

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 4, 2021

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JANUARY 28, 2021.**
2. **SCHEDULED HEARINGS AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

February 25, 2021 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.
LICENSEE FILED A 3RD ASSENTED-TO MOTION TO CONTINUE THE HEARING OF NOVEMBER 5, 2020; MOTION GRANTED ON NOVEMBER 10, 2020.
DIVISION OF ENFORCEMENT FILED AN ASSENTED-TO MOTION TO CONTINUE ON DECEMBER 4, 2020; MOTION WAS GRANTED; HEARING TO BE RESCHEDULED IN MID-JANUARY, 2021.

Date to be determined.

- b. Opus Lounge, 14 West Hollis Street, Nashua, NH 03060.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1593703 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:27 – restrictions on serving and congregating of patrons.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law.
Date of violations: January 16, 2021.
Case #: 21-7-OF.
THE DIVISION OF ENFORCEMENT FILED A MOTION TO CONTINUE; MOTION WAS GRANTED ON JANUARY 26, 2021.

Date to be determined:

- c. Pint Public House, 1111 Elm Street, Manchester, NH 03101.
Restaurant, Full Service With Lounge License #1475403 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.
Date of violation: July 18, 2020.
Case #: 20-294-OF.
LICENSEE FILED AN ASSENTED-TO MOTION TO CONTINUE HEARING; MOTION WAS GRANTED ON DECEMBER 10, 2020.

3. NOTIFICATION OF DISCIPLINARY ACTION:

Jewel Music Venue, 61 Canal Street, Manchester, NH 03101.

Restaurant, Full Service With Lounge License #1152911 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:50 – Unlawful Purpose - It is alleged that on January 3, 2021, Jewel Music Venue, through the actions of its employee(s) and/or agent, did use, or allow to be used, its premises for a purpose contrary to law, to wit; did fail to develop and implement a process for seating customers so that customers that are not part of the same household are seated six feet apart from others, contrary to Governor's Emergency Order #52, Exhibit B, Covid-19 Reopening Guidance for Performing Arts Venues, Business Process Guidance, paragraph 4. This agreement resolves all alleged violations encompassed in Administrative Notice of Agency Action No. 6243, dated January 13, 2021 and Case No. 20-615-OF, including the alleged violations set forth in the Case Summary dated January 7, 2021, as modified through January 13, 2021. It is not nor shall it be construed as an admission of guilt, fault or liability by the Licensee as to such alleged violations, all of which the Licensee denies. The Commission agrees that it shall not hereafter take any agency action or enforcement action based, in whole or in part, on any of the violations set out in the said Case Summary alleged to have occurred prior to January 3, 2021 nor use or refer to such alleged violations in any administrative action or proceeding for another alleged violation.

1. Effective January 3, 2021 the hours of sale will be restricted for a period of 90 days. The hours of sale will be reviewed by the Division of Enforcement, with input from the Division of Public Health Services through the Attorney General's Office, and the Manchester Police Department in 30, 60, and 90-day increments. The hours of sale will be as follows:
 - a. Effective January 3, 2021, for a period of 30 days the licensee may sell beverages or liquor from 6:00am-11:30p.m., 7 days a week.
 - b. Upon satisfactory review of the first 30-day increment, the licensee may sell beverages or liquor from 6:00am-12:00a.m., 7 days a week.
 - c. Upon satisfactory review of the previous 60-day increment, the licensee may sell beverages or liquor from 6:00am-12:30am., 7 days a week
 - d. Upon satisfactory review of the 90-day increment, the licensee may sell beverages or liquor as outlined by RSA 179:17 Hours of Sale.
2. All beverages and liquor served on the premises of on-premises licensees shall be consumed no later than 30 minutes after expiration of the serving hour.
3. Upon satisfactory review the by the Division of Enforcement, Attorney General's Office, and Manchester Police Department the hours of sale shall return to those dictated by RSA 179:17 Hours of Sale.
4. All beverages and liquor served on the premises shall be consumed no later than 30 minutes after the expiration of the serving hour.
5. The licensee shall comply with all the mandatory provisions and will exercise its best efforts to comply with all voluntary recommendations of Emergency Order #52 – Exhibit B as it pertains to the Performing Arts Venues guidelines and all applicable Emergency Orders as issued by Governor Christopher Sununu.
6. The licensee shall remain in compliance with all provisions of RSA 179:50 Unlawful Purpose.
7. The licensee shall remain in compliance with the attached business plan as proposed by the licensee.
8. Upon an unsatisfactory review that demonstrates the licensee is not in compliance with Emergency Order #52- Exhibit B – Performing Arts Venue Guidelines and/or any other applicable Emergency Orders; or is in violation of this order, the hours of sale and service of beverages and liquor will be reduced to 9:00p.m. immediately throughout the entire premises upon written notification from the Division, and will remain in effect until such case is adjudicated.

