



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

Jean M. Lorizio, Esq.
Chairman

**MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION**

**ERIC R. BIRD (INDIVIDUAL) D/B/A CLASSIC PIZZA
29 MAIN STREET
CHESTER, MA 01011
LICENSE#: 00001-RS-0212**

Eric R. Bird (Individual) d/b/a Classic Pizza (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on November 17, 2020 regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Massachusetts Executive COVID-19 Order No. 46 (August 7, 2020).

By decision dated December 7, 2020 the Commission found the Licensee in violation and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

On December 15, 2020, the Commission received the letter of approval from Massachusetts Department of Labor Standards ("DLS"). On December 15, 2020, the Licensee submitted a written request to reconsider the indefinite suspension.

CONCLUSION

Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Eric R. Bird (Individual) d/b/a Classic Pizza effective forthwith.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

Jean M. Lorizio

Crystal Matthews, Commissioner

Crystal Matthews

Deborah A. Baglio, Commissioner

Deborah A. Baglio

Dated: December 15, 2020

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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Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Dennis Keefe, Investigator
Michael Flanagan, Dept. of Labor Standards
Administration, File



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

ROSALIN ACOSTA
SECRETARY

MICHAEL FLANAGAN
DIRECTOR

December 15, 2020

Alcohol and Beverage Control Commission
95 Fourth Street
Chelsea, MA 02150-2358
phathaway@tre.state.ma.us

RE: ABCC License # 0001-RS-0212
Eric R Bird (Individual) d/b/a Classic Pizza
29 Main Street
Chester, MA 01011
21C-0413

The Department of Labor Standards has reviewed the written COVID-19 Control Plan from the **Eric R Bird (Individual) d/b/a Classic Pizza at 29 Main Street in Chester, MA 01011** and verified plan implementation through photos provided by the owner.

The Department of Labor Standards has determined the business' COVID-19 Control Plan to be satisfactory according to COVID-19 Orders No. 33, 37, 43, or 58.

Sincerely,

Mary Dozois

Mary Dozois CIH CSP
Supervisor, Workplace Safety & Health Program
MA Department of Labor Standards
72 School Street, Taunton, MA 02780
617-626-5987 and mary.dozois@mass.gov

To: The ABCC


I, Eric Bird, am writing you, The Commission, asking you to please reconsider the indefinite suspension of our license. I have completed the DLS reopening plan and submitted it to the proper authorities, along with some pictures of the plexiglass we have hung, and socially distanced seating. We have removed extra stools and chairs to help enforce proper distancing between dining parties. We have multiple hand sanitizer stations located on the premises. We are strictly enforcing mask wearing. No one is allowed to enter the building without wearing a mask. All employees are having their temperatures taken daily upon arrival. If anyone doesn't feel well they will be told to leave, and not return until they have produced a negative COVID test.

We are thoroughly cleaning/disinfecting anything that is regularly touched multiple times a day. We will continue to adhere to all these procedures until the government says it is no longer necessary.

We are a family owned/operated business. We have been here almost 34 years. We hope to pass this business down through the family. Classic Pizza is very near and dear to all of our hearts. We deeply apologize for the infractions, and please ask you to reinstate our license.

Thank you,

Eric Bird


and the Bird family