

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 6, 2020

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JANUARY 30, 2020.**
CHAIRMAN MOLLICA ACCEPTED THE MINUTES OF JANUARY 30, 2020.

2. **SCHEDULED HEARINGS AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

February 19, 2020 at 1:00 p.m.:

- a. Horsefeathers, 2679 White Mountain Highway, Conway, NH 03818.
Restaurant, Full Service With Lounge License #1080003 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: August 17, 2019.
Case #: 19-481-OF.

March 4, 2020 at 9:00 a.m.:

- b. Castaways Boathouse, 31 Cocheco Street, Dover, NH 03820.
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 Liq. 603.05 – failed to comply with the requirements of a Commission order.
Date of violation: November 24, 2019.
Case #: 19-631-OF.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Rek-Lis Brewing Company, 2085 Main Street, Bethlehem, NH 03574.
Brew Pub License #2003515 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13, III – Brew Pub License/RSA 178:26, III – Additional Fees – failed to file a tax report by the 10th of the following month.
Date of violation: January 15, 2020.
Case #: 20-45-OF.
\$100 administrative fine and a \$24.36 fee that represents 10% of the total outstanding fees due for December, 2019.
COMMISSION ACKNOWLEDGED.
- b. Rt. 108 Beverage, 369 Route 108, Somersworth, NH 03878.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3313947 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – sold alcoholic beverage to an individual who was under the age of twenty-one.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Date of violations: September 28, 2019.
Case #: 19-524-OF.
THE HEARING SCHEDULED FOR MARCH 4, 2020 WAS CANCELED 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 or possess alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing February 8, 2020 and re-granted on February 10, 2020, Neha Patel shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully executed agreement and Saumin Patel and Roger Patel shall complete a Grocer Education Training Seminar (GETS) online within thirty (30) days from the date of the fully executed agreement; for violation of RSA 179:23, IV, an administrative fine of \$250.

COMMISSION ACKNOWLEDGED.

- c. Suppas 603 Restaurant Bar & Lounge, 368 Central Avenue, Dover, NH 03820. Restaurant, Full Service With Lounge License #1552403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:5, I – allowed an individual who was under the age of twenty-one to procure alcohol – 2 counts.

Date of violations: September 28, 2019.

Case #: 19-512-OF.

THE HEARING SCHEDULED FOR FEBRUARY 19, 2020 WAS CANCELED WHEN SETTLEMENT WAS REACHED.

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 in the cocktail lounge and on the dance floor shall be suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like

violation commencing February 22, 2020 and re-granted on February 25, 2020 and Skipp Schultz and all staff shall attend a Total Education in Alcohol Management (TEAM) seminar conducted by a liquor investigator at the licensed premises within forty-five (45) days from the date of the fully signed agreement.

COMMISSION ACKNOWLEDGED.

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

Sun Mart, 71 Mont Vernon Street, Milford, NH 03055.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3195747 pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.

Date of violation: January 7, 2020.

Case #: 20-20-OF.

\$250 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Anthony's Italia Cucina LLC DBA Anthony's Bar & Grill, 270 Lafayette Road, Unit 1, Seabrook, NH 03874. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1600403 pursuant to RSA 178:21.

30-Day Temporary License issued 1/30/2020.

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

- b. Apogee Vapor LLC, 7 679 Mast Road, Manchester, NH 03102. To be issued Retail Tobacco License #151517 pursuant to RSA 178:19-a. 30-Day Temporary License issued 1/28/2020.

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

- c. A-Rigz, Inc. DBA The City Vapor and Glass Emporium, 621 Lafayette Road, Seabrook, NH 03874.
To be issued Retail Tobacco License #151117 pursuant to RSA 178:19-a.
30-Day Temporary License issued 1/27/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Dean and Company LLC DBA Gold Buckle Brewery, 201 Grant Avenue, La Junta, CO 81050.
To be issued Beverage Vendor License #95231 pursuant to RSA 178:15.
Manufacturer: Gold Buckle Brewery.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. EL Jefe Vapes LLC, 189 Elm Street #4, Milford, NH 03055.
To be issued Retail Tobacco License #150817 pursuant to RSA 178:19-a.
30-Day Temporary License issued 1/31/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Goodfellas Investments LLC DBA The Hammer Pub & Grille, 49 Pleasant Street, Portsmouth, NH 03801.
To be issued Restaurant, Full Service With Lounge License #1598703 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 1/28/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Haley, Inc. DBA Hardee's Market & Deli, 303 Main Street, Somersworth, NH 03878.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3389547 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/31/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Noble Vapors LLC DBA Madvapes, 341 Amherst Street, Nashua, NH 03063.
To be issued Retail Tobacco License #151217 pursuant to RSA 178:19-a.
30-Day Temporary License issued 1/31/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Nonna's Place LLC, 60 Pleasant Street, Concord, NH 03301.
To be issued Restaurant, On-Premises, Beverage & Wine License #1600203 pursuant to RSA 178:20.
30-Day Temporary License issued 1/29/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Sabor Brasil, Inc., 42 Canal Street, Nashua, NH 03064.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1599803 pursuant to RSA 178:21.
30-Day Temporary License issued 2/3/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. Shiva, Inc. DBA Stratham Village Market, 157 Portsmouth Avenue, Stratham, NH 03885.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3388347 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/29/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- l. St. Raphael Parish, St. Raphael Parish Center, 85 Third Street, Manchester, NH 03102.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #610241 pursuant to RSA 178:22, V(l).
Event date: 3/14/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- m. VAEP LLC, 21 142 Lowell Road, Hudson, NH 03051.
To be issued Retail Tobacco License #148417 pursuant to RSA 178:19-a.
30-Day Temporary License issued 2/3/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS 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 JANUARY 31, 2020: 1,230

