

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

Boathouse Bar, LLC dba Navigator Restaurant & Boathouse Bar
2 Main Street
Edgartown, MA 02539
License #: 037200008
Heard: September 27, 2011

Boathouse Bar, LLC dba Navigator Restaurant & Boathouse Bar (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, September 27, 2011, regarding an alleged violation of M.G.L. c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Jamie Binienda's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report dated July 16, 2011.

There is one (1) tape of this hearing.

FACTS

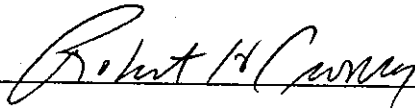
1. On, July 16, 2011 at approximately 7:30 p.m., Commission Investigators investigated the business operation Boathouse Bar, LLC dba Navigator Restaurant & Boathouse Bar.
2. An underage operative, working with the investigators, possessed a Bud Light. The underage operative was not asked for identification.
3. The Licensee failed to appear at this hearing.
4. Administrative review of the licensee's files indicates this was the first violation by the licensee since being in business.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for four (4) days of which four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

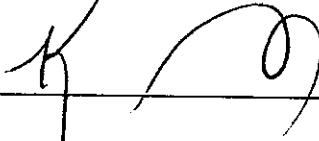
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert Cronin, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: October 4, 2011

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: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jamie Binienda, Investigator
Administration
File