

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 29, 2020

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 22, 2020.**
CHAIRMAN MOLLICA ACCEPTED THE MINUTES OF OCTOBER 22, 2020.

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

November 10, 2020 at 10:30 a.m.:

- a. 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.
LICENSEE FILED A 2ND ASSENTED-TO MOTION TO CONTINUE THE HEARING OF OCTOBER 7, 2020; MOTION GRANTED ON SEPTEMBER 30, 2020.

November 18, 2020 at 10:30 a.m.:

- b. Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1404103 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.
Date of violation: May 20, 2020.
Case #: 20-226-OF.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. 809 Grill & Lounge, 43 West Hollis Street, Nashua, NH 03060.
Restaurant, Full Service With Lounge License #1592203 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 178:22 – failed to meet the food/alcohol ratio of 50% for food sales less than \$75,000.
Date of violation: August 6, 2020.
Case #: 20-364-OF.
\$100 administrative fine.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Throwback Brewery, 7 Hobbs Road, North Hampton, NH 03862.
Brew Pub License #2002415 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13, IV/RSA 178:26 – failed to file a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: October 14, 2020.
Case #: 20-409-OF.
\$100 administrative fine and an additional fee of \$102.25 that represents 10% of the total outstanding fees for September, 2020.
CHAIRMAN MOLLICA ACKNOWLEDGED.

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

- a. Coffin Cellars, 1224 Battle Street, Webster, NH 03303.
Wine Manufacturer License #562930 licensed pursuant to RSA 178:8.
Cited for violation of RSA 178:8, IV – failed to file a wine manufacturer tax report by the 10th of the following month.
Date of violation: October 15, 2020.
Case #: 20-427-OF.
\$100 administrative fine paid.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Gilmanton Winery, 528 Meadow Pond Road, Gilmanton, NH 03237.
Wine Manufacturer License #563630 licensed pursuant to RSA 178:8.
Cited for violation of RSA 178:8, IV – failed to file a wine manufacturer tax report by the 10th of the following month.
Date of violation: October 15, 2020.
Case #: 20-426-OF.
\$100 administrative fine paid.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. Hookahs & Vapahs, 30 Bridge Street, Pelham, NH 03076.
Retail Tobacco License #148117 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person.
Date of violation: June 29, 2020.
Case #: 20-267-OF.
\$250 administrative fine paid.
CHAIRMAN MOLLICA ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Captain Lawrence Brewing Company LLC, 444 Saw Mill River Road, Elmsford, NY 10523.
To be issued Beverage Vendor License #105331 pursuant to RSA 178:15.
Manufacturer: Captain Lawrence Brewing Company.
30-Day Temporary License issued 10/21/2020.
CHAIRMAN MOLLICA APPROVED.
- b. Exhibit A Brewing Company, Inc., 81 Morton Street, Framingham, MA 01702.
To be issued Beverage Vendor License #104431 pursuant to RSA 178:15.
Manufacturer: Exhibit A Brewing Company.
30-Day Temporary License issued 10/26/2020.
CHAIRMAN MOLLICA APPROVED.
- c. 7-Eleven, Inc. DBA 7-Eleven 30292J, 37 Nashua Road, Londonderry, NH 03053.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3397347 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 10/21/2020.
CHAIRMAN MOLLICA APPROVED.
- d. TBD Brewing LLC DBA Aeronaut Brewing Co., 14 Tyler Street, Somerville, MA 02143.
To be issued Beverage Vendor License #104231 pursuant to RSA 178:15.
Manufacturer: Aeronaut Brewing Co.
30-Day Temporary License issued 10/23/2020.
CHAIRMAN MOLLICA APPROVED.
- e. Thinking About Cows LLC DBA Hopkinton Village Store, 377 Main Street, Hopkinton, NH 03229.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3397047 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 10/26/2020.
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 23, 2020: 1,271

- a. Flying Dog Brewery LLC, 4607 Wedgewood Blvd., Frederick, MD 21703.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Beverage Manufacturer)
CHAIRMAN MOLLICA APPROVED.
- b. Heaven Hill Distilleries, Inc., 1064 Loetto Road, Bardstown, KY 40004.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
CHAIRMAN MOLLICA APPROVED.
- c. Phoenix Wine Company LLC DBA De Negoce, 1838 Golden Gate Avenue, San Francisco, CA 94503.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
CHAIRMAN MOLLICA APPROVED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Pup's Cider, 193 East Road, Greenfield, NH 03047.
Wine Manufacturer License #567330 licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas for retail sales at farmers' market, to wit, Peterborough Farmers' Market at Peterborough Community Center, 35 Elm Street, Peterborough, NH on Wednesdays between 3:00 p.m. and 5:00 p.m. from October 28, 2020 through December 23, 2020 pursuant to RSA 178:24/RSA 179:44, II-a.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Pup's Cider, 193 East Road, Greenfield, NH 03047.
Beverage Manufacturer License #288918 licensed pursuant to RSA 178:12.
Requested approval for authorization of other areas for retail sales at farmers' market, to wit, Peterborough Farmers' Market at Peterborough Community Center, 35 Elm Street, Peterborough, NH on Wednesdays between 3:00 p.m. and 5:00 p.m. from October 28, 2020 through December 23, 2020 pursuant to RSA 178:24/RSA 179:44, II-a.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. Seven Birches, 25 South Mountain Drive, A-14, Lincoln, NH 03251.
Wine Manufacturer Retail Outlet, Wine Only #20229 licensed pursuant to RSA 178/19.
Requested approval for extension of service, to wit, a tasting room expanded to an adjoining room with a capacity of 225 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- d. Wayside Inn (The), 3738 Main Street, Bethlehem, NH 03574.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1550203 licensed pursuant to RSA 178:21.
Requested approval for authorization of other area, to wit, an outside, tented area for October 23 & 24, 2020 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Oregon Brewing Company DBA Rogue Ales, 2320 Osu Drive, Newport, OR 97365.
Beverage Vendor License #33231 licensed pursuant to RSA 178:15.
Requests approval of Rogue Ginger Lemon Whiskey Mule with an alcohol content of 7.5% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-aaa; sample provided.
CHAIRMAN MOLLICA APPROVED.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Concord, NH;
Dover, NH;
Merrimack, NH;
Wakefield, NH; and
Windham, NH.
CHAIRMAN MOLLICA ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO COMPLIANCE CHECKS –

Derry, NH:

- a. Derry One Stop, 72 Crystal Avenue, Derry, NH 03038.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3245447 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 #: 20-340-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Derry Smoke Shop, 40 Crystal Avenue, Derry, NH 03038.
Retail Tobacco License #145117 licensed 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: August 31, 2020.
Case #: 20-340-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.

Hampton, NH:

- a. Karina Mart, 685 Lafayette Road, Hampton, NH 03842.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3384747 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 23, 2020.
Case #: 20-375-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.

- b. Royal Market II, 94 Ashworth Avenue, Hampton, NH 03842.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3290947 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 23, 2020.
Case #: 20-375-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.

Hudson, NH:

- a. Best Bet Stateline, 83 River Road, Hudson, NH 03051.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3127147 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 30, 2020.
Case #: 20-385-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Rusty Lantern Market, 4 Executive Drive, Hudson, NH 03051.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3369847 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 30, 2020.
Case #: 20-385-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.

Londonderry, NH:

- a. Convenience Plus Londonderry, 124 Rockingham Road, Londonderry, NH 03053.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3288347 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 24, 2020.
Case #: 20-329-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. RMZ Travel Center, 137A Rockingham Road, Londonderry, NH 03053.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3390747 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 24, 2020.
Case #: 20-329-OF.
Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
CHAIRMAN MOLLICA ACKNOWLEDGED.

Stratham & Exeter, NH:

- a. Exeter Market, 201 Front Street, Exeter, NH 03833.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3301647 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: October 14, 2020.

Case #: 20-406-OF.

Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.

CHAIRMAN MOLLICA ACKNOWLEDGED.

- b. Stratham Village Market, 157 Portsmouth Avenue, Stratham, NH 03885.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3388347 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: October 14, 2020.

Case #: 20-406-OF.

Verbal warning and mandatory completion of a Management Training Seminar (MTS) by a manager 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:

Savannah Kitchen, 55 Main Street, Suite #216, Newmarket, NH 03857.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1608403 licensed pursuant to RSA 178:21.

Approved a Felon Exception for Christopher Caddy as a License Applicant pursuant to RSA 178:4/RSA 179:23/Liq. 404.06(c).

Case #: 20-358-OF.

Approved on October 21, 2020.

CHAIRMAN MOLLICA ACKNOWLEDGED.