

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR FEBRUARY 23, 2023

1. ACCEPTANCE OF MINUTES:

RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD FEBRUARY 16, 2023.

2. TABLED ITEMS:

None

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

February 22, 2023 at 2:30 p.m.:

- a. One Hope, 8301 Saint Helena Highway, Napa, CA 94558.
Wine Manufacturer License #8324333 licensed pursuant to RSA 178:8.
Cited for violation of RSA 178:27, V/Liq. 1103.01 – failed to file a monthly report by the 15th of the following month.
Date of violation: 12/16/2022.
Case #: 22-968-OF.

February 22, 2023 at 2:45 p.m.:

- b. Urban Farm Fermentory, 200 Anderson Street, Portland, ME 04101.
Beverage Vendor License #109031 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 – 3 counts.
Date of violation: 9/11/2022.
Case #: 22-890-OF.

Date to be determined:

- c. Brewdog, 96 Gender Road, Canal Winchester, OH 43110.
Beverage Vendor License #104331 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 – 5 counts.
Date of violation: 5/11/2022.
Case #: 22-880-OF.

MOTION TO CONTINUE REQUESTED BY LICENSEE AND GRANTED ON FEBRUARY 21, 2023.

4. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

- a. American Legion Post 13, 3 River Street, Greenville, NH 03048.
Veterans Club License #21839 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a signed financial statement by the 15th of the following month – 4 counts.
Date of violation: 8/16/2022.
Case #: 22-704-OF.
An administrative fine of \$400 with \$200 suspended for twelve (12) months pending no like violation, outstanding reports to be filed by February 28, 2023 and the licensee shall remain in compliance with all statutes and administrative rules pertaining to the filing of reports and financial statements pursuant to RSA 178.

- b. American Legion Post 72, Route #28 North, Alton, NH 03809.
Veterans Club License #20839 licensed pursuant to RSA 178:22, V(h).
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: 4/2/2022.
Case #: 22-232-OF.
An administrative fine of \$500, four (4) points shall be assessed to the and remain on the liquor license for twelve (12) months commencing the date of adjudication, the license to serve, consume or possess alcohol shall be suspended for three (3) days and held in abeyance for twelve (12) months pending no like violation, and Brenda Page shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the fully signed agreement.
- c. Casa Vieja Mexican Restaurant, 94–96 Main Street, Nashua, NH 03060.
Restaurant, Full Service With Lounge License #1584003 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated. AN #6598
Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was under the age of twenty-one. AN #6595
Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was under the age of twenty-one. AN #6596
Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was under the age of twenty-one. AN #6597
Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was under the age of twenty-one. AN #6692
Cited for violation of RSA 179:8, I - failed to require a purchaser whose age was questionable for the purchase of alcohol to furnish an acceptable form of identification. AN #6599
Cited for violation of RSA 179:8, I - failed to require a purchaser whose age was questionable for the purchase of alcohol to furnish an acceptable form of identification. AN #6621
Cited for violation of RSA 179:8, I - failed to require a purchaser whose age was questionable for the purchase of alcohol to furnish an acceptable form of identification. AN #6622
Dates of violation: 12/12/2021 & 7/10/2021.
Case #: 21-361-OF & 21-636-OF.

For AN #6595, 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 the fully executed agreement and the license to serve, consume or possess alcohol shall be suspended for three (3) days commencing February 19, 2023;

For AN #6692, 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 the fully executed agreement and the license to serve, consume or possess alcohol shall be suspended for three (3) days commencing February 22, 2023;

For AN #6596, an administrative fine of \$500 held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement, four (4) points shall be held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement and the license to serve, consume or possess alcohol shall be suspended for three (3) days and held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement;

For AN #6597, an administrative fine of \$500 held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement, four (4) points shall be held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement and the license to serve, consume or possess alcohol shall be suspended for three (3) days and held in abeyance for twelve (12) months pending no like violation;

For AN #6598, an administrative fine of \$500 held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement, four (4) points shall be held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement and the license to serve, consume or possess alcohol shall be suspended for three (3) days and held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement;

For AN #6599, an administrative fine of \$100 held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement;

For AN #6621, an administrative fine of \$100 held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement;

For AN #6622, an administrative fine of \$100 held in abeyance for twelve (12) months pending no like violation commencing the date of the fully executed agreement;

The licensee understands that another like violation shall cause all points and administrative fines held in abeyance to be imposed on the licensee and the Division of Enforcement shall move for non-renewal of the license;

Pursuant to NH Liq. 603.03, the licensee shall furnish sufficient security for liquor liability of the license in the amount of \$300,000 for twelve (12) months from the date of adjudication and provide an insurance binder or Declaration of Coverage to the Division of Enforcement & Licensing upon obtaining said insurance. Said insurance shall be maintained by the licensee while holder of License #1584003; and

All untrained managers shall attend a Management Training Seminar (MTS) in a classroom within thirty (30) days from the date of the fully executed agreement; and all servers shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of the fully executed agreement.

