

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

Jean M. Lorizio, Esq.
Chairman

DECISION

NO BETTYS INC. D/B/A THE STORE AT JIMINY PEAK
37 COREY ROAD
HANCOCK, MA 01237
LICENSE#: 00014-PK-0490
VIOLATION DATE: 6/22/2022
HEARD: 10/18/2022

No Bettys Inc. d/b/a The Store at Jiminy Peak ("Licensee") holds an alcohol 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, October 18, 2022, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Investigator Kujawski's Minimum Purchase Age Compliance Check Field Report;
2. ABCC Form 43, New License Approval, 1/14/2004
3. ABCC Decision, 11/1/2017;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, June 22, 2022, at approximately 7:00 p.m., Investigators Gould and Kujawski ("Investigators") inspected the business operation of No Bettys Inc. d/b/a The Store at Jiminy Peak.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one can of Bud Light beer for four dollars and ninety-nine cents (\$4.99). The underage operative was not asked for identification.
3. Thomas Masone, Licensee, attended the Commission hearing along with Meredith Woodyard. Mr. Masone testified that he met with staff to explain the violation and has instituted a new policy wherein all patrons are required to produce identification, regardless

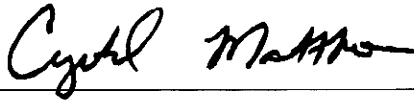
of age. In addition, signs have been posted within the licensed premises stating that identification is requested of all patrons.

CONCLUSION

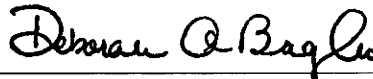
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner

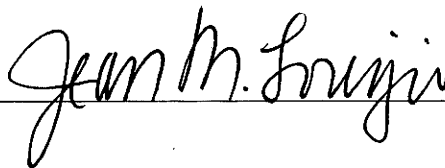


Deborah A. Baglio, Commissioner



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

Jean M. Lorizio, Chairman



Dated: October 27, 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.

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2022-000135-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Jan Kujawski, Investigator
Brian Gould, Investigator
Administration, File