



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

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

NOTICE OF SUSPENSION

June 9, 2022

**FOXBORO HOSPITALITY LLC D/B/A 6 STRING BAR & GRILL  
275 PATRIOT PLACE  
FOXBORO, MA 02035  
LICENSE#: 04816-RS-0426  
VIOLATION DATE: 12/04/2021  
HEARD: 4/05/2022**

After a hearing on April 5, 2022, the Commission finds Foxboro Hospitality LLC d/b/a 6 String Bar & Grill violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). The Commission **suspends the license for a period of two (2) days to be served.**

**The suspension shall commence on Monday, July 25, 2022, and terminate on Tuesday, July 26, 2022.** The license will be delivered to the Local Licensing Board or its designee on Monday, July 25, 2022, at 9:00 A.M. It will be returned to the Licensee on July 27, 2022.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

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  
Sean Fleming, Investigator  
Brian Gould, Investigator  
Nicholas Velez, Investigator  
Stephen V. Miller, Esq.  
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 HOSPITALITY LLC D/B/A 6 STRING BAR & GRILL  
275 PATRIOT PLACE  
FOXBORO, MA 02035  
LICENSE#: 04816-RS-0426  
VIOLATION DATE: 12/04/2021  
HEARD: 4/05/2022**

Foxboro Hospitality LLC d/b/a 6 String Bar & Grill (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, April 5, 2022, regarding an alleged violation of M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Fleming's report.

The following documents are in evidence:

1. Investigator Fleming's Report;
2. ABCC Approval Cover Sheet, New License Approved, 4/9/2019;
3. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Saturday, December 4, 2021, at approximately 10:15 p.m., Investigators Gould, Velez, and Fleming ("Investigators") inspected Foxboro Hospitality LLC d/b/a 6 String Bar & Grill to determine the manner in which their business was being conducted.
2. Investigators observed an unknown male individual ("UM"), standing directly in front of the bar, in direct view of the bartender, who appeared to be intoxicated.
3. Investigators observed that the UM's eyes were bloodshot, glassy and watery, and his eyes had a dazed look. Investigators observed that the UM was swaying heavily as he talked to friends, and he stumbled several times as he approached the bar.

4. Investigators overheard the UM calling to the bartender and observed his speech was thickly slurred. The UM leaned heavily on the bar, and he fumbled with his money and wallet while standing at the bar.
5. Based on their training and experience, Investigators determined that the UM was intoxicated.
6. At approximately 10:45 p.m., Investigators observed the bartender deliver a Captain Morgan rum and Coke® mixed drink to the UM.
7. Investigators Velez and Fleming identified themselves to the manager and identified the UM to him. The manager agreed with Investigators that the UM should not have been served another drink due to his level of intoxication.
8. While Investigator Velez and Fleming were speaking to the manager, Investigator Gould observed the UM order a Michelob Ultra beer and consume it in one chug as he stood at the bar. Investigator Gould observed that the UM was unsteady on his feet.
9. Investigators spoke with the UM who stated he had arrived on a party bus with several friends and the bus was scheduled to leave at 11:30 p.m. Management advised the UM to gather his party together and return to the bus for safe transport.
10. Investigators informed the manager of the violation and that a report would be filed with the Chief Investigator for further review.
11. Desi Kearns, Director of Operations for The Briar Group, ultimate owner of the Licensee entity, and Greg Springer, General Manager with the Briar Group, appeared at the Commission hearing. The Commission was informed the Licensee immediately met with management and staff to review service rules, had all staff re-certified in ServeSafe, met with door staff and reinforced the door staff's responsibility to assist the waitstaff and bartenders in watching for signs of intoxication, and increased the use of a pour tester in training bartenders in an effort to avoid over-pouring. In addition, at every pre-shift meeting the Licensee emphasizes, amongst other policies and practices, the importance of watching for signs of intoxication.
12. The Licensee has held a license under M.G.L. c. 138, § 12 since 2019 with no previous violations.

#### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Therefore, the Commission **suspends the license for a period of 2 days.**

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner



Deborah Baglio, Commissioner

*Deborah A. Baglio*

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

Jean M. Lorizio, Chairman

*Jean M. Lorizio*

Dated: June 9, 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.

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。

2022-000020-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Sean Fleming, Investigator  
Brian Gould, Investigator  
Nicholas Velez, Investigator  
Stephen V. Miller, Esq.  
Administration, File