



*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

October 17, 2012

**LYDIAN ENTERPRISES, INC. DBA ASHFIELD LAKE HOUSE**  
**141 BUCKLAND RD**  
**ASHFIELD, MA 01330**  
**LICENSE#: 003800001**  
**HEARD: 10/16/2012**

After a hearing on October 16, 2012, the Commission finds Lydian Enterprises, Inc. dba Ashfield Lake House in violation of 204 CMR 2.05(2) - Permitting an illegality on the licensed premises, to wit: c.138, §34 - Sale or Delivery of an alcoholic beverage to a person under 21 years of age.

The Commission suspends the licensee's license for a total of three (3) days to be served. The suspension shall commence on Wednesday, December 5, 2012 and terminate on Friday, December 7, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, December 5, 2012 at 9:00 A.M. It will be returned to the licensee Saturday, December 7, 2012.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must be certified and accompanied by the enclosed form, which must be signed by a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

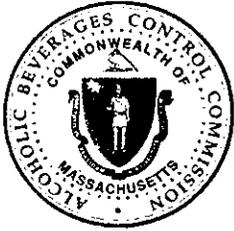
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro  
Chairman

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Dennis Keefe, Investigator  
Jan Kujawski, Investigator  
Administration  
File

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**DECISION**

**LYDIAN ENTERPRISES, INC. DBA ASHFIELD LAKE HOUSE**  
**141 BUCKLAND RD**  
**ASHFIELD, MA 01330**  
**LICENSE#: 003800001**  
**HEARD: 10/16/2012**

Lydian Enterprises, Inc. dba Ashfield Lake House (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, October 16, 2012, regarding an alleged violation of 204 CMR 2.05(2) - Permitting an illegality on the licensed premises, to wit: c.138, §34 - Sale or Delivery of an alcoholic beverage to a person under 21 years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Keefe's Compliance Check Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
  2. Investigator Keefe's Compliance Check Field Report dated June 5, 2012.
- A. Letter from the Bartender on Duty.

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

**FACTS**

1. On Tuesday, June 5, 2012, at approximately 7:09 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of Lydian Enterprises, Inc. dba Ashfield Lake House.
2. An underage operative working with investigators purchased an alcoholic beverage, a bottle of Budweiser Light beer, for three dollars (\$3.00). The underage operative was not asked for identification.

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: c.138, §34 – Sale or Delivery of an alcoholic beverage to a person under 21 years of age. Therefore, the Commission **suspends the license for six (6) days of which six (6) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

By decision dated July 7, 2010, the Commission had previously ordered a three (3) day suspension, which was to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the licensee violated the conditions of that three (3) day suspension being held in abeyance. The Commission hereby orders that suspension to be served. The licensee will serve a total three (3) days.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Susan Corcoran, Commissioner *Susan Corcoran*

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner *Kathleen McNally*

Dated: October 17, 2012

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.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Dennis Keefe, Investigator  
Jan Kujawski, Investigator  
Administration  
File