

AGENDA OF THE NHL
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 28, 2022

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD APRIL 21, 2022.

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

May 5, 2022 at 12:30 p.m.

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

Restaurant, On-Premises, Beverage/Wine/Liquor License #1623603 pursuant to RSA 178:21.

Cited for violation of RSA 179:27 – allowed patrons to self-serve alcohol beverages – 2 counts.

Cited for violation of Liq. 603.05 – failed to comply with the requirements of a Commission order – 7 counts.

Cited for violation of RSA 179:51 – failed to maintain an orderly premise.

Cited for violation of RSA 179:20, II – 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 – 3 counts.

Cited for violation of RSA 179:44, I – gave free drinks to customers, patrons, members or guests.

Cited for violation of RSA 179:17 – allowed the sale or consumption of alcoholic beverage on the premises after expiration of the serving hour.

Dates of violations: 2/19/2022, 4/5/2022 & 4/11/2022.

Case #: 22-104-OF.

MOTION TO CONTINUE ANTICIPATED FROM THE LICENSEE'S COUNSEL; HEARING RE-SCHEDULED BY AGREEMENT TO MAY 5, 2022 AT 12:00 P.M.

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 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.

THE DIVISION OF ENFORCEMENT REQUESTED A CONTINUANCE ON BEHALF OF ATTY. JOSEPH PRIETO; A CONTINUANCE WAS GRANTED ON 2/23/2022; DATE TO BE DETERMINED.

SETTLEMENT PENDING.

3. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

None

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

a. Baja Tacos & Burritos, 494 Amherst Street, Nashua, NH 03064.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1585603 licensed pursuant to RSA 178:21.

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

Date of violation: 4/1/2022.

Case #: 22-207-OF.

Warning.

- b. Banded Brewing Co., 32 Main Street, Biddeford, ME 04005.
Beverage Vendor License #69531 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 3/30/2022.
Case #: 22-204-OF.
Warning.
- c. Big Kahunas Smokehouse, 1158 Hooksett Road, Hooksett, NH 03106.
Restaurant, On-Premises, Beverage & Wine License #1607803 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/1/2022.
Case #: 22-205-OF.
Warning.
- d. Black Diamond Grille, 104 Grand Summit Road, Bartlett, NH 03812.
Restaurant, On-Premises, Beverage & Wine License #1593403 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/13/2022.
Case #: 22-225-OF.
Warning.
- e. Chef's Bistro, 2724 White Mountain Highway, North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1541603 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/1/2022.
Case #: 22-206-OF.
Warning.
- f. Chieng Gardens, Lincoln Square, Main Street, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage/Wine/Liquor License #462203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/4/2022.
Case #: 22-208-OF.
Warning.
- g. Crazy Cat Café, 365 Lake Street, Bristol, NH 03222.
Restaurant, On-Premises, Beverage & Wine License #1631903 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/4/2022.
Case #: 22-210-OF.
Warning.
- h. Crazy Cat Winery, 365 Lake Street, Bristol, NH 03222.
Wine Manufacturer License #567830 licensed pursuant to RSA 178:8
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/4/2022.
Case #: 22-209-OF.
Warning.
- i. Delay's Harvester Market, 783 Forest Road, Greenfield, NH 03047.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3212147 licensed pursuant to
RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/4/2022.
Case #: 22-211-OF.
Warning.

- j. Fire By Wicked Fresh, 2 Common Court, North Conway, NH 03860.
Restaurant, On-Premises, Beverage & Wine License #1590203 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/6/2022.
Case #: 22-224-OF.
Warning.
- k. Lancaster House of Pizza, 281 Summer Street, Lancaster, NH 03584.
Restaurant, On-Premises, Beverage & Wine License #1493203 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/1/2022.
Case #: 22-220-OF.
Warning.
- l. Night Shift Brewing, 87 Santilli Highway, Everett, MA 02149.
Beverage Vendor License #97631 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/5/2022.
Case #: 22-212-OF.
Warning.
- m. Overlook Golf Club, 5 Overlook Drive, Hollis, NH 03049.
Sports Recreation Facility License #5505 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 3/8/2022.
Case #: 22-155-OF.
\$100 administrative fine paid.
- n. Rochester Opera House, 31 Wakefield Street, Rochester, NH 03867.
Performing Arts License #398408 licensed pursuant to RSA 178:22, V(m).
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/7/2022.
Case #: 22-221-OF.
Warning.
- o. Rochester Opera House, 32 Main Street, Rochester, NH 03867.
Performing Arts License #399608 licensed pursuant to RSA 178:22, V(m).
Cited for violation of RSA 178 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 4/7/2022.
Case #: 22-223-OF.
Warning.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Casatera, Inc., 485 Foley Street, Unit #656, Somerville, MA 02145.
To be issued Beverage Vendor License #119331 pursuant to RSA 178:15.
Manufacturer: Casatera, Inc.
30-Day Temporary License issued 4/21/2022.
- b. Clark, Kristen DBA KC Distributors, 40 Hardy Hill Road, Lebanon, NH 03766.
To be issued Liquor & Wine Representative License #612035 pursuant to RSA 178:10.
30-Day Temporary License issued 4/13/2022.

