



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

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

**DECISION**

**EASTHAM MARKET INC. D/B/A EASTHAM SUPERETTE  
2475 STATE HIGHWAY  
EASTHAM, MA 02642  
LICENSE#: 90134-PK-0364  
VIOLATION DATE: 6/29/2022  
HEARD: 10/18/2022**

Eastham Market Inc. d/b/a Eastham Superette ("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, October 18, 2022, 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 Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Minimum Purchase Age Compliance Check Field Report, 6/29/2022;
2. ABCC Licensing Authority Certification, Transfer of License Approved, 11/12/2021;
3. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Wednesday, June 29, 2022, at approximately 5:05 p.m., Investigator Velez ("Investigator") inspected the business operation of Eastham Market Inc. d/b/a Eastham Superette.
2. An underage operative, working under the supervision of the Investigator, purchased an alcoholic beverage, one 24-ounce can of Black Cherry White Claw Hard Seltzer, for three dollars and fifty-five cents (\$3.55). The underage operative was not asked for identification.
3. Manan Patel, Licensee and Manager of Record, appeared at the Commission hearing. The Commission was informed that all employees had been TIPS certified and have been recertified since this incident. The employee who sold the alcohol has been moved to an

area of the market where alcohol is not sold. The Licensee has also purchased a state-of-the-art scanner.

### CONCLUSION

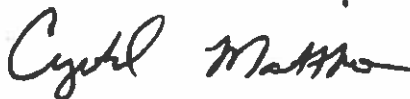
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Deborah A. Baglio, Commissioner



Crystal Matthews, Commissioner



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

Jean M. Lorizio, Chairman



Dated: November 23, 2022

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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2022-000129-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Nick Velez, Investigator  
Jamie Binienda, Investigator  
Administration, File