

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

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD OCTOBER 27, 2022.**

2. **TABLED ITEMS:**

None

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

November 10, 2022 at 1:00 p.m.

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.

The Licensee was issued a 90-day temporary Cigar Bar license on 6/17/2022 and was denied a permanent license based on public safety issues and failure to follow its business plan that had been approved by the Commission. Consequently, the NH Liquor Commission denied the license for Smoke and Flame Hookah lounge on 9/23/2022.

A hearing on the denial was held on 10/17/2022 at the request of the licensee who sought a continuance for that hearing and an extension of the liquor license pending the outcome of the license denial hearing.

The licensee has submitted a partial application for a new Cigar Bar License. It is the Division's position that the pending licensing denial issue be resolved before any consideration is given to the new application.

NOTICE OF DECISION AND ORDER ON LICENSEE'S MOTION FOR EXPEDITED HEARING ISSUED 10/28/2022: A hearing will be conducted on November 10, 2022. SEE #7 BELOW.

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 – Aggravated - served or sold alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated resulting in a fatality – 2 counts.
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 #: 21-465-OF & 21-599-OF.
9/1/2022 – LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

4. **NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:**

None

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

- a. American Legion Post #48, 38 Webster Street, Jaffrey, NH 03452.
Veterans Club License #31139 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial statement by the 15th of the following month.
Date of violation: 10/10/2022.
Case #: 22-588-OF.
\$100 administrative fine.
- b. Backyard Brewery, 1211 South Mammoth Road, Manchester, NH 03109.
Brew Pub License #2002715 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-652-OF.
Administrative fine of \$100 and an additional fee of \$86.17 that represents 10% of the tax due.
- c. Daydreaming Brewing Co., 1.5 East Broadway, Derry, NH 03038.
Beverage Manufacturer License #294218 licensed pursuant to RSA 178:12.
Cited for violation of RSA 178:13/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-633-OF.
Administrative fine of \$100 and an additional fee of \$3.82 that represents 10% of the tax due.
- d. Doogie's, 37 Manchester Street, Manchester, NH 03101.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1451403 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:21, II – failed to keep the kitchen in operation or to actively promote and serve meals in the dining room.
Date of violation: 10/15/2022.
Case #: 22-626-OF.
Warning.
- e. Earth Eagle Brewing, 350 Route #108, Somersworth, NH 03878.
Beverage Manufacturer License #294718 licensed pursuant to RSA 178:12.
Cited for violation of RSA 178:12/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month – 2 counts.
Date of violations: 10/13/2022.
Case #: 22-636-OF & 22-649-OF.
Administrative fine of \$200 and an additional fee of \$19.91 that represents 10% of the taxes due.
- f. Garrison City Beerworks, 455 Central Avenue, Dover, NH 03820.
Brew Pub License #2006615 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-654-OF.
Administrative fine of \$100 and an additional fee of \$9.33 that represents 10% of the tax due.
- g. Kelsen Brewing, 80 North High Street, Unit #3, Derry, NH 03038.
Brew Pub License #2006815 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 - failed to pay required taxes by the 10th of the following month – 2 counts.

Dates of violation: 10/4/2022 & 10/13/2022.

Case #: 22-567-OF & 22-655-OF.

Administrative fine of \$200 and an additional fee of \$92.77 that represents 10% of the taxes due.

- h. Ledge Brewing, 15 Town Hall Road, Intervale, NH 03845.
Beverage Manufacturer License #294018 licensed pursuant to RSA 178:12.
Cited for violation of RSA 178:12/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-639-OF.
Administrative fine of \$100 and an additional fee of \$22.28 that represents 10% of the tax due.
- i. Patch Orchard, 40 Patch Road, Lebanon, NH 03766.
Beverage Manufacturer License #291618 licensed pursuant to RSA 178:12.
Cited for violation of RSA 178:12/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-643-OF.
Administrative fine of \$100 and an additional fee of \$4.93 that represents 10% of the tax due.
- j. Portsmouth Brewery, 56 Market Street, Portsmouth, NH 03801.
Brew Pub License #2000715 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/4/2022.
Case #: 22-569-OF.
Administrative fine of \$100 and an additional fee of \$70.27 that represents 10% of the tax due.
- k. Red Star Kitchen, 5 Main Street, Lyme, NH 03768.
Retail Wine License #3164846 licensed pursuant to RSA 178:19.
Cited for violation of RSA 178:19, I(c) – sold beer within the establishment.
Date of violation: 10/13/2022.
Case #: 22-645-OF.
Warning.
- l. Sea Dog North Conway, 1976 White Mountain Highway, North Conway, NH 03860.
Brew Pub License #2002215 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month - 2 counts.
Date of violation: 10/4/2022 & 10/13/2022.
Case #: 22-570-OF & 22-658-OF.
Administrative fine of \$200 and an additional fee of \$.39 that represents 10% of the taxes due.
- m. Stark Brewing, 500 Commercial Street, Manchester, NH 03101.
Brew Pub License #2001715 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-647-OF.
Administrative fine of \$100 and an additional fee of \$19.53 that represents 10% of the tax due.
- n. Two Roads Brewing Co., 1700 Stratford Avenue, Stratford, CT 06615.
Beverage Vendor License #76031 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258, 259, 334 & 335 by the 10th of the following month.

