPROVED.

- c. Budget Auto Service LLC, 6 Nashua Road, Londonderry, NH 03053.

To be issued Retail Tobacco, Tobacco Only License #148017 pursuant to RSA 178:19-a.

30-Day Temporary License issued 10/17/2019.

CHAIRMAN MOLLICA APPROVED.

- d. Croatian Premium Wine Imports, Inc., 745 Atlantic Avenue, Boston, MA 02111.

To be issued Liquor & Wine Vendor License #128445 pursuant to RSA 178:9.

Liquor and Wine Representative: Croatian Wines of New Hampshire, Inc., License #610035.

CHAIRMAN MOLLICA APPROVED.

- e. Croatian Wines of New Hampshire, Inc., 32-3 Winter Way, Lincoln, NH 03251.

To be issued Liquor & Wine Representative License #610035 pursuant to RSA 178:10.

Liquor and Wine Vendor: Croatian Premium Wine Imports, Inc., License #128444.

CHAIRMAN MOLLICA APPROVED.

- f. Frontera of Nashua, Inc. DBA Frontera Grill Of Nashua, 610 Amherst Street, Nashua, NH 03063.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1589603 pursuant to RSA 178:21.

30-Day Temporary License issued 10/18/2019.

CHAIRMAN MOLLICA APPROVED.

- g. Granite State Brewers Association DBA NH Brewers Association,

Executive Court Banquet Facility, 1199 South Mammoth Road, Manchester, NH 03109.

To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #607341 pursuant to RSA 178:22, V(I).

Event date: 11/1/2019.

CHAIRMAN MOLLICA APPROVED.

- h. James W. Foley Legacy Foundation (The),
The Rochester Community Center, 150 Wakefield Street, Rochester, NH 03867.
To be issued Beer Festival License #4008614 pursuant to RSA 178:30.
Event date: 10/19/2019.
CHAIRMAN MOLLICA APPROVED.
- i. Protectworth Brewing LLC, 117 Cemetery Road, Springfield, NH 03284.
To be issued Nano Brewery, Beer and/or Specialty Beer License #207922 pursuant to RSA 178:12-a.
30-Day Temporary License issued 10/16/2019.
CHAIRMAN MOLLICA APPROVED.
- j. Red Wagon Bakery LLC, 1194 US Route 4, Canaan, NH 03741.
To be issued Restaurant, On-Premises Beverage & Wine License #1582503 pursuant to RSA 178:20.
30-Day Temporary License issued 10/15/2019.
CHAIRMAN MOLLICA APPROVED.
- k. 603 Brewery LLC, 42 Main Street, Londonderry, NH 03053.
To be issued Beer Festival License #4008714 pursuant to RSA 178:30.
Event date: 10/19/2019.
CHAIRMAN MOLLICA 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 18, 2019: 1,217

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Crotched Mounain Ski Area, Route 47, Bennington, NH 03442.
Sports Recreation Facility License #572205 licensed pursuant to RSA 178:22, V(u)(1).
Date petition requested: 9/26/2019.
Date petition approved: 10/14/2019.
Requested an extension of service, to wit, an outside area with a capacity of 500 on 10/26/2019
pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Iron Furnace Brewing, 115 Main Street, Franconia, NH 03580.
Restaurant, On-Premises, Beverage & Wine License #1594503 licensed pursuant to RSA 178:20.
Date petition requested: 10/15/2019.
Date petition approved: 10/15/2019.
Requested an extension of service, to wit, an outside atrium with a capacity of 392 on 10/20/2019
pursuant to RSA 178:24/Liq.404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. Osteria Poggio, 18 Main Street, Center Harbor, NH 03226.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1564303 licensed pursuant to RSA 178:21.
Date petition requested: 9/20/2019.
Date petition approved: 10/19/2019.
Requested an extension of service, to wit, an outside area with a capacity of 100 on 10/19/2019
pursuant to RSA 178:24/Liq.404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.

- d. Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1404103 licensed pursuant to RSA 178:21.
Date petition requested: 10/10/2019.
Date petition approved: 10/14/2019.
Requested an extension of service, to wit, an outside atrium with a capacity of 206 on 10/26/2019 pursuant to RSA 178:24/Liq.404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- e. Wolfeboro Community Food Cooperation, 6 Varney Road, Unit #1, Wolfeboro, NH 03894.
Combination License #3355647 licensed pursuant to RSA 178:18.
Date petition requested: 9/26/2019.
Date petition approved: 10/16/2019.
Requested approval for authorization to transfer business location, to wit, to transfer the location from 50 Bay Street, Wolfeboro, NH 03894 to 6 Varney Road, Unit #1, Wolfeboro, NH 03894 on 10/27/2019 pursuant to RSA 178:29, VIII.
CHAIRMAN MOLLICA ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Averill House Vineyard, 21 Averill Road, Brookline, NH 03033.
Wine Manufacturer License #566730 licensed pursuant to RSA 178:8.
Date petition received: 10/14/2019.
Date petition approved: 10/17/2019.
Requested approval for authorization for tasting and retail sales at farmers' and holiday market, to wit, Nashua Farmers' Market, 201 Main Street, Nashua, NH on Sundays between 10:00 a.m. and 4:00 p.m. from October 27, 2019 to December 29, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.
CHAIRMAN MOLLICA 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 –

Amherst, Merrimack & Milford, NH:

Cumberland Farms #5529, 142 Nashua Street, Milford, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #870047 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 19, 2019.
Case #: 19-532-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.

CHAIRMAN MOLLICA ACKNOWLEDGED.

Nashua, NH:

- a. Istanbul Bazaar, 310 DW Highway, Nashua, NH.
Retail Tobacco License #137517 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: July 29, 2019.
Case #: 19-423-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.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Market Basket, 34 Northwest Blvd., Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3002947 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 31, 2019.
Case #: 19-423-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.
CHAIRMAN MOLLICA ACKNOWLEDGED.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Canterbury Shaker Village, 288 Shaker Road, Canterbury, NH 03224.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #607241 pursuant to RSA 178:22, V(l).
Event date: 10/26/2019.
Recommended: Expedited approval.
Commission approved on 10/15/2019.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Lakes Region Community Services Council,
Church Landing At Mill Falls, 281 DW Highway, Meredith, NH 03253.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #607441 pursuant to RSA 178:22, V(l).
Event date: 10/24/2019.
Recommended: Expedited approval.
Commission approved on 10/17/2019.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. J&M Dockside Dining LLC DBA Tuna Striker Pub, 5 River Street, Seabrook, NH 03874.
Restaurant, Full Service With Lounge License #1180203 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Case #: 19-194-OF.
Felon Waiver for Licensee, Matthew B. Preston.
Approved on 10/17/2019.
CHAIRMAN MOLLICA ACKNOWLEDGED.