AGENDA OF THE NHLC DIVISION OF ENFORCEMENT & LICENSING MEETING FOR THURSDAY, SEPTEMBER 16, 2021

- 1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 9, 2021.
- 2. SCHEDULED HEARING 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. Central Ale House, 23 Central Street, Manchester, NH 03101.

Restaurant, Full Service With Lounge License #1567203 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:17 – allowed the sale or consumption of alcoholic beverage on the premises after expiration of the serving hour.

Date of violation: 8/28/2021.

Case #: 21-433-OF. \$250 administrative fine.

b. Designed Gardens Flower Studio, 2757 White Mountain Highway, North Conway, NH 03860. Retail Wine License #3166446 licensed pursuant to RSA 178:19.

Cited for violation of RSA 178:2, II/Liq. 603.01(c) - failed to attend a required training program within 45 days of licensure.

Date of violation: May 29, 2021.

Case #: 21-323-OF. \$100 administrative fine.

c. Portsmouth Harbor Café, 23 Portwalk Place, Portsmouth, NH 03801.

Restaurant, Full Service With Lounge License #1483703 licensed pursuant to

RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 178:22, II(a)(1) – failed to meet the food/alcohol ratio of 50% for food sales less than \$75,000.

Date of violation: June 11, 2021.

Case #: 21-359-OF. \$100 administrative fine.

d. Raja's Smoke Shack, 51B Plaistow Road, Plaistow, NH 03865.

Retail Tobacco License #146417 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: 8/26/2021.

Case #: 21-450-OF. \$250 administrative fine.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. Endres Brothers LLC DBA Bird Dog Cider Co., 150 Bayside Road, Greenland, NH 03840.
 To be issued Wine Manufacturer Only License #569630 pursuant to RSA 178:8.
 30-Day Temporary License issued 9/13/2021.

- Frogg Brewing LLC, 108 Main Street, Marlborough, NH 03455.
 To be issued Caterer, Off-Site License #1298834 pursuant to RSA 178:22, V(e).
 30-Day Temporary License issued 9/13/2021.
- Mami's Restaurant, Inc., 585 Union Avenue, Laconia, NH 03246.
 To be issued Restaurant, On-Premises, Beverage & Wine License #1627203 pursuant to RSA 178:20.
 30-Day Temporary License issued 9/13/2021.
- d. GD Group LLC DBA Romano's Pizza of Derry, 35 Manchester Road, Derry, NH 03038.
 To be issued Restaurant, On-Premises, Beverage & Wine License #1605803 pursuant to RSA 178:20.

 30-Day Temporary License issued 9/13/2021.
- e. Oakcraft Pizza, Inc., 2 Cellu Drive, Nashua, NH 03063.

 To be issued Restaurant, On-Premises, Beverage & Wine License #1631103 pursuant to RSA 178:20.

 30-Day Temporary License issued 9/13/2021.
- f. Star Convenience Store LLC DBA Maple Valley Convenience,
 245 Maple Street, Manchester, NH 03103.
 To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3409747
 pursuant to RSA 178:18/RSA 126-K:4.
 30-Day Temporary License issued 9/14/2021.
- g. Troy Market LLC DBA Troy Deli & Marketplace, 33 Central Square, Troy, NH 03465. To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3409647 pursuant to RSA 178:18/RSA 126-K:4. 30-Day Temporary License issued 9/13/2021.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7.

DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING SEPTEMBER 10, 2021: 1,358

- Abundancia Vineyards LLC, 40652 Southwest Withycombe Road, Gaston, OR 97119.
 Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)
- Dancin Vineyards LLC, 4477 South Stage Road, Medford, OR 97501.
 To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)
- The Grain & The Vine LLC DBA Grain & Vine, 190 Union Avenue, Brooklyn, NY 11211.
 To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
 (Retailer)
- d. Grounded Wine Project LLC DBA Grounded Wine Company,
 7525 Orcutt Road, San Luis Obispo, CA 93401.
 To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
 (Retailer)

- e. Maxem Wines LLC, 335 West Lane, Angwin, CA 94508.

 To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.