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

- a. American Legion Post 32, 85 Lincoln Street, Exeter, NH 03833.
Veterans Club License #24639 pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a financial statement by the 15th of the following month for the months of November and December, 2020.
Date of violation: January 15, 2021.
Case #: 21-35-OF.
\$100 administrative fine paid.
- b. Cigar & Smoke Shop, 2420 NH Route 16, Side Bldg., West Ossipee, NH 03890.
Retail Tobacco License #147117 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 and untaxed tobacco products.
Date of violation: January 13, 2021.
Case #: 21-20-OF.
\$250 administrative fine paid.
- c. VFW 808, 150 Charlestown Road, Claremont, NH 03743.
Veterans Club License #153399 pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial statements by the 15th November and December, 2020.
Date of violation: January 15, 2021.
Case #: 21-34-OF.
\$200 administrative fine paid.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Al Ports, Inc. DBA The City Express, 78 Bridge Street, Portsmouth, NH 03801.
To be issued Beer Specialty License #4001907 pursuant to RSA 178:19-d.
30-Day Temporary License issued 1/25/2021.
- b. Budget Auto Service LLC, 6 Nashua Road, Londonderry, NH 03053.
To be issued Retail Tobacco License #157017 pursuant to RSA 178:19-a.
30-Day Temporary License issued 1/26/2021.
- c. Burrito Loco LLC, 3 Kershaw Avenue, Hampton, NH 03842.
3 Kershaw Avenue, Hampton, NH 03842.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1599003 pursuant to RSA 178:21.
30-Day Temporary License issued 1/20/2021.
- d. Energy North, Inc. DBA Gilford ENI #2228, 63 Gilford East Drive, Gilford, NH 03249.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3401247 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/22/2021.
- e. O'Keefe, Vikki DBA House of Billiards, 1 Lafayette Road, Hampton Falls, NH 03844.
To be issued Sports Recreation Facility License #6023005 pursuant to RSA 178:22, V(u)(1).
30-Day Temporary License issued 1/26/2021.
- f. Shaan & Harwin LLC DBA Jake's 5 Star Convenience, 65 Roxbury Street, Keene, NH 03431.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3400947 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/25/2021.

- g. SV Port, Inc. DBA The City Tobacco & Beverage Center #6, 806 US Route 1, Portsmouth, NH 03801.
To be issued Beer Specialty License #4001807 pursuant to RSA 178:19-d.
30-Day Temporary License issued 1/25/2021.
- h. Taco Time LLC DBA Taco Time Cocina & Cantina, 11 Wilton Road, Milford, NH 03055.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1615003
pursuant to RSA 178:21.
30-Day Temporary License issued 1/25/2021.
- i. Venue Vapors LLC, 297 Derry Road, Hudson, NH 0305.
To be issued Retail Tobacco License #157117 pursuant to RSA 178:19-a.
30-Day Temporary License issued 1/27/2021.
- j. Victoria's Inn & Pavilion LLC DBA Victoria's Kitchen,
725 Lafayette Road, Unit #16, Hampton, NH 03842.
To be issued Retail Wine License #3166846 pursuant to RSA 178:19.
30-Day Temporary License issued 1/26/2021.

