

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 17, 2022

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD NOVEMBER 10 2022.

2. TABLED ITEMS:

None

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

December 6, 2022; time TBD:

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:

El Tapatio Restaurante Mexicano, 707 Milford Road, Unit #4C, Merrimack, NH 03054.

Restaurant, Full Service With Lounge License #1398103 licensed pursuant to

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

Cited for violation of RSA 179:5, I - sold alcoholic beverage to a person under the age of twenty-one.

Cited for violation of RSA 179:8, I – failed to require the purchaser whose age is in question to furnish identification that such person is twenty-one years of age.

Date of violation: 7/15/2022.

Case #: 22-387-OF.

For the violation of RSA 179:5, 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 23, 2022 and re-granted on November 26, 2022, Juan Ayala shall complete a

Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed

agreement and Leny Anziani shall complete a Total Education in Alcohol Management (TEAM) seminar

online within thirty (30) days from the date of the fully signed agreement; and for violation of RSA 179:8,

an administrative fine of \$100.

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

a. American Legion, 47 Tasker Hill Road, Conway, NH 03818.

Veterans Club License #22039 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: 10/16/2022.

Case #: 22-677-OF.

\$200 administrative fine.

- b. Beach Plum (The), 8 South Village Drive, Salem, NH 03079.
Restaurant, On-Premises, Beverage & Wine License #1627403 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 11/1/2022.
Case #: 22-729-OF.
Warning.
- c. Dalton Country Store, 395 Dalton Road, Dalton, NH 03598.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3323147 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 11/2/2022.
Case #: 22-730-OF.
Warning.
- d. Hidden Moon, 23 Londonderry Road, Unit #17, Londonderry, NH 03053.
Beverage Manufacturer License #291418 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 tax by the 10th of the following month.
Date of violation: 10/4/2022.
Case #: 22-578-OF.
Administrative fine of \$100 and an additional fee of \$6.55 that represents 10% of the taxes due.
- e. Hidden Moon, 1253 Upper City Road, Pittsfield, NH 03263.
Beverage Manufacturer License #296118 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 tax by the 10th of the following month.
Date of violation: 10/4/2022.
Case #: 22-577-OF.
Administrative fine of \$100 and an additional fee of \$9.21 that represents 10% of the taxes due.
- f. Le Davignon, 218 Wilson Street, Manchester, NH 03103.
Social Club License #10901 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial report by the 15th of the following month.
Date of violation: 10/16/2022.
Case #: 22-689-OF.
\$100 administrative fine.
- g. Lonewolf Brewing, 36 Mills Street, Wolfeboro, NH 03894.
Brew Pub License #2003115 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 tax by the 10th of the following month.
Dates of violation: 10/4/2022 & 10/13/2022.
Case #s: 22-568-OF & 22-657-OF.
Administrative fine of \$200 and an additional fee of \$20.94 that represents 10% of the taxes due.
- h. Plaistow Fish & Game, 18 May Ray Avenue, Plaistow, NH 03865.
Social Club License #5101 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial report by the 15th of the following month.
Date of violation: 10/10/2022.
Case #: 22-594-OF.
\$100 administrative fine.

- i. 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 tax by the 10th of the following month.
Date of violation: 10/13/2022.
Case #s: 22-657-OF.
Administrative fine of \$100 and an additional fee of \$24.02 that represents 10% of the tax due.
- j. Strand Ballroom (The), 20 Third Street, Dover, NH 03820.
Performing Arts License #399808 licensed pursuant to RSA 178:22, V(m).
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 11/2/2022.
Case #: 22-731-OF.
Warning.
- k. Three Sisters Country Store, 160 South Main Street, Wolfeboro, NH 03894.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3087247 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 11/2/2022.
Case #: 22-732-OF.
Warning.
- l. Topwater Brewing, 748 Calef Highway, Barrington, NH 03825.
Brew Pub License #2004915 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 tax by the 10th of the following month.
Date of violation: 10/13/2022.
Case #s: 22-629-OF.
Administrative fine of \$100.
- m. Vape Vibes LLC, 99 Rockingham Park Blvd., Salem, NH 03079.
Retail Tobacco License #152717 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.
Date of violation: 10/13/2022.
Case #s: 22-614-OF.
Warning.
- n. Veterans of Foreign Wars, 18 Railroad Avenue, Derry, NH 03038.
Veterans Club License #21239 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.
Dates of violation: 4/29/2022 & 10/16/2022.
Case #s: 22-257-OF & 22-692-OF.
\$200 administrative fine.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Battle Axe LLC, 614 Nashua Street, Suite #1, Milford, NH 03055.
To be issued Sports Recreation Facility License #6026005 pursuant to RSA 178:22, V(u)(1).
90-Day Temporary License issued 11/9/2022.
- b. Casablanca Casino LLC DBA Lakes Region Casino, 1265 Laconia Road, Belmont, NH 03220.
To be issued Restaurant, Full Service With Lounge License #1641403 pursuant to

RSA 178:21, II(a)(1)/RSA 178:22, V(q).
90-Day Temporary License issued 11/9/2022.

