

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 20, 2022

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 13, 2022.

2. TABLED ITEMS:

None

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

Date to be determined:

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. EZ Mart Foods of NH, 78 Elm Street, Milford, NH 03055.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3408547 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 126-K:3 – Aggravated - 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, I – Aggravated - sold tobacco products to an underage person.
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, I – sold tobacco products to an underage person.
Dates of violations: 4/1/2022 & 2/25/2022.
Case #s: 21-509-OF & 22-49-OF.
THE HEARING SCHEDULED FOR OCTOBER 17, 2022 WAS CANCELED FOLLOWING SETTLEMENT.
For Administrative Notice #6415, an administrative fine of \$2,000 and the license to sell tobacco shall be suspended for ten (10) days commencing November 10, 2022 and re-granted on November 21, 2022; for Administrative Notice #6416, an administrative fine of \$2,000 suspended for twelve (12) months pending no like violation and the license to sell tobacco shall be suspended for ten (10) days and held in abeyance for twelve (12) months pending no like violation; for Administrative Notice #6560, an administrative fine of \$250; for Administrative Notice #6870, an administrative fine of \$250; Sheikh Mahmud shall complete a Retail Tobacco Management Training Seminar (RTMTS) online within thirty (30) days from the date of the fully signed agreement and all clerks shall complete a Grocer Education Training Seminar (GETS) online within thirty (30) days from the date of the fully signed agreement.
- b. White Mountain Tavern, 527 US Route #3, Lincoln, NH 03251.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1611103 licensed pursuant to RSA 178:21.
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: 12/11/2020.
Case #: 20-608-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 November 2, 2022 and re-granted on November 5, 2022 and Melissa Lewis shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed agreement.

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

None

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Arrowhead Recreation Club, 18 Robert Easter Way, Claremont, NH 03743.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #655741 for 10/15/2022 between 5:00 p.m. – 10:00 p.m. pursuant to RSA 178:22, V(l).
- b. Boys & Girls Club of Central NH at Grappone Conference Center, 70 Constitution Avenue, Concord, NH 03301.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #655341 for 10/18/2022 between 5:30 p.m. – 8:30 p.m. pursuant to RSA 178:22, V(l).
- c. Crowbar Hardware Store LLC, 36-38 Opera House Square, Claremont, NH 03743.
To be issued Restaurant, Full Service With Lounge License #1654303 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 10/13/2022.
- d. Franklin Outing Club, 266 Flaghole Road, Franklin, NH 03235.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #655641 for 10/22/2022 between 3:00 p.m. – 10:00 p.m. pursuant to RSA 178:22, V(l).
- e. Golden Magnolia House LLC DBA Topic of the Town Restaurant, 25 Main Street, Littleton, NH 03561.
To be issued Restaurant, On-Premises, Beverage & Wine License #1654403 pursuant to RSA 178:20.
30-Day Temporary License issued 10/18/2022.
- f. Granada Pizza, Inc. DBA Cheshire Village Pizza, 9 Ashuelot Street, Keene, NH 03431.
To be issued Restaurant Delivery License #02751 in conjunction with Restaurant, On-Premises, Beverage & Wine License #1645703 pursuant to RSA 179:15.
- g. John Hay Estate At The Fells, 456 Route #103A, Newbury, NH 03255.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #655141 for 10/15/2022 between 5:30 p.m. – 8:00 p.m. pursuant to RSA 178:22, V(l).
- h. Long Blue Cat Brewing, 298 Rockingham Road, Londonderry, NH 03053.
To be issued Beer Festival License #4015814 for 10/15/2022 between 11:00 a.m. – 4:00 p.m. pursuant to RSA 178:30.
- i. Medallion Opera House, 10 Park Street, Gorham, NH 03581.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #655141 for 10/29/2022 between 7:00 p.m. – 10:00 p.m. pursuant to RSA 178:22, V(l).
- j. Ocean King Bistro & Shushi, Inc. DBA Osaka Hibachi & Chinese Restaurant, 416 Emerson Avenue, Unit #3, Hampstead, NH 03841.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1650603 licensed pursuant to RSA 178:21.
90-Day Temporary License issued 10/18/2022.

- k. Prossimo Cucina LLC DBA Trenta, 30 Middleton Road, Wolfeboro, NH 03894.
To be issued Restaurant, Full Service With Lounge License #1654203 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 10/17/2022.
- l. Rabila LLC, 919 West Swanzey Road, Swanzey, NH 03446.
To be issued Retail Tobacco License #163717 pursuant to RSA 178:19-a.
30-Day Temporary License issued 10/13/2022.
- m. Senesombath LLC DBA Capital Thia, 97 Water Street, Exeter, NH 03833.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1655703 pursuant to RSA 178:21.
90-Day Temporary License issued 10/17/2022.
- n. Stonewall Farm, 242 Chesterfield Road, Keene, NH 03431.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #654541 for 10/8/2022 between 12:00 p.m. – 5:00 p.m. pursuant to RSA 178:22, V(l).

