MINUTES OF THE NHLC DIVISION OF ENFORCEMENT & LICENSING MEETING FOR THURSDAY, FEBRUARY 24, 2022

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD FEBRUARY 17, 2022.

DEPUTY COMMISSIONER JORDAN MOVED TO ACCEPT THE MINUTES OF FEBRUARY 17, 2022; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

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

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.

Date to be determined.

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 RESCHECULED 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.

THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A CONTINUANCE ON 2/23/2022. DATE TO BE DETERMINED.

3. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

None

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

a. 8 Vini, Inc., 1250 Business Center Drive, San Leandro, CA 94577.
 Liquor & Wine Vendor License #115945 licensed pursuant to RSA 178:9.
 Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/3/2022.

Case #: 22-76-OF.

Warning.

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

b. Alton Bay General Store, 404 Main Street, Alton Bay, NH 03810.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3406547 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/4/2022.

Case #: 22-77-OF.

Warning.

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

c. Arnold, Anne DBA From Vine To Wine, 1 Post Road, Greenland, NH 03840.

Alcohol Consultant License #517844 licensed pursuant to RSA 178:27-a.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/1/2022.

Case #: 22-68-OF.

Warning.

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

d. Averill House Vineyard, 21 Averill Road, Brookline, NH 03033.

Wine Manufacturer License #566730 licensed pursuant to RSA 178:8.

Cited for violation of RSA 178:8, IV – failed to file a wine manufacturer tax report by the 10th of the following month.

Date of violation: 2/15/2022.

Case #: 22-90-OF.

Warning.

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

e. Back Hill Beer Co., 73 Pickering Road, Rochester, NH 03867.

Nano Brewery, Beer and/or Specialty Beer License #208222 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.

Date of violation: 2/15/2022.

Case #: 22-88-OF.

Warning.

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

f. Flannel Tavern, 345 Suncook Valley Road, Chichester, NH 03258.

Restaurant, Full Service With Lounge License #1602603 licensed pursuant to

RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/3/2022.

Case #: 22-75-OF.

Warning.

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

g. Foundry Restaurant, 50 Commercial Street, NH 03101.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1513603 licensed pursuant to RSA 178:21. Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/1/2022.

Case #: 22-71-OF.

Warning.

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

h. Lakehouse @ Church Landing, 281 DW Highway, Meredith, NH 03253.

Restaurant, Full Service With Lounge License #1263703 licensed pursuant to

RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/1/2022.

Case #: 22-66-OF.

Warning.

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

i. Mountain Base Brewery, 553 Mast Road #111, Goffstown, NH 03045.

Nano Brewery, Beer and/or Specialty Beer License #208922 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.

Date of violation: 2/15/2022.

Case #: 22-89-OF.

Warning.

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

j. One Love Convenience Store, 50 Fox Run Road, Newington, NH 03801.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3402647 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/1/2022.

Case #: 22-70-OF.

Warning.

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

k. Puritan, 245 DW Highway, Manchester, NH 03104.

Restaurant, Full Service With Lounge License #311803 licensed pursuant to

RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/2/2022.

Case #: 22-72-OF.

Warning.

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

Rise & Grind, 17 Madbury Road, Suite #140, Durham, NH 03824.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1619403 licensed pursuant to RSA 178:21. Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/9/2022.

Case #: 22-80-OF.

Warning.

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

m. SHW Brands, 280 Harbor Way, South San Francisco, CA 94080.

Beverage Vendor License #97831 licensed pursuant to RSA 178:15.

Cited for violation of RSA 178/Liq. 704.01 - failed to renew liquor license thirty (30) days

prior to expiration.

Date of violation: 2/2/2022.

Case #: 22-73-OF.

Warning.

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

n. SHW Brands, 280 Harbor Way, South San Francisco, CA 94080.

Beverage Vendor License #101631 licensed pursuant to RSA 178:15.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/2/2022.

Case #: 22-74-OF.

Warning.

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

Stonewall Farm, 242 Chesterfield Road, Keene, NH 03431.

Caterer, Off-Site License #1296034 licensed pursuant to RSA 178:22, V(e).

