

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 7, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 31, 2019.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF OCTOBER 31, 2019; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

2. **SCHEDULED HEARINGS:**

None

3. **NOTIFICATION OF DISCIPLINARY ACTION:**
 - a. Mama McDonough's Irish Pub, 5 Depot Street, Hillsborough, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1477603 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 – 2 counts.
Date of violations: March 15, 2019.
Case #: 19-175-OF.
An administrative fine of \$2,500 with \$500 suspended for twelve (12) months pending no like violation, eight (8) 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 ten (10) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing December 2, 2019 and re-granted on December 10, 2019 and Zachary Hellings shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully executed agreement.
COMMISSION ACKNOWLEDGED.
 - b. Tokyo Express, 14 Cypress Street, Keene, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1438003 licensed pursuant to RSA 178:21. Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an individual who was under the age of twenty-one – 2 counts.
Cited for violation of RSA 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age – 2 counts.
Date of violations: August 30, 2019.
Case #: 19-470-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, eight (8) 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 seven (7) days with three (3) days held in abeyance for twelve (12) months pending no like violation commencing November 13, 2019 and re-granted on November 17, 2019 and Mei Lian Gao and Shun Jiang shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully signed agreement; the program will be provided in Mandarin for both Mr. Gao and Ms. Jiang; for violation of RSA 179:8, I, an administrative fine of \$200 due five (5) business days from the date the licensee receives this fully signed agreement.
COMMISSION ACKNOWLEDGED.
 - c. Wilderness Restaurant, 94 Main Street, Colebrook, NH.
Restaurant, Full Service With Lounge License #258603 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: September 21, 2019.
Case #: 19-507-OF.

The Licensee shall pay 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 in the cocktail lounge only shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing November 9, 2019 and re-granted on November 11, 2019 and Jacqueline Perry shall attend/complete a Total Education in Alcohol Management (TEAM) seminar in a classroom or online 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:

Black Forest Café, 212 Route 101, Amherst, NH.

Retail Wine License #3163246 licensed pursuant to RSA 178:19.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: October 10, 2019.

Case #: 19-551-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Bravo Catering LLC DBA Wok N Roll Asian Cuisine, 291 Main Street, Suite #1, Nashua, NH 03060.
To be issued Restaurant, On-Premises, Beverage & Wine License #1595503 pursuant to RSA 178:20.
30-Day Temporary License issued 11/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Budget Gas & Garage LLC, 20 Boynton Street, Manchester, NH 03102.
To be issued Retail Tobacco License #148517 pursuant to RSA 178:19-a.
30-Day Temporary License issued 11/4/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Children's Museum Of New Hampshire, 6 Washington Street, Dover, NH 03820.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #608141 pursuant to RSA 178:22, V(I).
Event date: 11/15/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Jai Shri Krishna Corporation DBA Beaver St. Market, 98 Beaver Street, Keene, NH 03431.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3387747 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 10/31/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Jardiniere Florist of Portsmouth, Inc. DBA Jardiniere, 28 Deer Street, Suite #101, Portsmouth, NH 03801.
To be issued Retail Wine License #3165446 pursuant to RSA 178:19.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Kee Restaurants LLC DBA Balducci's Pizza, 419 South Broadway Street, Salem, NH 03079.
To be issued Restaurant, On-Premises, Beverage & Wine License #1595103 pursuant to RSA 178:20.
30-Day Temporary License issued 11/1/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- g. Market & Café At Emery Farm LLC, 147 Piscataqua Road, Durham, NH 03824.
To be issued Combination, Off-Premises, Beverage & Wine License #3386247 pursuant to RSA 178:18.
30-Day Temporary License issued 10/28/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. 137 Loudon Rd. Corp. DBA Smoker Choice II, 137 Lounge Road, Concord, NH 03301.
To be issued Retail Tobacco License #147717 pursuant to RSA 178:19-a.
30-Day Temporary License issued 10/28/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. Orvino Imports & Distributing, Inc., 11927 W. Sample Road, Coral Springs, FL 33065.
To be issued Liquor & Wine Vendor License #128745 pursuant to RSA 178:9.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- j. Saint Mary Academy, 222 Central Street, Dover, NH 03820.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #608441 pursuant to RSA 178:22, V(l).
Event date: 11/16/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- k. Squamscott Winery LLC, 12 River Road, Newfields, NH 03856.
To be issued Wine Manufacturer Retail Outlet, Wine Only #20329 pursuant to RSA 178/19.
30-Day Temporary License issued 10/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- l. Untiet, Kaitlyn, 176 Laconia Road, Pittsfield, NH 03263.
To be issued Alcohol Consultant License #516544 pursuant to RSA 178:27-a.
Direct Shipper Affiliated: ITO Wines, License #8192033.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- m. Yoshimi LLC DBA Local Eatery, 21 Veterans Square, Laconia, NH 03246.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1594603 pursuant to RSA 178:21.
30-Day Temporary License issued 10/30/2019.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA 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 NOVEMBER 1, 2019: 1,209