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 29, 2021: 1,308

- a. Amici Cellars, Inc., 3130 Old Lawley Toll Road, Calistoga, CA 94515.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Brown-Forman Distillery Inc. DBA Brown-Forman Distillery, 2921 Dixie Highway, Louisville, KY 40216
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- c. Brown-Forman Distillery Inc. DBA Old Forester Distilling Co, 117 West Main Street, Louisville, KY 40202
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- d. Brown-Forman Distillery Inc. DBA Woodford Reserve Distillers Co,
7855 McCracken Pike, Versailles, KY 40383
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- e. Paradise Ridge Winery, 4545 Thomas Lake Harris Drive, Santa Rosa, CA 95403
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. Always Fresh, 45 Main Street, Keene, NH 03531.
Restaurant, On-Premises, Beverage & Wine License # 1502903 pursuant to RSA 178:20.
Requested to transfer business location, to wit, to transfer the business location from 45 Main Street, Keene, NH 03531 license to 44 Central Square, Keene, NH 03531 pursuant to RSA 178:29, VIII.
- b. Hanna’s Diner, 83 Henniker Street, Hillsborough, NH 03244.
Restaurant, On-Premises, Beverage & Wine License #1617603 pursuant to RSA 178:20.
Requested to upgrade the license to include liquor without being open during the dinner hour.
- c. Loon Mountain Ski Area, Octogon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage & Wine License #404103 pursuant to RSA 178:20.
Requested approval for extension of service, to wit, an outside area from 1/23/2021 through 4/18/2021 pursuant to RSA 178:24/Liq. 404.05.
- d. T-Bars Restaurant at Waterville, 220 Ski Area Road, Waterville Valley, NH 03215.
Sports Recreation Facility License # 6013605 pursuant to RSA 178:22, V(u)(1).
Requested approval for authorization of other area, to wit, six private rooms. The capacity of the rooms are as follows: Room 1 (20 max), Room 2 (12 max), Room 3 (8 max), Room 4 (8 max), Room 5 (5max), Room 6 (5 max), pursuant to RSA 178:24/Liq. 404.05.
- e. Village Trestle, 25 Main Street, Goffstown, NH 03045.
Restaurant, On-Premises, Beverage/Wine/Liquor License # 1455303 pursuant to RSA 178:21.
Requested approval for authorization of other area, to wit, an increased outside area, increasing the capacity from 20 to 36 pursuant to RSA 178:24/Liq. 404.05.
- f. White Mountain Tavern, 527 US-3, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage/Wine/Liquor License # 1611103 pursuant to RSA 178:21.
Requested approval for authorization of other area, to wit, the main dining room with a capacity of 60 pursuant to RSA 178:24/Liq. 404.05.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Anheuser-Busch, One Busch Place, St. Louis MO 63118
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Requests approval of Devil’s Backbone Orange Smash with an alcohol content of 7.5% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1 LXIV-aaa; sample provided.

- b. Two Roads Brewing Company, 1700 Stratford Avenue, Stratford, CT 06615
Beverage Vendor License #76031 licensed pursuant to RSA 178:15
Requests approval of Daybreaker Vodka Cocktail Blood Orange, Daybreaker Vodka Cocktail Cran-Lime and Daybreaker Vodka Cocktail Meyer Lemonade, each with an alcohol content of 7% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1 LXIV-aaa; samples provided.
- c. Young's General Store LLC, 2792 North Main Street, Pittsburg, NH 03592.
Agency Store, Off-Premises, Liquor Only License #980504 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 2/1/2021 to 1/31/2022 pursuant to RSA 177:9.
Chief Mark Armaganian contacted the licensee and they require no assistance at this time.

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