AGENDA OF THE NHLC DIVISION OF ENFORCEMENT & LICENSING MEETING FOR NOVEMBER 07, 2024

1. <u>ACCEPTANCE OF MINUTES</u>:

RECOMMENDATION TO ACCEPT THE MINUTES OF THE COMMISSION MEETING HELD OCTOBER 31, 2024.

2. <u>TABLED ITEMS</u>:

None

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

November 19, 2024 at 9:00 a.m.:

- a. Tilton Shop Express, 622 Laconia Road, Tilton, NH 03276. Combination, Off-Premises, Beverage/Wine/Tobacco License #3302547 licensed pursuant to RSA 178:18/RSA 178:19-a. Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to a patron who was under the age of twenty-one. Date of violation: 08/12/2023. Case #: 23-1145-OF.
- b. Vida at the Lake Inc, 42 Main Street, Unit A, Meredith, NH 03253. On-Premises, Beverage/Wine/Liquor- Restaurant License #1647303 licensed pursuant to RSA 178:21. Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to a patron who was under the age of twenty-one. 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. Date of violation: 06/14/2024. Case #: 24-533-OF.
- c. World Bar and Grill (The), 342 Lincoln Street, Manchester, NH 03103. On-Premises, Beverage/Wine/Liquor- Restaurant License #1702903 licensed pursuant to RSA 178:21. Cited for violation of Liq. 601.06 –Violation of a Commission Order-failed to have video surveillance installed within 30 days of licensure. Cited for violation of Liq. 601.06 –Violation of a Commission Order-failed to have all employees selling or serving alcohol complete the TEAMS training within 30 days of licensure. Date of violation: 10/23/2024. Case #: 24-879-OF.
- d. Ya Mas Greek Tavern & Bar, 99 Rockingham Park Boulevard, Salem, NH 03079. On-Premises, Beverage/Wine/Liquor- Restaurant License #1610103 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: 06/30/2024. Case #: 24-643-OF.

November 19, 2024 at 11:00 a.m.:

e. Soho, 20 Old Granite Street, Manchester, NH 03102.
Cocktail Lounge-Full-Service Restaurant License #1646003 licensed pursuant to RSA 178:22, V(q).
Cited for violation of Liq. 601.06 –Violation of a Commission Order, failed to meet the food/alcohol ratio as agreed to in renewal agreement.
Date of violation: 08/01/2024.
Case #: 24-659-OF.

November 19, 2024 at 2:00 p.m.:

f. Informational Hearing Held May 14, 2024 at 10:30 a.m. Northwood Town Hall Room in the Public Meeting Room, 818 First NH Turnpike, Northwood, NH 03261. V.M.O. Inc. DBA Lake Shore Farm Inn, 275 Jenness Pond Road, Northwood, NH 03261. Pending Hotel, Full Service With Lounge License #377302 pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k). Decision dated 05/31/2024: CONCLUSION OF LAW: "The prospective licensee has failed to meet the requirements for a Hotel Cocktail license pursuant to RSA 178:3, VII (b) & (f)." **RECOMMENDATION:** "The Division of Enforcement and Licensing shall not issue a liquor license to V.M.O. Inc. D/B/A Lake Shore Farm Inn due to the licensee's inability to operate the business in strict accordance with all applicate state and federal beverage control laws and rules, and the fact that the very nature of the business is not an appropriate one given its location and the town of Northwood's lack of resources." The Licensee filed a Motion to Appeal the Denial of the License.

The hearings office continued the July 23, 2024 hearing.

The Licensee requested that the hearing be reopened to provide additional information.

4. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

a. 809 Lounge & Mexican Grill, 43 West Hollis Street, Nashua, NH 03060. Cocktail Lounge-Full-Service Restaurant License #1629903 licensed pursuant to

RSA 178:22. V(g).

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: 09/08/2024.

Case #: 24-747-OF.

An administrative fine of \$500, four (4) points shall be assessed to and remain on the liquor license for three (3) years commencing the date of adjudication. The license to serve, consume or possess alcohol shall be suspended for three (3) days commencing October 20, 2024 and re-granted on October 23, 2024. A manager shall complete a Management Training Seminar (MTS) online within thirty (30) days from the date of the approved agreement.

b. Harvest Market, 36 Center Street, Wolfeboro, NH 03894.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3210047 licensed pursuant to RSA 178:18/RSA 178:19-a. Cited for violation of RSA 126-K:4, I – sold tobacco products to an underage person during a compliance

check.

Date of violation: 09/24/2024.

Case #: 24-814-OF

An administrative fine of \$300, two (2) points shall be assessed to and remain on the liquor license for three (3) years commencing the date of adjudication.

