

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, DECEMBER 29, 2022

1. RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD DECEMBER 22, 2022.

2. TABLED ITEMS:

None

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

December 30, 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: HEARING WAS HELD NOVEMBER 10, 2022.

Sentencing hearing for violations adjudicated on November 10, 2022.

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 179:5, I -Aggravated - served or sold alcoholic beverage to a patron who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated resulting in the patron falling and breaking an ankle.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a patron who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: 6/4/2021.
Case #: 21-371-OF.
For RSA 179:5, I – Aggravated, 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 ten (10) days with seven (7) days held in abeyance for twelve (12) months pending no like violation commencing December 30, 2022, Mike Bruce shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed agreement and Ashley McDowell shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom within thirty (30) days from the date of the fully signed agreement; for RSA 179:5, I - .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 and the license to serve, consume or possess alcohol shall be suspended for three (3) days commencing January 2, 2023 and re-granted on January 5, 2023.

- b. Dollar Deluxe One, 334 Union Street, Manchester, NH 03103.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3400747 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 126-K:4 - sold tobacco to a purchaser under 21 years of age.
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.
Date of violation: 10/13/2022.
Case #: 22-615-OF.
A \$250 administrative fine for each violation for a total of \$500.
- c. Smoker Choice II, 137 Loudon Road, Concord, NH 03301.
Retail Tobacco, Tobacco Only License #147717 licensed pursuant to RSA 126-K:4.
Cited for violation of RSA 126-K:4 - sold tobacco to a person under 21 years of age during a Selective Alcohol and Tobacco Initiative.
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 during a Selective Alcohol and Tobacco Initiative.
Date of violation: 7/22/2022.
Case #: 22-258-OF.
A \$250 administrative fine for each violation for a total of \$500.

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

- a. 14th Star Brewing Company, 133 North Main Street, Suite #7, Saint Albans, VT 05478.
Beverage Vendor License #76331 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-862-OF.
Warning.
- b. American Legion, 169 Walton Road, Seabrook, NH 03874.
Veterans Club License #24739 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 – 2 counts.
Dates of violation: 8/16/2022 & 10/16/2022.
Case #: 22-930-OF & 22-939-OF.
\$200 administrative fine.
- c. Aslin Beer Company, Inc., 847 South Pickett Street, Alexandria, VA 22304.
Beverage Vendor License #114231 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-863-OF.
Warning.
- d. Binding Brauerei USA, Inc., 383 Main Avenue, Suite #400, Norwalk, VT 06851.
Beverage Vendor License #42731 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-864-OF.
Warning.
- e. Foley Brothers Brewing, 79 Stone Mill Dam Road, Brandon, VT 05733.
Beverage Vendor License #97131 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month - 2 counts.
Date of violation: 9/11/2022.

Case #: 22-924-OF.
\$200 administrative fine.

- f. Pabst Brewing Company, 110 East Houston Street, San Antonio, TX 78205.
Beverage Vendor License #4131 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-873-OF.
Warning.
- g. Pabst Brewing Company, 110 East Houston Street, San Antonio, TX 78205.
Beverage Vendor License #83431 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-874-OF.
Warning.
- h. Pabst Brewing Company, 110 East Houston Street, San Antonio, TX 78205.
Beverage Vendor License #110231 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-875-OF.
Warning.
- i. Pabst Brewing Company, 110 East Houston Street, San Antonio, TX 78205.
Beverage Vendor License #28431 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-878-OF.
Warning.
- j. Ten Bends Beer, 590 East Main Street, Hyde Park, VT 05655.
Beverage Vendor License #97731 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 9/11/2022.
Case #: 22-879-OF.
Warning.
- k. Widowmaker Brewing, 220 Wood Road, Braintree, MA 02184.
Beverage Vendor License #108831 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:15, II – failed to file Forms 258/334 by the 10th of the following month.
Date of violation: 5/11/2022.
Case #: 22-881-OF.
Warning.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. AV Food & Beverage LLC DBA Thailicious Asian Fusion, 62 Route #101A, Amherst, NH 03031.
To be issued Restaurant, On-Premises, Beverage & Wine License #1657803 pursuant to RSA 178:20.
30-Day Temporary License issued 12/23/2022.
- b. It's Good Imports LLC, 150 Pilgrim Park Road, Waterbury, VT 05676.
Manufacturer: Huyghe Brewing, Melle, Belgium.
To be issued Beverage Vendor License #124631 licensed pursuant to RSA 178:15.
30-Day Temporary License issued 12/22/2022.

