



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

Jean M. Lorizio, Esq.
Chairman

**MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION**

**SPICKET RIVER BREWING LLC
56 ISLAND STREET
LAWRENCE, MA 01840
LICENSE#: 05062-BP-0594**

Spicket River Brewing LLC (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on November 17, 2020 regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Mass. Exec. COVID-19 Order No. 52 (September 29, 2020);
- 4) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Ch. 138 § 34C - Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 Count).
- 5) 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: 527 CMR 1.05 § 10.5.2.1 Overcrowding or admittance of any person beyond the established posted occupant load shall be prohibited.

By decision dated December 31, 2020 the Commission found the Licensee in violation and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

On January 7, 2021, the Commission received the letter of approval from Massachusetts Department of Labor Standards ("DLS"). On January 8, 2021, the Licensee submitted a written request to reconsider the indefinite suspension.

CONCLUSION

Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Spicket River Brewing LLC **effective forthwith**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman _____

Jean M. Lorizio

Crystal Matthews, Commissioner _____

Crystal Matthews

Deborah A. Baglio, Commissioner _____

Deborah A. Baglio

Dated: January 11, 2021

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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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Joseph Di Cicco, Investigator
Michael Flanagan, Dept. of Labor Standards
Brian Corrigan, Esq
Administration, File



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

ROSALIN ACOSTA
SECRETARY

MICHAEL FLANAGAN
DIRECTOR

January 6, 2021

Alcohol and Beverage Control Commission
95 Fourth Street
Chelsea, MA 02150-2358
phathaway@tre.state.ma.us

RE: ABCC License # 05062-BP-0594
Spicket River LLC
56 Island St
Lawrence, Ma 01840
21C-2542

The Department of Labor Standards has reviewed the written COVID-19 Control Plan from the **Spicket River Brewery at 56 Island St Lawrence, Ma 01840** and verified plan implementation through photos provided by the owner.

The Department of Labor Standards has determined the business' COVID-19 Control Plan to be satisfactory according to COVID-19 Orders No. 33, 37 or 43.

Sincerely,

Mary Dozois

Mary Dozois CIH CSP
Supervisor, Workplace Safety & Health Program
MA Department of Labor Standards
72 School Street, Taunton, MA 02780
617-626-5987 and mary.dozois@mass.gov

Hathaway, Patricia (TRE)

From: Brian Corrigan <corriganlaw@gmail.com>
Sent: Friday, January 8, 2021 11:52 AM
To: Hathaway, Patricia (TRE)
Subject: Spicket River Brewery, License # 05062-BP-0594
Attachments: 2020-12-31 ABCC Order of Indefinite Suspension.pdf

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Good morning, Ms. Hathaway:

I am counsel to Spicket River Brewing, LLC, owner of the Spicket River Brewery located at 56 Island Street in Lawrence. On December 31, 2020, the ABCC ordered the indefinite suspension of the Brewery's License # 05062-BP-0594 for a number of violations including violations of COVID-19 related Executive Orders. See attached Order. Immediately following the incident that led to the indefinite suspension, my clients began working with the City of Lawrence to implement procedures for compliance with COVID-19 related guidelines. Since receipt of the ABCC Order, my clients have worked with the Department of Labor Standards to develop and implement a COVID Control Plan. Earlier this morning I received notice from DLS COVID Response Team Investigator Evan Marshall that DLS had completed its investigation and approved the Brewery's COVID Control Plan. My clients have worked diligently to rectify the violations cited in the ABCC Order and to ensure that such violations will never happen again. If reinstated, the Brewery will be a model Licensee.

I ask that the ABCC consider the above as good cause to lift the indefinite suspension and reinstate my client's License to operate the Spicket River Brewery. Please advise. Thank you.

Regards,

Brian T. Corrigan, Esq.
122 Chestnut Street
P.O. Box 1782
Andover, MA 01810
Tel: (978) 988-1544