

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, DECEMBER 12, 2019

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD DECEMBER 5, 2019.**
DEPUTY COMMISSIONER JORDAN ACCEPTED THE MINUTES OF DECEMBER 5, 2019.

2. **SCHEDULED HEARINGS:**

December 18, 2019 at 9:00 a.m.:

- a. North Beach Bar & Grill, 931 Ocean Blvd., Hampton, NH 03842.
Restaurant, Full Service With Lounge License #1379203 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.
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.
Cited for violation of RSA 179:44, I – gave free drinks to customers, patrons, members or guests.
Date of violations: January 10, 2019.
Case #: 19-47-OF.

January 8, 2020 at 9:00 a.m.:

- b. Dover Discount Beverage, 79 Dover Point Road, Dover, NH 03820.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3314847 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:51 – allowed the premises to be used for a purpose contrary to law – purchased tobacco products from an unlicensed wholesaler/source without paying the required taxes.
Date of violation: May 16, 2019.
Case #: 19-582-OF.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Jewel Nightclub, 61 Canal Street, Manchester, NH 03101.
Ballroom License #1152911 licensed pursuant to RSA 178:22, V(c).
Cited for violation of RSA 179:27 - served or allowed consumption of alcoholic beverage in an area not approved by the Commission.
Cited for violation of RSA 179:27 – allowed patrons to self-serve alcohol beverages.
Dates of violations: July 26, 2019 & July 27, 2019.
Case #: 19-425-OF.
An administrative fine of \$500.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- b. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH 03246.
Restaurant, Full Service With Lounge License #1369903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I – allowed to be sold or given away or caused or allowed or procured to be sold, delivered, or given away alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:5, I – allowed to be sold or given away or caused or allowed or procured to be sold, delivered, or given away alcoholic beverage to a person who was under the age of twenty-one.
Dates of violations: May 11, 2019 & June 14, 2019.
Case #s: 19-294-OF & 19-370-OF.
THE HEARING SCHEDULED FOR DECEMBER 4, 2019 WAS CANCELLED WHEN SETTLEMENT WAS REACHED.

For violation of RSA 179:5, I, 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 sell, serve, consume or possess alcohol shall be suspended in the upstairs cocktail lounge only for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing January 9, 2020 and re-granted on January 11, 2020; for violation of RSA 179:5, I, an administrative fine of \$1,000 suspended for twelve (12) months pending no like violation.

DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Amorita Sophia LLC DBA Topwater Brewing Co., 748 Calef Highway, Barrington, NH 03825.
To be issued Brew Pub License #2004915 pursuant to RSA 178:13.
30-Day Temporary License issued 12/5/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- b. Equilibrium Brewing LLC, 22 Henry Street, Middletown, NY 10940.
To be issued Beverage Vendor License #96731 pursuant to RSA 178:15.
DEPUTY COMMISSIONER JORDAN APPROVED.
- c. Fu Chao, Inc. DBA Cherry Garden, 64 Main Street, Keene, NH 03431.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1596903
pursuant to RSA 178:21.
30-Day Temporary License issued 12/2/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- d. Grab and Go LLC, 35 North Main Street, Newmarket, NH 03857.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3388447
pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 12/3/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- e. NHC Events LLC, 23 Searles Road, Windham, NH 03087.
To be issued Caterer, Off-Site, License #1294234 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 12/2/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- f. Stafford Oil Company, Inc. DBA Hillsboro Food & Beverage,
5 Henniker Street, Hillsborough, NH 03244.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3383747
pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 12/2/2019.
DEPUTY COMMISSIONER JORDAN APPROVED.
- g. Zamoyski LLC DBA Dwyer's Pub, 96 Bridge Street, Portsmouth, NH 03801.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1594803
pursuant to RSA 178:21.
30-Day Temporary License issued 12/4/2019.
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 DECEMBER 6, 2019: 1,222

- a. Baer Winery LLC DBA Baer Winery, 19501 144th Avenue NE, Unit F100, Woodinville, WA 98072.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER JORDAN APPROVED.
- b. Boyd Family Vineyards LLC DBA Boyd Family Vineyards, 4326 Big Ranch Road, Napa, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER JORDAN APPROVED.
- c. Riverbend, Inc. DBA Sleeping Dog Wines, 45804 North Whitmore PR NW, Benton City, WA 99320.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER JORDAN APPROVED.
- d. World of Wine Ltd., 106 Castle Crest Road, Alamo, CA 94507.
To be issued Direct Shipper, Wholesaler Permit pursuant to RSA 178:27.
(Wholesale)
DEPUTY COMMISSIONER JORDAN APPROVED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Cherry Garden, 64 Main Street, Keene, NH 03531.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1596903 licensed pursuant to RSA 178:21.
Date petition requested: 12/2/2019.
Date petition approved: 12/2/2019.
Requested an exception for access to another business, to wit, a door connecting this business to a main salon and a staircase that leads to offices that will be locked and secured at all times pursuant to RSA 179:48, IV.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.
- b. North Country Hard Cider, 3 Front Street, #160, Lower Mill, Rollinsford, NH 03869.
Beverage Manufacturer License #290318 licensed pursuant to RSA 178:12.
Date petition received: 11/18/2019.
Date petition approved: 12/5/2019.
Requested approval for authorization of other areas, to wit, to use a noncontiguous place for storage 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. Beverage Wise LLC, 1603 Copenhagen Drive, Suite 7, Solvang, CA 93463.
Beverage Vendor License #54731 licensed pursuant to RSA 178:15.
Requests approval of Firestone Walker Coconut Parabola with an alcohol content of 13.94% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a; sample provided.
DEPUTY COMMISSIONER JORDAN APPROVED.
- b. Mad Scientists Brewing Partners LLC DBA Sixpoint Brewery,
40 Van Dyke Street, Brooklyn, NY 11231.
Beverage Vendor License #58231 licensed pursuant to RSA 178:15.
Requests approval of Sixpoint Brewery Master Blend with an alcohol content of 13.23% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a; sample provided.
DEPUTY COMMISSIONER JORDAN APPROVED.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

Northwoods Brewing Company LLC, 1334 First NH Turnpike, Northwood, NH 03261.
Nano Brewery, Beer and/or Specialty Beer License #204922 licensed pursuant to RSA 178:12-a.
Requests approval of Mashless Chaps Mata Seltzer with an alcohol content of 4% at 60 degrees Fahrenheit by volume; sample provided.
Recommend denial for failure to meet the definition of a beer pursuant to RSA 175:1, VII; this product has the characteristics of a hard seltzer water.
DEPUTY COMMISSIONER JORDAN APPROVED THE RECOMMENDATION TO DENY.

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:

Rochester Main Street DBA Studley's Flower Gardens, 82 Wakefield Street, Rochester, NH 03867.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #609241 pursuant to RSA 178:22, V(I).
Event date: 12/7/2019.
Recommended: Expedited approval.
Commission approved on 12/5/2019.
DEPUTY COMMISSIONER JORDAN ACKNOWLEDGED.