

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 4, 2021

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD FEBRUARY 25, 2021.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF FEBRUARY 25, 2021; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
2. **SCHEDULED HEARINGS AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

March 24, 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. 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.
THE DOE FILED AN ASSENTED-TO MOTION TO CONTINUE HEARING ON MARCH 1, 2021; MOTION WAS GRANTED.

3. **NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Alibi Lounge, 137 Wilson Street, Manchester, NH 03103.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1582703 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:21, II(a)(1) – failed to meet the food/alcohol ratio of 50% for food sales less than \$75,000.
Date of violation: January 27, 2021.
Case #: 21-92-OF.
The licensee shall remain in compliance with all provisions of RSA 178:21 – On-Premises Beverage and Liquor Licenses.
COMMISSION ACKNOWLEDGED.

- b. Dinner Table Restaurant (The), 121 Old Homestead Highway, Swanzey, NH 03446.
Caterer, Off-Site License #1295634 licensed pursuant to RSA 178:22, V(e).
Cited for violation of RSA 178:22 - served liquor and beverages to members of the general public while only licensed to serve and sell liquor or beverages to members of a private party.
Cited for violation of RSA 179:32 - purchased supplies of liquor and wine from other than the Commission or as provided by law.
Cited for violation of RSA 179:52 – failed to post the liquor license in a conspicuous place on the premises.
Cited for violation of RSA 179:18 – failed to post age requirement sign.
Dates of violations: January 19 & February 3, 11 - 14, 2021.
Case #: 21-101-OF.
The license shall be suspended for fourteen (14) days commencing February 16, 2021 and re-granted on March 2, 2021.
The licensee shall remain in compliance with RSA 178:22 On-Premise Cocktail Lounge – Off-Site Catering License at all approved off-site catering locations to include but not limited to:
- The liquor license shall be posted in a conspicuous place on the licensed premise during all catering events;
 - An age poster shall be posted in a conspicuous place on the licensed premise during all catering events;
 - In accordance with RSA 178:22, V(e)(4)(A), the holder of a caterers off-site license shall ensure, at every function, that all state laws are complied with and that any entertainment provided shall be approved by the Commission; and
 - The licensee shall ensure all beverages and liquor sold at any function are being sold to members of a private party.
- The licensee agrees to terminate all scheduled events at the location of Wonder Casino, 172 Emerald Street, Keene NH as it is no longer an approved location for an off-site catering event.

COMMISSION ACKNOWLEDGED.

- c. Whiskey's 20, 20 Old Granite Street, Manchester, NH 03101.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1516403 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:50- Unlawful Purpose.
Cited for violation of Liq. 603.05 – failed to comply with the requirements of a Commission Order issued on January 14, 2021.
Dates of violations: January 23, 2021 & January 30, 2021.
Case # 21-65-OF.
LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE ON FEBRUARY 23, 2021.
An administrative fine of \$2,000 suspended for twelve (12) months pending no like violation of RSA 179:50 – Unlawful Purpose and Liq. 603.05 – Violation of a Commission Order; the license to sell alcohol shall be suspended for thirty (30) days effective February 1, 2021 and re-granted on March 2, 2021; upon completion of the 30-day suspension, the hours of sale will be implemented as outlined in a the settlement agreement signed on January 14, 2021 which shall remain in effect; and this agreement is an acknowledgement that the licensee was in violation of the Commission Order signed and implemented on January 14, 2021.

COMMISSION ACKNOWLEDGED.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Circle Mobil LLC, 2 South Main Street, Derry, NH 03038.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3398347 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 3/1/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- b. Crystal Ave Pizza LLC DBA Mickey's NY Pizza, 9 Crystal Avenue, Derry, NH 03038.
To be issued Restaurant, On-Premises, Beverage & Wine License #1613303 pursuant to RSA 178:20.
30-Day Temporary License issued 3/1/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. EAD Entertainment LLC DBA Muse Paintbar, 42 Hanover Street, Manchester, NH 03101.
To be issued Restaurant, On-Premises, Beverage & Wine License #1605403 pursuant to RSA 178:20.
30-Day Temporary License issued 2/24/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Gasana, Shafike DBA Ikaze Supermarket, 374 Loudon Road, Concord, NH 03301.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3402947 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 2/24/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Running Rivers Property Management, Inc. DBA Lost River Valley Campground, 951 Lost River Road, North Woodstock, NH 03262.
To be issued Combination License #3403247 pursuant to RSA 178:18.
30-Day Temporary License issued 2/25/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Tipico Hondureno Bar and Grill LLC, 9 Canal Street, Nashua, NH 03064.
To be issued Restaurant, On-Premises, Beverage & Wine License #1616903 pursuant to RSA 178:20.
30-Day Temporary License issued 3/1/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Toppling Goliath, Inc. DBA Toppling Goliath Brewing Company, 1600 Prosperity Road, Decorah, IA 52101.
To be issued Beverage Vendor License #108731 pursuant to RSA 178:15.
Manufacturer: Toppling Goliath Brewing Company.
30-Day Temporary License issued 3/1/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Valhalla Farms LLC, 244 Clark Hill Road, New Boston, NH 03070.
To be issued Wine Manufacturer License #569230 pursuant to RSA 178:8.
30-Day Temporary License issued 3/2/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

Utopia Lounge, 148 Plaistow Road, Plaistow, NH 03865.
Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #40526 was issued for ninety (90) days pursuant to RSA 178:20-a/RSA 178:9-a effective December 8, 2020 through March 8, 2021.
Audits conducted on January 11, 2021, February 4, 2021 and March 1, 2021 revealed that the licensee is meeting only 28% of the required 60% of the quarterly gross revenue for cigar related products, pursuant to RSA 178:20-a; in addition to failing to meet license requirements, there is pending administrative action for violations of RSA 179:44 – Free Drinks and RSA 179:51 – Lighting and Conduct Requirements for On-Premises Licensees.

Recommendation for denial of a permanent license.

DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE RECOMMENDATION FOR DENIAL; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING FEBRUARY 26, 2021: 1,308

- a. Aileron Ranch, Inc., 3125 Saint Helena Highway North, Saint Helena, CA 94574.
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. Dreyer Wine LLC, 9119 Graton Road, Suite O, Graton, CA 95444.
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.
- c. Estcru LLC, 1160B Hopper Avenue, Santa Rosa, CA 95403.
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:

None

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:

Allenstown, NH;
Antrim, NH;
Bennington, NH;
Chichester, NH;
Concord, NH;
Dover, NH;
Durham, NH;
Epsom, NH;
Farmington, NH;
Hillsboro, NH;

Laconia, NH;
Merrimack, NH;
Pembroke, NH;
Salem, NH;
Wakefield, NH;
Washington, NH; and
Wolfeboro, NH.

COMMISSION ACKNOWLEDGED.

15. NOTIFICATION OF COMPLIANCE CHECKS:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Spider-bite, Inc. DBA Manchester Adult Lifestyles, 179 Elm Street, Manchester, NH 03101.
Relative to pending license application for Retail Tobacco License #150917 pursuant to RSA 178:19-a.
A Felon Exception for Jon J. Thomas as Licensee was denied pursuant to RSA 178:3.
Case #: 20-357-OF.
Denied on: February 24, 2021.

COMMISSION ACKNOWLEDGED.