

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 8, 2022

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

CHAIRMAN MOLLICA ACCEPTED THE MINUTES OF SEPTEMBER 1, 2022.

2. TABLED ITEMS:

None

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

Date to be determined:

- a. American Legion Post 33, 6 Plymouth Street, Meredith, NH.
Veterans Club License #25139 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22 – failed to file a reports by the 15th of the following month – 3 counts.
Date of violations: 2/10/2022, 3/16/2022 & 3/22/2022.
Case #: 22-82-OF, 22-160-OF & 22-171-OF.
8/25/2022 – LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

Date to be determined:

- b. Soho Bistro & Lounge, 20 Old Granite Street, Manchester, NH.
Restaurant, Full Service With Lounge License #1628703 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 – 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 – 2 counts.
Date of violations: 11/12/2021.
Case #: 21-599-OF.
9/1/2022 – LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

4. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

- a. American Legion Post 28, 43 Church Street, Pembroke, NH 03275.
Veterans Club License #17239 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22 – failed to file a signed financial statement by the 15th of the following month for April, May and June, 2021.
Cited for violation of RSA 179:57/Liq. 603.05 – failed to comply with the requirements of a Commission Order.
Dates of violation: 7/19/2021 & 11/12/2021.
Case #: 21-374-OF.
For violation of RSA 178:22, an administrative fine of \$100 due five (5) business days from the date the licensee receives this fully signed agreement; for violation of RSA 179:57/Liq.603.05, an administrative fine of \$2,000 with \$1,700 suspended for twelve (12) months pending no like violation due five (5) business days from the date the licensee receives this fully signed agreement; all outstanding financial statements shall be submitted to the NH Division of Enforcement & Licensing within ten (10) days from the date of this fully signed agreement and the licensee shall remain in compliance with RSA 178 regarding filing financial statements by the 15th of the following month.
CHAIRMAN MOLLICA ACKNOWLEDGED.

- b. Castaways Boathouse, 31 Cocheco Street, Dover, NH 03820.
Restaurant, Full Service With Lounge License #1291303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Cited for violation of RSA 179:50 – unlawful purpose – smoking inside the establishment.
Date of violations: 1/16/2022.
Case #: 22-9-OF.
For violation of RSA 179:20, II, an administrative fine of \$100, for violation of RSA 179:50, an administrative fine of \$250; and Randy Kilty shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed agreement.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- c. Levy Premium Foodservice, 1122 Route #106, Loudon, NH 03307.
Caterer, Off-Site License #1275234 licensed pursuant to RSA 178:22, V(e).
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: 7/16/2022.
Case #: 22-389-OF.
An administrative fine of \$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 three (3) days commencing September 9, 2022 and re-granted on September 12, 2022 and Oberdan Cognello shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed agreement.
CHAIRMAN MOLLICA ACKNOWLEDGED.
- d. VAEP, 12 Lowell Road, Hudson, NH 03051.
Retail Tobacco License #148417 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 126-K:3 – failed to require the purchaser to furnish identification that the person is at least 21 years of age. AN #6447
Cited for violation of RSA 126-K:3 – failed to require the purchaser to furnish identification that the person is at least 21 years of age. AN #6444
Cited for violation of RSA 126-K:4 – sold a tobacco product to a person under the age of twenty-one. AN #6446
Cited for violation of RSA 126-K:4 – sold a tobacco product to a person under the age of twenty-one. AN #6448
Cited for violation of RSA 126-K:4 – sold a tobacco product to a person under the age of twenty-one. AN #6445
For AN #6447, an administrative fine of \$250; for AN #6444, an administrative fine of \$250; for AN #6446, an administrative fine of \$250; for AN #6448, an administrative fine of \$250; and for AN #6445, an administrative fine of \$250.
CHAIRMAN MOLLICA ACKNOWLEDGED.

5. **NON-CONTESTED ADMINISTRATIVE ACTION RECOMMENDED FOR COMMISSION APPROVAL:**

None

6. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

- a. American Alpine Club, 415 Buffalo Road, Rumney, NH 03266.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #641341 for 9/16 - 18/2022 pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- b. Beg, Barzan DBA PB's Convenience, 99 Rockingham Park Blvd., Salem, NH 03079.
To be issued Retail Tobacco License #163317 pursuant to RSA 178:19-a.
30-Day Temporary License issued 9/2/2022.
CHAIRMAN MOLLICA APPROVED.