- c. Jay Mataji Convenience Store Corp. DBA L & M Variety Store, 51 Elm Street, Newmarket, NH 03857. Combination, Off-Premises, Beverage/Wine/Tobacco License #3150447 licensed pursuant to RSA 178:18/RSA 178:19-a. Cited for violation of RSA 126-K:4, I – sold tobacco products to an underage person during a compliance check. Date of violation: 09/15/2024. Case #: 24-770-OF An administrative fine of \$100, one (1) point shall be assessed to and remain on the liquor license for three (3) years commencing the date of adjudication.
- N & T Manchester Inc DBA Brothers Express Gas & Convenience, 217 Union Street, Manchester, NH 03103. Combination, Off-Premises, Beverage/Wine/Tobacco License #3338847 licensed pursuant to RSA 178:18/RSA 178:19-a. Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to a patron who was under the age of twenty-one during a compliance check. Date of violation: 08/19/2024. Case #: 24-748-OF. An administrative fine of \$500, one (1) point shall be assessed to and remain on the liquor license for three (3) years commencing the date of adjudication. The license to serve, consume or possess alcohol shall be suspended for three (3) days held in abeyance for twelve (12) months pending no like violation.

5. <u>NON-CONTESTED ADMINISTRATIVE ACTION RECOMMENDED FOR COMMISSION APPROVAL</u>:

 a. 77 Sports Bar & Grill Restaurant LLC, 138 Main Street, Nashua, NH 03060. On-Premises, Beverage/Wine/Liquor- Restaurant License #1701003 licensed pursuant to RSA 178:21. Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in an area not approved by the Commission. Date of violation: 10/11/2024. Case #: 24-862-OF. Warning.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- Al Port Inc DBA The City Tobacco and Beverage Center #7, 31 Garden Road, Plaistow, NH 03865.
 To be issued Beer Specialty License #4003907 pursuant to RSA 178:19-d.
 30-Day Temporary License issued 11/01/2024.
- b. Annunciation Greek Orthodox Church at the Hellenic Center, 221 Long Hill Road, Dover, NH 03820. To be issued Cocktail Lounge-Special, One-Day, Voluntary Nonprofit Organizations License #701641 for 11/09/2024 between 6:00 p.m. and 10:00 pm. pursuant to RSA 178:22, V(I).
- Ivan's Convenience Store LLC, 71 Bridge Street, Unit 1, Pelham, NH 03076. To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3442947 pursuant to RSA 178:18/RSA 178:19-a. 30-Day Temporary License issued 10/31/2024.
- KJ's Pizza and Subs Inc, 97 Pleasant Street, Claremont, NH 03743.
 To be issued On-Premises, Beverage & Wine- Restaurant License #1705703 pursuant to RSA 178:20.
 30-Day Temporary License issued 11/01/2024.
- e. New Hampshire Catholic Charities DBA New Hampshire Food Bank at the Double Tree Hilton, 700 Elm Street, Manchester, NH 03101. To be issued Cocktail Lounge-Special, One-Day, Voluntary Nonprofit Organizations License #701241 for 11/07/2024 between 5:00 p.m. and 8:30 pm. pursuant to RSA 178:22, V(I).

- f. PSP Wines of NH LLC, 501 Islington Street, Suite 2C, Portsmouth, NH 03801. To be issued Liquor & Wine Vendor License #151145 pursuant to RSA 178:9. 30-Day Temporary License issued 10/30/2024.
- g. PSP Wines of NH LLC, 501 Islington Street, Suite 2C, Portsmouth, NH 03801.
 To be issued Liquor & Wine Representative License #614335 pursuant to RSA 178:10.
 30-Day Temporary License issued 10/30/2024.
- h. Pub 23 LLC, 6 East Side Drive, Alton Bay, NH 03816. To be issued Cocktail Lounge-Full-Service Restaurant License #1705403 pursuant to RSA 178:22, V(q). 90-Day Temporary License issued 11/04/2024.
- Republic Brewing Company LLC, 72 Old Granite, Manchester, NH 03101. To be issued Brew Pub License #2007915 pursuant to RSA 178:13. 90-Day Temporary License issued 10/31/2024.
- j. Sunstone Brewing LLC, 298 Rockingham Road, Londonderry, NH 03053. To be issued Brew Pub License #2008115 pursuant to RSA 178:13. 90-Day Temporary License issued 10/31/2024.
- k. Union Hospitality LLC DBA Honey Cup, 150 Bridge Street, Manchester, NH 03104. To be issued On-Premises, Beverage & Wine- Restaurant License #0699503 pursuant to RSA 178:20. 30-Day Temporary License issued 10/29/2024.

7. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

 a. Tower Hill Tavern LLC, 264 Lakeside Avenue, Laconia, NH 03246. Applied for renewal of Cocktail Lounge-Full-Service Restaurant License #1369903 pursuant to RSA 178:22, V(q). In accordance with RSA 178:3, XI, denial of the renewal is being recommended based on the licensee's record of violations and the manner in which the licensee has operated during the term of the license.

8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING NOVEMBER 05, 2024: 1,314.

- a. Charles Jacquin et Cie Inc, 2633 Trenton Avenue, Philadelphia, PA 19125.
 Direct Shipper Importer Permit pursuant to RSA 178:27. (Importer)
- B. Graziano Family of Wines Inc, 1170 Bel Arbres Road, Redwood Valley, CA 95470
 Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27. (Winery)

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

10. NOTIFICATION OF APPROVED PETITIONS:

- Averill House Vineyard, 21 Averill Road, Brookline, NH 03033.
 Wine Manufacturer License #566730 licensed pursuant to RSA 178:8.
 Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- Bright & Lyon LLC at Orchard Chapel, 143 Exeter Road, Hampton Falls, NH 03844. Cocktail Lounge- Caterer, Off-Site License #1309234 licensed pursuant to RSA 178:22, V(e). Requested approval for a permanent site, to wit, for an event on 11/30/2024 Between 6:00 p.m. and 10:00 p.m. pursuant to RSA 178:22, V (e).
- Cathedral Ledge Distillery Inc, 3340 White Mountain Highway, North Conway, NH 03860. Liquor Manufacturer License #289219 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Rollinsford Farmer's Market at Wentworth Greenhouses, 141 Rollins Road, Rollinsford, NH 03869 on Saturdays from 11/23/2024-03/08/2025 between 10:00 a.m. and 2:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- Cathedral Ledge Distillery Inc, 3340 White Mountain Highway, North Conway, NH 03860. Liquor Manufacturer License #289219 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Lebanon Winter Farmer's Market, Powerhouse Mall, 8 Glen Road, West Lebanon, NH 03784 on Thursdays from 11/07/2024-02/27/2025 between 4:00 p.m. and 7:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- e. Cathedral Ledge Distillery Inc, 3340 White Mountain Highway, North Conway, NH 03860. Liquor Manufacturer License #289219 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- f. Cathedral Ledge Distillery Inc, 3340 White Mountain Highway, North Conway, NH 03860. Liquor Manufacturer License #289219 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Stratham Farmer's Market at Cooperative Middle School, 100 Academic Way, Stratham, NH 03885 on Saturdays from 11/09/2024-03/01/2025 between 10:00 a.m. and 2:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- g. Copper Cannon Distillery LLC, 2 Lyman Way, West Chesterfield, NH 03466. Liquor Manufacturer License #288319 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales only at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- Flag Hill Distillery and Winery, 297 North River Road, Lee, NH 03861.
 Wine Manufacturer License #565030 licensed pursuant to RSA 178:8.
 Liquor Manufacturer License #287319 licensed pursuant to RSA 178:6.
 Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.

- i. Hobbs Brewing Co, 765 Route 16, Ossipee, NH 03864. Beverage Manufacturer License #294518 licensed pursuant to RSA 178:12. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- j. Labelle Winery LLC, 345 Route 101, Amherst, NH 03031. Wine Manufacturer License #561730 licensed pursuant to RSA 178:8. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- PTS Food Enterprises DBA Stark Brewing Company, 500 Commercial Street, Manchester, NH 03101. Beverage Manufacturer License #297718 pursuant to RSA 178:12. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- Sap House Meadery LLC, 6 Folsom Road, Center Ossipee, NH 03814 Wine Manufacturer License #563130 licensed pursuant to RSA 178:8. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- m. Steadfast Spirits Distilling Co. LLC DBA Troubles Moonshine, 134 Hall Street, Concord, NH 03301. Liquor Manufacturer License #289019 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales only at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- n. Tamworth Distilling, 85 Main Street, Tamworth, NH 03886. Liquor Manufacturer License #289519 licensed pursuant to RSA 178:6. Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.
- Whipple Tree Winery, 372 Turkey Street, Tamworth, NH 03886.
 Wine Manufacturer License #566430 licensed pursuant to RSA 178:8.
 Requested approval for authorization of other area for retail sales and tastings at farmers' market, to wit, Very Merry Holiday Gift Festival/Double Tree Expo Center, 700 Elm Street, Manchester, NH 03101 for 11/23/2024 and 11/24/2024 between 10:00 a.m. and 6:00 p.m. pursuant to RSA 178:24/RSA 179:44, II-a.

11. <u>PETITIONS RECOMMENDED FOR COMMISSION DENIAL</u>:

12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL

 a. Phusion Projects LLC DBA Drink Four Brewing Company, 640 N. La Salle Drive, Suite 620, Chicago, IL 60654. Beverage Vendor License #51431 licensed pursuant to RSA 178:15. Requests approval of specialty beverage, MAMITAS Espresso Martini with an alcohol content of 8% at 60 degrees Fahrenheit by volume pursuant to RSA 175:1, LXIV-aaa.