- c. El Jefe De Taco LLC DBA Lupe's 55 Cantina Mexican Grill, 275 Ocean Blvd., Unit #101, Hampton, NH 03842. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1641603 pursuant to RSA 178:21. 90-Day Temporary License issued 4/20/2022.
- d. Fofi LLC DBA Duston Country Club, 40 Country Club, Hopkinton, NH 03229. To be issued Sports Recreation Facility License #6023805 pursuant to RSA 178:22, V(u)(1). 90-Day Temporary License issued 4/22/2022.
- e. JBS Convenience, Inc. DBA Dodge's Country Store, 7 Central Square, New Boston, NH 03070. To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3413747 licensed pursuant to RSA 178:18/RSA 126-K:4. 30-Day Temporary License issued 2/11/2022.
- f. LBD Coffee LLC, 6200 Kawaihau Road, Unit B, Kapaa, HI 96746. To be issued Liquor & Wine Vendor License #140145 pursuant to RSA 178:9. 30-Day Temporary License issued 4/13/2022.
- g. Root Wild LLC, 135 Washington Avenue, Portland, ME 04101. To be issued Beverage Vendor License #117931 pursuant to RSA 178:15. Manufacturer: Root Wild.
- h. RTM Imports LLC, 755 East Mulberry Avenue, Suite #200, San Antonio, TX 78212. To be issued Liquor & Wine Vendor License #138145 pursuant to RSA 178:9.
- i. Smoking Trout LLC (The), 288 Main Street, Marlborough, NH 03455. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1641803 pursuant to RSA 178:21. 90-Day Temporary License issued 4/22/2022.
- j. Sweetwater Holdings LLC DBA New England Sweetwater Farm & Distillery, 136 Main Street, Winchester, NH 03470. To be issued Liquor Manufacturer License #289719 pursuant to RSA 178:6. 30-Day Temporary License issued 4/20/2022.
- k. Vape Vibes LLC, 527 South Broadway, Salem, NH 03079. To be issued Retail Tobacco License #161717 pursuant to RSA 178:19-a. 30-Day Temporary License issued 4/20/2022.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING APRIL 22, 2022: 1,396

- a. Atomic Brands, Inc., 117 South Cook Street, Suite #347, Barrington, IL 60010. To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27. (Retailer)
- b. Justin Vineyards & Winery LLC DBA Lewis Cellars, 4101 Big Ranch Road, Napa, CA 94558. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)

- c. Lawrence Wine Estates LLC DBA Burgess Cellars, 2921 Silverado Trail, Napa, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- d. Lawrence Wine Estates LLC DBA Stony Hill Vineyard,
3331 North Saint Helena Highway, Saint Helena, CA 94574.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- e. Los Altos Vineyards LLC DBA Byington Vineyard & Winery,
21850 Bear Creek Road, Los Gatos, CA 95033.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- f. Quintessential LLC, 1310 2nd Street, Napa, CA 94559.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)
- g. Yiannis Wine Enterprises LLC DBA Yiannis Winery, 2648 Quality Court, Virginia Beach, VA 23454.
To be issued Direct Shipper, Importer Permit pursuant to RSA 178:27.
(Importer)

