

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 3, 2022

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JANUARY 27, 2022.**
2. **SCHEDULED HEARING AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

February 4, 2022 at 10:00 a.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.

March 2, 2022 at 2:30 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 179:5, 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.
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A CONTINUANCE ON 1/25/2022. RESCHEDULED TO 3/2/2022 AT 2:30 P.M.

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:

Modestman Brewing, 100 Main Street, Keene, NH 03431.
Nano Brewery, Beer and/or Specialty Beer License #207422 licensed pursuant to RSA 178:12-a.
Cited for violation of RSA 178:12-a, I – failed to file a monthly tax report and pay required fees by the 10th of the following month – 5 counts.
Cited for violation of RSA 179:33, I – failed to have packaging or containers approved by the Commission.
Dates of violation: 9/15/2021, 10/15/2021, 11/16/2021, 12/15/2021 & 1/13/2022.
Case #: 21-480-OF, 21-548-OF, 21-601-OF, 21-638-OF & 22-4-OF.
For violation of RSA 178:12-a, an \$500 administrative fine; for violation of RSA 179:33, I, a \$1,000 administrative fine, the licensee shall remain in compliance with RSA 178:12-regarding the filing of reports and payment of fees by the 10th of the following month and RSA 179:33/Liq. 506.09 regarding packaging of containers specifically approved by the commission and approval of beverage brands.

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

- a. Common Man (The), 88 Range Road, Windham, NH 03087.
Restaurant, Full Service With Lounge License #1054903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:27 – allowed patrons to self-serve alcohol beverages.
Date of violation: 4/14/2021.
Case #: 21-663-OF.
\$250 administrative fine paid.
- b. New York Smoke & Vape Shop, 7 Rockingham Road, Londonderry, NH 03053.
Retail Tobacco License #147617 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:3 – failed to require a purchaser to furnish an acceptable form of identification that such person is 21 years of age or older prior to making the sale of tobacco products, e-cigarettes or liquid nicotine.
Cited for violation of RSA 126-K:4 – sold a tobacco product to a person under the age of twenty-one.
Cited for violation of RSA 126-K:4-a – sold rolling papers to an underage person.
Date of violations: 10/29/2021.
Case #: 21-419-OF.
\$750 administrative fine.
- c. Pernod Ricard USA, 445 Hamilton Avenue, Suite #802, White Plains, NY 10601.
Beverage Vendor License #115031 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 1/28/2022.
Case #: 22-44-OF.
Warning.
- d. Sweetwater Brewing Co., 195 Ottley Drive NE, Atlanta, GA 30324.
Beverage Vendor License #109131 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 1/28/2022.
Case #: 22-46-OF.
Warning.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Bell's Brewery, Inc., 8938 Krum Avenue, Comstock, MI 49041.
To be issued Beverage Vendor License #115831 pursuant to RSA 178:15.
Manufacturer: Bell's Brewery.
30-Day Temporary License issued 1/26/2022.

- b. Field and Fire LLC DBA NH Pizza Company, 76 N. Main Street, Concord, NH 03301.
To be issued Restaurant, On-Premises, Beverage & Wine License #1634003 pursuant to RSA 178:20.
30-Day Temporary License issued 1/26/2022.
- c. Hotel Concord LLC (The) DBA The Hotel Concord, 11 S. Main Street, Concord, NH 03301.
To be issued Retail Wine License #3167846 pursuant to RSA 178:19.
30-Day Temporary License issued 1/26/2022.
- d. Prime Vapes LLC DBA Vape Co., 495 Amherst Street, Nashua, NH 03063.
To be issued Retail Tobacco License #161217 pursuant to RSA 178:19-a.
30-Day Temporary License issued 1/26/2022.
- e. Tea Garden 184, Inc. DBA Tea Garden Restaurant, 184 N. Main Street, Concord, NH 03301.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1638403 pursuant to RSA 178:21.
90-Day Temporary License issued 1/28/2022.

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 28, 2022: 1,379

- a. Carhartt Vineyard, Inc. DBA Carhartt Family Wines,
1541 Rancho Santa Ynez Road, Solvang, CA 93463.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Grovedale Winery & Vineyard, Inc., 71 Grovedale Lane, Wyalusing, PA 18853.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- c. Peristyle LLC DBA Castle & Key Distillery, 4445 McCracken Pike, Frankfort, KY 40601.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- d. The Infusery LLC DBA Infuse Spirits and Broken Barrel, 2332 East 8th Street, Los Angeles, CA 90021.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

Cold Mountain Café, 2015 Main Street, Bethlehem, NH 03574.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1174903 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 due to a staffing shortage and pursuant to of RSA 178:22, V(k).

