

AGENDA OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR MARCH 2, 2023

1. ACCEPTANCE OF MINUTES:

RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD FEBRUARY 23, 2023.

2. TABLED ITEMS:

None

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

Date to be determined:

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:

El Tapatio Restaurante Mexicano, 707 Milford Route, Unit C, 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 179:57Liq. 603.01 – failed to comply with the requirements of a Commission Order.
Date of violation: 12/21/2022.

Case #: 22-387-OF.

\$2,000 administrative fine with \$1,500 suspended for twelve (12) months pending no like violation, Juan Ayala shall complete a Management Training Seminar (MTS) online with thirty (30) days from the date of fully executed agreement; failure to do so shall result in the full \$2,000 fine to be imposed; Cristian Ayala shall complete a Total Education in Alcohol Management (MTS) Seminar online with thirty (30) days from the date of fully executed agreement; failure to do so shall result in the full \$2,000 fine to be imposed.

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

a. Big Dipper (The), 222 Route #108, Somersworth, NH 03878.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1653803 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:2, II/Liq. 603.01(c) - failed to attend a required training program within 45 days of licensure.

Date of violation: 10/3/2022.

Case #: 22-663-OF.

Warning.

b. Groennfell Meadery, 650 Industrial Park Road, Saint Albans, VT 05478.
Wine Manufacturer License #8295633 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: 1/16/2023.

Case #: 23-107-OF.

\$250 administrative fine.

- c. Indian Rock Market & Smoke Shop, 30 Indian Rock Road, Windham, NH 03087.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3409347 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Date of violation: 2/4/2023.
Case #: 22-913-OF.
Warning.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Alibi Lounge (The) DBA The Alibi Lounge, 137 Wilson Street, Manchester, NH 03103.
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1663403 pursuant to RSA 178:21.
90-Day Temporary License issued 2/27/2023.
- b. AR Village Store Corp. DBA Plainfield Country Store, 1190 Route #12A, Plainfield, NH 03781.
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3424647 pursuant to RSA 178:18/RSA 126-K:4.
30-Day Temporary License issued 2/23/2023.
- c. Howe Library Corp., 13 South Street, Hanover, NH 03755.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #661741 between 7:00 p.m. – 10:00 p.m. on 4/1/2023 pursuant to RSA 178:22, V(l).
- d. Manchester NH H.O.G. Chapter 4727 at Manchester Harley Davidson, 115 John E. Devine Drive, Manchester, NH 03103.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #661641 between 11:00 a.m. – 3:00 p.m. on 2/25/2023, License #661941 between 11:00 a.m. – 3:00 p.m. on 2/26/2023 and License #662041 between 5:00 p.m. – 8:00 p.m. on 2/28/2023 pursuant to RSA 178:22, V(l).
- e. Maple Street Catering LLC at Geisel School of Medicine, 1978 Life Science Bldg., Hanover, NH 03755.
To be issued permanent Caterer, Off-Site License #1300034 for an event on 2/25/2023 pursuant to RSA 178:22, V(e).
- f. New England Ski Museum, 2628 White Mountain Highway, North Conway, NH 03860.
To be issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #661841 between 4:00 p.m. – 7:00 p.m. on 2/24/2023 pursuant to RSA 178:22, V(l).
- g. Protectworth Brewing LLC, 117 Cemetery Road, Springfield, NH 03284.
To be issued Beverage Manufacturer License #298518 pursuant to RSA 178:12.
30-Day Temporary License issued 2/23/2023.
- h. Upper Valley Snow Sports Foundation DBA Whaleback Mountain, 160 Whaleback Mountain Road, Enfield, NH 03748.
To be issued temporary Caterer, Off-Site License #1282026 for 2/24/2023 pursuant to RSA 178:22, V(e).

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 24, 2023: 1,390

- a. Batch Meadery LLC, 42225 Remington Avenue, #A25, Temecula, CA 92590.
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.
(Winery)
- b. Fresh Vine Wine, Inc., 2515 Napa Valley Corporate Drive, Napa, CA 94558.
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. Apollo Vineyard, 49 Lawrence Drive, Derry, NH 03038.
Wine Manufacturer License #563830 licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- b. Cathedral Ledge Distillery, 3340 White Mountain Highway, North Conway, NH 03860.
Liquor Manufacturer License #289219 licensed pursuant to RSA 178:6.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- c. Flag Hill Winery & Vineyard, 297 North River Road, Lee, NH 03861.
Wine Manufacturer License #565030 licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- d. Flag Hill Distillery, 297 North River Road, Lee, NH 03861.
Liquor Manufacturer License #287319 licensed pursuant to RSA 178:6.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- e. Gunstock Mountain Resort, 719 Cherry Valley Road, Gilford, NH 03249.
Sports Recreation Facility License #6022305 licensed pursuant to RSA 178:22, V(u)(1).
Requested approval for a temporary extension of service, to wit, for outdoor bar service for the Lakes Region Disabled Sports event with a capacity of 150 on 3/11/2023 pursuant to RSA 178:24/Liq. 404.05.
- f. Hobb's Brewing Company, 2415 White Mountain Highway, West Ossipee, NH 03890.
Beverage Manufacturer License #294518 licensed pursuant to RSA 178:12.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.

