

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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

HOPEDALE MART, LLC DBA HOPEDALE MART
404 SOUTH MAIN
HOPEDALE, MA 01747
LICENSE#: 054200004
HEARD: 07/26/2012

Hopedale Mart, LLC dba Hopedale Mart (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 Thursday, July 26, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Kujawski's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Kujawski's Compliance Check Field Report dated April 4, 2012; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Monday, April 02, 2012, at approximately 08:29 p.m., Investigators Keefe and Kujawski conducted an investigation of the business operation of Hopedale Mart, LLC dba Hopedale Mart.
2. An underage operative working with investigators purchased an alcoholic beverage, a container of Bud Light beer for two dollars and forty-nine cents (\$2.49). The underage operative was not asked for identification.


CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. 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

Kim S. Gainsboro, Chairman 

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

Kathleen McNally, Commissioner 

Dated: July 27, 2012

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
- Dennis Keefe, Investigator
- Administration
- File