- c. It's Good Imports LLC, 150 Pilgrim Park Road, Waterbury, VT 05676.
Manufacturer: Jester King Brewery, Austin, Texas.
To be issued Beverage Vendor License #124531 licensed pursuant to RSA 178:15.
30-Day Temporary License issued 12/22/2022.
- d. NH Restaurant Group LLC DBA Pemi Base Camp, 75 Crooked Mountain Road, Lincoln, NH 03251.
To be issued Restaurant, On-Premises, Beverage & Wine License #1659303 licensed pursuant to RSA 178:20.
30-Day Temporary License issued 12/22/2022.
- e. Riverhill Investments LLC DBA Heritage Corner Market, 1380 NH Turnpike, Northwood, NH 03261.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3423347 licensed pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 12/20/2022.
- f. Traveler's Rest. LLC (The), 22 Hemp Hill Road, Bristol, NH 03222.
To be issued Beverage Manufacturer License #298218 licensed pursuant to RSA 178:12.
30-Day Temporary License issued 12/19/2022.
- g. Traveler's Rest. LLC (The), 22 Hemp Hill Road, Bristol, NH 03222.
To be issued Restaurant, On-Premises, Beverage & Wine License #1658303 licensed pursuant to RSA 178:20.
30-Day Temporary License issued 12/19/2022.

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING DECEMBER 23, 2022: 1,391

- a. Donald Patz Wine Group LLC, 1200 American Way, Windsor, CA 95492.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Eco Terreno Wines, Inc., 2859 Dry Creek Road, Healdsburg, CA 95448.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- c. Rose & Arrow LLC, 1445 NE Miller Street, Building B, Suites #1-4, McMinnville, OR 97128.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- d. Valkyrie Selections LLC, 202 Haydon Street, Healdsburg, CA 95448.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- e. Vampire Family Brands LLC, 5757 Olivas Park Drive, Unit K, Ventura, CA 93003.
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. Cloud Lounge, 2 Range Road, Salem, NH 03079.
Cigar Bar, On-Premises, Cocktail Lounge License #406306 licensed pursuant to RSA 178:20-a.
Requested an extension of hours, to wit, to extend the hours of operation on January 1, 2023 with glasses off the table by 2:00 a.m. pursuant to RSA 178:21, II, a (2).
- b. La Esquina Restaurant 363 Chestnut Street, Manchester, NH 03101.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1644303 licensed pursuant to RSA 178:21.
Requested an extension of hours, to wit, to extend the hours of operation on January 1, 2023 with glasses off the table by 2:00 a.m. pursuant to RSA 178:21, II, a (2).

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Future Proof Brands LLC DBA BeatBox Beverages, 1023 Springdale Road #12E, Austin, TX 78721.
Beverage Vendor License #117731 licensed pursuant to RSA 178:15.
Requests approval of BeatBox Beverages Fruit Punch and BeatBox Beverages Juicy Mango, each with an alcohol content of 8% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, VIII.
- b. Molson Coors Beverage Company USA LLC, 250 South Wacker Drive, Suite #800, Chicago, IL 60606.
Beverage Vendor License #45431 licensed pursuant to RSA 178:15.
Requests approval of Steel Reserve Spiked Pineapple with an alcohol content of 8% 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:

None

16. ADMINISTRATIVE HEARING DECISION PENDING:

None

17. ADMINISTRATIVE HEARING DECISIONS:

None

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None