Date of violation: 4/28/2022.

Case #: 22-249-OF.

Warning.

- o. White Mountain Brewing, 50 Winters Street, Ashland, NH 03217.
Beverage Manufacturer License #297018 licensed pursuant to RSA 178:12.
Cited for violation of RSA 178:12/RSA 178:26 - failed to a monthly tax report and pay required taxes by the 10th of the following month.
Date of violation: 10/13/2022.
Case #: 22-630-OF.
Administrative fine of \$100 and an additional fee of \$8.01 that represents 10% of the tax due.
- p. Wild Side, 1350 Elm Street, Manchester, NH 03101.
Retail Tobacco License #134017 licensed pursuant to RSA 178:19-a.
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law – selling Delta 8 edible products.
Date of violation: 10/15/2022.
Case #: 22-625-OF.
Warning.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Ansanm LLC, 20 South Street, Milford, NH 03055.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1652403 licensed pursuant to RSA 178:21.
90-Day Temporary License issued 10/28/2022.
- b. Arbi Farms LLC DBA Sheraton Hotel, 11 Tara Blvd., Nashua, NH 00362.
To be issued Hotel License #376502 pursuant to RSA 178:24, II(b)(1).
90-Day Temporary License issued 10/26/2022.
- c. Breakfast Station 319 LLC, 6 Main Street, Somersworth, NH 03878.
To be issued Restaurant, On-Premises, Beverage & Wine License #1656803 pursuant to RSA 178:20.
30-Day Temporary License issued 10/28/2022.
- d. Eeskay NH LLC DBA Boston Billiard Club, 55 Northeastern Blvd., Nashua, NH 03062.
To be issued Retail Tobacco License #163817 pursuant to RSA 178:19-a.
30-Day Temporary License issued 10/28/2022.
- e. Eeskay NH LLC DBA Boston Billiard Club, 55 Northeastern Blvd., Nashua, NH 03062.
To be issued Restaurant, Full Service With Lounge License #1655403 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 10/28/2022.
- f. Fore Cans LLC DBA Fore Craft Cocktails, 6101 Three Chopt Road, Richmond, VA 23226.
To be issued Beverage Vendor License #123331 pursuant to RSA 178:15.
Manufacturer: Fore Craft Cocktails.
30-Day Temporary License issued 10/28/2022.
- g. Ghrehi Pleasant Lake LLC DBA Inn at Pleasant Lake, 853 Pleasant Street, New London, NH 03257.
To be issued Restaurant, Full Service With Lounge License #1656103 pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 10/28/2022.

- h. Ghrehi Pleasant Lake LLC DBA Inn at Pleasant Lake, 853 Main Street, New London, NH 03257. To be issued Restaurant Delivery License #02851 in conjunction with Restaurant, Full Service With Lounge License #1656103 pursuant to RSA 179:15.
- i. Ghrehi New London Inn LLC DBA New London Inn/Coach House Restaurant, 353 Main Street, New London, NH 03257. To be issued Hotel, Full Service With Lounge License #376702 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k). 90-Day Temporary License issued 10/28/2022.
- j. Great Blue Brewing Company LLC, 84 North Water Street, Boscawen, NH 03303. To be issued Beverage Manufacturer License #297218 pursuant to RSA 178:12. 30-Day Temporary License issued 10/26/2022.
- k. Jane & James LLC DBA Wiine On Main, 9 North Main Street, Concord, NH 03301. To be issued Retail Wine License #3169846 pursuant to RSA 178:19. 30-Day Temporary License issued 11/1/2022.
- l. John Hay Estate At The Fells, 465 Route #103A, Newbury, NH 03255. To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #656341 for 11/9/2022 between 6:00 p.m. – 8:00 p.m. pursuant to RSA 178:22, V(l).
- m. NH Food Bank at Double Tree By Hilton Manchester, 700 Elm Street, Manchester, NH 03101. To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #655841 for 11/3/2022 between 5:00 p.m. – 8:30 p.m. pursuant to RSA 178:22, V(l).
- n. Svar, Inc. DBA Milton Mart, 16 Commerce Way, Milton, NH 03851. To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3420947 pursuant to RSA 178:18/RSA 126-K:4. 30-Day Temporary License issued 10/26/2022.
- o. Udice, Cassidy DBA Uncle Joey's, 733 DW Highway, Merrimack, NH 03054. To be issued Restaurant, On-Premises, Beverage & Wine License #1653203 pursuant to RSA 178:20. 30-Day Temporary License issued 11/1/2022.

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

Smoke & Flame Hookah Lounge, 10 Bridge Street, Unit #5, Pelham, NH 03076.
Requests the issuance of Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #407406 pursuant to RSA 178:20-a/RSA 178:9-a.

