

**AGENDA OF THE NHLC**  
**DIVISION OF ENFORCEMENT & LICENSING MEETING**  
**FOR THURSDAY, JUNE 9, 2022**

1. **RECOMMENDATION TO ACCEPT THE MINUTES FROM THE COMMISSION MEETING HELD JUNE 2, 2022.**
2. **SCHEDULED HEARING AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:**

None

3. **NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:**

Jade Palace, 28 Portsmouth Avenue, Stratham, NH 03885.

Restaurant, Full Service With Lounge License #1476403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Count 1 - Violation of RSA 179:5, I - Prohibited Sales: It is alleged that on February 29, 2016, Jade Palace, through the actions of its employee(s) and/or agent, did serve alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated;

Count 2 - Violation of RSA 179:5, I - Prohibited Sales: It is alleged that on February 29, 2016, Jade Palace, through the actions of its employee(s) and/or agent, did serve alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated;

Count 3 - Violation of RSA 179:5, I - Prohibited Sales: It is alleged that on February 29, 2016, Jade Palace, through the actions of its employee(s) and/or agent, did serve alcoholic beverage to a person who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated;

Count 4 - Violation of RSA 179:5, I - Prohibited Sales: it is alleged that on February 29, 2016, Jade Palace, through the actions of its employee(s) and/or agent, did serve alcoholic beverage to a person who was under the age of twenty-one;

Count 5 - Violation of RSA 179:8, I - Statement From Purchaser As To Age: It is alleged that on February 29, 2016, Jade Palace, through the actions of its employee(s) and/or agent, failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada, which bears the date of birth, name, address and picture of the licensee;

Count 6 - Violation of RSA 179:40, II - Substitution of Brand; Refilling Bottles: It is alleged that on March 1, 2016, Jade Palace, through the actions of its employee(s) and/or agent, refilled bottles of legally purchased beverage or liquor; and

Count 7 - Violation of RSA 179:49 - Storage of Surplus Liquor and Beverages: it is alleged that on March 1, 2016, Jade Palace, through the actions of its employee(s) and/or agent, stored beverages or liquor in any building other than that designated in their license.

Dates of violation: 2/29/2016 & 3/1/2016.

Case #: 16-65-OF.

Terms of Settlement:

The Commission withdraws Counts 3, 6 and 7.

For the purpose of this Settlement Agreement only, Licensee waives all claims and defenses to allegations made in Counts 1, 2, 4 and 5 (the "Charged Counts") and stipulates to a finding with respect to the violations alleged in Charged Counts. Licensee otherwise denies the allegations made therein.

Licensee shall pay an administrative fine of \$15,000 with respect to the Charged Counts (the "Administrative Fine"). The Administrative Fine shall be paid to the Commission no later than ninety (90) days following approval of this Settlement Agreement.

Licensee shall forthwith surrender Liquor License #1476403.

Licensee as the corporate entity known as "Alan Yang, Inc." shall forthwith dissolve as a body corporate. In furtherance thereof, Licensee shall secure a Certificate of Dissolution and such related documentation as shall evidence dissolution of the corporate entity from the New Hampshire Secretary of State and the New Hampshire Department of Revenue and produce true and accurate copies of such documentation to the Commission as soon as administratively feasible.

The trade name "Jade Palace" as presently held by Licensee shall forthwith be withdrawn by Licensee by appropriate filing with the New Hampshire Secretary of State. Neither Licensee nor any present officer, director, shareholder, successor or assign of Licensee shall hereafter register the said trade name or advertise, use or apply the said trade name in any business enterprise in the State of New Hampshire.

Licensee has disclosed to the Commission its intention to transfer some or all of its assets and liabilities to a newly-created corporate entity known as "Families' Restaurant, Inc.", doing business under the trade name "Red Mango" (the "Successor Entity"). Licensee has also disclosed to the Commission that (i) the majority shareholder and principal of the Successor Entity is Liping Zheng, (ii) Alan Yang ("Mr. Yang") shall not be a shareholder of the Successor Entity, but (iii) shall be an employee of the Successor Entity.

Licensee acknowledges that Mr. Yang shall not be employed by the Successor Entity as a supervisor of employees with respect to sale and dispensation of alcoholic beverages to customers of the Successor Entity.

