

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, JANUARY 20, 2022

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JANUARY 13, 2022.**
DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF JANUARY 13, 2022; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
2. **SCHEDULED HEARING AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

January 26, 2022 at 12:30 p.m.:

Black Bear Tavern, 151 Main Street, Colebrook, NH 03576.
Hotel, Full Service With Lounge License #368802 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Cited for violation of RSA 179:5, I – Aggravated – 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 179:5, I – Aggravated – served or sold alcoholic beverage to an individual who was under the age of twenty-one.
Cited for violation of RSA 179:8 – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age.
Date of violations: 9/17/2021.
Case #: 21-495-OF.

January 26, 2022 at 2:00 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 179:5, 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 179:27 – allowed patrons to self-serve alcohol beverages.
Cited for violation of RSA 179:50 – allowed patrons to smoke hookah devices on the premises – 2 counts.
Dates of violation: 1/25/2021, 5/7/ 2021 & 10/30/2021.
Case #s: 21-57-OF, 21-258-OF & 21-575-OF.
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A CONTINUANCE ON 11/29/2021; THE HEARING HAS BEEN RESCHEDULED FOR 1/12/2021 AT 1:00 P.M.
THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE ON 1/10/2022. RESCHEDULED TO 1/26/2022 AT 2:00 P.M.

January 28, 2022 at 1:30 p.m.: EMERGENCY HEARING

Happy Crab, 369 South Broadway, Salem, NH 03079.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1613903 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – Aggravated – served alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Cited for violation of RSA 179:5, I – Aggravated – served or sold alcoholic beverage to an individual who was under the age of twenty-one – 2 counts.
Cited for violation of RSA 179:8 – Aggravated – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age – 2 counts.
Cited for violation of RSA 179:20 – allowed an employee to consume alcoholic beverage while working.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law.
Case #: 21-595-OF.

Date to be determined:

7-Eleven, 670 Center Street, Wolfeboro Falls, NH 03896.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3198147 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an individual who was under the age of twenty-one – 2 counts.

Cited for violation of RSA 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age – 3 counts.

Date of violations: 1/27/2021.

Case #: 21-94-OF.

COUNSEL FOR WASSIM DAABOUL REQUESTED AND WAS GRANTED A CONTINUANCE ON 12/28/2021; NEW HEARING DATE TO BE DETERMINED.

3. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

Lot 18/Tasting Room, 2545 Napa Valley Corporate Drive, Suite C, Napa, CA 94558.

Direct Shipper Permit #8246333 licensed pursuant to RSA 178:27.

Cited for violation of RSA 178:27, V – failed to file a Direct Shipper Report and pay fees by the 15th of the following month for the months of June, 2020 through May, 2021 and August and September, 2021.

Date of violations: 7/1/2021 & 11/18/2021.

Case #s: 21-332-OF & 21-603-OF.

All outstanding reports with pertinent invoices and/or spreadsheets shall be submitted to the NH Division of Enforcement & Licensing by 1/21/2022; taxes and fines are paid in full and accepted as of 1/14/2022; the Permittee shall comply with the requirements of RSA 178:27, Liq. 1100 Series and terms of settlement; failure to do so shall result in a violation of a Commission Order.

COMMISSION ACKNOWLEDGED.

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

American Legion Post #46, 47 Tasker Hill Road, Conway, NH 03818.

Veterans Club License #22039 licensed pursuant to RSA 178:22, V(h).

Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial report by the 15th of the following month.

Date of violation: 12/29/2021.

Case #: 21-658-OF.

\$100 administrative fine paid.

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

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. AR Supermarket, Inc. DBA Ralph's Supermarket, 197 Main Street, Charlestown, NH 03603.

To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3412847 pursuant to RSA 178:18/RSA 126-K:4.

30-Day Temporary License issued 1/14/2022.

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

b. Austin Street Brewery LLC, 1 Industrial Way, Unit #8, Portland, ME 04103.

To be issued Carrier, Beverage/Wine/Liquor License #762516 pursuant to RSA 178:14.

30-Day Temporary License issued 1/14/2022.