 (Winery)
- f. Nashoba Valley Spirits Ltd. DBA Nashoba Valley Winery,
 100 Wattaquadock Hill Road, Bolton, MA 01740.
 To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)
- g. Shankar Distillers LLC, 300 Enterprise Court, Bloomfield, MI 48302. To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27. (Retailer)
- h. Simon Family Wines LLC DBA Simon Family Estate, 620 Trancas Street, Napa, CA 94558. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)
- Taylored Wine LLC DBA KT Winery, 5055 Solano Avenue, Napa, CA 94558.
 To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)
- j. Wines for Humanity LLC, 1801 Howard Street, Elk Grove Village, IL 60007.
 To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
 (Retailer)

8. <u>DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:</u>

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Anheuser-Busch, 221 DW Highway, Merrimack, NH 03054.
 Caterer, On-Site License #1280926 licensed pursuant to RSA 178:22, V(e).
 Requested approval for authorization of other area, to wit, an outside walkway area for Great American Concert on 9/18/2021 and Oktoberfest on 10/16/2021 pursuant to RSA 178:24/Lig. 404.05.
- Arlington Inn and Tavern (The), 71 Main Street, Winchester, NH 03470.
 Restaurant, On-Premises, Beverage/Wine/Liquor License #1588203 licensed pursuant to RSA 178:21.
 Requested approval for extension of service, to wit, to extend service on 9/5/2021 pursuant to RSA 178:24/Liq. 404.05.
- c. Cathedral Ledge Distillery, 3340 White Mountain Highway, North Conway, NH 03860. Liquor Manufacturer License #289219 licensed pursuant to RSA 178:6. Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, Mount Washington Valley Farmers' Market, 78 Norcross Circle, North Conway, NH on Tuesdays between 3:00 p.m. and 6:00 p.m. from 9/28/2021 through 10/5/2021 pursuant to RSA 178:24/RSA 179:44, II-a.
- d. Cliffy's Pub, 630 Park Avenue, Keene, NH 03431.
 Restaurant, On-Premises, Beverage/Wine/Liquor License #1629703 licensed pursuant to RSA 178:21.
 Requested approval for extension of service, to wit, to extend service to an outside area with a capacity of 40 pursuant to RSA 178:24/Liq. 404.05.

- e. 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 areas for retail sales at farmers' market, to wit, Warner Fall Foliage Festival, 5 East Main Street, Warner, NH from 7:00 a.m. to 5 p.m., 10/9 & 10/2021 pursuant to RSA 178:24/RSA 179:44, II-a.
- f. Kitchen Warner (The), 15 East Main Street, Warner, NH 03303.
 Restaurant, On-Premises, Beverage & Wine License #1591403 licensed pursuant to RSA 178:20.
 Requested approval to transfer license to other location, to wit, to transfer the license from 46 Main Street, Andover, NH 03216 pursuant to RSA 178:25.
- g. Morrissey's Front Porch, 286 South Main Street, Wolfeboro, NH 03894. Restaurant, On-Premises, Beverage/Wine/Liquor License #1241303 licensed pursuant to RSA 178:21. Requested approval for extension of service, to wit, to extend service to The Wright Museum on 9/10/2021 pursuant to RSA 178:24/Liq. 404.05.
- h. Pine State Trading Co., 1050 Holt Avenue, Manchester, NH 03104.
 Liquor & Wine Vendor License #979445 licensed pursuant to RSA 178:9
 Requested approval to transfer license to other location, to wit, to transfer the license to 250 Commercial Street, Suite #4006, Manchester, NH pursuant to RSA 178:25.
- i. Polish American Club, 15 School Street, Nashua, NH 03060.
 Social Club License #8401 licensed pursuant to RSA 178:22, V(h).
 Requested approval to transfer license to other location, to wit, to transfer the license to American Legion, 43 Baboosic Lake Road, Merrimack, NH on 9/11/2021 pursuant to RSA 178:25.
- j. Winenot Boutique, 221 Main Street, Nashua, NH 03060.
 Combination License #3340647 licensed pursuant to RSA 178:18.
 Requested approval to transfer license to other location, to wit, to transfer the license to 25 Main Street, Nashua, NH pursuant to RSA 178:25.
- k. Woodbound Inn, 247 Woodbound Road, Rindge, NH 03461.
 Hotel License #369302 licensed pursuant to RSA 178:24, II(b)(1).
 Requested approval for authorization of other areas, to wit, an outside, side street patio with a capacity of 35 and a patio and bar area with a capacity of 35 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. Contoocook Cider Company LLC, 656 Gould Hill Road, Hopkinton, NH 03229.
 Beverage Manufacturer License #295618 licensed pursuant to RSA 178:12.
 Requests approval of Crispy Crab Hard Cider and Wild Thing Hard Cider with alcohol contents of 11% and 9% at 60 degrees Fahrenheit by volume respectively pursuant to RSA 175:1, VIII, LXIV-aa and RSA 178:12, XIII; no samples provided.

