

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 18, 2021

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD NOVEMBER 10, 2021.

CHAIRMAN MOLLICA ACCEPTED THE MINUTES OF NOVEMBER 10, 2021.

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

December 1, 2021 at 12:30 p.m.:

Opus Lounge, 14 West Hollis Street, Nashua, NH 03060.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1593703 licensed pursuant to RSA 178:21.

Cited for violation of RSA 179:50 – allowed patrons to smoke hookah devices on the premises – 2 counts.

Date of violation: May 7, 2021 & October 30, 2021.

Case #s: 21-258-OF & 21-575-OF.

3. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

a. Millennium Cabaret of Bedford, 390 South River Road, Bedford, NH 03110.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1397403 licensed pursuant to RSA 178:21.

Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Cited for violation of RSA 179:48 – allowed an employee to receive compensation based on a percentage of the sale of liquor or beverage sold.

Cited for violation of RSA 179:5, I - did serve alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated, resulting in a fatality.

Dates of violations: February 1, 2019 & April 5-6, 2019.

Case #s: 19-94-OF & 19-223-OF.

AGREEMENT TO CONTINUE THE HEARING TO NOVEMBER 16, 2021 AT 1:00 P.M.

THIS CASE SETTLED AND THE HEARING CANCELED.

CHAIRMAN MOLLICA ACKNOWLEDGED.

For violation of RSA 179:5, I that occurred on February 1, 2019, an administrative fine of \$500 suspended for twelve (12) months pending no like violation commencing the date of adjudication, four (4) points suspended 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 held in abeyance for twelve (12) months pending no like violation commencing the date of adjudication.

For violation of RSA 179:48, the violation shall be placed on file without a finding for twelve (12) months pending no like violation commencing the date of adjudication.

For violation of RSA 179:5, I that occurred on April 5 - 6, 2019, an administrative fine of \$4,000, four (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 seven (7) days commencing December 24, 2021 and re-granted on December 31, 2021.

CHAIRMAN MOLLICA ACKNOWLEDGED.

b. Old School Bar & Grill, 49 Range Road, Units D-F, Windham, NH 03087.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1527003 licensed pursuant to RSA 178:21.

Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Date of violation: April 14, 2021.

Case #: 21-233-OF.

An administrative fine of \$2,500, four (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 ten (10) days commencing November 22, 2021 and re-granted on December 2, 2021, Lauren Pappas shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed agreement and Lucas Zorzi, Melissa Johnson and Bonnie Dalicandro shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the fully signed agreement.

CHAIRMAN MOLLICA ACKNOWLEDGED.

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

Trax Club, 82 Main Street, Keene, NH 03431.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1597303 licensed pursuant to RSA 178:21. Cited for violation of RSA 175:1 – failed to have items on the menu that meet the definition an evening meal.

Cited for violation of RSA 178:21 – failed to be open for the evening meal.

Date of violations: 8/27/2021.

Case #: 21-453-OF.

Warning.

CHAIRMAN MOLLICA APPROVED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Bottle Tree Beverage LLC DBA Cathead Distillery, 422 S. Farish Street, Suite A, Jackson, MS 39296. To be issued Liquor & Wine Vendor License #136545 pursuant to RSA 178:9. 30-Day Temporary License issued 11/15/2021. **CHAIRMAN MOLLICA APPROVED.**
- b. Carpe Diem Ventures LLC DBA Rosewood Country Inn, 67 Pleasant View Road, Bradford, NH 03221. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1630103 pursuant to RSA 178:21. 90-Day Temporary License issued 11/10/2021. **CHAIRMAN MOLLICA APPROVED.**
- c. Fraternal Order of Eagles #613, 36 South Main Street, Concord, NH 03301. To be issued Retail Tobacco License #160617 pursuant to RSA 178:19-a. 30-Day Temporary License issued 11/9/2021. **CHAIRMAN MOLLICA APPROVED.**
- d. GB License New Hampshire LLC DBA Gopuff, 293 Elm Street, Manchester, NH 03101. To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3411747 pursuant to RSA 178:18/RSA 126-K:4. 30-Day Temporary License issued 10/16/2021. **CHAIRMAN MOLLICA APPROVED.**
- e. Metivier, Maureen DBA Foray Events, 174 Main Street, Marlborough, NH 03455. To be issued Caterer, Off-Site License #1299334 pursuant to RSA 178:22, V(e). 30-Day Temporary License issued 11/12/2021. **CHAIRMAN MOLLICA APPROVED.**
- f. Moniz Restaurant Group, Inc. DBA The 101 Grille, 88 Shirkin Road, Epping, NH 03042. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1633703 pursuant to RSA 178:21. 90-Day Temporary License issued 11/16/2021. **CHAIRMAN MOLLICA APPROVED.**

