



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: 4/20/2023
HEARD: 1/23/2024

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, January 23, 2024, regarding an alleged violation of M.G.L. Ch. 138, § 22 Licensees for the sale of alcoholic beverages or alcohol may transport and deliver anywhere in the commonwealth alcoholic beverages or alcohol lawfully bought or sold by them, in vehicles owned or leased by them or their employees, if each vehicle used for such transportation and delivery is covered by a permit issued by the commission.

Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Smith's Report.

The following documents are in evidence:

1. Investigator Smith's Report, 4/20/2023;
2. ABCC Approval Cover Sheet, Transfer of License Approved, 3/7/2019;
3. ABCC Decision (Violation Date 9/30/2020), 12/8/2021;
4. ABCC Decision (Violation Date 10/1/2020), 12/8/2021;
5. ABCC Decision (Violation Date 10/2/2020), 12/8/2021;
6. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, April 20, 2023, Investigators Fleming and Smith ("Investigators"), conducted surveillance of the business operation of Chansky Market Inc. d/b/a Chansky's Super Market to determine the way its business was being conducted.

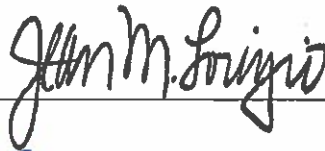
2. While outside the licensed premises, at approximately 8:30 p.m., Investigators observed a male individual exit the market in possession of red Drizly delivery bags, containing what appeared to be alcoholic beverages. The male entered a white sedan motor vehicle.
3. Investigators followed the white sedan to the area of 129 Lake Shore Road. At approximately 8:35 p.m., Investigators observed a female individual approach the driver of the white sedan.
4. Investigators spoke to the driver who stated that he is employed by Chansky's Market. He provided to Investigators the order number for the alcoholic beverages which was completed through the Drizly app.
5. Investigators requested to see the transportation permit for the vehicle but the driver stated he did not have one.
6. A review of Commission records indicate the Licensee previously held a transportation permit which expired on January 4, 2022.
7. On April 24, 2023, Investigator Smith spoke to Suvijhi Patel, Licensee, and informed him of the violation.
8. Mr. Patel appeared at the Commission hearing and testified that allowing the transportation permit to lapse was an oversight. He stated he has put safeguards in place to prevent such a violation in the future.
9. The Licensee has held a license under M.G.L. c. 138, § 15 since 2019.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 22 Licensees for the sale of alcoholic beverages or alcohol may transport and deliver anywhere in the commonwealth alcoholic beverages or alcohol lawfully bought or sold by them, in vehicles owned or leased by them or their employees, if each vehicle used for such transportation and delivery is covered by a permit issued by the commission. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: January 31, 2024

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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2023-000166-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicole Smith, Investigator
Sean Fleming, Investigator
Kristen L. Scanlon, Esq.
Administration, File