



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim J. Gainster, Esq.
Chairman

MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION

PITCHER'S MOUND, LLC DBA DIAMOND AT FENWAY
72 BROOKLINE AVENUE
BOSTON, MA 02215
LICENSE#: 011600495
HEARD: 01/14/2014

Pitcher's Mound, LLC dba Diamond at Fenway (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, January 14, 2014, regarding the Licensee's Motion to Reconsider Amending Certain Conditions placed on its license.

On the Harry M. Stevens license application dated April 6, 2011, the Commission approved the license with conditions. Specifically that:

- 1) Alcohol sales are not to begin until 2 hours prior to the start of a game;
- 2) The License is only to be used for Major League Baseball games;
- 3) All additional staffing and security personnel and measures stipulated to in the letter dated August 22, 2002, to this Commission from General Manager Julie Jordan and Vice President, Sales and Marketing, Larry Cancro, remain in full force at all times; and
- 4) Service stops at the seventh inning, or an appropriate time determined by the Management of Harry M. Stevens in the event of a delayed game.

By letter dated November 18, 2013, the Licensee requested a hearing to reconsider the conditions of the license. The Commission held a hearing on Tuesday, January 14, 2014, where the Licensee argued that good cause exists to reconsider the terms of the license.

The requested amendments to the conditions are:

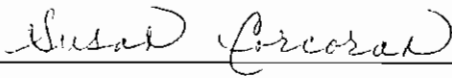
- Condition no. 2: the License is to be used for Major League Baseball games **or other private or public events at Fenway Park when Yawkey Way is closed for such events;**
- Condition no.4: Alcoholic Beverages sales cease at the end of the seventh inning **or earlier at the Management's discretion.**

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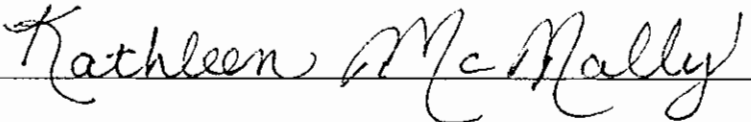
Based on the evidence, the Commission allows the motion to reconsider the conditions on the License and imposes the following:

- 1) Alcohol sales are not to begin until 2 hours prior to the start of a game;
- 2) The License is to be used for Major League Baseball games or other private or public events at Fenway Park when Yawkey Way is closed for such events;
- 3) All additional staffing and security personnel and measures stipulated to in the letter dated August 22, 2002, to this Commission from General Manager Julie Jordan and Vice President, Sales and Marketing, Larry Canero, remain in full force at all times; and
- 4) Alcoholic Beverages sales cease at the end of the seventh inning or earlier at the Management's discretion.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner 

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner 

Dated: January 23, 2014

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.

cc: Local Licensing Board
Frederick Mahoney, Chief Investigator
Dennis Quilty, Esq. via facsimile 617-946-4624
Administration
File