- d. Czar's Brewing, 2 Center Street, Exeter, NH 03833.
Brew Pub License #2005015 licensed pursuant to RSA 178:13.
Cited for violation of RSA 178:13/RSA 178:26 – failed to file a monthly report by the 10th of the following month.
Date of violation: 12/11/2022.
Case #: 22-992-OF.
An administrative fine of \$100, a \$17.55 fee which represents 10% of the outstanding taxes due and the licensee shall remain in compliance with RSA 178:13 and RSA 178:26 regarding filing reports and payment of fees/taxes by the 10th of the following month.

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

- a. Burrito Loco, 3 Kershaw Avenue, Hampton, NH 03842.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1599003 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 1/10/2023.
Case #: 23-63-OF.
Warning.
- b. Caribbean Spice Café, 1769 White Mountain Highway, North Conway, NH 03860.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1612703 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 12/29/2022.

Case #: 23-20-OF.

Warning.

- c. Fadden's General Store, 109 Main Street, Woodstock, NH 03293.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3218047 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: 1/11/2023.
Case #: 23-66-OF.
Warning.
- d. Lord Hobo Brewing Company, 5 Draper Street, Woburn, MA 01801.
Beverage Vendor License #77031 licensed pursuant to RSA 178:15.
Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: 1/10/2023.
Case #: 23-65-OF.
\$100 administrative fine.
- e. Loveless, Brittany, 24 Lorden Road, New Boston, NH 03070.
Alcohol Consultant License #504844 licensed pursuant to RSA 178:27-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: 11/14/2022.
Case #: 22-751-OF.
Warning.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Birch Wood Vineyards Winery LLC, 199 Rockingham Road, Derry, NH 03038.
To be issued Wine Manufacturer Retail Outlet, Wine Only #20729 pursuant to RSA 178:19.
30-Day Temporary License issued 2/15/2023.
- b. Birch Wood Vineyards Winery LLC, 199 Rockingham Road, Derry, NH 03038.
To be issued Direct To Consumer, Shipper Permit #2850 in conjunction with Wine Manufacturer License #20729 pursuant to RSA 178:8/RSA 178:6.
- c. Cheesy Does It LLC DBA Jitto's Super Steak, 3131 Lafayette Road, Portsmouth, NH 03801.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1661803 pursuant to RSA 178:21.
90-Day Temporary License issued 2/17/2023.
- d. IMMH LLC DBA Pepper's Landing, 135 Marketplace Blvd., Rochester, NH 03867.
To be issued Restaurant Delivery License #04751 in conjunction with Restaurant, On-Premises, Beverage/Wine/Liquor License #1600503 pursuant to RSA 179:15.
- e. Rev's Real Estate Reinvested LLC DBA Alyson's Orchard, 57 Alyson's Lane, Walpole, NH 03608.
To be issued Caterer, On-Site License #1281926 pursuant to RSA 178:22, V(e).
90-Day Temporary License issued 2/17/2023.
- f. St. Thomas Aquinas Parish, 26 Crystal Avenue, Derry, NH 03038.
To be issued Wine and Liquor Festival #13021 for a raffle on 2/18/2023 pursuant to RSA 178:31.

- g. Upper Valley Snow Sports Foundation at Whaleback Mountain, 160 Whaleback Mountain Road, Enfield, NH 03748. To be issued Caterer, On-Site License #1303634 pursuant to RSA 178:22, V(e). 90-Day Temporary License issued 2/21/2023.
- h. Upper Valley Spanish Institute DBA Duende, 15 Lebanon Street, Hanover, NH 03755. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1661103 pursuant to RSA 178:21. 90-Day Temporary License issued 2/16/2023.
- i. Vermont Beer Shepherd LLC, 150 Pilgrim Park Road, Waterbury, VT 05676. To be issued Carrier, Beverage/Wine/Liquor License #764016 pursuant to RSA 178:14. 30-Day Temporary License issued 2/15/2023.

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING FEBRUARY 17, 2023: 1,389

VSV Wine Shop UW LLC, 145 West 67th Street, New York, NY 10023.
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.
(Retailer)

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

10. NOTIFICATION OF APPROVED PETITIONS:

None

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

Barreled Souls Brewing Co., 743 Portland Road, Saco, ME 04072.
Beverage Vendor License #94531 licensed pursuant to RSA 178:15.
Requests approval of Inner Space Port with an alcohol content of 13.1% 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:

Allentown, NH;
Amherst, NH;
Bedford, NH;
Boscawen, NH;
Bradford, NH;

Dunbarton, NH;
Goffstown, NH;
Hillsborough, NH;
Hinsdale, NH;
Hollis, NH;
Hopkinton, NH;
Jaffrey, NH;
Keene, NH;
Merrimack, NH;
Milford, NH;
Nashua, NH;
Newbury, NH;
Rindge, NH;
Stoddard, NH;
Swanzey, NH;
Walpole, NH;
Warner, NH;
West Chesterfield, NH; and
Winchester, NH.

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