MINUTES OF THE NHLC DIVISION OF ENFORCEMENT & LICENSING MEETING FOR THURSDAY, SEPTEMBER 30, 2021

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD SEPTEMBER 23, 2021.

DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF SEPTEMBER 23, 2021; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

2. SCHEDULED HEARING AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:

Temptations Mexican Restaurant & Lounge, 60 West Hollis Street, Nashua, NH 03060. Restaurant, On-Premises, Beverage/Wine/Liquor License #1602903 licensed pursuant to RSA 178:21.

Cited for violation of RSA 179:5, I – served alcoholic beverage to an individual who was under the age of twenty-one.

Cited for violation of RSA 179:5, I - served 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 179:20, II – allowed an employee to consume alcoholic beverage while working.

Dates of violations: December 6 & 7, 2020.

Case #: 21-78-OF.

HEARING IS CANCELED PENDING SETTLEMENT.

October 27, 2021 at 12:30 p.m.

Heavens Food Mart, 381 Boynton Street, Bedford, NH 03110.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3275047 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 179:5, I – sold alcoholic beverage to an individual who was under the age of twenty-one during a compliance check.

Date of violation: May 6, 2021.

Case #: 21-240-OF.

THE DIVISION OF ENFORCEMENT REQUESTED CONTINANCE DUE TO A SCHEDULING CONFLICT; THE LICENSEE ASSENTED; THE MOTION WAS GRANTED ON 9/27/2021; HEARING HAS BEEN RESCHEDULED FOR 10/27/2021 AT 12:30 P.M.

3. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

Granite State Music Hall, 546 Main Street, Laconia, NH 03246.

Sports Recreation Facility License #6021405 licensed pursuant to RSA 178:22, V(u)(1).

Cited for violation of Liq. 603.06 – failed to comply with the requirements of a Commission order.

Date of violation: 5/15/2021.

Case #: 21-268-OF.

The violation will be placed on file without a finding for twelve (12) calendar months.

COMMISSION ACKNOWLEDGED.

4. RECOMMENDATION FOR NON-CONTESTED ADMINISTRATIVE ACTION FOR COMMISSION APPROVAL:

Contoocook Cider Company, 656 Gould Hill Road, Contoocook, NH 03229.

Beverage Manufacturer License #295618 licensed pursuant to RSA 178:12.

Cited for violation of RSA 178:12, XIII – failed to notify the Commission 30 days in advance of making a specialty cider.

Date of violation: 9/13/2021.

Case #: 21-470-OF.

Warning.

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

5. <u>LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:</u>

a. 809 Lounge & Mexican Grill, Inc. 43 West Hollis Street, Nashua, NH 03060.
 To be issued Restaurant, Full Service With Lounge License #1629903 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

30-Day Temporary License issued 9/24/2021.

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

b. Crazy Cat Winery LLC DBA Crazy Cat Café, 365 Lake Street #4, Bristol, NH 03222.

To be issued Restaurant, On-Premises, Beverage & Wine License #1631903 pursuant to RSA 178:20.

30-Day Temporary License issued 9/23/2021.

DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION: THE MOTION PASSED.

c. Demeine Estates LLC, 2080 Humboldt Street, Yountville, CA 94599.

To be issued Liquor & Wine Vendor License #137845 pursuant to RSA 178:9.

30-Day Temporary License issued 9/23/2021.

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

d. Dowds Country Inn LLC (The) DBA Dowd's Country Inn, 9 Main Street, Lyme, NH 03768.

To be issued Caterer, Off-Site License #1298934 pursuant to RSA 178:22, V(e).

30-Day Temporary License issued 9/24/2021.

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

e. Drakes Place LLC, 46 Main Street, Andover, NH 03216.

To be issued Restaurant, On-Premises, Beverage & Wine License #1628503 pursuant to RSA 178:20.

30-Day Temporary License issued 9/21/2021.

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

f. Quash Seltzer LLC, 20311 Sheridan Street, Fort Lauderdale, FL 33332.

To be issued Beverage Vendor License #112231 pursuant to RSA 178:15.

Manufacturer: Arizona Production & Packaging & Krier Foods, Inc.

30-Day Temporary License issued 9/22/2021.

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

g. Twin Mountain Campground LLC, 100 US Route #302, Twin Mountain, NH 03595.

To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #341017 pursuant to RSA 178:18/RSA 126-K:4.

30-Day Temporary License issued 9/22/2021.

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

6. <u>LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL</u>:

None

7. <u>DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL</u>:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING SEPTEMBER 24, 2021: 1,370

a. Foremost Sunset Corners, Inc., 8701 Southwest 72nd Street, Miami, FL 33173. To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27. (Retailer)

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

b. Suzanne LLC DBA Bella Oaks, 288 Zinfandel Lane, Saint Helena, CA 94574. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)

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

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

C.