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 21, 2022: 1,387

- a. Antinori California, Inc., 257 St Andrews Drive, Napa, CA 84558.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. KenTina LLC, 35879 Bell Chainee Loop, Temecula, CA 92592.
To be issued Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27.
(Retail)

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

10. NOTIFICATION OF APPROVED PETITIONS:

- a. East Coast Cider Co. DBA Crucial 10 Craft Cider, 2913 US Route #3, Thornton, NH 03285.
Beverage Manufacturer License #296818 licensed pursuant to RSA 178:12.
Requested approval for a permanent extension of service, to wit, for an outdoor tasting area with a capacity of 40 seats pursuant to RSA 178:24/Liq. 404.05.
- b. Karvin, Inc. DBA Sea Ketch, 127 Ocean Blvd., Hampton, NH 03842.
Restaurant, Full Service With Lounge License #244403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Requested a waiver for authorization for reduction of hours, to wit, to reduce the hours of operation to 11:00 a.m. – 9:00 p.m. from 10/13 – 16/2022, 10/20 – 23/2022 and 10/27 – 30/2022 pursuant to RSA 179:21, II.
- c. Pup's Cider Co., 193 East Road, Greenfield, NH 03047.
Beverage Manufacturer License #288918 licensed pursuant to RSA 178:12.
Requested approval for authorization of other areas for retail sales only at farmers' market, to wit,

Peterborough Community Center (indoors), 25 Elm Street, Peterborough, NH on Wednesdays between 3:00 p.m. and 6:00 p.m. from 10/26/2022 through 12/21/2022 pursuant to RSA 178:24/RSA 179:44, II-a.

- d. Windmill Restaurant (The), 172 Loudon Road, Concord, NH 03301.
Restaurant, On-Premises, Beverage/Wine/Liquor License #414003 licensed pursuant to RSA 178:21.
Requested a reduction of hours, to wit, to continue with reduced hours by closing at 3:00 p.m. on Sunday – Tuesday each week through December 31, 2023 pursuant to RSA 179:21, II.

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. East Coast Cider Company LLC DBA Crucial 10 Craft Cider, 2913 US Route #3, Thornton, NH 03285.
Brew Pub License #296818 licensed pursuant to RSA 178:13.
Requests approval of New Hampshire Colonial Cider with an alcohol content of 6.5% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII.
- b. Mass Bay Brewing Company, 306 Northern Avenue, Boston, MA 02210.
Beverage Vendor License #9131 licensed pursuant to RSA 178:15.
Requests approval of Harpoon Interrobang with an alcohol content of 15.96% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a.
- c. Sierra Nevada Brewing, 1075 E. 20th Street, Chico, CA 95928.
Beverage Vendor License #17731 licensed pursuant to RSA 178:15.
Requests approval of Strange Beast Mimosa Kombucha with an alcohol content of 7% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII.

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:

Tobacco Compliance Checks:

Allenstown, Andover, Boscawen, Bow, Chichester, Dunbarton, Epsom, Hopkinton, Loudon, New London, Northfield & Pembroke, NH:

- a. Canterbury Country Store, 3 Center Road, Canterbury, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3123847 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: 9/20/2022.
Case #: 22-445-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.
- b. Colonial Village Pharm/Market, 54 Park Avenue, Hopkinton, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #787247 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: 8/29/2022.
Case #: 22-445-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.

- c. Lavallee's Store, 49 Glass Street, Pembroke, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #704547 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: 9/20/2022.
Case #: 22-445-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.

16. ADMINISTRATIVE HEARING DECISION PENDING:

Smoke & Flame Hookah Lounge, 10 Bridge Street, Unit #5, Pelham, NH 03076.
Temporary Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #406906 licensed pursuant to RSA 178:20-a/RSA 178:9-a.
Denial of Permanent License.
HEARING WAS HELD 10/17/2022.

17. ADMINISTRATIVE HEARING DECISIONS:

- a. Breakaway Beerworks, 46 Concord Street, Belmont, NH 03220.
Nano Brewery, Beer and/or Specialty Beer License #207722 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 #: 22-98-OF.
HEARING WAS HELD 10/17/2022.
“The licensee is found to be in violation of RSA 178:12-a and fined \$100. The fine shall become payable should the licensee re-apply for a liquor license.”
- b. Lot 18/Tasting Room, 2545 Napa Valley Corporate Drive, Suite C, Napa, CA 94558.
Direct Shipper Permit #826333 licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V/Liq. 1103 – failed to file a Direct Shipper Report by the 15th of the following month.
Cited for violation of RSA 179:57/Liq. 603.05 – failed to comply with the requirements of a Commission Order.
Date of violations: 4/22/2022.
Case #: 22-236-OF.
HEARING WAS HELD 10/17/2022.
“The licensee is found to be in violation of Liq. Rule 1103, and to be in violation of a Commission order. The licensee is fined \$250 for the violation of Liq. Rule 1101, and \$2,000 with \$1,500 held in abeyance for a period of 1 year. The fines shall become payable should the licensee re-apply for a liquor license.”
- c. 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/Liq. 704.01 – failed to renew license thirty days prior to expiration.
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.
Cited for violation of RSA 179:57/Liq. 603.05 – failed to comply with the requirements of a Commission Order.
Dates of violations: 3/10/2022, 9/21/2022 & 9/22/2022.

Case #: 22-161-OF, 22-532-OF & 22-543-OF.
HEARING WAS HELD 10/17/2022.

“The licensee is again found to be in violation of Liq. Rule 704.04, and to be in violation of a commission order dated September 14, 2022. The licensee is fined \$2,000 with \$1,400 held in abeyance for a period of 1 year. \$100 is to be paid for the previous violation of Liq. Rule 707.04, and \$500 to be paid for the violation of a commission order contrary to Liq. Rule 603.05. The fines are due within 5 days of the date of this order. The licensee is hereby put on notice that failure to comply with this order will result in the entire fine of \$2,000 being imposed. “

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

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.

This item has been removed from the hearings schedule. The license is in safekeeping while the licensee prepares monthly reports.