



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

GRILL N CHILL INC. DBA GRILL N CHILL
127 ELM STREET
HATFIELD, MA 01038
LICENSE#: 051400018
VIOLATION DATE: 03/23/2015
HEARD: 04/21/2015

Grill N Chill Inc. dba Grill N Chill (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, April 21, 2015, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: 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 Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Compliance Check Field Report dated March 23, 2015;
2. Licensee's Stipulation of Facts; and
3. Photograph of Underage Operative.

A. Licensee's Letter dated April 20, 2015.

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

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

FACTS

1. On Monday, March 23, 2015, at approximately 6:01 p.m., Investigators Kujawski and Kenny conducted an investigation of the business operation of Grill N Chill Inc. dba Grill N Chill.
2. While on the licensed premises an underage operative working with investigators purchased from the Licensee an alcoholic beverage, a bottle of Budweiser Light beer, for three dollars and twenty-five cents (\$3.25). The underage operative was not asked for identification.

3366 8629

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: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: April 21, 2015

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jan Kujawski, Investigator
Mark Kenny, Investigator
Administration
File