- g. Sofia Restaurant LLC DBA Anatolia Mediterranean Restaurant, 2 Main Street, Somersworth, NH 03878.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1635303 pursuant to RSA 178:21.
90-Day Temporary License issued 11/16/2021.
CHAIRMAN MOLLICA APPROVED.
- h. Sole's B.A.R. LLC, 8 Winter Street, Keene, NH 03431.
To be issued Restaurant, Full Service With Lounge License #1634803 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 11/10/2021.
CHAIRMAN MOLLICA APPROVED.
- i. USA Vape LLC DBA Smoker Choice III, 184 Loudon Road, Concord, NH 03301.
To be issued Beer Specialty License #4002307 pursuant to RSA 178:19-d.
30-Day Temporary License issued 11/16/2021.
CHAIRMAN MOLLICA APPROVED.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING NOVEMBER 12, 2021: 1,377

LSUS 7 LLC DBA Liquor Barn, 1837 Plaudit Place, Lexington, KY 40509.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)

CHAIRMAN MOLLICA APPROVED THE DIVISION OF ENFORCEMENT'S REQUEST TO TABLE THIS ITEM.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Belmont Hall, 718 Grove Street, Manchester, NH 03103.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1250203 licensed pursuant to RSA 178:21.
Requested an exception to opening requirements, to wit, for hours of operation to be reduced to 5 days a week from 11/8/2021 to 5/8/2022 pursuant to RSA 179:21, II.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- b. Cabana Falls, 11 Cabana Drive, Peterborough, NH 03458.
Wine Manufacturer License #569430 licensed pursuant to RSA 178:8.
Requested to transfer location, to wit, to transfer the location of the business to 80 Peterborough Street, Unit #2, Jaffrey, NH 03452 pursuant to RSA 178:29, VIII.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. Dancing Rabbit, 2075 Parade Road, Laconia, NH 03246.
Liquor Manufacturer License #289319 licensed pursuant to RSA 178:6.
Requested approval for authorization of other area, to wit, an inside area for retail sales pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- d. Pat's Peak, 686 Flanders Road, Henniker, NH 03242.
Sports Recreation Facility License #572105 licensed pursuant to RSA 178:22, V(u)(1).
Requested an extension of service, to wit, to extend service to the front lawn on 11/7/2021 for Octoberfest with a capacity of 353 pursuant to RSA 179:21, II.

CHAIRMAN MOLLICA ACKNOWLEDGED.

- e. Hanover Inn, 2 East Wheelock Street, Hanover, NH 03755.
Hotel License #367202 licensed pursuant to RSA 178:24, II(b)(1).
Requested approval for authorization of other areas, to wit, a dining terrace and porch/sidewalk with a capacity of 50 and 49 respectively pursuant to RSA 178:24/Liq. 404.05.

CHAIRMAN MOLLICA ACKNOWLEDGED.

- f. Red Jacket Mountain View Resort, 2251 White Mountain Highway, North Conway, NH 03860.
Hotel, Full Service With Lounge License #375302 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Requested an extension of service, to wit, to extend service to an outdoor dining area around the pool with a capacity of 96 pursuant to RSA 179:21, II.

CHAIRMAN MOLLICA ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Anheuser-Busch, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Requests approval of Cutwater Bali Hai Tiki Rum Punch that has an alcohol content of 7% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-aaa; sample provided.
CHAIRMAN MOLLICA APPROVED.
- b. Copper Pig Brewery, 1 Middle Street, Lancaster, NH 03584.
Brew Pub License #2005315 licensed pursuant to RSA 178:13.
Requests approval of I Wanna Be In Cider and Fire In The Hole-Barrel Aged Cider that have alcohol contents of 6.1% and 8% respectively at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; samples provided.
CHAIRMAN MOLLICA APPROVED.
- c. Krebs Brewing Co., 103 Steven Taylor Blvd., McAlester, OK 74501.
Beverage Vendor License #89331 licensed pursuant to RSA 178:15.
Requests approval of Barrel Aged Moose Boots Imperial Stout and Double Vanilla Noir Barrel Aged Imperial Stout, each with an alcohol content of 13.4% at 60 degrees Fahrenheit by volume and Pirate Weekend Stout with an alcohol content of 14.4% at 60 degrees Fahrenheit by volume, all pursuant to RSA 175:1, LXIV-a; samples provided.
CHAIRMAN MOLLICA APPROVED.

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:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

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.

ASSENTED-TO MOTION TO CONTINUE FILED BY THE DOE AND GRANTED ON 11/5/2021; NEW HEARING DATE NOVEMBER 10, 2021 AT 1:30 P.M.

PRE-HEARING CONFERENCE WAS HELD ON 11/10/2021.

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

American Independence Museum, One Governor's Lane, Exeter, NH 03833.

Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #630741 for 11/18/2021 pursuant to RSA 178:22, V(I).

CHAIRMAN MOLLICA ACKNOWLEDGED.