- c. Concord Hospital at Picnic Pavilion, Elm Brook Park, Hopkinton, NH 03229.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #643141 for 9/10/2022 between 6:00 a.m. – 4:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- d. Craft Beer & More LLC DBA Craft Beer Xchange, 604 Endicott Street North, Laconia, NH 03246.
To be issued Beer Specialty License #4002407 pursuant to RSA 178:19-d.
30-Day Temporary License issued 9/2/2022.
CHAIRMAN MOLLICA APPROVED.
- e. DG Retail LLC DBA Dollar General #23246, 455 South Stark Highway, Weare, NH 03281.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3419847 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 9/2/2022.
CHAIRMAN MOLLICA APPROVED.
- f. Festevents of New England, Inc., 72 Lafayette Street, Rochester, NH 03867.
To be issued Caterer, Off-Site License #1302634 pursuant to RSA 178:22, V(e).
90-Day Temporary License issued 9/1/2022.
CHAIRMAN MOLLICA APPROVED.
- g. JND Restaurant LLC DBA Haluwa, 44 Gusabel Drive, Nashua, NH 03063.
To be issued Restaurant, Full Service With Lounge License #1651603 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 8/30/2022.
CHAIRMAN MOLLICA APPROVED.
- h. Leaf Charter School at The Mol Hill Theater, 6A Baine Road, Alstead, NH 03602.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #647741 for 9/10/2022 between 4:00 p.m. – 9:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- i. Maag LLC DBA Center Market, 10 Main Street, Hampstead, NH 03841.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3409247 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 9/6/2022.
CHAIRMAN MOLLICA APPROVED.
- j. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652041 for 9/3 - 4/2022 between 11:00 a.m. – 4:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- k. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652141 for 9/8/2022 between 5:00 p.m. – 9:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- l. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652241 for 9/10/2022 between 11:00 a.m. – 4:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- m. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652341 for 9/17 – 18/2022 between 11:00 a.m. – 4:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- n. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652441 for 9/22/2022 between 5:00 p.m. – 9:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.

- o. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652541 for 9/24/2022 between 11:00 a.m. – 4:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- p. Manchester NH H.O.G. Chapter #4727 DBA Manchester Harley-Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #652641 for 9/30/2022 between 6:00 p.m. – 9:00 p.m. pursuant to RSA 178:22, V(l).
CHAIRMAN MOLLICA APPROVED.
- q. Stripe Nine Brewing LLC DBA Stripe Nine Brewing Co., 20 Orchard Way, Lee, NH 03878.
To be issued Beer Festival License #4014914 for 9/24/2022 between 12:00 p.m. – 5:00 p.m. pursuant to RSA 178:30.
CHAIRMAN MOLLICA APPROVED.
- r. T&R Convenience LLC DBA Parkside Convenience, 675 Hooksett Road #2, Manchester, NH 03104.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3420847 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 8/31/2022.
CHAIRMAN MOLLICA APPROVED.
- s. USA Truck LLC, 3200 Industrial Park Road, Van Buren, AR 72956.
To be issued Carrier, Beverage/Wine/Liquor License #763716 pursuant to RSA 178:14.
30-Day Temporary License issued 9/2/2022.
CHAIRMAN MOLLICA APPROVED.

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

Babylon Hookah Lounge LLC DBA Babylon Cigar & Hookah Lounge, 245 Maple Street, Manchester, NH 03104. Requested Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #406706 pursuant to RSA 178:20-a/RSA 178:9-a.
A 90-Day Temporary License was issued on May 19, 2022; **recommendation for denial of the license** is due to audits conducted on June 16, 2022, July 15, 2022 and August 16, 2022 revealed that the licensee generated only 31% of his total quarterly gross revenue from cigar-related products when 60% of the total quarterly gross revenue for cigar-related products is required pursuant to RSA 178:20-a.
CHAIRMAN MOLLICA APPROVED THE RECOMMENDATION FOR DENIAL.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING SEPTEMBER 2, 2022: 1,376

- a. California Cider Co., Inc., 2064 Gravenstein Highway North, Bldg. #4, Sebastopol, CA 94558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
CHAIRMAN MOLLICA APPROVED.
- b. Ito Wines LLC, 16 Carleton Drive, Suite A, Georgetown, MA 01833.
To be issued Direct Shipper, Importer Permit pursuant to RSA 178:27.
(Importer)
CHAIRMAN MOLLICA APPROVED.
- c. OKP LLC, 6130 Bethel Heights Road NW, Salem, OR 97304.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
CHAIRMAN MOLLICA APPROVED.
- d. Windward Vineyard LLC, 1380 Live Oak Road, Paso Robles, CA 93446.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
CHAIRMAN MOLLICA APPROVED.