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Airside Café, 36 Airline Avenue, Portsmouth, NH 03801.
Restaurant, On-Premises, Beverage & Wine License #1515103 licensed pursuant to RSA 178:20.
Requested a license upgrade to include liquor and to waive the exception to opening requirements, to wit, to limit hours of operation to less than five nights due to commercial passenger flights departing Portsmouth International Airport pursuant to RSA 178:22, V(k).
- b. Atlas Market, 101A Main Street, Gorham, NH 03581.
Combination License #3394647 licensed pursuant to RSA 178:18.
Requested to transfer business location, to wit, to transfer the business location from 101A Main Street, Gorham, NH to 111 Main Street, Gorham, NH pursuant to RSA 178:29, VIII.
- c. Big Day Brewing, 20 Glen Road, Gorham, NH 03581.
Brew Pub License #2006215 licensed pursuant to RSA 178:13.
Requested approval for extension of service, to wit, for a beer garden with a capacity of 50 seats pursuant to RSA 178:24/Liq. 404.05.
- d. Dimitri's Pizza, 14 Park Avenue, Contoocook, NH 03229.
Restaurant, On-Premises, Beverage & Wine License #1644003 licensed pursuant to RSA 178:20.
Requested approval for extension of service, to wit, for a deck with a capacity of 35 pursuant to RSA 178:24/Liq. 404.05.
- e. Duston Country Club, 40 Country Club, Hopkinton, NH 03229.
Sports Recreation Facility License #6023805 licensed pursuant to RSA 178:22, V(u)(1).
Requested approval for extension of service, to wit, for an outdoor patio, with mobile beverage service cart, with a capacity of 40 seats pursuant to RSA 178:24/Liq. 404.05.

- f. Free Spirits Events, 95B Plaistow Road, Unit #203, Plaistow, NH 03865.
Caterer, Off-Site License #1294834 licensed pursuant to RSA 178:22, V(e).
Requested to transfer business location, to wit, to transfer the business location from 95B Plaistow Road, Plaistow, NH to 50 Fox Run Road, Unit G27, Newington, NH pursuant to RSA 178:29, VIII.
- g. RMH NH, 319 New Zealand Road, Seabrook, NH 03874.
Race Track (Pari-Mutuel) On-Premises Cocktail Lounge License #541824 licensed pursuant to RSA 178:22, V(n).
Requested approval for extension of service, to wit, for an additional area with a capacity of 2,202 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:

- a. Coffey, Kathleen, 2 Central Avenue, West Lebanon, NH 03784.
To be issued Transport License # 0134 pursuant to RSA 175:6 to a military servicewoman who requested to import 77 bottles of wine to New Hampshire from overseas where she is currently stationed and have the 25% fee waived pursuant to RSA 175.6.
- b. Disruption Grain LLC DBA Interboro Spirits & Ales, 942 Grand Street, Brooklyn, NY 11211.
Beverage Vendor License #105731 licensed pursuant to RSA 178:15.
Requests approval of Brooklyn Stinger Spritzer with an alcohol content of 7% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-aaa; sample provided.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Bristol, NH;
Canaan, NH,
Hillsborough, NH and
Lebanon, NH.

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

Tobacco Compliance Checks –

Grafton County:

- A1. Newfound Grocery, 408 Mayhew Turnpike, Bridgewater, NH 03222.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3141847 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: 3/7/2022.
Case #: 22-100-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

- A2. Proctor's General Store, 1084 Route #4A, Enfield, NH 03748.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3359747 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: 3/14/2022.
Case #: 22-100-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

Londonderry, NH:

- A3. I-Vape, 44 Nashua Road, Londonderry, NH 03053.
Retail Tobacco License #156717 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: 3/10/2022.
Case #: 22-115-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- A4. Kwik Stop, 231 Rockingham Road, Londonderry, NH 03053.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3047647 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: 3/10/2022.
Case #: 22-115-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 violation and a \$250 administrative fine for a like violation within three (3) years.
- A5. Londonderry BP, 2 Mohawk Drive, Londonderry, NH 03053.
Retail Tobacco License #130317 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: 3/10/2022.
Case #: 22-115-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- A6. Market Basket 42, 10 Michel's Way, Londonderry, NH 03053.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3002647 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: 3/10/2022.
Case #: 22-115-OF.
Warning and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.
- A7. Shaw's Supermarket, Old Orchard View, Londonderry, NH 03053.
Combination, Off-Premises, Beverage/Wine/Tobacco License #868547 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: 3/10/2022.
Case #: 22-115-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. Nashua Center at Murphy's Taproom and Carriage House, 393 Route #101, Bedford, NH 03110. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #639141 for 4/22/2022 between 6:30 p.m. - 9:00 p.m. pursuant to RSA 178:22, V(I).
- b. Vietnamese Community of NH at Hellenic Orthodox Community of Saint George, 650 Hanover Street, Manchester, NH 03104. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #639741 for 5/28/2022 between 10:00 p.m. - 12:00 a.m. pursuant to RSA 178:22, V(I).
- c. W.A. Alumni Association, 138 Spit Brook Road, Nashua, NH 03062. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #634941 for 5/6/2022 between 5:00 p.m. - 11:30 p.m. pursuant to RSA 178:22, V(I).