The Successor Entity has heretofore secured a Liquor License from the Commission, such that it shall operate a substantially similar business to that of Licensee at the same location of the present business operations of Licensee at Stratham, New Hampshire. Consistent with other provisions of this Settlement Agreement, the Successor Entity shall not under any circumstance operate its business under the trade name "Jade Palace".

**4. NON-CONTESTED ADMINISTRATIVE ACTION RECOMMENDED FOR COMMISSION APPROVAL:**

- a. Fiesta Jalisco Mexican Restaurant, 1465 White Mountain Highway, North Conway, NH 03860. Restaurant, On-Premises, Beverage/Wine/Liquor License #1443303 licensed pursuant to RSA 178:21. Cited for violation of RSA 179:23, II – allowed a person under 18 years of age to serve or otherwise handle liquor and beverages.  
Date of violation: 5/7/2022.  
Case #: 22-237-OF.  
Warning.
- b. Flavor Concepts Catering, One Washington Street #325, Dover, NH 03820. Restaurant, On-Premises, Beverage/Wine/Liquor License #1445503 licensed pursuant to RSA 178:21. Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: 5/4/2022.  
Case #: 22-283-OF.  
Warning.
- c. Newfound Grocery, 408 Mayhew Turnpike, Bridgewater, NH 03222. Restaurant, On-Premises, Beverage & Wine License #1397003 licensed pursuant to RSA 178:20. Cited for violation of RSA 178:20, I – served alcohol that was more than 24% alcohol by volume. Cited for violation of RSA 178:20 – failed to have seating for 20 patrons.  
Date of violations: 5/12/2022.  
Case #: 22-266-OF.  
Warning.
- d. Smoke Shack Café, 226 Rockingham Road, Londonderry, NH 03053. Restaurant, On-Premises, Beverage & Wine License #1604503 licensed pursuant to RSA 178:20. Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to

expiration.  
Date of violation: 5/6/2022.  
Case #: 22-284-OF.  
Warning.

**5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

- a. 11B MD LLC DBA Yamas Greek Eatery, 61 Main Street, Plymouth, NH 03264.  
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1645203 pursuant to RSA 178:21.  
90-Day Temporary License issued 6/6/2022.
- b. 5 Roads Management Group LLC DBA Rochester Country Club,  
94 Church Street, Rochester, NH 03839.  
To be issued Sports Recreation Facility License #6025405 pursuant to RSA 178:22, V(u)(1).  
90-Day Temporary License issued 6/1/2022.
- c. Chef Huang Portsmouth NH, Inc., DBA Chef Huang Asian Fusion,  
2454 Lafayette Road, Suite #6, Portsmouth, NH 03801.  
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1628803 pursuant to RSA 178:21.  
90-Day Temporary License issued 6/3/2022.
- d. Cumberland Farms, Inc., 452 Amherst Street, Nashua, NH 03063.  
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3414047 pursuant to RSA 178:18/RSA 126-K:4.  
30-Day Temporary License issued 6/6/2022.
- e. Green Master LLC (The) DBA Northumberland Village Store,  
637 Lancaster Road, Northumberland, NH 03582.  
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3409547 pursuant to RSA 178:18/RSA 126-K:4.  
30-Day Temporary License issued 6/1/2022.
- f. Karlins LLC, 20 Main Street, Meredith, NH 03253.  
To be issued Retail Wine & Tobacco License #3168546 pursuant to RSA 178:19.  
30-Day Temporary License issued 6/7/2022.
- g. Kirkpatrick's Corner, 125 Concord Street, Nashua, NH 03064.  
To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3417847 pursuant to RSA 178:18/RSA 126-K:4.  
30-Day Temporary License issued 6/7/2022.
- h. KJRASM LLC DBA Sal's Pizza, 360 Union Avenue, Laconia, NH 03246.  
To be issued Restaurant, On-Premises, Beverage & Wine License #1647803 pursuant to RSA 178:20.  
30-Day Temporary License issued 6/6/2022.
- i. Monadnock Country Club LLC, 49 High Street, Peterborough, NH 03458.  
To be issued Sports Recreation Facility License #6025505 pursuant to RSA 178:22, V(u)(1).  
90-Day Temporary License issued 6/6/2022.
- j. Pitman, Amy DBA Mountain Music Winery, 43 Main Street, Plymouth, NH 03264.  
To be issued Wine Manufacturer License #20629 pursuant to RSA 178:8.
- k. Pizza On Main LLC DBA Fireworks, 22 Main Street, Keene, NH 03431.  
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1649603

pursuant to RSA 178:21.  
90-Day Temporary License issued 6/1/2022.

- l. Wine Group, Inc. DBA The Wine Group, 17000 East Highway #120, Ripon, CA 95366.  
To be issued Beverage Vendor License #119131 pursuant to RSA 178:15.  
Manufacturer: The Wine Group.  
30-Day Temporary License issued 6/1/2022.
- m. Xilele LLC DBA Wok The Wok, 7 Ocean Blvd., Hampton, NH 03842.  
To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1648103  
pursuant to RSA 178:21.  
90-Day Temporary License issued 6/6/2022.

**6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JUNE 3, 2022: 1,391**

- a. ARC Winery, 14135 NW Timmerman Road, Forest Grove, OR 97116.  
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.  
(Winery)
- b. Martin & Company Wines, Inc., 518-520 Enterprise Drive, Erlanger, KY 41017.  
To be issued Direct Shipper, Importer Permit pursuant to RSA 178:27.  
(Importer)
- c. Garrod Trust, 22645 Garrod Road, Saratoga, CA 95070.  
To be issued Direct Shipper, Wine Manufacturer Permit pursuant to RSA 178:27.  
(Winery)
- d. Federal Spirits LLC, 35 Sheridan Street SW, Washington, DC 20011.  
To be issued Direct Shipper, Retailer Permit pursuant to RSA 178:27.  
(Retailer)

**8. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**9. NOTIFICATION OF APPROVED PETITIONS:**

- a. Back Hill Beer Company, 72 Pickering Road, Rochester, NH 03839.  
Nano Brewery, Beer and/or Specialty Beer License #208222 licensed pursuant to RSA 178:12-a.  
Requested approval for extension of service, to wit, for an outdoor seating with a capacity of 26  
pursuant to RSA 178:24/Liq. 404.05.
- b. Bistro 19, 24 Kingswood Road, Wolfeboro, NH 03894.  
Restaurant, On-Premises, Beverage/Wine/Liquor License #1637203 licensed pursuant to RSA 178:21.  
Requested approval for extension of service, to wit, for outdoor area with a capacity of 44 pursuant to  
RSA 178:24/Liq. 404.05.
- c. Long Blue Cat Brewing Co., 298 Rockingham Road, Londonderry, NH 03053.  
Brew Pub License #2004815 licensed pursuant to RSA 178:13.  
Requested approval for authorization of other areas for tasting and retail sales at farmers' market,

to wit, Derry Homegrown Flea Market, Main Street, Derry, NH on Wednesdays between 3:00 p.m. and 7:00 p.m. from 6/20/2022 through 9/2/2022 pursuant to RSA 178:24/RSA 179:44, II-a.

- d. Monadnock Country Club, 49 High Street, Peterborough, NH 03458.  
Sports Recreation Facility License #6025505 licensed pursuant to RSA 178:22, V(u)(1).  
Requested approval for permanent extension of service, to wit, for an outdoor deck with a capacity of 44 seats pursuant to RSA 178:24/Liq. 404.05.
- e. Mrsippy BBQ, 176 South Main Street, Rochester, NH 03867.  
Restaurant, On-Premises, Beverage & Wine License #1629803 licensed pursuant to RSA 178:20.  
Requested approval for permanent extension of service, to wit, for an enclosed patio area with a capacity of 38 pursuant to RSA 178:24/Liq. 404.05.
- f. Mug (The), 62 DW Highway, Meredith, NH 03253.  
Restaurant, On-Premises, Beverage/Wine/Liquor License #309503 licensed pursuant to RSA 178:21.  
Requested approval for temporary extension of service, to wit, for outdoor area with a capacity of 50 from 6/10/2022 through 6/19/2022 pursuant to RSA 178:24/Liq. 404.05.
- g. Rek-Lis Brewing Company, 2085 Main Street, Bethlehem, NH 03574.  
Brew Pub License #2003515 licensed pursuant to RSA 178:13.  
Requested approval for an extension of service, to wit, for a tasting room with a capacity of 65 pursuant to RSA 178:24/Liq. 404.05.
- h. Rochester Country Club, 94 Church Street, Rochester, NH 03839.  
Sports Recreation Facility License #6025405 licensed pursuant to RSA 178:22, V(u)(1).  
Requested approval for authorization of other area, to wit, a mobile facility cart for operation on the golf course pursuant to RSA 178:24/Liq. 404.05/Liq. 509.01(a-f).
- i. Stalk LLC, 286 Central Avenue, Dover, NH 03820.  
Restaurant, On-Premises, Beverage/Wine/Liquor License #1595003 licensed pursuant to RSA 178:21.  
Requested approval for an extension of service, to wit, for an outdoor area with a capacity of 29 from 5/15/2022 through 11/15/2022 pursuant to RSA 178:24/Liq. 404.05.
- j. Tokens Taproom, 284 Central Avenue, Dover, NH 03820.  
Restaurant, On-Premises, Beverage & Wine License #1557303 licensed pursuant to RSA 178:20.  
Requested approval for an extension of service, to wit, for an outdoor area with a capacity of 10 pursuant to RSA 178:24/Liq. 404.05.

**10. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**11. TABLED ITEMS:**

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:**

Alstead, NH;  
Bristol, NH;  
Canaan, NH;  
Dublin, NH;  
Gilsum, NH;  
Marlborough, NH;  
Roxbury, NH;  
Troy, NH; and  
Westmoreland, NH.

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

**Tobacco Compliance Checks –**

**Hillsborough County:**

- A1. Common Man Roadside, 1805 South Willow Street, Manchester, NH.  
Combination, Off-Premises, Beverage/Wine/Tobacco License #3393247 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: 5/13/2022.  
Case #: 22-231-OF.  
Warning and mandatory completion of a Tobacco Management Training Seminar (TMTS) by a manager within thirty (30) days from the date of the violation.
  
- A2. Market Basket, 460 Elm Street, Manchester, NH.  
Combination, Off-Premises, Beverage/Wine/Tobacco License #3290447 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: 5/13/2022.  
Case #: 22-231-OF.  
Warning and mandatory completion of a Tobacco Management Training Seminar (TMTS) by a manager within thirty (30) days from the date of the violation.

**16. ADMINISTRATIVE HEARING DECISION PENDING:**

None

**17. ADMINISTRATIVE HEARING DECISIONS:**

- a. La Esquina Del Pollo Restaurant, 363 Chestnut Street, Manchester, NH 03103.  
Restaurant, On-Premises, Beverage/Wine/Liquor License #1612403 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:32, I – purchased supplies of alcohol from other than the Commission or as provided by law.  
Cited for violation of Liq. 603.05 – failed to comply with the requirements of a Commission order.  
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage.  
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law – allowed the use of hookah.  
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.  
Dates of violation: 9/17/2021 & 11/20/2021.  
Case #s: 21-499-OF & 21-610-OF.  
HEARING WAS HELD MAY 24, 2022.

**DECISION:** “This matter was scheduled for a prehearing in order to approve a settlement agreement between the parties. Per agreement, the parties appeared via conference call. The hearings officer, Lt. Benjamin Williams, Division of Enforcement & Licensing, and Attorney Joseph Prieto appeared on behalf of the licensee. In lieu of appearing and entering into the settlement agreement, the licensee elected to surrender their license. As such, the penalties recommended in the settlement agreement are accepted. The surrender of license is accepted. Should the licensee apply for a liquor license in the future, the penalties recommended in the attached settlement agreement shall be imposed prior to any grant of such license.”

- b. Smoke & Flame Hookah Lounge, 10 Bridge Street, Pelham, NH 03076.  
Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #404806 licensed pursuant to RSA 178:20-a/RSA 178:9-a.  
Cited for violation of RSA 178:20-a, II - failed to generate 60 percent or more of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays. AN #6760.  
Cited for violation of RSA 178:20-a, II(c) - allowed a person under the age of 21 on the premises without being accompanied by a parent, legal guardian or adult spouse. AN #6587.  
Cited for violation of RSA 179:51 - failed to maintain an orderly premise. AN #6928.  
Cited for violation of RSA 178:20-a, II - failed to generate 60 percent or more of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays. AN #6891.  
Cited for violation of RSA 179:17 - allowed the sale and consumption of alcoholic beverage on the premise after expiration of the serving hour. AN #6580.  
Cited for violation of RSA 179:27, II - allowed the service or consumption of alcoholic beverage in an area not approved by the Commission. VW #2568.  
Cited for violation of RSA 178:20-a, II - failed to generate 60 percent or more of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays. AN #6304.  
Cited for violation of RSA 178:20-a, II(c) - allowed a person under the age of 21 on the premises without being accompanied by a parent, legal guardian or adult spouse. AN #6452.  
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 #6451.  
Cited for violation of RSA 179:5, I - served alcoholic beverage to a person who was under the age of twenty-one. AN #6450.  
Recommendation for non-renewal due to audits conducted on March 23, 2021, July 20, 2021, November, 24, 2021 and January 12, 2022 revealing that the licensee failed to generate 60 percent or more of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays pursuant to RSA 178:20-a, II; in addition to failing to meet license requirements, there has been administrative action for violation of RSA 178:20-a, II(c)- allowed a person under the age of 21 on the premises without being accompanied by a parent, legal guardian or adult spouse, RSA 179:17- allowed the sale and consumption of alcoholic beverage on the premise after expiration of the serving hour, RSA 179:51- failed to maintain an orderly premise, RSA 179:27, II - allowed the service or consumption of alcoholic beverage in an area not approved by the Commission, 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, RSA 179:5, I - served alcoholic beverage to a person who was under the age of twenty-one.  
ON MAY 12, 2022, DEPUTY COMMISSIONER JORDAN MOVED TO APPROVE THE RECOMMENDATION FOR NON-RENEWAL OF THE LICENSE; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.  
HEARING REQUESTED BY COUNSEL OF RECORD.  
LICENSEE'S COUNSEL REQUESTED AND WAS GRANTED A CONTINUANCE;  
SETTLEMENT PENDING.  
HEARING WAS HELD ON MAY 31, 2022.

**DECISION:** “During the conference it was represented that the license was set to expire on June 3, 2022. As such the parties requested a short-form expedited order. On June 1, 2022, the hearings officer was informed by counsel for the licensee the license actually expired on May 31, 2022,

and the licensee is unable to operate his business until receipt of a decision and order regarding this issue. Proffer and exhibits were accepted on the record from both parties per their agreement, and all arguments have been due consideration. Due to the agreement of the parties for an expedited order, I will not address the facts leading to my decision as the parties are aware of them and the licensee has stipulated to the alleged violations, some of which are very concerning, as evidenced in the exhibits provided by the Division of Enforcement. I have also reviewed the licensee's exhibits, which addresses the concerns of the Division. A business plan, employee handbook, renovations and proof of every employee receiving training from the Liquor Commission are all commendable.

For the first thirty days of the 90-day temporary license, hours of sale shall be: Sunday-Wednesday-6:00 A.M.-11:00P.M., Thursday, Friday and Saturday-6:00 A.M.-12:00 A.M. If there are no violations during the first 30 days, hours of sale will increase on Thursday, Friday and Saturday to 12:30 A.M. through the remainder of the 90-day temporary licensure, subject to reduction of hours pending a hearing on any alleged violations from the Division of Enforcement. These hours of sale and conditions shall be incorporated into the proposal provided by the Division of Enforcement & Licensing during the hearing."

**18. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

- a. Alzheimer's Disease Association at Hampton Beach State Park, NH Route #1A, Hampton, NH 03842. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #640441 for 6/4/2022 pursuant to RSA 178:22, V(l).
- b. Medallion Opera House, 10 Park Street, Gorham, NH 03581. Issued Special, One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License #642841 for 6/17/2022 pursuant to RSA 178:22, V(l).
- c. Schilling Beer Co. at Riverfront Commons, 89 Riverglen Lane, Littleton, NH 03561. To be issued Beer Festival License #4013714 for 6/4/2022 pursuant to RSA 178:30.