



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

**Jean M. Lorizio, Esq.**  
*Chairman*

**NOTICE OF SUSPENSION**

January 24, 2024

**SHREE GANESHAY CORPORATION D/B/A GIMBEL'S LIQUOR  
1637 BEACON STREET  
BROOKLINE, MA 02445  
LICENSE#: 89096-PK-0148  
VIOLATION DATE: 5/23/2023  
HEARD: 11/14/2023**

After a hearing on November 14, 2023, the Commission finds Shree Ganeshay Corporation d/b/a Gimbel's Liquor violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. The Commission **SUSPENDS the license for one (1) day to be served.**

**The suspension shall be served on Monday, March 11, 2024.** The license will be delivered to the Local Licensing Board or its designee on Monday, March 11, 2024, at 9:00 A.M. It will be returned to the licensee on March 12, 2024.

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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2023-0000-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Michael Teehan, Investigator  
Gregory C. Demakis, Esq.



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

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**SHREE GANESHAY CORPORATION  
D/B/A GIMBEL'S LIQUOR  
1637 BEACON STREET  
BROOKLINE, MA 02445  
LICENSE#: 89096-PK-0148  
VIOLATION DATE: 5/23/2023  
HEARD: 11/14/2023**

Shree Ganeshay Corporation d/b/a Gimbel's Liquor ("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, November 14, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Watson and Teehan's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Watson and Teehan's Minimum Purchase Age Compliance Check Field Report, 5/23/2023;
2. Licensee's Stipulation of Facts;
3. ABCC Application Summary Review, Transfer of License Approved, 7/12/2017;
4. ABCC Decision, 1/10/2018;
5. ABCC Decision, 5/9/2018;
6. ABCC Decision, 3/30/2022.

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

**FINDINGS OF FACT**

1. On Tuesday, May 23, 2023, at approximately 7:05 p.m., Investigators Watson and Teehan ("Investigators") conducted a compliance check at Shree Ganeshay Corporation d/b/a Gimbel's Liquor.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, Sip of Sunshine IPA, for six dollars (\$6.00). The underage operative was not asked for identification.

3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017 with three prior violations.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission **suspends the license for a period of two (2) days of which one (1) day will be served and one (1) day will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Deborah A. Baglio, Commissioner Deborah A. Baglio

Crystal Matthews, Commissioner Crystal Matthews

I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean Lorizio, Chairman Jean M. Lorizio

Dated: January 24, 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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2023-000173-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Michael Teehan, Investigator  
Gregory C. Demakis, Esq.  
Administration, File