

Creative Restaurant Concepts, Inc. dba Gypsy Bar
116-120 Boylston Street
Boston, MA 02116
License #: 011600757
Heard: October 13, 2010

DECISION

This was an appeal from the action of the Licensing Board of the City of Boston (“the Board”) for suspending the license of Creative Concepts, Inc. dba Gypsy Bar located at 116-120 Boylston Street, Boston, MA, for one (1) day. The Licensee timely appealed the Board’s decision to the Alcoholic Beverages Control Commission (the “Commission”) and a hearing was held on October 13, 2010.

The following exhibits are in evidence:

1. Boston Police Report #054192
 2. Statement of Reasons
- A. J.B.S Letter Dated 10/12/2010

There is one (1) tape of this hearing.

FACTS

Lt. Eric Eversley of the Boston Police Department testified he saw an intoxicated woman being assisted out of the Gypsy Bar by her friends. He stated he “did not see her being served or drinking anything on the premises.” He testified, “I assumed she came into the establishment sober and was leaving intoxicated.”

Jean Lorizio executive secretary of the Boston Licensing Board entered the police report (Exhibit 1) and the statement of reasons of the local board (Exhibit 2).

DECISION

Based on the evidence and the testimony of Lt. Eversley, the Commission does not find proof the licensee violated Ch.138 §69 service to an intoxicated person. Therefore, the ABCC finds no violation.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert Cronin, Commissioner _____

Kim S. Gainsboro, Chairman _____

Dated at Boston, Massachusetts this 17th day of November 2010.

You have the right to appeal this decision to the Superior Court under the provisions of Chapter 30A of the Massachusetts General Laws within thirty days of receipt of this decision.

cc: Local Licensing Authority
Frederick Mahony, Chief Investigator
David G. Eisenstadt, Esq. via Facsimile 617-723-5370
Jean Lorizio, Esq. via facsimile 617-635-4742
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