

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 24, 2020

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 17, 2020.

DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF SEPTEMBER 17, 2020; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

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

October 7, 2020 at 1:00 p.m.

Cara Irish Pub & Restaurant, 11 Fourth Street, Dover, NH 03820.

Restaurant, Full Service With Lounge License #1440403 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 179:51 - failed to maintain an orderly premise – 2 counts.

Date of violations: February 15, 2020.

Case #: 20-109-OF.

LICENSEE FILED AN ASSENTED-TO MOTION TO CONTINUE THAT WAS GRANTED ON AUGUST 28, 2020.

3. NOTIFICATION OF DISCIPLINARY ACTION:

a. Jake's 5 Star Convenience, 65 Roxbury Street, Keene, NH 03431.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3371447 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: June 15, 2020.

Case #: 20-244-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 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 September 27, 2020 and re-granted on September 29, 2020 and the above-referenced penalties shall be included in the violation history of any NH liquor license obtained by Dhruv Patel.

COMMISSION ACKNOWLEDGED.

b. Pho Tai Loc, 28 Railroad Square #2, Nashua, NH 03064.

Restaurant, Full Service With Lounge License #1573303 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 179:5, I – served 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.

Dates of violations: June 25, 2020 & August 7, 2020.

Case #s: 20-256-OF & 20-317-OF.

For violation of RSA 179:5, an administrative fine of \$2,000 with \$1,000 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 six (6) days with two (2) day held in abeyance for twelve (12)

months pending no like violation commencing October 6, 2020 and re-granted on October 10, 2020 and Hien Van Mai shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of this fully signed agreement; for violation of RSA 179:8, an administrative fine of \$100 suspended for twelve (12) months pending no like violation.

COMMISSION ACKNOWLEDGED.

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

The Hub, 105 Ocean Blvd., Hampton, NH 03842.

Retail Tobacco License #153717 licensed pursuant to RSA 178:19-a.

Cited for violation of RSA 126-K:4, I – sold tobacco products to an underage person.

Date of violation: August 8, 2020.

Case #: 20-319-OF.

\$250 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. B United International, Inc., 7 Fox Hollow Road, Oxford, CT 06478.
To be issued Beverage Vendor License #104531 pursuant to RSA 178:15.
Manufacturer: Brauerei Michael Plank Marktplatz 1, Laaber, Germany.
30-Day Temporary License issued 9/16/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Back Hill Beer Company LLC, 73 Pickering Road, Rochester, NH 03839.
To be issued Nano Brewery, Beer and/or Specialty Beer License #208222 pursuant to RSA 178:12-a.
30-Day Temporary License issued 9/16/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Camden Brook Market & Café LLC, 49 John Stark Highway, Newport, NH 03773.
To be issued Combination License #3396047 pursuant to RSA 178:18.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Caribbean Spice Café LLC, 603 Route 3 North, Carroll, NH 03598.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1612703 pursuant to RSA 178:21.
30-Day Temporary License issued 9/17/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Compare Ristorante LLC, 43 East Broadway, Derry, NH 03038.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1603403 pursuant to RSA 178:21.
30-Day Temporary License issued 9/17/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Copper Kettle To Go LLC, 39 Main Street, Wilton, NH 03086.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1608803 pursuant to RSA 178:21.
30-Day Temporary License issued 9/15/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- g. DG Retail LLC DBA Dollar General Store #20596, 70 Wilton Road, Milford, NH 03055.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3396147 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. MHW Ltd., 1129 Northern Blvd., Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #95731 pursuant to RSA 178:15.
Manufacturer: Sun King Brewing Company.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. MHW Ltd., 1129 Northern Blvd., Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #96031 pursuant to RSA 178:15.
Manufacturer: DuClaw Brewing Co.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- j. Moonlight Meadery LLC DBA Hidden Moon Brewing,
23 Londonderry Road, Unit 17, Londonderry, NH 03053.
To be issued Vendor License #104831 pursuant to RSA 178:15.
Manufacturer: Smog City Brewing.
30-Day Temporary License issued 9/21/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- k. My Cielo LLC, 667 Columbus Avenue, Rochester, NH 03867.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1611403 pursuant to RSA 178:21.
30-Day Temporary License issued 9/15/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- l. 102 Smoke Shop, Inc. DBA 102 Smoke Shop & Market, 15 West Broadway, Derry, NH 03038.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3394547 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 9/17/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- m. Powder Mill Pond Provisions LLC DBA Hancock Market, 30 Main Street, Hancock, NH 03449.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3395647 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 9/15/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- n. Rosa Restaurant LLC, 70 State Street, Portsmouth, NH 03801.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1612803 pursuant to RSA 178:21.
30-Day Temporary License issued 9/21/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- o. Sam's International Group LLC DBA The Hub, 222 State Street, Portsmouth, NH 03801.
To be issued Retail Tobacco License #154217 pursuant to RSA 178:19-a.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- p. Smoke Shack Café LLC, 226 Rockingham Road, Londonderry, NH 03053.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1604503 pursuant to RSA 178:21.
30-Day Temporary License issued 9/21/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- q. 311 Main St., Inc. DBA Tilton Food Mart, 311 Main Street, Tilton, NH 03276.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3395547 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 9/16/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- r. Twelve Percent LLC, 1700 Stratford Avenue, Stratford, CT 06615.
To be issued Beverage Vendor License #104931 pursuant to RSA 178:15.
Manufacturer: Omnipollo.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- s. Twelve Percent LLC, 1700 Stratford Avenue, Stratford, CT 06615.
To be issued Beverage Vendor License #105031 pursuant to RSA 178:15.
Manufacturer: Evil Twin Brewing.
30-Day Temporary License issued 9/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- t. Twelve Percent LLC, 1700 Stratford Avenue, Stratford, CT 06615.
To be issued Beverage Vendor License #105131 pursuant to RSA 178:15.
Manufacturer: Stillwater Artisanal.
30-Day Temporary License issued 9/18/2020.
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 SEPTEMBER 18, 2020: 1,262

