



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

DECISION

HUDSON WINE & SPIRITS INC. D/B/A CHUBBY'S LIQUORS
105-107 MAIN ST.
HUDSON, MA 01749
LICENSE#: 054800031
VIOLATION DATE: 05/23/2016
HEARD: 11/15/2016

Hudson Wine & Spirits Inc. d/b/a Chubby's Liquors (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, November 15, 2016, 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 Bailey's Report.

The following documents are in evidence:

1. Investigator Bailey's Compliance Check Field Report dated May 23, 2016;
 2. Licensee's Stipulation of Facts; and
 3. Photograph of Underage Operative.
- A. Various Letters from Hudson Police Department and Others re: Licensee's Passing Local Area Compliance Checks.

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

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

FACTS

1. On Monday, May 23, 2016, at approximately 5:46 p.m., Investigators Doyle and Bailey ("Investigators") investigated the business operation of Hudson Wine & Spirits Inc. d/b/a Chubby's Liquors.

2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 24-ounce can of Budweiser beer for two dollars and seventy-five cents (\$2.75). 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 more than 25 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: November 16, 2016

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
Rose Bailey, Investigator
Brad Doyle, Investigator
Administration, File