



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

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

**NOTICE OF INDEFINITE SUSPENSION**

February 18, 2021

**FOXBORO COUNTRY STORE INC. D/B/A THE COUNTRY STORE**  
**212 NORTH STREET**  
**FOXBOROUGH, MA 02035**  
**LICENSE#: 00010-PK-0426**  
**VIOLATION DATE: 12/30/2020**  
**HEARD: 2/9/2021**

After a hearing on February 9, 2021, the Commission finds Foxboro Country Store Inc. d/b/a The Country Store violated 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Mass. Exec. COVID-19 Order No. 53 (Nov. 2, 2020) – Sale, service, or delivery of alcoholic beverages after 9:30 pm.

Therefore, the Commission **INDEFINITELY SUSPENDS** the license of Foxboro Country Store Inc. d/b/a The Country Store **effective forthwith** until further written order of the Commission.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio  
Chairman

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  
Kyle E. Gill, Esq., Associate General Counsel  
Dennis Keefe, Investigator  
Michael Flanagan, Dept. of Labor Standards  
Administration, File



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

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

**DECISION**

**FOXBORO COUNTRY STORE INC. D/B/A THE COUNTRY STORE  
212 NORTH STREET  
FOXBOROUGH, MA 02035  
LICENSE#: 00010-PK-0426  
VIOLATION DATE: 12/30/2020  
HEARD: 2/9/2021**

Foxboro Country Store Inc. d/b/a The Country Store (the "Licensee") holds an alcoholic beverages 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, February 9, 2021, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Mass. Exec. COVID-19 Order No. 53 (Nov. 2, 2020) – Sale, service, or delivery of alcoholic beverages after 9:30 pm. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Report;
2. Transfer Application License Approval, 12/10/2015;
3. Sales Receipt, 12/30/2020;
4. Massachusetts Executive COVID-19 Order No. 53, 11/2/2020;
5. Licensee Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Wednesday, December 30, 2020, at approximately 10:00 p.m., Investigator Keefe ("Investigator") conducted an investigation of Foxboro Country Store Inc. d/b/a The Country Store to determine the manner in which its business was being conducted, and to ensure compliance with Massachusetts Governor Charles Baker's Executive COVID-19 Orders.
2. Investigator Keefe observed a male individual walk to the door of the establishment and attempt to open the door, which was locked. A moment later a female individual inside the store, opened the door and allowed the male individual to enter. Investigator Keefe

observed the male individual exit a few moments later in possession of a bottle of an alcoholic beverage.

3. Investigator Keefe entered the licensed premises, identified himself to the male clerk on duty, Niyal Patel, and asked him if he had just sold alcohol.
4. Mr. Patel replied that he had just sold a bottle of wine and supplied the investigator with the sales receipt. Mr. Patel stated that he had shut down at 9:30 p.m., but he made an exception for this customer.
5. Investigator Keefe reviewed the COVID-19 guidelines for off-premises licensees with Mr. Patel and his employees.
6. Investigator Keefe advised Mr. Patel that a report would be filed with the Chief Investigator for review.
7. Minush Patel, Manager of Record, and Mr. Patel, the clerk, attended the Commission hearing.
8. The Licensee has held a license under M.G.L. c. 138, § 15 since 2015 with no prior violations.

### 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: Violation of Mass. Exec. COVID-19 Order No. 53 (Nov. 2, 2020) – Sale, service, or delivery of alcoholic beverages after 9:30 pm.

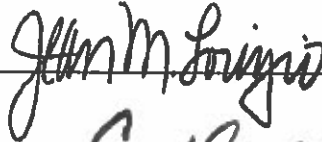
The Commission hereby **INDEFINITELY SUSPENDS** the license of Foxboro Country Store Inc. d/b/a The Country Store **effective forthwith** until further written order of the Commission.

The Commission will not issue any further order without a written request from the licensee showing good cause to reconsider this indefinite suspension.

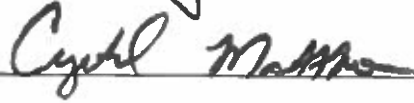
Good cause for the Commission to consider issuing a further written order revising the order of indefinite suspension will include, but not be limited to the Licensee receives approval from the Massachusetts Department of Labor Standards (“DLS”) as to a reopening plan. The Licensee must submit to the DLS a COVID Control Plan to reopen (see links here: [Safety Standards and Checklist: Retail Businesses | Mass.gov](#) and the general business requirements [COVID-19 Control Plan Template \(I/II/III\) \(mass.gov\)](#)) and operate in compliance with COVID 19 Orders Nos. 33, 37, 40 and 43, and the Safety Standards. Said plan must be submitted to both Michael Flanagan ([michael.flanagan@mass.gov](mailto:michael.flanagan@mass.gov)) and Mary Dozois ([mary.dozois@mass.gov](mailto:mary.dozois@mass.gov)) requesting review and approval.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman \_\_\_\_\_



Crystal Matthews, Commissioner \_\_\_\_\_



Deborah A. Baglio, Commissioner \_\_\_\_\_



Dated: February 18, 2021

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  
Kyle E. Gill, Esq., Associate General Counsel  
Dennis Keefe, Investigator  
Michael Flanagan, Dept. of Labor Standards  
Administration, File