

*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*239 Causeway Street*  
*Boston, Massachusetts 02114*  
*Tel. (617) 727-3040*  
*Fax: (617) 727-1510*

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

**DECISION**

**SAILING COW CORP. D/B/A SAILING COW**  
**170 OLD WHARF RD.**  
**DENNISPORT, MA 02670**  
**LICENSE#: 1518-00117**  
**VIOLATION DATE: 6/13/2018**  
**HEARING DATE: 9/04/2018**

Sailing Cow Corp. d/b/a Sailing Cow (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, September 4, 2018, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

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

The Commission took Administrative Notice of the Licensee's record.

**FACTS**

1. On Wednesday, June 13, 2018, at approximately 6:40 p.m., Investigators Binienda and Velez ("Investigators") investigated the business of Sailing Cow Corp. d/b/a Sailing Cow.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a pint of Cape Cod Red beer, for five dollars (\$5.00). The underage operative was not asked for identification.

### CONCLUSION

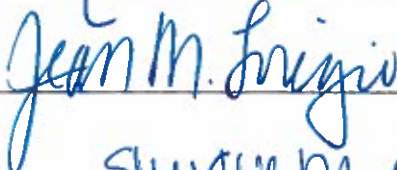
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for over 10 years with no prior violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**


Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Dated: September 5, 2018

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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
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  
Nicholas Velez, Investigator  
Jamie Binienda, Investigator  
Mail to: Mashpee 02649  
Administration, File