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Associated Brewing Company, 590 Enterprise Drive, Neenah, WI 54956. Beverage Vendor License #95031 licensed pursuant to RSA 178:15. Requests approval of Rebel Hard Coffee Bolder Hard Latte Double Mocha and Rebel Hard Coffee Bolder Hard Latte Salted Caramel, each with an alcohol content of 8% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII; samples provided.
- b. Mike's Hard Lemonade Co., 328 S. Jefferson Street, Chicago, IL 60661. Beverage Vendor License #29131 licensed pursuant to RSA 178:15. Requests approval of Mike's Harder Half & Half Tea & Lemonade that has an alcohol content of 8% 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. ADMINISTRATIVE ACTION ON COMPLIANCE CHECKS RECOMMENDED FOR COMMISSION APPROVAL:

Alcohol Compliance Checks –

Sullivan County:

- a. Birney's Mini Mart, 58 Washington Street, Claremont, NH 03743. Combination, Off-Premises, Beverage/Wine/Tobacco License #3287847 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. Cited for Liq.603.01 – failed to complete a mandatory Management Training Seminar (MTS) within ninety (90) days of a compliance check failure. Dates of violation: 3/28/2021 & 6/26/2021. Case #s: 21-181-OF & 21-573-OF. \$500 administrative fine and four (4) points assessed to the liquor license.
- b. Charlestown House of Pizza, 203 Main Street, Charlestown, NH 03603. Restaurant, On-Premises, Beverage & Wine License #1068703 licensed pursuant to RSA 178:20. Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check. Date of violation: 6/7/2021. Case #: 21-181-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.

- c. Common Man, 16 Mill Street, Claremont, NH 03743.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1380803 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.
Cited for Liq.603.01 – failed to complete a mandatory Management Training Seminar (MTS) within ninety (90) days of a compliance check failure.
Dates of violation: 6/7/2021 & 9/5/2021.
Case #: 21-181-OF & 21-588-OF.
\$500 administrative fine and four (4) points assessed to the liquor license.
- d. Cumberland Farms, 121 Pleasant Street, Claremont, NH 03743.
Combination, Off-Premises, Beverage/Wine/Tobacco License #869747 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: 3/28/2021.
Case #: 21-181-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.
- e. Hannaford Supermarket, 220 Washington Street, Claremont, NH 03743.
Combination, Off-Premises, Beverage/Wine/Tobacco License #186647 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: 3/28/2021.
Case #: 21-181-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.
- f. Jiffy Mart, 102 Elm Street, Claremont, NH 03743.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3372147 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: 3/28/2021.
Case #: 21-181-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.
- g. Meriden Deli Mart, 809 Route 120, Meriden, NH 03770.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3245347 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: 3/28/2021.
Case #: 21-181-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.
- h. Newport Meat Market, 192 N. Main Street, Newport, NH 03773.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3375647 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.

Cited for Liq.603.01 – failed to complete a mandatory Management Training Seminar (MTS) within ninety (90) days of a compliance check failure.
Dates of violation: 3/28/2021 & 6/26/2021.
Case #: 21-181-OF & 21-585-OF.
\$500 administrative fine and four (4) points assessed to the liquor license.

- i. Pleasant Mobil, 114 Pleasant Street, Claremont, NH 03743.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3315647 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.
Cited for Liq.603.01 – failed to complete a mandatory Management Training Seminar (MTS) within ninety (90) days of a compliance check failure.
Dates of violation: 3/28/2021 & 6/26/2021.
Case #: 21-181-OF & 21-574-OF.
\$500 administrative fine and four (4) points assessed to the liquor license.
- j. Rum Brook Market, 249 Old Route 10, Grantham, NH 03753.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3093747 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: 3/28/2021.
Case #: 21-181-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.
- k. Shaw's Supermarket, 48 John Stark Highway, Newport, NH 03773.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3124947 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: 3/28/2021.
Case #: 21-181-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.
- l. Tremont House of Pizza, 134 Pleasant Street, Claremont, NH 03743.
Restaurant, On-Premises, Beverage & Wine License #1059303 licensed pursuant to RSA 178:20.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Cited for Liq.603.01 – failed to complete a mandatory Management Training Seminar (MTS) within ninety (90) days of a compliance check failure.
Dates of violation: 6/7/2021 & 9/5/2021.
Case #: 21-181-OF & 21-587-OF.
\$500 administrative fine and four (4) points assessed to the liquor license.

16. ADMINISTRATIVE HEARING DECISION PENDING:

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.

REQUEST FOR HEARING TO BE CONTINUED AND GRANTED ON 1/20/2022; HEARING RESCHEDULED AS A SENTENCING HEARING ON 2/1/2022 AT 10:00 A.M.

A SENTENCING HEARING WAS HELD ON 2/1/2022; DECISION WILL BE RENDERED WITHIN 15 DAYS.

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Beveridge Craft Beer Soap Co., 29 Mills Street, Unit C1, Wolfeboro, NH 03894.
Issued Beer Festival License #4012214 for 1/30/2022 pursuant to RSA 178:30.
- b. Manchester Historic Association, 200 Bedford Street, Manchester, NH 03103.
Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #633841 for 2/17/2022 pursuant to RSA 178:22, V(l).