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/1/2022.

Case #: 22-69-OF.

Warning.

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

p. Valhalla Farms, 244 Clark Hill Road, New Boston, NH 03070.

Wine Manufacturer License #569230 licensed pursuant to RSA 178:8.

Cited for violation of RSA 178:8, IV – failed to file a wine manufacturer tax report by the 10th of the following month.

Date of violation: 2/15/2022.

Case #: 22-91-OF.

Warning.

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

q. Vida Mexican Restaurant, 35 Endicott Street, Laconia, NH 03246.

Restaurant, Full Service With Lounge License #1619803 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 2/8/2022.

Case #: 22-79-OF.

Warning.

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

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. Bites and Brew LLC DBA Marker 21, 33 Dockside Street, Wolfeboro, NH 03894.

To be issued Restaurant, Full Service With Lounge License #1636303 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

90-Day Temporary License issued 2/17/2022.

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

Diplomat LLC (The) DBA The Diplomat, 21 Davis Street, Keene, NH 03431.
 To be issued Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #406106 pursuant to RSA 178:20-a/RSA 178:9-a.

90-Day Temporary License issued 2/18/2022.

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

- NEH 8 LLC DBA Mountain Edge Suites At Sunapee, 1380 NH Route #103, Newbury, NH 03255.
 To be issued Hotel License #375502 pursuant to RSA 178:24, II(b)(1).
 90-Day Temporary License issued 2/18/2022.
 - DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Salmon Family Farms LLC DBA The Inn On Golden Pond, 1080 US Route #3, Holderness, NH 03245.
 To be issued Bed & Breakfast License #362738 pursuant to RSA 178:21, II (c).
 90-Day Temporary License issued 2/16/2022.
 - DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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 FEBRUARY 18, 2022: 1,385

a. Berkeley & Stuart Wine Company LLC, 21889 8th Street East, Sonoma, CA 95476. To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27. (Retailer)

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

Brooklyn Oenology LLC DBA Chronicle Wines, 35 Cox Neck Road, Mattituck, NY 11952.
 To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)

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

c. Lorenza Wine Company LLC DBA Lorenza Rose, 3750 E. Woodbridge Road, Acampo, CA 95220. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)

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

d. Parish Brewing Company LLC, 229 Jared Drive, Broussard, LA 70518. To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.

(Beverage Manufacturer)

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

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

a. Covenant Living of Keene, 95 Wyman Road, Keene, NH 03431.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1638703 licensed pursuant to RSA 178:21. Requested approval for an extension of service, to wit, an outside patio with a capacity of 30 pursuant to RSA 178:24/Liq. 404.05.

COMMISSION ACKNOWLEDGED.

b. Inn On Golden Pond (The), 1080 US Route #3, Holderness, NH 03245.

Bed & Breakfast License #362738 licensed pursuant to RSA 178:21, II (c).

Requested approval for an outside area, to wit, two outdoor seating areas with a total capacity of 53 pursuant to RSA 178:24/Lig. 404.05.

COMMISSION ACKNOWLEDGED.

c. Walmart Supercenter 1749, 430 High Street, Somersworth, NH 03878.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3088547 licensed pursuant to RSA 178:18/RSA 126-K:4.

Requested to transfer alcohol, to wit, to transfer 24 bottles of Veuve Clicquot from this location to each of 16 other Walmart locations pursuant to RSA 178:29, VIII.

COMMISSION ACKNOWLEDGED.

10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

11. TABLED ITEMS:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

None

13. <u>MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:</u>

None

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

Littleton, NH.

COMMISSION ACKNOWLEDGED.

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

None

16. <u>ADMINISTRATIVE HEARING DECISION PENDING:</u>

None

17. ADMINISTRATIVE HEARING DECISION:

None

18. <u>MISCELLANEOUS ITEMS FOR INFORMATION ONLY:</u>

Mill City Park @ Franklin Falls, 376 Central Street, Franklin, NH 03235. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #634141 for 3/5/2022 pursuant to RSA 178:22, V(I).

COMMISSION ACKNOWLEDGED.