Recommendation for denial of a permanent license. A permanent license was denied on September 23, 2022. A hearing for that denial is scheduled for November 10, 2022. The licensee has applied for a new license. Pelham Police Department submitted a letter of objection to the issuance of the new license.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 28, 2022: 1,393

- a. Erath PremiumCo. LLC, 6457 SE Amity Road, Amity, OR 97101. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)
- b. PremiumCo LLC DBA Northstar, 1736 JB George Road, Walla Walla, WA 99362. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)

- c. PremiumCo LLC DBA Spring Valley Vineyard, 1663 Corkrum Road, Walla Walla, WA 99362. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)
- d. Martorana Enterprises, LLC, 5956 West Dry Creek Road, Healdsburg, CA 95448. To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

10. NOTIFICATION OF APPROVED PETITIONS:

- a. Big House (The), 322 Lakeside Avenue, Laconia, NH 03246. Restaurant, Full Service With Lounge License #361111 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Requested approval for a temporary extension of service, to wit, to extend service at the front entrance on the sidewalk to the right of the door for the Wicked Weirs event on 10/28/22 between 5:00 p.m. – 2:00 a.m., 10/29/2022 between 7:00 a.m. – 2:00 a.m. and 10/30/2022 between 7:00 a.m. – 5:00 p.m. pursuant to RSA 178:24/Liq. 404.05.
- b. Crazy Gringo, 306 Lakeside Avenue, Laconia, NH 03246. Restaurant, Full Service With Lounge License #1307403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Requested approval for a temporary extension of service, to wit, to extend service to the front patio area for the Wicked Weirs event between 10/28/22 - 10/30/2022 pursuant to RSA 178:24/Liq. 404.05.
- c. Hector's Fine Food and Spirits, 53 Beacon Street West, Laconia, NH 03246. Restaurant, Full Service With Lounge License #1566803 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Requested approval for a temporary extension of service, to wit, to extend service to a tent in a private parking lot during Pumpkifest with a capacity of 40 on 10/29/2022 between 11:30 a.m. – 9:00 p.m. pursuant to RSA 178:24/Liq. 404.05.
- d. Raven Vapes, 293 Main Street, Suite #1, Tilton, NH 03276. Retail Tobacco License #148817 licensed pursuant to RSA 178:19-a. Requested to transfer business location, to wit, to transfer the business location from 272 Main Street, Unit A, Tilton, NH 03276 to 293 Main Street, Suite #1, Tilton, NH 03276 pursuant to RSA 178:29, VIII.
- e. Taproot Marketplace, 77 Main Street, Lancaster, NH 03584. Combination License #3328147 licensed pursuant to RSA 178:18. Requested to change trade name, to wit, to change the trade name from The Root Seller Marketplace to Taproot Marketplace pursuant to RSA 178:1, II and transfer business location, to wit, to transfer the business location from 77 Main Street, Lancaster, NH 03584 to 101 Main Street, Lancaster, NH 03584 pursuant to RSA 178:29, VIII.
- f. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH 03246. Restaurant, Full Service With Lounge License #1369903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Requested approval for a temporary extension of service, to wit, to extend service at the front entrance on the sidewalk to the right of the door and next to the stage for the Wicked Weirs event on 10/28/22 between 5:00 p.m. – 2:00 a.m., 10/29/2022 between 7:00 a.m. – 2:00 a.m. and 10/30/2022 between 7:00 a.m. – 5:00 p.m. pursuant to RSA 178:24/Liq. 404.05.

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Flying Dog Brewery LLP, 4607 Wedgewood Blvd., Frederick, MD 21703.
Beverage Vendor License #43631 licensed pursuant to RSA 178:15.
Requests approval of Killer Hard Tea with an alcohol content of 8% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII.
- b. Twelve Percent Abomination Brewing Co., 341 State Street, North Haven, CT 06473.
Beverage Vendor License #99631 licensed pursuant to RSA 178:15.
Requests approval of Abomination The Final Fog with an alcohol content of 13% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Rindge, NH.

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

Tobacco Compliance Checks –

Concord, NH:

- a. 7-Eleven, 125 Loudon Road, Concord, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3269447 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: 8/30/2022.
Case #: 22-459-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. Capital Beverages, 75 South Main Street, Concord, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3360847 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: 8/25/2022.
Case #: 22-459-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. Katmandu Bazaar, 133 Loudon Road, Unit #1, Concord, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3309847 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: 8/30/2022.
Case #: 22-459-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.

- d. Kwik Stop, 110 Loudon Road, Concord, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3295547 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: 8/30/2022.
Case #: 22-459-OF.
\$500 administrative fine and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) for Alex Emery within thirty (30) days from the date of the violation.

- e. Route #106 Shell, 242 Sheep Davis Road, Concord, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3181447 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: 8/25/2022.
Case #: 22-459-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:**

None

17. **ADMINISTRATIVE HEARING DECISIONS:**

None

18. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

None