

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

**Jean M. Lorizio, Esq.**  
*Chairman*

**NOTICE OF SUSPENSION**

March 18, 2022

**PITCHER'S MOUND PUB. INC. D/B/A PITCHER'S MOUND  
218 ASHLAND STREET  
NORTH ADAMS, MA 01247  
LICENSE#: 00004-RS-0820  
VIOLATION DATE: 2/4/2021  
HEARD: 1/18/2022**

After a hearing on January 18, 2022, the Commission finds Pitcher's Mound Pub. Inc. d/b/a Pitcher's Mound violated 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (2 Counts). The Commission **suspends the license for a period of two (2) days to be served.**

**The suspension shall commence on Monday, May 9, 2022, and terminate on Tuesday, May 10, 2022.** The license will be delivered to the Local Licensing Board or its designee on Monday, May 9, 2022, at 9:00 A.M. It will be returned to the licensee on May 11, 2022.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

**Jean M. Lorizio**  
Chairman

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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  
Brian Gould, Investigator  
Dennis Keefe, Investigator  
Administration, File



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Alcoholic Beverages Control Commission  
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**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**PITCHER'S MOUND PUB. INC. D/B/A PITCHER'S MOUND  
218 ASHLAND STREET  
NORTH ADAMS, MA 01247  
LICENSE#: 00004-RS-0820  
VIOLATION DATE: 2/4/2021  
HEARD: 1/18/2022**

Pitcher's Mound Pub. Inc. d/b/a Pitcher's Mound (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, January 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, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (2 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gould's Report.

The following documents are in evidence:

1. Investigator Gould's Report;
2. ABCC License Transfer Application, Approved 8/19/1988;
3. ABCC Decision, 1/16/2007;
4. ABCC Decision, 1/14/1997;
5. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Thursday, February 4, 2021, at approximately 8:10 p.m., Investigators Keefe and Gould ("Investigators"), conducted an investigation of the business operation of Pitcher's Mound Pub. Inc. d/b/a Pitcher's Mound to determine the manner in which its business was being conducted.

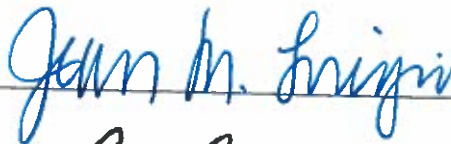
2. While inside the licensed premises, Investigators observed a group of six youthful appearing females in possession of what appeared to be alcoholic beverages. The six patrons were seated at a table to the left side of the premises entrance.
3. Investigators identified themselves and asked to see proof of legal age. Four of the six females were of legal drinking age.
4. Underage #1, actual date of birth 9/29/2002 (age 18), was in possession of a Tequila Sunrise mixed drink. Underage #1 stated that she was not asked for identification by the female bartender.
5. Underage #2, actual date of birth 7/20/2002 (age 18), was in possession of a Tequila Sunrise mixed drink. Underage #2 stated that she was not asked for identification by the female bartender.
6. Investigators identified the Underage Individuals to the bartenders on duty and informed them that a report would be filed with the Chief Investigator for further action.
7. The Licensee has held a license under M.G.L. c. 138, § 12 since 1988 with two prior violations which occurred more than 15 years ago.

#### 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, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (2 Counts). Therefore, the Commission **suspends the license for a period of 2 days to be served.**

#### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner

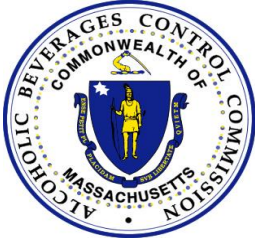


Dated: March 18, 2022

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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*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
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**Jean M. Lorizio, Esq.**  
*Chairman*

AMENDED  
NOTICE OF SUSPENSION

April 25, 2022

**PITCHER'S MOUND PUB. INC. D/B/A PITCHER'S MOUND  
218 ASHLAND STREET  
NORTH ADAMS, MA 01247  
LICENSE#: 00004-RS-0820  
VIOLATION DATE: 2/4/2021  
HEARD: 1/18/2022**

After a hearing on January 18, 2022, the Commission finds Pitcher's Mound Pub. Inc. d/b/a Pitcher's Mound violated 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (2 Counts). The Commission **suspends the license for a period of two (2) days to be served.**

**The suspension shall commence on Monday, June 6, 2022, and terminate on Tuesday, June 7, 2022.** The license will be delivered to the Local Licensing Board or its designee on Monday, June 6, 2022, at 9:00 A.M. It will be returned to the licensee on June 8, 2022.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio  
Chairman

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