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

10. NOTIFICATION OF APPROVED PETITIONS:

- a. Loon Mountain Ski Area, 60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage & Wine License #404103 licensed pursuant to RSA 178:20.
Requested approval for extensions of service, to wit, to extend service for Governor Adams Lodge to a Beer Garden located slope side and Octagon Lodge to extend service to the Concert Food Tent located in the parking lot between the Lodges on 9/16/2022 – 9/18/2022 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA APPROVED.
- b. Otto, 33 Water Street, Exeter, NH 03833.
Restaurant, On-Premises, Beverage & Wine License #1650003 licensed pursuant to RSA 178:20.
Requested an exception for access to a shared hallway, to wit, for a residential tenant to use a hallway that is also a point of egress for table service in an outdoor courtyard pursuant to RSA 179:48, IV.
CHAIRMAN MOLLICA APPROVED.
- c. Smoke & Flame Hookah Lounge, 10 Bridge Street, Unit #5, Pelham, NH 03076.
Cigar Bar, On-Premises, Cocktail Lounge License #406906 licensed pursuant to RSA 178:20-a.
Requested approval for authorization of other area, to wit, an outdoor area with a capacity of 200 for 9/4/2022 between 4:00 p.m. – 9:00 p.m. pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA APPROVED.
- d. Clubhouse at Bretton Woods, 310 Mount Washington Road, Route #302, NH 03575.
Sports Recreation Facility License #6014505 licensed pursuant to RSA 178:22, V(u)(1).
Requested approval for an extension of service, to wit, to extend service to a tent at the rear of the golf clubhouse on 8/26/2022 pursuant to RSA 178:24/Liq. 404.05.
CHAIRMAN MOLLICA APPROVED.

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Anheuser-Busch, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Requests approval of Goose Island Bourbon County - Bourbon County Brand Sir Isaac Stout that has an alcohol content of 13.9% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a.
CHAIRMAN MOLLICA APPROVED.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Claremont, NH;
Dorchester, NH;
Durham, NH;
Hanover, NH;
Haverhill, NH;
Lyman, NH;
Lyme, NH;
Orford, NH;
Piermont, NH;

Thornton, NH;
Waterville Valley, NH; and
Woodstock, NH.

CHAIRMAN MOLLICA ACKNOWLEDGED.

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

Tobacco Compliance Checks –

Amherst & Milford, NH:

- a. Milford Convenience Store, 92 Union Street, Milford, NH 03055.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3349747 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: 7/19/2022.
Case #: 22-87-OF.
Warning and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) by a manager within thirty (30) days from the date of the violation.
CHAIRMAN MOLLICA APPROVED.
- b. Shaw's, 586 Nashua Street, Milford, NH 03055.
Combination, Off-Premises, Beverage/Wine/Tobacco License #798547 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: 7/19/2022.
Case #: 22-87-OF.
Warning and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) by a manager within thirty (30) days from the date of the violation.
CHAIRMAN MOLLICA APPROVED.

16. ADMINISTRATIVE HEARING DECISION PENDING:

- a. A Restrobar, 930 Elm Street, Manchester, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1597203 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: 5/13/2021.
Case #: 21-260-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- b. Alton Village Store, 154 Main Street, Alton, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3013947 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: 3/19/2022.
Case #: 22-157-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- c. Anthony's Bar & Grill, 270 Lafayette Road, Seabrook, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1600403 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: 6/3/2021.
Case #: 21-270-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.

- d. China Bistro, Lake Street, Route #3, Gilford, NH.
Restaurant, Full Service With Lounge License #410203 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: 12/13/2021.
Case #: 21-630-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- e. Finch Beer Co., 1800 West Walnut Street, Chicago, IL.
Beverage Vendor License #97431 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15 – failed to file a monthly report by the 10th of the following month.
Date of violation: 3/28/2022.
Case #: 22-185-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- f. J. Don's Variety, 1081 West Hollis Street, Nashua, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3019247 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: 5/3/2021.
Case #: 21-242-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- g. Modestman Brewing, 100 Main Street, Keene, NH.
Nano Brewery, Beer and/or Specialty Beer License #207422 licensed pursuant to RSA 178:12-a.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 3/10/2022.
Case #: 22-161-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- h. North Beach Bar & Grill, 931 Ocean Blvd., Hampton, NH.
Restaurant, Full Service With Lounge License #1379203 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: 6/10/2021.
Case #: 21-301-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.
- i. Shane's Texas Pit, 61 High Street, Hampton, NH.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1558903 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: 6/10/2021.
Case #: 21-301-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.

- j. Widmer & Davis Artisan Distillers, 18 Allen Street, Newport, NH.
Liquor Manufacturer License #288919 licensed pursuant to RSA 178:6.
Cited for violation of RSA 178:6, VI – failed to file a tax report by the 10th of the following month.
Date of violation: 9/15/2021.
Case #: 21-484-OF.
HEARING WAS HELD SEPTEMBER 6, 2022.

17. ADMINISTRATIVE HEARING DECISION:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None