

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MAY 13, 2021

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD MAY 6, 2021.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF MAY 6, 2021; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
2. **SCHEDULED HEARINGS AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

None
3. **NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:**

None
4. **RECOMMENDATION FOR NON-CONTESTED ADMINISTRATIVE ACTION FOR COMMISSION APPROVAL:**
 - a. Doogie's, 37 Manchester Street, Manchester, NH 03101.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1451403 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: February 17, 2021.
Case #: 21-188-OF.
\$100 administrative fine.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
 - b. EZ Mart Foods of NH, 78 Elm Street, Milford, NH 03055.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3369447 licensed pursuant to RSA 178:18/RSA 126-K:4.
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: March 20, 2021.
Case #: 21-173-OF.
\$250 administrative fine.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
 - c. Free Spirits Mobile Bar, 95B Plaistow Road, Unit #203, Plaistow, NH 03865.
Restaurant, Full Service With Lounge License #1294834 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 178:22, V(e)(2) – failed to notify the Commission at least ten (10) days prior to an event.
Cited for violation of RSA 178:22, V – hosted a catered event with alcohol service/sales on a private property.
Date of violations: April 29, 2021.
Case #: 20-381-OF.
Warnings.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
 - d. Original Cigar & Bar (The), 3425 White Mountain Highway, North Conway, NH 03860.
Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #403206 licensed pursuant to RSA 178:20-a/RSA 178:9-a.
Cited for violation of RSA 178:20-a, II(a) – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products.

Date of violation: April 30, 2021.

Case #: 21-251-OF.

Warning.

DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- e. Smoke and Flame Hookah Lounge, 10 Bridge Street, Unit #5, Pelham, NH 03076.
Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #404806 licensed pursuant to RSA 178:20-a/RSA 178:9-a.

Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.

Date of violation: April 30, 2021.

Case #: 21-248-OF.

Warning.

DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- f. Suppas 603 Restaurant, 368 Central Avenue, Dover, NH 03820.
Restaurant, Full Service With Lounge License #1598403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in an area not approved by the Commission.

Date of violation: April 11, 2021.

Case #: 21-212-OF.

\$250 administrative fine.

DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Chipotle Mexican Grill of Colorado LLC DBA Chipotle Mexican Grill,
71 Rockingham Park Blvd., Salem, NH 03079.
To be issued Restaurant, On-Premises, Beverage & Wine License #1616503 pursuant to RSA 178:20.
30-Day Temporary License issued 5/11/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. HBC Gaming LLC DBA Aces & Eights Casino, 169 Ocean Blvd., Hampton, NH 03842.
To be issued Seasonal Restaurant, Full Service With Lounge License #1621303 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
30-Day Temporary License issued 5/5/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Labelle Winery LLC DBA Labelle Winery Americus and
Alejandro Cesar Event LLC DBA The Links at Labelle Winery,
14 Route 111, Derry, NH 03038.
To be issued Wine Manufacturer License #569030/On-Premises, Cocktail/Sports Recreation Facility License #6022905 pursuant to RSA 178:8/RSA 178:22.
90-Day Temporary License issued 5/5/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Legends Music LLC, 72 Meadowbrook Lane, Gilford, NH 03249.
To be issued Seasonal Caterer, On-Site License #1280226 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 5/10/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- e. Mola Foods, Inc. DBA Jals Cuisine Bantu, 9 Simon Street, Suite #103, Nashua, NH 03060.
To be issued Retail Wine License #3167146 pursuant to RSA 178:19.
30-Day Temporary License issued 5/10/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Momma Bear Corner Store LLC, 1004 Bearcamp Highway, South Tamworth, NH 03883.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3396647 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 5/10/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Poulin, Richard DBA Middle Earth, 95 Main Street, Berlin, NH 03570.
To be issued Retail Tobacco License #158317 pursuant to RSA 178:19-a.
30-Day Temporary License issued 5/6/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Radical Moments LLC DBA Wicked Hahd Seltzah, 110 Lindon Road, Hampton Falls, NH 03843.
To be issued Beverage Vendor License #108031 pursuant to RSA 178:15.
Manufacturer: Wyndridge Farm.
30-Day Temporary License issued 5/10/2021.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Wayfarer Coffee Roasters LLC, 626 Main Street, Laconia, NH 03246.
To be issued Combination License #3404647 pursuant to RSA 178:18.
30-Day Temporary License issued 5/5/2021.
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 MAY 7, 2021: 1,346