Bellavini Winery LTD, 2350 McNab Ranch Road, Ukiah, CA 95482.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.

(Winery)

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

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Applebee's Neighborhood Grill & Bar, 530 Lafayette Road, Seabrook, NH 03874.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1431203 licensed pursuant to RSA 178:21.
Date petition requested: 10/28/2019.
Date petition approved: 10/29/2019.
Requested to transfer alcohol, to wit, to transfer all alcohol from 530 Lafayette Road, Seabrook, NH, License #1431203 to 7 Fresh River Road, Epping, NH, License #1430403 due to the Seabrook establishment closing on October 26, 2019.
COMMISSION ACKNOWLEDGED.
- b. Friendly Toast (The), 4 Main Street, Bedford, NH 03110.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1579703 licensed pursuant to RSA 178:21
Date petition requested: 10/27/2019.
Date petition approved: 11/4/2019.
Requested an outside area, to wit, an outside area with a capacity of 30 pursuant to RSA 178:24/Liq.404.05.
COMMISSION ACKNOWLEDGED.
- c. Storyland, 850 NH Route 16, Glen, NH 03838.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1484303 licensed pursuant to RSA 178:21.
Date petition requested: 10/31/2019.
Date petition approved: 10/31/2019.
Requested two (2) waivers of Liq. 503.04(d) and Liq. 707.10(a), to wit, for patrons to place their food and drink orders at a counter and for food and drinks to be served to tables with paper plates and plastic/paper cups.
COMMISSION ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Cumberland Farms, Inc., 165 Flanders Road, Westborough, MA 01581 & 302 West 3rd Street, Floor 3, Cincinnati, OH 45202.
Multiple Combination, Off-Premises, Beverage/Wine/Tobacco Licenses licensed pursuant to RSA 178:18/RSA 126-K:4.
Date petition received: 10/22/2019.
Date petition approved: 10/22/2019.
Requests approval to transfer the right of corporation control pursuant to RSA 178:3, IX; the new parent company will be EG America LLC.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. O'B Rock Holding LLC DBA Odd Fellows Brewing Company, 118-130 Main Street, Nashua, NH 03060.
Brew Pub, On-Premises, Cocktail Lounge License #2003615 licensed pursuant to RSA 178:13.
Date petition received: 11/4/2019.
Date petition approved: 11/4/2019.
Requests approval for authorization for tasting and retail sales at Nashua Main Street indoor farmers' and holidays market, to wit, Nashua Farmers' Market, 201 Main Street, Nashua, NH on Sundays between 10 am - 4 pm from October 27, 2019 - December 29, 2019 pursuant to RSA 178:24/RSA 179:44, II-a.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- c. Squamscott Winery LLC, 12 River Road, Newfields, NH 03856.
Wine Manufacturer, Off-Premises, Wine Only License #567030 licensed pursuant to RSA 178:8.
Date petition received: 10/30/2019.
Date petition approved: 11/4/2019.
Requests approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, Exeter Winter Farmers' Market at Exeter High School, Exeter, NH on Saturdays between 10:00 am - 2:00 pm from November, 2019 – April, 2020 pursuant to RSA 178:24/RSA 179:44, II-a.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Squamscott Winery LLC, 12 River Road, Newfields, NH 03856.
Wine Manufacturer, Off-Premises, Wine Only License #567030 licensed pursuant to RSA 178:8.
Date petition received: 10/30/2019.
Date petition approved: 11/4/2019.
Requests approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, Seacoast Eat Local Winter Farmers' Market at Wentworth Greenhouses, Rollinsford, NH on Saturdays between 10:00 am - 2:00 pm from November, 2019 - April, 2020 pursuant to RSA 178:24/RSA 179:44, II-a.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Throwback Brewery LLC, 7 Hobbs Road, North Hampton, NH 03862.
Brew Pub, On-Premises, Cocktail Lounge License #2002415 licensed pursuant to RSA 178:13.
Date petition received: 11/4/2019.
Date petition approved: 11/4/2019.
Requests approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, Exeter Winter Farmers' Market at Exeter High School, Exeter, NH on Saturdays between 10:00 am - 2:00 pm from November, 2019 – April, 2020 pursuant to RSA 178:24/RSA 179:44, II-a; requested retail sales only; no sampling allowed.
DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Throwback Brewery LLC, 7 Hobbs Road, North Hampton, NH 03862.
Brew Pub, On-Premises, Cocktail Lounge License #2002415 licensed pursuant to RSA 178:13.
Date petition received: 11/4/2019.
Date petition approved: 11/4/2019.
Requests approval for authorization of other areas for retail sales at farmers' market, to wit, Seacoast Eat Local Winter Farmers' Market at Wentworth Greenhouses, Rollinsford, NH on Saturdays between 10:00 am - 2:00 pm from November, 2019 – April, 2020 pursuant to RSA 178:24/RSA 179:44, II-a; requested retail sales only; no sampling allowed.
DEPUTY COMMISSIONER JORDAN MOVED THE 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:

None

15. NOTIFICATION OF COMPLIANCE CHECKS:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. **ADMINISTRATIVE HEARING DECISION:**

None

18. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

- a. Children's Museum Of NH, 6 Washington Street, Dover, NH 03820.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #608341 pursuant to RSA 178:22, V(I).
Event date: 11/2/2019.
Recommended: Expedited approval.
Commission approved on 10/29/2019.
COMMISSION ACKNOWLEDGED.
- b. Christ The King Parish, 72 South Main Street, Concord, NH 03301.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #13242 pursuant to RSA 178:22, V(I).
Event date: 11/9/2019.
Recommended: Expedited approval.
Commission approved on 10/29/2019.
COMMISSION ACKNOWLEDGED.
- c. NH Food Bank, Portsmouth Harbor Events & Conference Center,
100 Deer Street At Portwalk Place, Portsmouth, NH 03801.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #608241 pursuant to RSA 178:22, V(I).
Event date: 11/1/2019.
Recommended: Expedited approval.
Commission approved on 10/29/2019.
COMMISSION ACKNOWLEDGED.
- d. **MR. BRUCE THOMPSON, CHAIR OF THE EMPLOYER SUPPORT OF GUARD & RESERVE, A PROGRAM WITHIN THE DEPARTMENT OF DEFENSE, PRESENTED CHIEF MARK ARMAGANIAN WITH THE PATRIOT AWARD FOR HIS SUPPORT OF RESERVISTS AND THE NATIONAL GUARD; ALSO, MR. THOMPSON PRESENTED TO THE NHLC, DIVISION OF ENFORCMENT A STATEMENT OF SUPPORT FOR THE GUARD AND RESERVES AND A CERTIFICATE OF APPRECIATION FOR ITS ROLE IN DRUG PREVENTION; MR. RUSSELL FABIAN OF THE EMPLOYER SUPPORT OF GUARD & RESERVE WAS ALSO PRESENT.**