

Re: Railroad Avenue Associates, Inc.  
DBA: Rhumblin Restaurant  
Premise: 40 Railroad Ave  
City/Town: Gloucester, MA 01930  
License #: 045000034  
Heard: August 17, 2010

## DECISION

Railroad Avenue Associates, Inc. dba Rhumblin Restaurant ("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 August 17, 2010 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 Brad Doyle Compliance Check Field Report.

The following documents are in evidence:

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

There is one (1) tape of this hearing.

### Facts

1. On, June 2, 2010 at approximately 7:05 p.m., Commission Investigators investigated the business operation Railroad Avenue Associates, Inc. dba Rhumblin Restaurant.
2. An underage operative, working with the investigators, purchased a bottle of Budweiser for \$3.75. The underage operative was not asked for identification.
3. The business has been in operation for thirty-two (32) years. No prior violations.

### Conclusion

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34. As the licensee has been in business for thirty-two (32) years and has never had a violation, the Commission issues a **WARNING**.

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 in Boston, Massachusetts this 20<sup>th</sup> day of August 2010.

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 days of receipt of this decision.

cc: Gloucester Licensing Board  
Frederick G. Mahony, Chief Investigator  
File