Turtle Rock Vineyards, 2800 Willow Creek Road, Paso Robles, CA 93446.
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:

- a. Coffin Cellars Winery, 1224 Battle Street, Webster, NH 03303.
Wine Manufacturer License #562930 licensed pursuant to RSA 178:8.
Requested approval for authorization of other area for retail sales only at farmers' market, to wit, Henniker Farmers' Market, Community Park, 57 Main Street, Henniker, NH 03242 on Thursdays between 4:00 p.m. and 7:00 p.m. from June 1, 2021 through October 31, 2021 pursuant to RSA 178:24/RSA 179:44, II-a.
COMMISSION ACKNOWLEDGED.

- b. Eagle Mountain House LLC DBA Eagle Mountain House and Golf Club, 179 Carter Notch Road, Jackson, NH 03846. Hotel, Full Service With Lounge License #368402 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k). Requested approval for an outside area, to wit, an outside area with a capacity of 210 from May 1, 2021 through November 1, 2021 pursuant to RSA 178:24/Liq. 404.05. **COMMISSION ACKNOWLEDGED.**

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:

MPL Brands NV, Inc. 506 Columbia Street, Hood River, OR 97031, Beverage Vendor License #103231 licensed pursuant to RSA 178:15. Requests approval of Sunpop Peach Frozen Cocktail, Sunpop Strawberry Frozen Cocktail and Sunpop Tropical Frozen Cocktail, each with an alcohol content of 6% at 60 degrees Fahrenheit by volume.

Recommendation for denial of these products pursuant to RSA 175:1, VIII, RSA 179:22, RSA 179:31, VII(b) and Liq. 506.09 due to:

- **packaging or labeling used could result in confusion regarding whether the product is an alcoholic beverage**
- **packaging or label features illustrations, subject matter or has other attributes that are consistent with products marketed toward children or youths**
- **packaging or label does not indicate in a manner that is sufficiently clear that the product contains alcohol**
- **samples provided**

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

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

Allenstown, NH;
Chichester, NH;
Concord, NH;
Epsom, NH;
Hampton, NH;
Hudson, NH;
Lincoln, NH;
Manchester, NH;
Nashua, NH;
Pembroke, NH;
Seabrook, NH; and
Wakefield, NH.

15. **RECOMMENDATION FOR ADMINISTRATIVE ACTION ON COMPLIANCE CHECKS FOR COMMISSION APPROVAL:**

ALCOHOL COMPLIANCE CHECKS –

Hillsboro, Antrim, Bennington & Washington, NH:

- a. Sampan Restaurant, 356 West Main Street, Hillsboro, NH 03244.
Restaurant, Full Service With Lounge License #1511503 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 a minor during a compliance check.
Date of violation: April 18, 2021.
Case #: 21-215-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Washington General Store, 29 North Main Street, Washington, NH 03280.
Restaurant, On-Premises, Beverage & Wine License #1528803 licensed pursuant to RSA 178:20.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: April 18, 2021.
Case #: 21-215-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

Laconia, NH:

- a. Brick Front Restaurant & Lounge, 134 Church Street, Laconia, NH 03246.
Restaurant, Full Service With Lounge License #1029703 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 a minor during a compliance check.
Date of violation: March 21, 2021.
Case #: 21-163-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Case N Keg Laconia, 855 Union Avenue, Laconia, NH 03246.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3234347 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 21, 2021.
Case #: 21-163-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.

DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- c. Laconia Oasis, 142 South Main Street, Laconia, NH 03246.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3256247 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 21, 2021.
Case #: 21-163-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. On The Budget, 280 Court Street, Laconia, NH 03246.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3356147 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 21, 2021.
Case #: 21-163-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. T-Bones & Cactus Jacks of Laconia, 1182 Union Avenue, Laconia, NH 03246.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1331703 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 21, 2021.
Case #: 21-163-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within ninety (90) days from the date of the violation.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Southeast New Hampshire Habitat For Humanity, 1 Middle Street, Suite #200, Portsmouth, NH 03801.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #614541 pursuant to RSA 178:22, V(l).
Event date: June 10, 2021 from 7:00 p.m. - 8:00 p.m.
COMMISSION ACKNOWLEDGED.