



*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*239 Causeway Street*  
*Boston, Massachusetts 02114*  
*Tel. (617) 727-3040*  
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**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**AKSHAR INC. D/B/A HAMILTON CONVENIENCE STORE**  
**178 BAY ROAD**  
**HAMILTON, MA 01982**  
**LICENSE#: 0486-00014**  
**VIOLATION DATE: 4/02/2018**  
**HEARING DATE: 5/29/2018**

Akshar Inc. d/b/a Hamilton Convenience Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 29, 2018, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Hooton's Report.

The following documents are in evidence:

1. Investigator Hooton's Compliance Check Field Report;
2. Licensee's Stipulation of Facts;
3. Photo of Underage Operative; and
4. Receipt for Alcohol Purchase.

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

The Commission took Administrative Notice of the Licensee's record.

**FACTS**

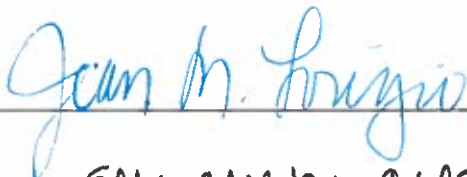
1. On Monday, April 2, 2018, at approximately 3:43 p.m., Investigators Wilichoski and Hooton ("Investigators") investigated the business of Akshar Inc. d/b/a Hamilton Convenience Store.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer, for seven dollars and forty-nine cents (\$7.49). The underage operative was not asked for identification.

### CONCLUSION

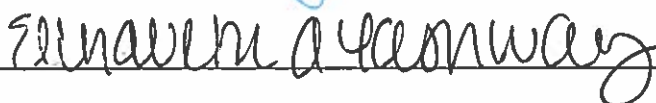
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for 10 years with no prior violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: May 30, 2018

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Tim Hooton, Investigator  
Caroline Wilichoski, Investigator  
Arthur M. Pearlman, Esq. via facsimile 508-875-7843  
Administration, File