



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**D.E.P. RAM CORP. D/B/A TOWN MART
10 FEDERAL STREET
BELCHERTOWN, MA 01007
LICENSE#: 00027-PK-0084
VIOLATION DATE: 8/07/2019
HEARD: 2/25/2020**

D.E.P. Ram Corp. d/b/a Town Mart (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, February 25, 2020, 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 (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Watson's Report.

The following documents are in evidence:

1. Investigator Watson's Compliance Check Field Report;
 2. Licensee Stipulation of Fact;
 3. Copy of New License Approval, 1/23/2007.
- A. Quabbin Health District Letter, 12/16/2019.

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

FACTS

1. On Wednesday, August 7, 2019, at approximately 9:09 p.m., Investigators Temple and Watson ("Investigators") conducted an investigation of the business operation of D.E.P. Ram Corp. d/b/a Town Mart.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, for three dollars (\$3.00). The underage operative was not asked for identification.
3. The Licensee informed the Commission at the hearing that they have a policy to ask for identification of anyone who appears to be under 35 years of age.

4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2007 with no prior violations.

CONCLUSION

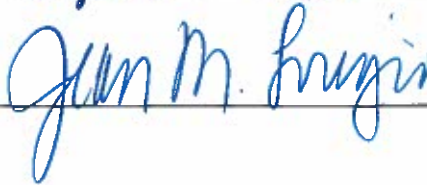
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner



Jean M. Lorizio, Chairman



Dated: February 26, 2020

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
Kyle E. Gill, Esq., Associate General Counsel
Lisa Watson, Investigator
Christopher Temple, Investigator
Gregory C. Makis, Esq.
Administration, File