

*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

DECISION

**TRI PETROLEUM LLC D/B/A MOBIL
160 HOWLAND AVE
ADAMS, MA 01220
LICENSE#: 89165-PK-0010
VIOLATION DATE: 6/22/2023
HEARD: 12/05/2023**

Tri Petroleum LLC d/b/a Mobil ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, December 5, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Quinn and Cutter's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Quinn and Cutter's Minimum Purchase Age Compliance Check Field Report, 6/22/2023;
2. ABCC Application Summary, New License Approved, 10/3/2017;
3. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

FINDINGS OF FACT

1. On Thursday, June 22, 2023, at approximately 5:49 p.m., Investigators Quinn and Cutter ("Investigators") conducted a compliance check at Tri Petroleum LLC d/b/a Mobil.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 16-ounce can of Spiked Arnold Palmer, for three dollars (\$3.00). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner

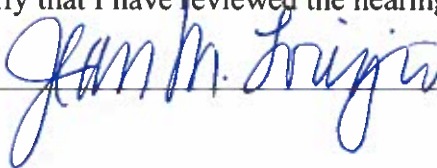


Crystal Matthews, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman



Dated: March 5, 2024

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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2023-000138-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Alicia Cutter, Investigator
Katelyn Quinn, Investigator
Matthew Porter, Esq.
Administration, File