- g. Inn On Newfound Lake, 1030 Mayhew Turnpike, Bristol, NH 03222.
Hotel License #374002 licensed pursuant to RSA 178:24, II(b)(1).
Requested approval for a temporary extension of service, to wit, for the 3rd Annual Newfound Lake Inn Winterfest on Newfound Lake Inn Beach 2/25-26/2023 between 11:00 a.m. – 5:00 p.m. pursuant to RSA 178:24/Liq. 404.05.
- h. Li'l Lobster Boat, 273 Derry Road, Litchfield, NH 03052.
Restaurant, On-Premises, Beverage & Wine License #1662103 licensed pursuant to RSA 178:20.
Requested approval for a permanent extension of service, to wit, for an outdoor, covered patio with a capacity of 40 pursuant to RSA 178:24/Liq. 404.05.
- i. Luxury Vapes, 50 Fox Run Road, Newington, NH 03801.
Retail Tobacco License #161617 licensed pursuant to RSA 178:19-a.
Requested to transfer business location, to wit, to transfer the business location to another location within Fox Run Mall, 50 Fox Run Road, Newington, NH 03801 pursuant to RSA 178:29, VIII.
- j. Sap House Meadery, 6 Folsom Road, Center Ossipee, NH 03814.
Wine Manufacturer License #563130 licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- k. Mile Away Restaurant, 52 Federal Hill Road, Milford, NH 03055.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1353803 licensed pursuant to RSA 178:21.
Requested a waiver for authorization of reduction of hours, to wit, to reduce the hours of operation to 4 days a week with hours on Thursday through Saturday, 5:00 p.m. – 8:00 p.m. and on Sunday, 1:00 p.m. – 6:00 p.m. during the month of March, 2023 pursuant to RSA 179:21, II.
- l. Stark Brewing Company, 500 North Commercial Street, Manchester, NH 03101.
Beverage Manufacturer License #297718 licensed pursuant to RSA 178:12.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- m. Transcendental Spirits, 85 Main Street, Tamworth, NH 03886.
Liquor Manufacturer License #289519 licensed pursuant to RSA 178:6.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.
- n. Whaleback Mountain, 160 Whaleback Mountain Road, Enfield, NH 03748.
Sports Recreation Facility License #6017405 licensed pursuant to RSA 178:22, V(u)(1).
Requested approval for an extension of service, to wit, for an outside area on 2/25/2023 with a capacity of 35 pursuant to RSA 178:24/Liq. 404.05.
- o. Whippletree Winery, 372 Turkey Street, Tamworth, NH 03886.
Wine Manufacturer License #566430 licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas for tasting and retail sales at farmers' market, to wit, NH State House Show/Downtown Doubletree Hotel, 700 Elm Street, Manchester, NH between 10:00 a.m. - 6:00 p.m. on March 4-5, 2023 pursuant to RSA 178:24/RSA 179:44, II-a.

11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

None

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

Allenstown, NH;
Amherst, NH;
Bedford, NH;
Boscawen, NH;
Bradford, NH;
Goffstown, NH;
Hillsborough, NH;
Hinsdale, NH;
Hollis, NH;
Jaffrey, NH;
Keene, NH;
Merrimack, NH;
Milford, NH;
Newbury, NH;
Rindge, NH;
Stoddard, NH;
Swanzey, NH;
Walpole, NH;
West Chesterfield, NH; and
Winchester, NH.

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

ALCOHOL COMPLIANCE CHECKS:

Barrington, NH:

- a. Smokin' Barrels, 904 Calef Highway, Barrington, NH 03825.
Restaurant, On-Premises, Beverage/Wine/Liquor License #1629003 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: 1/27/2023.
Case #: 23-96-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.
- b. Topwater Brewing, 748 Calef Highway, Barrington, NH 03825.
Brew Pub License #2004915 licensed pursuant to RSA 178:13.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: 1/27/2023.
Case #: 23-96-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:

Plaistow, NH:

- a. Nouria Energy Store 02034, 119 Plaistow Road, Plaistow, NH 03865.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3255947 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: 12/5/2022.
Case #: 22-718-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.

Strafford County:

- b. Janetos Market, 77 Main Street, Dover, NH 03820.
Combination, Off-Premises, Beverage/Wine/Tobacco License #3392747 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: 1/22/2023.
Case #: 23-43-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. Nouria Energy Retail, 169 Silver Street, Dover, NH 03820.
Retail Tobacco License #119517 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: 1/22/2023.
Case #: 23-43-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:

- 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.
HEARING WAS HELD FEBRUARY 22, 2023.
"Decision dated 2/23/2023: Pursuant to the offer of proof provided by Lt. Patterson and the licensee's failure to appear, I find that the licensee did violate RSA 178:27 and Liq. 1103.01 for failing to file the monthly reports for November 2022 and December 2022 by the 15th of the following month. A fine of \$250 is assessed for each violation for a total of \$500 due 5 days of receipt of this order."
- 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.

HEARING WAS HELD FEBRUARY 22, 2023.

"Decision dated 2/23/2023: Pursuant to the offer of proof provided by Lt. Patterson and the licensee's failure to appear, I find that the licensee did violate RSA 178:15 for failing to file the monthly report forms 258 and 334 for August - October 2022 by the 10th of the following month.

A fine of \$300 is assessed and imposed should the licensee apply to do business in the State of New Hampshire in the future."

18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None