



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

Jean M. Lorizio, Esq.
Chairman

November 26, 2025

NOTICE OF SUSPENSION

**CHANSKY MARKET INC. D/B/A CHANSKY'S SUPER MARKET
1700 COMMONWEALTH AVENUE
BOSTON, MA 02135
LICENSE#: 89503-PK-0116
VIOLATION DATE: 9/07/2024
HEARD: 3/04/2025**

After a hearing on March 4, 2025, the Commission finds Chansky Market Inc. d/b/a Chansky's Super Market violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (1 count). The Commission **SUSPENDS the license# 89503-PK-0116 for a period of four (4) days to be served.**

The suspension shall commence on Monday, January 12, 2026, and terminate on Thursday, January 15, 2026. The license will be delivered to the Local Licensing Board or its designee on Monday, January 12, 2026, at 9:00 A.M. It will be returned to the licensee on Friday, January 16, 2026.

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 which must be signed by the Licensee and 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

Jean M. Lorizio
Chairman

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2024-000190-ad-enf (89503-PK-0116)

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Sean Smiddy, Investigator
Dennis Keefe, Investigator
Kristen L. Scanlon, Esq.
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
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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 & TR-LIC-010638
VIOLATION DATE: 9/07/2024
HEARD: 3/04/2025**

Chansky Market Inc. d/b/a Chansky's Super Market (the "Licensee" or "Chansky Market") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a hearing on Tuesday, March 4, 2025, 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 (1 count), which occurred on September 7, 2024, according to Investigator Smiddy's report.

The following documents are in evidence:

1. Investigative Report of S. Smiddy re: license # 89503-PK-0116;
2. Investigative Report of S. Smiddy re: license # TR-LIC-010638
3. ABCC Approval Cover Sheet, Transfer of License Approved, 3/7/2019;
4. Licensee's 2024 Transportation & Delivery Permit;
5. ABCC Decision, 1/31/2024;
6. ABCC Decision, 3/13/2024;
7. ABCC Decision, 12/8/2021;
8. ABCC Decision, 12/8/2021;
9. ABCC Decision, 12/8/2021;
10. Photograph of Fraudulent Identification.

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

FINDINGS OF FACT

1. On Saturday, September 7, 2024, Investigators Keefe and Smiddy ("Investigators"), conducted surveillance of Chansky Market Inc. d/b/a Chansky's Super Market (the "Licensee" or "Chansky Market") to determine the way its business was being conducted. (Testimony, Exhibits 1, 2)

2. At approximately 7:45 p.m., Investigators observed a male individual exit Chansky Market pushing a dolly which contained two 30-packs of Pabst Blue Ribbon beer and one 30-pack of Coors Light beer which he put into a white sedan. The same male re-entered the store and exited with black plastic bags which appeared to contain alcoholic beverages which he placed in the white vehicle. Id.
3. Investigators followed the vehicle from the licensed premises to the area of 6 Caltha Road in Brighton, Massachusetts. Id.
4. At approximately 8:00 p.m., Investigators observed a youthful appearing male individual with a backpack approach the delivery driver. Id.
5. Investigators observed the driver go to the back seat of his vehicle and obtain a bag which he delivered to the youthful appearing male individual without requesting identification. The driver then went to the trunk for the cases of alcoholic beverages. The driver appeared to notice Investigators at this time and then asked the individual for identification before delivering to him the three (3) cases of beer. Id.
6. Investigators approached the delivery driver and the male, identified themselves and requested proof of age to lawfully purchase and/or possess alcoholic beverages. Id.
7. Underage #1, actual date of birth 5/08/2005 (age 19), admitted his true age. He provided Investigators with a fraudulent Pennsylvania Driver's License bearing his name but a different date of birth which he had presented to the delivery driver. Underage #1 stated he placed the order through the Uber Eats app. (Testimony, Exhibits 1, 2, 10)
8. Investigators confiscated the alcohol: two 30-packs of Pabst Blue Ribbon beer; one 30-pack of Coors Light beer; one 750-ml bottle of Lunazul Blanco Agave tequila; one sleeve of Dr. McGillicuddy Menthol nips; and one 1.75-ml bottle of Svedka distilled vodka. (Testimony, Exhibits 1, 2)
9. Investigators spoke with the delivery driver, Mitesh P., who stated he was an employee of Chansky Market. He provided Investigators with his Massachusetts Driver's License and a valid Transportation permit. The delivery driver stated the alcoholic beverages were ordered through the Uber Eats application and he provided the order number to Investigators. (Testimony, Exhibits 1, 2, 6)
10. Investigators then returned to Chansky Market and spoke to the clerk on duty. They spoke to owner Peter Patel by telephone and advised him a report would be filed with the Chief Investigator for further review. (Testimony, Exhibit 1, 2)
11. The Licensee has held a license under M.G.L. c. 138, § 15 since 2019 with several prior violations. The Licensee has held the Transportation Permit under M.G.L. c. 138, § 22 since 2023. (Exhibits 3, 4, 5, 6, 7, 8, 9, 10)

