

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 14, 2021

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 7, 2021.**
2. **SCHEDULED HEARING AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

DATE TO BE DETERMINED: EMERGENCY HEARING

Cheers & Beers, 1055 Elm Street, Manchester, NH 03104.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1623603 licensed pursuant to RSA 178:21. Cited for violation of RSA 178:2, II/Liq. 603.01(c) - failed to attend a required training program within 45 days of licensure.

Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law – allowed patrons to smoke inside the establishment.

Cited for violation of RSA 179:51 – failed to maintain an orderly premise when an altercation lead to a patron being shot inside the establishment.

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

Cited for violation of RSA 179:27 – allowed patrons to self-serve alcohol beverages.

Date of violations: September 25, 2021.

Case #: 21-513-OF.

CHIEF MARK ARMAGANIAN REPORTED THAT THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE ON OCTOBER 7, 2021; NEW HEARING DATE TO BE DETERMINED.

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:**

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 visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume liquor or alcoholic beverage on the premises.

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

Date of violations: December 6 & 7, 2020.

Case #: 21-78-OF.

For violation of RSA 179:5, I relative to over-service, an administrative fine of \$500 with \$400 suspended for twelve (12) months pending no like violation, 4 points shall be assessed to and remain on the liquor license for twelve (12) calendar months commencing the date of adjudication, the license to serve, consume or possess alcohol shall be suspended for three (3) days to be served concurrently with the suspension referenced below and Feliza Martinez shall complete a Management Training Seminar (MTS) online within

thirty (30) days from the date of the fully executed agreement; for violation of RSA 179:5, I relative to service to a minor, an administrative fine of \$500 due five (5) business days from the date the licensee receives the fully executed agreement, 4 points shall be assessed to and remain on the liquor license for twelve (12) calendar months commencing the date of adjudication, the license to serve, consume or possess alcohol shall be suspended for three (3) days commencing October 17, 2021 and re-granted on October 20, 2021 and servers identified as Sandra Martinez, Feliza Martinez, Norma Lopez and Diana Charon shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the fully executed agreement; for violation of RSA 179:20 relative to an employee consuming alcohol while working, verbal counseling.

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

None

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 1820 Country Market LLC, 281 Main Street, Fremont, NH 03044.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3404547 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 10/11/2021.
- b. Anshi Hospitality LLC DBA Hotel Even Manchester Airport, 55 John E. Devine Drive, Manchester, NH 03103.
To be issued Hotel License #375102 pursuant to RSA 178:24, II(b)(1).
30-Day Temporary License issued 10/8/2021.
- c. Barrier Brewing Company LLC, 3001 New Street, Unit #2A, Oceanside, NY 11572.
To be issued Beverage Vendor License #96331 pursuant to RSA 178:15.
Manufacturer: Barrier Brewing Company.
30-Day Temporary License issued 10/7/2021.
- d. Jalisco Mexican Bar & Grill LLC, 339 Sunapee Street, Newport, NH 03773.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1621703 pursuant to RSA 178:21.
30-Day Temporary License issued 10/12/2021.
- e. Lynch Logistics, Inc., 78 Rice Street, Bangor, ME 04401.
To be issued Carrier, Beverage/Wine/Liquor License #762016 pursuant to RSA 178:14.
30-Day Temporary License issued 10/8/2021.
- f. Penalty Box LLC DBA Penalty Box Bar and Grill, 60 Lowell Road, Salem, NH 03079.
To be issued Restaurant, On-Premises, Beverage & Wine License #1630803 pursuant to RSA 178:20.
30-Day Temporary License issued 10/12/2021.
- g. Smokin Barrels NH LLC DBA Smokin Barrels, 904 Calef Highway, Barrington, NH 03825.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1629003 pursuant to RSA 178:21.
30-Day Temporary License issued 10/7/2021.
- h. SMS Partners LLC DBA Sweet Chix Kitchen, 184 Lafayette Road, North Hampton, NH 03862.
To be issued Restaurant, On-Premises, Beverage & Wine License #1630603 pursuant to RSA 178:20.
30-Day Temporary License issued 10/6/2021.

- i. TA Group USA, Inc. DBA EZ Mart Foods of NH, 78 Elm Street, Manchester, NH 03055.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3408547 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 10/8/2021.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 8, 2021: 1,371