- b. Contoocook Cider Company LLC, 656 Gould Hill Road, Hopkinton, NH 03229.
 Beverage Manufacturer License #295618 licensed pursuant to RSA 178:12.
 Requests approval of Kerry Perry Hard Cider and Redfield Hard Cider, each with alcohol content of 6.3% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; no samples provided.
- c. LTC Michael Horkay, 15 Ascot Court, Bedford, NH 03110. Requests Transport License #132 effective 9/27/2021 to 10/26/2021 issued to a military serviceman who wishes to import alcohol comprised of 1,863 bottles to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175.6; see attached inventory.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

a. Garrison City Beerworks LLC, 455 Central Avenue, Dover, NH 03820.
 Nano Brewery, Beer and/or Specialty Beer License #202022 licensed pursuant to RSA 178:12-a.
 Requests Juice Box Hero Double IPA with Cara Cara Oranges with an alcohol content of 8% at 60 degrees Fahrenheit by volume.

Recommendation for denial: packaging/label features illustrations, subject matter and has other attributes that are consistent with products marketed toward children or youths; no sample provided.

Lineage Vapors, 60 Main Street, Nashua, NH 03060.
 Request for a felon waiver for Kyle Ezzio as a Corporate Officer.
 Recommendation for denial pursuant to RSA 178:4.
 Case #: 21-185-OF.

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

None

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

None

16. <u>ADMINISTRATIVE HEARING DECISION PENDING:</u>

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- Able Ebenezer Brewing Company, 31 Columbia Circle, Merrimack, NH 03054.
 Issued Direct To Consumer Shipper Permit #1350 in conjunction with Nano Brewer License #201822 pursuant to RSA 178:12-a.
- b. Androscoggin Valley Chamber of Commerce, 961 Main Street, Berlin, NH 03570. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #625841 and #625941 for 9/11/2021 and 10/16/2021 respectively pursuant to RSA 178:22, V(I).

- Claremont Kiwanis Charities, 14 North Street, Claremont, NH 03743.
 Issued Beer Festival License #4011414 for 9/18/2021 pursuant to RSA 178:30.
- d. Concord Hospital, 250 Pleasant Street, Concord, NH 03301.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #625441 for 9/12/2021 pursuant to RSA 178:22, V(I).
- Easterseals NH, 555 Auburn Street, Manchester, NH 03103.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor
 License #626541 at Pease International Airport for 9/10/2021 pursuant to RSA 178:22, V(I).
- f. Martha's Exchange, 185 Main Street, Nashua, NH 03060. Issued Direct to Consumer Shipper Permit #1450 in conjunction with Brew Pub License #2000815 pursuant to RSA 178:13.
- g. Music Hall (The), 28 Chestnut Street, Portsmouth, NH 03801.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #619941 for 9/25/2021 pursuant to RSA 178:22, V(I).
- h. NH Military Assistance Foundation, PO Box 146, Greenland, NH 03840. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #619341 at Pease Air National Guard Base for 9/11 & 12/2021 pursuant to RSA 178:22, V(I).
- i. North Conway Community Center at Mud Bowl, North Conway Community Center, 78 Norcross Circle, North Conway, NH 03860.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #621241 for 9/10 & 12/2021 pursuant to RSA 178:22, V(I).
- j. Rotary Club of Hampton, 190 King's Highway, A-8, Hampton, NH 03842.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor
 License #622541 at Hampton Beach State Park for 9/18/2021 pursuant to RSA 178:22, V(I).
- k. South Hampton Parent Teacher Association at South Hampton Town Hall,
 3 Hilldale Avenue, South Hampton, NH 03827.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor
 License #622741 for 10/2/2021 between 10:00 a.m. 4:00 p.m. pursuant to RSA 178:22, V(I).
- Strawbery Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #623441 for 9/11/2021 pursuant to RSA 178:22, V(I).