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Frogg Brewing, 108 Main Street, Marlborough, NH 03455.
Nano Brewery, Beer and/or Specialty Beer License #206522 licensed pursuant to RSA 178:12-a.
Date petition received: 9/17/2020.
Date petition approved: 9/21/2020.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 75 on 10/18/2020 pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- b. Loon Mountain Ski Area, Loon Mountain, Lincoln, NH 03251.
Caterer, On-Site License #1280426 licensed pursuant to RSA 178:22, V(e).
Date petition received: 9/10/2020.
Date petition approved: 9/16/2020.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 200 on 9/18/2020 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:**

None

13. **MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:**

None

14. **NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:**

Manchester, NH.

15. **NOTIFICATION OF COMPLIANCE CHECKS:**

TOBACCO:

Nashua, NH:

- a. A & H Food Market, 54 Lock Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3130547 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 3, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.
- b. Awais Racing Mart, 27 Canal Street, Nashua, NH 03064.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3354347 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: August 31, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.
- c. D & J Corner Market, 3 Bridge Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3063547 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 3, 2020.

Case #: 20-322-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.

COMMISSION ACKNOWLEDGED.

- d. Market Basket #39, 34 Northwest Blvd., Nashua, NH 03063.
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: September 3, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.
- e. Sally's Food Market, 34 Palm Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3269047 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: August 31, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.
- f. Shaw's, 300 Main Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3110847 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: August 31, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.
- g. Spit Brook Market, 108E Spit Brook Road, Nashua, NH 03062.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3321847 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 10, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.
- h. Zee Quick Stop, 15 Railroad Square, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3368947 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: August 31, 2020.
Case #: 20-322-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.
COMMISSION ACKNOWLEDGED.

16. **ADMINISTRATIVE HEARING DECISION PENDING:**

None

17. **ADMINISTRATIVE HEARING DECISION:**

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Elvio's Pizza, 2888 White Mountain Highway, North Conway, NH 03860.
Restaurant, On-Premises, Beverage & Wine License #1610403 licensed pursuant to RSA 178:20.
Approved a Felon Exception for James E. DeCilla as a Licensee pursuant to
RSA 178:4/RSA 179:23/Liq. 404.06(c).
Case #: 18-2-OF.
Approved on: 9/17/2020.
COMMISSION ACKNOWLEDGED.