- a. Peirano Estate Winery, Inc. DBA Peirano Estate Vineyards,
205 Jim Oswalt Way, Suite A, American Canyon, CA 94503.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Massa's Pavo Real Cellars LLC DBA Massa Estate,
69 West Carmel Valley Road, Carmel, CA 93922.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- c. Varsity Ventures Group LLC DBA Iconic Cellars,
14101 West Highway 290, Building #1800B, Austin, TX 78737.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- d. Vicini Enterprises LLC DBA Trecini Winery, 2030 Barlow Lane, Sebastopol, CA 95472.
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. Bar One, 40 Nashua Street, Milford, NH 03055.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1525403 licensed pursuant to RSA 178:21.
Requested a waiver for authorization of reduction of hours, to wit, to reduce the hours of operation to four (4) days a week, Wednesday through Saturday between 10/6/2021 and 3/31/2022 pursuant to of RSA 178:22, V(k) and as indicated in an email dated 10/6/2021.
- b. Frog Brewing, 108 Main Street, Marlborough, NH 03455.
Nano Brewery, Beer and/or Specialty Beer License #206522 licensed pursuant to RSA 178:12-a.
Requested approval for an extension of service, to wit, a back parking lot with a capacity of 75 to celebrate the anniversary of Frog Brewing pursuant to RSA 178:24//Liq. 404.05.
- c. Mel's Funway Park, 454 Charles Bancroft Highway, Litchfield, NH 03052.
Restaurant, On-Premises, Beverage & Wine License #1531903 licensed pursuant to RSA 178:20.
Requested approval for extension of service, to wit, to extend service for a Spooky World event on 10/8-11, 15-17, 21-24, 28-31 and 11/5-6, 2021 pursuant to RSA 178:24/Liq. 404.05.

- d. Shara Vineyards, 82 Currier Road, Concord, NH 03301.
Wine Manufacturer License #567730 licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas for retail sales only at farmers' market, to wit, Downtown Concord Winter Farmers' Market, 7 Eagle Square, Concord, NH on Saturdays between 9:00 a.m. and 12:00 p.m. from November 6, 2021 through April 30, 2022 pursuant to RSA 178:24/RSA 179:44, II-a.
- e. Sweet Chix Kitchen, 184 Lafayette Road, North Hampton, NH 03862.
Restaurant, On-Premises, Beverage & Wine License #1630603 licensed pursuant to RSA 178:20.
Requested approval for an outdoor area, to wit, an outdoor deck with a capacity of 24 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:

White Mountain Distilling LLC DBA Stowe Cider, 17 Town Farm Lane, Stowe, VT 05672.
Beverage Vendor License #86231 licensed pursuant to RSA 178:15.
Requests approval of Peach Habanero Hard Cider that has an alcohol content of 6.5% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided.

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 – Nashua, NH:

- a. 7-Eleven 16199G, 7 Spit Brook Road, Nashua, NH 03062.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3388547 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: August 19, 2021.
Case #: 21-432-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- b. Bani Mini Market, 52 Walnut Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3235747 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: September 2, 2021.
Case #: 21-461-OF.

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

- c. Borderline Tobacco, 295 DW Highway, Nashua, NH 03060.
Retail Tobacco License #145017 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check.
Date of violation: August 19, 2021.
Case #: 21-432-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- d. BP Nashua, 485 Amherst Street, Nashua, NH 03063.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3400447 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: August 17, 2021.
Case #: 21-430-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- e. Bright Spot, 43 East Dunstable Road, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3008547 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: August 31, 2021.
Case #: 21-457-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- f. East Hollis Street Variety, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3068547 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: August 31, 2021.
Case #: 21-457-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- g. Main Dunstable Shell, 270 Main Dunstable Road, Nashua, NH 03063.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3166347 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: August 17, 2021.
Case #: 21-430-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- h. Smokers Haven Nashua, 2 East Otterson Street, Nashua, NH 03060.
Retail Tobacco License #146617 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:4 - sold tobacco to an underage person during a compliance check.
Date of violation: August 10, 2021.
Case #: 21-416-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

- i. Spit Brook Market, 108E Spit Brook Road, Nashua, NH 03062.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3321847 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: August 19, 2021.
Case #: 21-432-OF.
\$250 administrative fine and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the fully executed agreement.
- j. Tobacco Outlet, 27 Main Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #112017 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: September 2, 2021.
Case #: 21-461-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- k. Walgreens Stores, 217 DW Highway, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3248547 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: August 19, 2021.
Case #: 21-432-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- l. WH Market, 72.5 West Hollis Street, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3330447 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: September 2, 2021.
Case #: 21-461-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- m. Zee Quick Stop, 15 Railroad Avenue, Nashua, NH 03060.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3368947 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: August 31, 2021.
Case #: 21-457-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. American Independence Museum, One Governor's Lane, Exeter, NH 03833.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #627841 for 10/14/2021 and #627931 for 11/4/2021 pursuant to RSA 178:22, V(l).
- b. Boys & Girls Club of Greater Salem, 3 Geremonty Drive, Salem, NH 03079.
Issued Off-Premises Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #626041 pursuant to RSA 178:22, V(l) and Special Auction License #14242 pursuant to RSA 178:17 for 10/21/2021 between 4:00 p.m. – 11:59 p.m.
- c. McKenzie's Farm, 71 Northeast Pond Road, Milton, NH 03851.
Issued Beer Festival License #4011914 for 10/9-10/2021 pursuant to RSA 178:30.
- d. Prescott Park Arts Festival, 105 Marcy Street, Portsmouth, NH 03801.
Issued Beer Festival License #4011814 for 10/9/2021 pursuant to RSA 178:30.