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

Lago Trattoria, 1 NH Routes 3 & 25, Meredith, NH 03253.
Restaurant, Full Service With Lounge License #1019903 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Date petition received: 1/3/2020.
Date petition approved: 1/30/2020.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 600 from
1/31/2020 to 2/3/2020 and from 2/21/2020 to 2/23/2020 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:

- a. Averill House Vineyard, 21 Averill Road, Brookline, NH 03033.
Wine Manufacturer License #566730 licensed pursuant to RSA 178:8.
Requests approval for authorization of other areas for tasting and retail sales at farmers' market, to
wit, Bedford Farmers' Market, 199 Meetinghouse Road, Bedford, NH on Tuesdays between 3:00 p.m.
and 6:00 p.m. from June 16, 2020 to September 29, 2020 pursuant to RSA 178:24/RSA 179:44, II-a.
**DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- b. Law Warehouses, Inc., 59 DW Highway, Merrimack, NH 03054.
To be issued Liquor/Wine/Beverage Warehouse License #172712 pursuant to RSA 178: 11.
30-Day Temporary License issued 1/31/2020.
**DEPUTY COMMISSIONER JORDAN MOVED TO 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:

Belmont, NH;
Berlin, NH;
Franklin, NH;
Gilford, NH;
Gorham, NH;
Hanover, NH;
Hooksett, NH;
Keene, NH;
Jaffrey, NH;
Lancaster, NH;
Lebanon, NH;
Littleton, NH;
Merrimack, NH;
Plymouth, NH;
Sullivan County; NH
Swanzey, NH;
Tilton, NH;
Wakefield, NH; and
Wolfeboro, NH.

COMMISSION ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

ALCOHOL COMPLIANCE CHECKS –

Conway & North Conway:

- a. Black Cap Grille, 1498 White Mountain Highway, North Conway, NH 03860.
Restaurant, Full Service With Lounge License #1383603 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 a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license 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. Café Noche, 147 Main Street, Conway, NH 03845.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1179503 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license 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. Fiesta Jalisco Mexican Restaurant, 6 Mountain Valley Blvd., North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1443303 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: January 11, 2020.

Case #: 20-25-OF.

Verbal warning, four (4) points assessed to the liquor license 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. Fire By Wicked Fresh, 2 Common Court, #A20, North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1590203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety (90) days from the date of the violation.
COMMISSION ACKNOWLEDGED.
- e. Lobster Trap, 2840 West Side Road, Conway, NH 03845.
Restaurant, Full Service With Lounge License #277903 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 a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license 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. North Conway Grand Hotel, 72 Common Court, Conway, NH 03860.
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 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license 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. 1785 Inn, 3582 White Mountain Highway, Conway, NH 03845.
Hotel, Full Service With Lounge License #213202 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety (90) days from the date of the violation.
COMMISSION ACKNOWLEDGED.
- h. Stonehurst Manor, 3351 White Mountain Highway, North Conway, NH 03860.
Hotel, Full Service With Lounge License #356502 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: January 11, 2020.
Case #: 20-25-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety (90) days from the date of the violation.
COMMISSION ACKNOWLEDGED.
- i. Table and Tonic, 3358 White Mountain Highway, North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1541703 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.

Date of violation: January 11, 2020.

Case #: 20-25-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety (90) days from the date of the violation.

COMMISSION ACKNOWLEDGED.

- j. Taste of Thai Restaurant, 1857 White Mountain Highway, North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1390403 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.

Date of violation: January 11, 2020.

Case #: 20-25-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety (90) days from the date of the violation.

COMMISSION ACKNOWLEDGED.

- k. Vito Marcello's Italian Bistro, 45 Seavy Street, North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1262703 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.

Date of violation: January 11, 2020.

Case #: 20-25-OF.

Verbal warning, four (4) points assessed to the liquor license 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