- c. D&V International, Inc., 147 Barcelona Drive, Jupiter, FL 33458.
To be issued Beverage Vendor License #123531 pursuant to RSA 178:15.
Manufacturer: Brewery Hoopebrau GMBH.
30-Day Temporary License issued 11/10/2022.
- d. D&V International, Inc., 147 Barcelona Drive, Jupiter, FL 33458.
To be issued Beverage Vendor License #123631 pursuant to RSA 178:15.
Manufacturer: Brewery BRLD GMBH.
30-Day Temporary License issued 11/10/2022.
- e. Kettlehead Brewing Company LLC, 20 Canal Street, Bldg. D, Suite #106, Franklin, NH 03235.
To be issued Restaurant, On-Premises, Beverage & Wine License #1649903 pursuant to RSA 178:20.
30-Day Temporary License issued 11/10/2022.
- f. Kettlehead Brewing Company LLC, 20 Canal Street, Bldg. D, Suite #106, Franklin, NH 03235.
To be issued Beverage Manufacturer License #297418 pursuant to RSA 178:12.
30-Day Temporary License issued 11/10/2022.
- g. Kurama Omakase, Inc. 14 Cypress Street, Keene, NH 03431.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1651103 licensed pursuant to RSA 178:21.
90-Day Temporary License issued 11/10/2022.
- h. Lang's Corner Provisions, 351 Wallis Road, Rye, NH 03870.
To be issued Retail Wine License #3169946 pursuant to RSA 178:19.
30-Day Temporary License issued 11/10/2022.
- i. Manchester Harley Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #656441 for 11/12/2022 between 11:00 a.m. – 3:00 p.m., #656541 for 11/19/2022 between 11:00 a.m. – 3:00 p.m., #656741 for 11/26/2022 between 11:00 a.m. – 3:00 p.m. and #656941 for 11/30/2022 between 5:00 p.m. – 8:00 p.m. pursuant to RSA 178:22, V(l).
- j. Woodstock Inn Again Ltd. DBA Woodstock Inn Brewery, 135 Main Street, North Woodstock, NH 03262.
To be issued Beverage Manufacturer Retail Outlet License #10152 pursuant to RSA 178:12.
30-Day Temporary License issued 11/10/2022.

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING NOVEMBER 10, 2022: 1,388

Setting Wines LLC (The), 12293 Old Redwood Highway, 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. Atkinson Resort and Country Club, 54 Sawyer Avenue, Atkinson, NH 03811.
Hotel, Full Service With Lounge License #362102 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Requested approval to charge a corkage fee, to wit, to charge a fee when serving a bottle of wine brought in by a customer, to be stored separately from licensed alcohol and served when requested and when a full course meal is consumed pursuant to RSA 178:21, II, a(5).
- b. Shara Vineyards, 82 Currier Road, Concord, NH 03301.
Wine Manufacturer License #567730 licensed pursuant to RSA 178:8.
Requested approval for authorization of other area for retail sales only at farmers' market, to wit, Downtown Concord Winter Farmers' Market, 7 Eagle Square, Concord, NH on Saturdays between 9:00 a.m. - 12:00 p.m. from 1/22/2022 – 12/31/2022 pursuant to RSA 178:24/RSA 179:44, II-a.

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Requests approval of Devil's Backbone Watermelon Margarita with an alcohol content of 7.5% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-aaa.
- b. Aslin Beer Company, Inc., 847 South Pickett Street, Alexandria, VA 22304.
Beverage Vendor License #114231 licensed pursuant to RSA 178:15.
Requests approval of Unicorn Vomit with an alcohol content of 12.8 at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-a.
- c. King's County Brewers Collective LLC, 381 Troutman Street, Brooklyn NY 11237.
Beverage Vendor License #107631 licensed pursuant to RSA 178:15.
Requests approval of Vampire Squid Imperial Stout with an alcohol content of 12.5% 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:

None

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

Alcohol Compliance Checks –

Kingston & East Kingston, NH:

- a. Jones General Store, 8 Depot Road, East Kingston, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3410847 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: 10/7/2022.

Case #: 19-561-OF.

Warning, four (4) points assessed to the liquor license and mandatory completion of a Management Training Seminar (MTS) by a manager within thirty (30) days from the date of the violation.

Tobacco Compliance Checks

Cheshire County:

- b. Hometown Irving, 462 US Route #202, Rindge, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3364547 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: 8/6/2022.
Case #: 22-399-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.

Merrimack County:

- c. College Convenience, 19 Bridge Street, Henniker, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3373347 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: 10/11/2022.
Case #: 22-486-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.

Rockingham County:

- d. L&M Variety Store, 51 Elm Street, Newmarket, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3150447 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: 10/11/2022.
Case #: 22-585-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.
- e. Newbury Farms, 66 Main Street, Newmarket, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3329747 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: 10/11/2022.
Case #: 22-585-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.

Bedford & Goffstown, NH:

- f. K2 Mobil Mart, 566 Mast Road, Goffstown, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3320947 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 #: 22-480-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.

Plaistow & Portsmouth, NH:

- g. Foods Plus, 5 Plaistow Street, Plaistow, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #855247 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: 7/17/2022.
Case #: 22-377-OF.
\$250 administrative fine and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) by a manager within thirty (30) days from the date of the violation.
- h. McKinnon's Market & Super, 2454 Lafayette Road, Portsmouth, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3278247 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: 7/17/2022.
Case #: 22-377-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.
- i. Hub (The), 222 State Street, Portsmouth, NH.
Retail Tobacco License #154217 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: 7/17/2022.
Case #: 22-377-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.
- j. Smoker's Choice, 18 Plaistow Street #2, Plaistow, NH.
Retail Tobacco License #160917 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: 7/17/2022.
Case #: 22-377-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.

Wolfeboro, NH:

- k. Three Sisters Country Store, 160 South Main Street, Wolfeboro, NH.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3087247 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: 10/18/2022.
Case #: 22-694-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.

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.
HEARING WAS HELD NOVEMBER 10, 2022.

17. ADMINISTRATIVE HEARING DECISIONS:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None