



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

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**THE Y CAFE, INC. DBA Y CAFE**  
**720 CHICOPEE ST.**  
**CHICOPEE, MA 01013**  
**LICENSE#: 02200022**  
**HEARD: 07/10/2013**

This is an appeal of the action of the City of Chicopee Licensing Board ("Chicopee" or "Local Board") in revoking the M.G.L. c. 138, §12 Annual All-Alcohol license of The Y Cafe, Inc. dba Y Cafe (the "Licensee" or "Y Café"). The Licensee timely appealed the Local Board's decision to the Alcoholic Beverages Control Commission (the "Commission"), and a hearing was held on Wednesday, July 10, 2013.

The following documents are in evidence:

Commission Exhibits

1. The Local Board's Decision dated December 21, 2012; (1 page) and
2. Licensee's Letter dated January 4, 2013 (1 page).

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

FACTS

The Commission took administrative notice of the Licensee's records.

1. On December 20, 2012, the Local Board held a hearing at which the Licensee appeared.
2. By decision dated December 21, 2012, the Local Board cancelled the Annual All-Alcohol Restaurant License by unanimous vote for the Licensee's failure to conduct the licensed business.
3. The licensee appealed the decision of the Local Board to the ABCC on January 4, 2013.
4. The Commission scheduled an appeal hearing for Tuesday, February 26, 2013.
5. On Monday, February 25, 2013, the licensee requested a continuance, which the Commission granted.
6. The Commission scheduled an appeal hearing for Wednesday, July 10, 2013.
7. The notice of hearing was sent to same address above as was a previous notice which the licensee received. This address is the address of record.

8. On Wednesday, July 10, 2013, an appeal hearing was held.
9. The Licensee failed to appear at the hearing.
10. An administrative review of the Licensee's records showed that the Licensee did not renew the Annual All-Alcohol license for 2011, 2012, and 2013.

CONCLUSION

The Licensee has no premises upon which to conduct the licensed business and she failed to appear and prosecute the appeal despite receiving notices of the hearing. Therefore, this appeal is dismissed.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro, Chairman



Kathleen McNally, Commissioner



Dated: July 17, 2013

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: Thomas Rooke, Esq. via fax 413-731-1302  
Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Claire Robillard, Licensee  
File