DISCUSSION

Licenses to sell alcoholic beverages are a special privilege subject to public regulation and control, Connolly v. Alcoholic Beverages Control Comm'n, 334 Mass. 613, 619 (1956), for which States

have especially wide latitude pursuant to the Twenty-First Amendment to the United States Constitution. Opinion of the Justices, 368 Mass. 857, 861 (1975). The procedure for the issuance of licenses and required conduct of licensees who sell alcoholic beverages is set out in Massachusetts General Laws, Chapter 138.

Chapter 138 gives the Commission the authority to grant, revoke and suspend licenses. Chapter 138 was "enacted ... to serve the public need and ... to protect the common good." M.G.L. c. 138, § 23. "[T]he purpose of discipline is not retribution, but the protection of the public." Arthurs v. Bd. of Registration in Medicine, 383 Mass. 299, 317 (1981). The Commission is given "comprehensive powers of supervision over licensees." Connolly, 334 Mass. at 617.

The law is well-settled that the responsibility of the licensee is to exercise sufficiently close supervision so that there is compliance with the law on the premises. A vendor who sells alcohol is "bound at his own peril to keep within the condition of his license." Commonwealth v. Gould, 158 Mass. 499, 507 (1893); Burlington Package Liquors, Inc. v. Alcoholic Beverages Control Comm'n, 7 Mass. App. Ct. 186, 190 (1979). It is, thus, quite possible for a licensee to offend the regulatory scheme without scienter. Rico's of the Berkshires, Inc. v. Alcoholic Beverages Control Comm'n, 19 Mass. App. Ct. 1026, 1027 (1985).

The Licensee is charged with a violation of M.G.L. c 138, § 34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). M.G.L. c. 138, § 34 states, in pertinent part, that: "[w]hoever makes a sale or delivery of any alcoholic beverage or alcohol to any person under twenty-one years of age ... shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both." M.G.L. c. 138, § 34.

In this matter, direct evidence was presented through the Investigator's testimony as to his observations of the Licensee's employee removing alcoholic beverages from the licensed premises, loading them into his motor vehicle, transporting those alcoholic beverages and ultimately delivering said alcoholic beverages to a male individual who was under the age of twenty-one.

The Commission is persuaded by the evidence that Chansky Market, Inc. d/b/a Chansky's Super Market sold alcoholic beverages to a person under twenty-one years of age. The Commission finds that the Licensee committed a violation of M.G.L. c. 138, § 34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count).

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 (1 count).

As a result, the Commission **SUSPENDS the § 15 license of Chansky's Market Inc., License # 89503-PK-0116 for a period of four (4) days to be served.**

As a result, the Commission **SUSPENDS the § 22 of Chansky's Market Inc., License# TR-LIC-010638 for a period of four (4) days to be served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman _____ *Jean M. Lorizio*

Crystal Matthews, Commissioner _____ *Crystal Matthews*

Deborah A. Baglio, Commissioner _____ *Deborah A. Baglio*

Dated: November 26, 2025

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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2024-000191-ad-enf (TR-LIC-010638)

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