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

- c. Austin Street Brewery LLC, 1 Industrial Way, Unit #8, Portland, ME 04103.
To be issued Beverage Vendor License #114031 pursuant to RSA 178:15.
Manufacturer: Austin Street Brewery LLC.
30-Day Temporary License issued 1/14/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Diya & Sons, Inc. DBA Rochester Food and Beverage, 175 Autumn Street, Rochester, NH 03868.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3412347
pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/18/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Four Phantoms Brewing Company LLC, 301 Wells Street, Greenfield, MA 01301.
To be issued Beverage Vendor License #115431 pursuant to RSA 178:15.
Manufacturer: Four Phantoms Brewing Co. LLC.
30-Day Temporary License issued 1/13/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Gumaa's Bar & Grill LLC, 3423 Lincoln Street, Manchester, NH 03103.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1636903
pursuant to RSA 178:21.
90-Day Temporary License issued 1/13/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Imperio Lounge LLC, 900 Elm Street, Manchester, NH 03101.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1634703
pursuant to RSA 178:21.
90-Day Temporary License issued 1/19/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Mangal Murti LLC DBA Karma Smoke Beer & Wine,
553 Mast Road, Unit #109, Goffstown, NH 03045.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3411647
pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/11/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Ray Street Pizza LLC, 23 Main Street, Goffstown, NH 03045.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1634103
pursuant to RSA 178:21.
90-Day Temporary License issued 1/12/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Vanished Valley, Inc. DBA Vanished Valley Brewing Company,
782 Center Street, Ludlow, MA 01056.
To be issued Beverage Vendor License #115331 pursuant to RSA 178:15.
Manufacturer: Vanished Valley.
30-Day Temporary License issued 1/18/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. Veda LLC DBA 920 Smoke, 920 Lafayette Road, Unit #101, Seabrook, NH 03874.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3412647
pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 1/18/2022.
DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- I. Yummy Yummy Seafood, Inc. DBA The Seafood King,
1525 South Willow Street, Manchester, NH 03103.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1637103
pursuant to RSA 178:21.
90-Day Temporary License issued 1/12/2022.
**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 JANUARY 14, 2022: 1,376

Enzo Olive Oil Co. DBA Enzo's Table, 1959 North Willow Avenue, Clovis, CA 93619.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)

**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. Throneberryperkins, Aaron DBA Main Street Affair, 151 Main Street, Berlin, NH 03570.
Restaurant, Full Service With Lounge License #1626303 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Requested an upgrade, to wit, to upgrade the license from a Beverage and Wine License to a
Restaurant Cocktail Lounge License pursuant to RSA 178:22.
COMMISSION ACKNOWLEDGED.
- b. Throneberryperkins, Aaron DBA Main Street Affair, 151 Main Street, Berlin, NH 03570.
Restaurant, Full Service With Lounge License #1626303 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Requested an exception to opening requirements, to wit, to be open during dinner hours on
Fridays, Saturdays and Sundays only due to a staff shortage pursuant to of RSA 178:22, V(k).
COMMISSION ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Fermented Sciences II DBA Flying Embers, 6067 Olivas Park Drive, Units A-C, Ventura, CA 93003. Beverage Vendor License #95131 licensed pursuant to RSA 178:15.

Requests approval of Orange Passion Mimosa Hard Kombucha that has an alcohol content of 6.9% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; sample provided.

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

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

None

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

Alcohol Compliance Checks -

Lincoln, NH:

A1. 7-Eleven #37390A, 36 Main Street, Lincoln, NH 03251.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3370647 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: 5/28/2021.

Case #: 21-271-OF.

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.

A2. Black Mountain Burger Co., 26 Main Street, Lincoln, NH 03251.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1435103 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: 5/28/2021.

Case #: 21-271-OF.

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.

A3. CJ's Penalty Box, 11 Pollard Road, Lincoln, NH 03251.

Restaurant, Full Service With Lounge License #1386403 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: 5/28/2021.

Case #: 21-271-OF.

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.

- A4. Common Man Lincoln, Pollard Street, Lincoln, NH 03251.
Restaurant, Full Service With Lounge License #301803 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: 5/28/2021.
Case #: 21-271-OF.
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.
- A5. Jimmy Seas Pan Pasta, 25 South Mountain Road, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1614503 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: 5/28/2021.
Case #: 21-271-OF.
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.
- A6. Kancamagus Country Store, 61 Main Street, Lincoln, NH 03251.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3385347 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: 5/28/2021.
Case #: 21-271-OF.
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.
- A7. Mountain Club On Loon, 90 Loon Mountain Road, Lincoln, NH 03251.
Restaurant, Full Service With Lounge License #1613203 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: 5/28/2021.
Case #: 21-271-OF.
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.
- A8. Nachos Mexican & More, 179 Main Street, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1608303 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: 5/28/2021.

Case #: 21-271-OF.

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.

A9. Notch Express, 367 US Route #3, Lincoln, NH 03251.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3292547 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: 5/28/2021.

Case #: 21-271-OF.

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.

A10. Pub 32 LLC, 264 Main Street, Lincoln, NH 03251.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1492403 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: 5/28/2021.

Case #: 21-271-OF.

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:

a. Ray Street Pizza LLC, 23 Main Street, Goffstown, NH 03045.

Issued Restaurant Delivery License #01851 in conjunction with Restaurant, On-Premises, Beverage/Wine/Liquor License #1634103 pursuant to RSA 179:15/RSA 178:21.

COMMISSION ACKNOWLEDGED.

b. Vietnamese Community of NH at St. George's Church, 650 Hanover Street, Manchester, NH 03104.

Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #631941 from 6:00 p.m. – 12:00 a.m. on 2/12/2022 pursuant to RSA 178:22, V(l).

COMMISSION ACKNOWLEDGED.