9. NOTIFICATION OF APPROVED PETITIONS:

a. Big House LLC (The), 322 Lakeside Avenue, Laconia, NH 03246.
Ballroom License #361111 licensed pursuant to RSA 178:22, V(c).
Requested approval for extension of service, to wit, to extend service to a front sidewalk on 9/17/2021 between 5:00 p.m. – 1:00 a.m., 9/18/2021 between 7:00 a.m. – 1:00 a.m. and 9/18/2021 between 7:00 a.m. – 5:00 p.m. pursuant to RSA 178:24/Liq. 404.05.
COMMISSION ACKNOWLEDGED.

b. Capitol Center for the Arts, 44 South Main Street, Concord, NH 03301.

Performing Arts License #398008 licensed pursuant to RSA 178:22, V(m).

Requested approval for extension of service, to wit, to extend service to a walkway and bump out in front of the marquee on 9/25/2021 between 11:00 a.m. – 8:00 p.m. and 9/26/2021 between 11:00 a.m. – 4:00 p.m. pursuant to RSA 178:24/Lig. 404.05.

COMMISSION ACKNOWLEDGED.

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 only at farmers' market, to wit, Henniker Farmers' Market at 57 Main Street, Henniker, NH on 10/2/2021 between 10:00 a.m. and 3:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.

COMMISSION ACKNOWLEDGED.

d. Legends Music LLC, 82 Meadowbrook Lane, Gilford, NH 03249.
Caterer, On-Site License #1280226 licensed pursuant to RSA 178:22, V(e).
Requested approval for a temporary extension of service, to wit, to temporarily extend service to 2 small bars on the sides of the stage on 9/24/2021 between 9:00 p.m. – 11:00 p.m. pursuant to RSA 178:24/Liq. 404.05.

COMMISSION ACKNOWLEDGED.

e. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH 03246.
Restaurant, Full Service With Lounge License #1369903 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Requested approval for extension of service, to wit, to extend service to a front sidewalk on
9/17/21 between 5:00 p.m. – 1:00 a.m., 9/18/2021 between 7:00 a.m. – 1:00 a.m. and
9/19/2021 between 7:00 a.m. – 5:00 p.m. pursuant to RSA 178:24/Liq. 404.05.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

COMMISSION ACKNOWLEDGED.

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:

None

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

TOBACCO COMPLIANCE CHECKS -

Barrington, Durham & Lee, NH:

a. Qwik Stop Lee, 100 Calef Highway, Lee, NH 03861.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3390847 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check. Date of violation: 9/14/2021.

Case #: 21-468-OF.

Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

DEPUTY COMMISSIONER JORDAN MOVED THE APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION: THE MOTION PASSED.

b. Rusty Lantern, 48 Concord Street, Lee, NH 03861.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3361547 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check. Date of violation: 9/14/2021.

Case #: 21-468-OF.

Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

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

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Christ the King Parish, 72 South Main Street, Concord, NH 03301.
 Issued Off-Premise Special Auction License #14042 for 9/25/2021 pursuant to RSA 178:17.
 COMMISSION ACKNOWLEDGED.
- b. Contoocook Chamber of Commerce, PO Box #174, Contoocook, NH 03229. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #622141 and changed the event date from 9/9/2021 to 9/26/2021 due to inclement weather, pursuant to RSA 178:22, V(I). COMMISSION ACKNOWLEDGED.
- Easterseals NH, 555 Auburn Street, Manchester, NH 03103.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #626741 on 9/25/2021 pursuant to RSA 178:22, V(I).
 COMMISSION ACKNOWLEDGED.
- Kingston Volunteer Fire Association, 148 Main Street, Kingston, NH 03848.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #627541 at Kingston Plains, 163 Main Street, Kingston, NH on 9/25/2021 between 12:00 p.m. 4:00 p.m. pursuant to RSA 178:22, V(I).
 COMMISSION ACKNOWLEDGED.
- e. Leaf Charter School, 6 Baine Road, Alstead, NH 03602.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #627041 for 9/25/2021 pursuant to RSA 178:22, V(I).
 COMMISSION ACKNOWLEDGED.
- f. Manchester Police Athletic League for Foot Race For The Fallen, 409 Beech Street, Manchester, NH 03103.
 Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #627641 for 10/3/2021 pursuant to RSA 178:22, V(I).
 COMMISSION ACKNOWLEDGED.
- g. Schilling Beer Company, 18 Mill Street, Littleton, NH 03561.
 Issued Beer Festival License #4011314 for 16, 18 & 26 Mill Street, Littleton, NH on 9/25/2021 between 12:00 p.m. 10:00 p.m. pursuant to RSA 178:30.
 COMMISSION ACKNOWLEDGED.
- h. South East Land Trust at Burley Farms, 245 North River Road, Epping, NH 03042. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #626241 for 10/9/2021 pursuant to RSA 178:22, V(I). COMMISSION ACKNOWLEDGED.
- Tuckerman Brewing Co., 66 Hobbs Street, Conway, NH 03818.
 Issued Beer Festival License #4011614 for 10/3/2021 pursuant to RSA 178:30.
 COMMISSION ACKNOWLEDGED.