

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR WEDNESDAY, NOVEMBER 25, 2020

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD NOVEMBER 19, 2020.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF NOVEMBER 19, 2020; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
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.
COMMISSION ACKNOWLEDGED.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

3 Kitchen Bar & Grill, 333 Valley Street, Manchester, NH 03103.
Restaurant, Full Service With Lounge License #1602303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Dates of violations: October 24, 2020 & November 8, 2020.
Case #s: 20-514-OF & 20-515-OF.
The licensee shall remain in compliance with RSA 179:22 Cocktail Lounge – Full Service Restaurant Requirements to include:
a. The cocktail lounge shall be operated in conjunction with the dining rooms; no cocktail lounge shall be operated on days that the dining room is closed;
b. No cocktail lounge shall operate before the dining room opens for meals;
c. The commission may extend the cocktail lounge license to include the use of a dining area in the restaurant, after such area has been closed for serving meals, but not before 9:00 p.m., as an overflow area for the cocktail lounge when the lounge is filled to capacity;
d. At least 50 percent of the combined restaurant and lounge and lounge sales shall fall within the category of food; restaurants with annual food sales of at least \$75,000 shall be exempt from the 50 percent requirement; and
e. The restaurant shall be open 5 nights a week for evening meals.
2. The hours of sale in the restaurant shall be 6:00 am - 1:00 am.
3. The upstairs cocktail lounges shall remain on the restricted hours of 6:00 am - 10:00 pm for a period of thirty (30) days effective November 18, 2020; upon satisfactory review by the Division of Enforcement and the Manchester Police Department, the following restrictions will be implemented:

4. New patrons shall not be allowed to enter the cocktail lounge after 10:30 pm; the sale and service of alcohol shall stop at 11:00 pm for a period of thirty (30) days; upon satisfactory review by the Division of Enforcement and the Manchester Police Department, the following restrictions will be implemented:
5. New patrons shall not be allowed to enter the cocktail lounge after 11:30 pm; the sale and service of alcohol shall be extended to 12:00 am for a period of thirty (30) days.
6. Upon satisfactory review by the Division of Enforcement and Manchester Police Department, the hours of sale shall return to those dictated by RSA 179:17 - Hours of Sale.
7. All beverages and liquor served on the premises shall be consumed no later than 30 minutes after the expiration of the serving hour.
8. Live Entertainment as defined by RSA 175:1, XLVII shall be prohibited for a period of 90 days throughout the entire premise; upon satisfactory review by the Division of Enforcement and the Manchester Police Department, live entertainment shall be allowed; however, a Manchester Police Detail shall be required at all live entertainment events unless waived by the Manchester Chief of Police or his designee.
9. During the 90 days of restricted hours the licensee may petition the Commission to host private functions in the upstairs function hall; however, live entertainment will still be prohibited.
10. This settlement constitutes the complete agreement between and among the Parties and supersedes any and all other written or oral communications or agreements related thereto.
11. Any violations of RSA 179:51 - Lighting and Conduct Requirements will result in an immediate reduction in service hours of the entire licensed premises until such time as an adjudicatory hearing can be held.
12. This agreement is effective for a period of twelve (12) months starting November 18, 2020.

COMMISSION ACKNOWLEDGED.

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

Duggan, Christine, 254 Plainfield Road, West Lebanon, NH 03784.
Retail Tobacco License #144017 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law – purchased, possessed or sold counterfeit tobacco products.
Date of violation: October 17, 2020.
Case #: 20-430-OF.

\$250 administrative fine paid.

COMMISSION ACKNOWLEDGED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Mallett Corp. (The) DBA Red Sox Bar & Grill, Route 16, Jackson, NH 03846.
To be issued Retail Wine License #3166746 pursuant to RSA 178:19.
30-Day Temporary License issued 11/18/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. PGMC LLC DBA Cartelli's North End Pizza & Pasta, 94 New Rochester Road, Dover, NH 03820.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1608903 pursuant to RSA 178:21.
30-Day Temporary License issued 11/19/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Ramdoot LLC DBA Kulicks Market, 30 Warwick Road #8, Winchester, NH 03470.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3396947 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 11/20/2020.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- d. Shreenath Corp. DBA New Campus Convenience, 32 Main Street, Durham, NH 03824.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3399847 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 11/18/2020.
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 NOVEMBER 20, 2020: 1,279

- a. Cristie Kerr Wines LLC DBA Kerr Cellars, 1221 Duhig Road, Napa, CA 94559.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Hudson Valley Brewery LLC, 7 East Main Street, Beacon, NY 12508.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Beverage Manufacturer)
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Jean Luc's Wines LLC DBA Le Du's Wines, 600 Washington Street, New York, NY 10014.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Mosier LLC DBA Hiyu, 3890 Acree Drive, Hood River, OR 97031.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Stonecushion LLC DBA Rockpile Vineyard, 206 Healdsburg, CA 95448.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

Etiquette Cigars, 59 Elm Street, Laconia, NH 03246.
Retail Tobacco License #145717 pursuant to RSA 178:19-a.
Requested to transfer business location, to wit, to transfer the business location from 59 Elm Street, Laconia, NH to 371 Union Avenue, Laconia, NH pursuant to RSA 178:29, VIII.
COMMISSION ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. California Cider Company, 2064 Gravenstein Highway North, Bldg. #4, Sebastopol, CA 95472. Beverage Vendor License #105831 licensed pursuant to RSA 178:15. Requests approval of ACE Joker Dry Apple Craft Cider with an alcohol content of 6.9% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Country Corner Mile, Route 31, Greenville, NH 03048. Agency Store, Off-Premises, Liquor Only License #980404 licensed pursuant to RSA 177:9. Requests approval for renewal of license, to wit, to renew Agency Store, Off-Premises, Liquor Only License for renewal period 1/1/2021 to 12/31/2021 pursuant to RSA 177:9.
CHIEF MARK ARMAGANIAN CONTACTED THE LICENSEE TO OFFER WHATEVER ASSISTANCE THEY MAY NEED RELATIVE TO THEIR LIQUOR LICENSE; THEY INDICATED THAT THEY REQUIRED NO ASSISTANCE AT THIS TIME.
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:

None

15. NOTIFICATION OF COMPLIANCE CHECKS:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None