13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

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

- a. Bedford, NH; and
- b. Gorham, NH.

15. <u>ADMINISTRATIVE ACTION ON ALCOHOL COMPLIANCE CHECKS RECOMMENDED FOR</u> <u>COMMISSION APPROVAL</u>:

None

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

- a. Center Ossipee, NH;
- b. Center Sandwich, NH;
- c. Center Tuftonboro, NH;
- d. Conway, NH;
- e. Concord, NH;
- f. East Wakefield, NH;
- g. Eaton Center, NH;
- h. Freedom, NH;
- i. Manchester, NH;
- j. Meredith, NH;
- k. Mirror Lake, NH;
- I. Moultonborough, NH;
- m. Nashua, NH;
- n. New Hampton, NH;
- o. Newport, NH;
- p. Ossipee, NH;
- q. Sanbornville, NH;
- r. Tamworth, NH;
- s. Tilton, NH; and
- t. Wakefield, NH.

17. <u>ADMINISTRATIVE ACTION ON TOBACCO COMPLIANCE CHECKS RECOMMENDED FOR</u> <u>COMMISSION APPROVAL</u>:

18. ADMINISTRATIVE HEARING DECISION PENDING:

Hearing held on October 22, 2024:

a. Fancy Bar & Grill LLC (The), 264 Lakeside Avenue, Laconia, NH 03246. Applied for Restaurant, On-Premises, Beverage/Wine/Liquor License #1689703 pursuant to RSA 178:21. On June 27, 2024, a recommendation for denial was approved based on a finding referenced in "Merits Order Alexander", docket # 2024-Liq-0055 concerning Tower Hill Tavern, License #1369903, which was revoked on June 20, 2024. On July 29. 2024, the Licensee filed a Motion for Hearing after denial of the liquor license application.

19. ADMINISTRATIVE HEARING DECISIONS:

 Babylon Cigar & Hookah Lounge, 245 Maple Street, Manchester, NH 03103.
 Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #407706 licensed pursuant to RSA 178:20-a/RSA 178:9-a.

Cited for Liq. 601.06- violation a Commission Order, which went into effect on April 30th, 2024, that stated the licensee shall not allow new patrons into the licensed establishment after 12:00 a.m., by allowing new patrons to enter the licensed premise at 12:45 a.m.

Cited for Liq. 601.06- violation a Commission Order, which went into effect on April 30th, 2024, that stated the licensee shall not serve alcohol past 12:00 a.m. and all consumption must cease by 12:30 a.m., by serving and allowing a patron to consume liquor at 12:45 a.m. in the licensed premise.

Cited for Liq. 601.06-violation of a Commission Order, which went into effect on April 30, 2024- failed to complete a mandatory Management Training Seminar (MTS) online within 30 days of the fully signed agreement.

Cited for violation of RSA 179:17 – allowed the sale or consumption of alcoholic beverage on the premises after expiration of the serving hour.

Date of violation: 06/01/2024 & 06/08/2024.

Case #: 24-490-OF.

Hearing was held on October 22, 2024: Decision Dated November 05, 2024:

"Consistent with Liq 205.21(d), in light of the licensee's failure to appear as well as the information provided during the October 22, 2024 hearing a fine of \$500 and 6 points is hereby imposed for the violation described in Notice AEH24-6; a fine of \$500 and 6 points is hereby imposed for the violation described AEH24-9 and a fine of \$250 and 2 points is hereby imposed for the violation described in AEH24-8. These fines are attached to the license number, Babylon Cigar & Hookah Lounge. As Babylon Cigar & Hookah Lounge is currently out of business, the fines are not payable at this time. If in the future should Babylon Cigar & Hookah Lounge apply for another liquor license the violation history shall be brought forward. The fines shall be paid prior to any licensure. The Division may use the violation history as a determining factor in whether or not they were going to issue a license."

b. Chrislou LLC DBA Nashua House of Pizza, 40 East Hollis Street, Nashua, NH 03060.

On-Premises, Beverage & Wine- Restaurant License #1492503 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: 06/30/2024.

Case #: 24-611-OF

Hearing was held on October 22, 2024: Decision Dated November 05, 2024:

"Consistent with Liq 205.21(d), in light of the licensee's failure to appear as well as the information provided during the October 22, 2024, hearing a fine of \$200 and 2 points is hereby imposed for the violation described in Notice JAY24-66. The licensee shall renew their license in a timely manner moving forward."

20. <u>MISCELLANEOUS ITEMS FOR INFORMATION ONLY</u>: