

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 12, 2020

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD NOVEMBER 5, 2020.**

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

December 8, 2020 at 10:30 a.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.
LICENSEE FILED A 2ND ASSENTED-TO MOTION TO CONTINUE THE HEARING OF OCTOBER 7, 2020; MOTION GRANTED ON SEPTEMBER 30, 2020.
LICENSEE FILED A 3RD ASSENTED-TO MOTION TO CONTINUE THE HEARING OF NOVEMBER 5, 2020; MOTION GRANTED ON NOVEMBER 10, 2020.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**
 - a. Long Blue Cat Brewing Company, 298 Rockingham Road, Londonderry, NH 03053.
Brew Pub License #2004815 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13 – 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 #: 20-408-OF.
\$100 administrative fine and an additional fee of \$38.91 that represents 10% of the total outstanding fees for September, 2020.

 - 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.
SETTLEMENT WAS REACHED; THE HEARING WAS CANCELED.
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 shall be suspended for three (3) days commencing November 16, 2020 and re-granted on November 19, 2020 and Kylee Warren shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the fully signed agreement.

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

- a. Incredibrew, 472 Amherst Street, Nashua, NH 03063.
Wine Manufacturer License #560930 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 #: 20-425-OF.
\$100 administrative fine paid.
- b. New York Smoke & Vape, 132 Loudon Road, Concord, NH 03301.
Retail Tobacco License #136817 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:3 – failed to require a purchaser to furnish an acceptable form of identification that such person is 21 years of age or older prior to making the sale of tobacco products, e-cigarettes or liquid nicotine.
Cited for violation of RSA 126-K:4, I – sold a tobacco product to an underage person.
Date of violations: September 21, 2020.
Case #: 20-373-OF.
\$500 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Chef LLC (The) DBA The Chef, 737 River Road, New Boston, NH 03070.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1614203 pursuant to RSA 178:21.
30-Day Temporary License issued 11/9/2020.
- b. Mon Club Management, Inc. DBA The Mountain Club on Loon,
90 Loon Mountain Road, Lincoln, NH 03251.
To be issued Restaurant, Full Service With Lounge License #1613203 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 11/4/2020.
- c. Rimmon Heights Flower Shop LLC DBA Flowers By Leslie,
801 Islington Street #22, Portsmouth, NH 03801.
To be issued Retail Wine License #3166546 pursuant to RSA 178:19.
30-Day Temporary License issued 11/6/2020.
- d. Tobacco Barn LLC, 15 Spitbrook Road, Unit B, Nashua, NH 03062.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3396747 pursuant to RSA 178:18/RSA 126-K:4.
- e. Toscana Chophouse and Bar LLC DBA Toscana Italian Chophouse,
3 Pleasant Street, Portsmouth, NH 03801.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1607703 pursuant to RSA 178:21.
30-Day Temporary License issued 11/6/2020.
- f. Villa Hygge LLC, 2906 White Mountain Highway, North Conway, NH 03860.
To be issued Bed & Breakfast License #362338 pursuant to RSA 178:21, II (c).
30-Day Temporary License issued 11/4/2020.

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 6, 2020: 1,267

- a. Addy's Fine Wine & Spirits, Inc., 8268 Transit Road, Williamsville, NY 14221.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- b. Burrell School Vineyards, Inc., 24060 Summit Road, Los Gatos, CA 95033.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- c. Craft Beverage Concepts LLC DBA Wild Leap Brew Co., 308 Main Street, LaGrange, GA 30240.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Beverage Manufacturer)
- d. Foam Brewers LLC, 112 Lake Street, Burlington, VT 05401.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Beverage Manufacturer)
- e. Rivers-Marie Wines LLC, 900 Foothill Blvd., Calistoga, CA 94515.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- f. Singing Water of Texas Ltd. DBA Singing Water Vineyards, 316 Mill Dam Road, Comfort, TX 78013.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Throwback Brewery, 7 Hobbs Road, North Hampton, NH 03862.
Brew Pub License #2002415 licensed pursuant to RSA 178:13.
Requested approval for authorization of other areas for retail sales at farmers' market, to wit, Seacoast Eat Local Winter Farmers' Market/Exeter High School, 1 Blue Hawk Drive, Exeter, NH on Saturdays between 10:00 a.m. and 2:00 p.m. from November 14, 2020 through April 17, 2021 and Seacoast Eat Local Winter Farmers' Market/Wentworth Greenhouses, 141 Rollins Road, Rollinsford, NH on Saturdays between 10:00 a.m. and 2:00 p.m. from November 21, 2020 through February 20, 2021 pursuant to RSA 178:24/RSA 179:44, II-a.
- b. Wildbloom Beer LLC, 129 Centervale Road, Henniker, NH 03242.
Nano Brewery, Beer and/or Specialty Beer License #208422 licensed pursuant to RSA 178:12-a.
Requests approval for authorization of other areas for retail sales at farmers' market, to wit, Winter Farmers Market at Cole Gardens, 430 Loudon Road, Concord, NH on Saturdays between 9:30 a.m. and 1:00 p.m. from November 7, 2020 through April 17, 2021 pursuant to RSA 178:24/RSA 179:44, II-a.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Vino.com LLC DBA Total Beverage Solution, 421 Wando Park Blvd., Suite #200, Mount Pleasant, SC 29464.
Beverage Vendor License #72231 licensed pursuant to RSA 178:15.
Requests approval of Lagerness Monster Imperial Baltic Porter with an alcohol content of 14% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a; sample provided.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

It's Good Imports LLC DBA Beer Shepherd Imports, 4270 Vt. Route 100, Waterbury, VT 05676.
Beverage Vendor License #101731 licensed pursuant to RSA 178:15.
Requests approval of The Very Thirsty Caterpillar with an alcohol content of 6% at 60 degrees Fahrenheit by volume pursuant to RSA 179:VII(b); no sample provided.
Recommend denial as the label depicts images of lollipops, ice cream and other similar illustrations that could be enticing to a child.

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

Windham, NH.

15. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO COMPLIANCE CHECKS –

Cheshire County:

- a. Fairbanks Elm Street Market, 130-132 Elm Street, Keene, NH 03431.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3273447 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 25, 2020.
Case #: 20-363-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.
- b. JM North of the Border, 1207 US Route 202, Rindge, NH 03461.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3364647 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 21, 2020.
Case #: 20-363-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.
- c. Market Basket 47, Route 202, Rindge, NH 03461.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3002747 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 21, 2020.
Case #: 20-363-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.
- d. Romy's Market, 89 Marlboro Street, Keene, NH 03431.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3326847 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 25, 2020.

Case #: 20-363-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.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

New Hampshire SPCA, 104 Portsmouth Avenue, Stratham, NH 03885.

Issued Special Auction License #13942 for November 7, 2020 between 7:00 p.m. and 8:30 p.m. pursuant to RSA 178:17.

Issued: 11/6/2020.