

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

**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**ISHANA, INC. D/B/A QUABBIN PLAZA LIQUORS  
578 SUMMER STREET  
BARRE MA 01005  
LICENSE#: 89149-PK-0072  
VIOLATION DATE: 4/1/2019  
HEARING DATE: 6/11/2019**

Ishana, Inc. d/b/a Quabbin Plaza Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, June 11, 2019, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Binienda's Report.

The following documents are in evidence:

1. Investigator Binienda's Compliance Check Field Report;
2. Licensee's Stipulation of Facts; and
3. Licensee's Application Summary Review.

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

**FACTS**

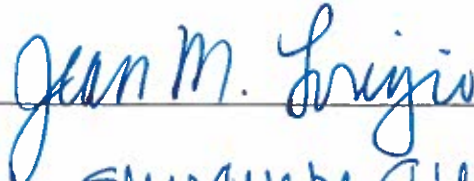
1. On Monday, April 1, 2019, at approximately 4:35 p.m., Investigators Velez and Binienda ("Investigators") investigated the business of Ishana, Inc. d/b/a Quabbin Plaza Liquors.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer, for seven dollars and forty-nine cents (\$7.49). 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: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: June 11, 2019

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jamie Binienda, Investigator  
Nicholas Velez, Investigator  
Administration, File