

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**CHANSKY MARKET INC. D/B/A CHANSKY'S SUPER MARKET
1700 COMMONWEALTH AVENUE
BOSTON, MA 02135
LICENSE#: 89503-PK-0116
VIOLATION DATE: 10/1/2020
HEARD: 10/19/2021**

Chansky Market Inc. d/b/a Chansky's Super Market (the "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, October 19, 2021, regarding an alleged violation of M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (3 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Investigator Teehan's Report;
2. ABCC Approval Cover Sheet, License Transfer Approved 3/17/2019;
3. Photocopy of Fraudulent Identifications;
4. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, October 1, 2020, Investigators Watson and Teehan ("Investigators"), conducted an inspection of the business operation of Chansky Market Inc. d/b/a Chansky's Super Market to determine the manner in which its business was being conducted.
2. At approximately 5:50 p.m., while outside the licensed premises, Investigators observed three youthful appearing males exit the store in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 10/10/2002 (age 18), was in possession of one 12-pack of Bud Light beer, and one 12-pack of Truly Hard Seltzer. Underage #1 stated to Investigators that he presented a fraudulent Rhode Island driver's license in his name with a different birth date when purchasing the alcoholic beverages.

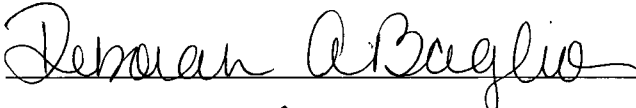
4. Underage #2, actual date of birth 10/25/2001 (age 18), was in possession of one 15-pack of Natty Daddy beer. Underage #2 stated to Investigators that he presented a fraudulent California driver's license in his name with a different birth date to purchase the alcoholic beverages.
5. Underage #3, actual date of birth 9/25/2002 (age 18), was in possession of one 12-pack of White Claw Hard Seltzer and one bottle of wine. Underage #3 stated to Investigators that he presented a fraudulent Missouri driver's license in his name with a different birth date to purchase the alcoholic beverages.
6. Investigators informed the female clerk on duty of the violations and that a report would be filed with the Chief Investigator for further action.
7. The Licensee has since instituted a new policy wherein all patrons are required to produce identification, regardless of age. In addition, they have purchased a new state of the art scanner to aid in evaluating identifications, specifically out of state identifications.
8. The Licensee has held a license under M.G.L. c. 138, § 15 since 2019 with one prior violation, which occurred just one day prior to this incident.

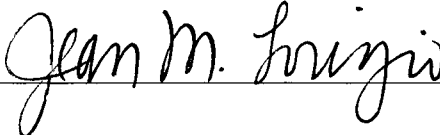
CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (3 counts). Therefore, the Commission **suspends the license for a period of six (6) days which are hereby deemed served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner 

Deborah A. Baglio, Commissioner 

Jean M. Lorizio, Chairman 

Dated: December 8, 2021

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
Michael Teehan, Investigator
Lisa Watson, Investigator
Gregory Demakis, Esq.
Administration, File