



Jean M. Lorizio, Esq.  
Chairman

Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
Facsimile: 617-727-1510

NOTICE OF SUSPENSION

August 1, 2017

**PATSFAN INC. D/B/A MAIN STREET SPORTS  
39 – 41 MAIN STREET  
PLYMOUTH, MA 02360  
LICENSE#: 0984-00218  
VIOLATION DATE: 03/17/2017  
HEARD: 08/01/2017**

After a hearing on August 1, 2017, the Commission finds Patsfan Inc. d/b/a Main Street Sports violated 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.

**The Commission suspends the license for a period of nine (9) days of which three (3) days will be served, and six (6) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**The suspension shall commence on Wednesday, September 20, 2017 and terminate on Friday, September 22, 2017.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, September 20, 2017 at 9:00 A.M. It will be returned to the licensee on Saturday, September 23, 2017.

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**

A handwritten signature in black ink that reads "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jaime Binienda, Investigator  
Jack Carey, Investigator  
Caroline O'Connell, Esq. via facsimile 617-439-3987  
Administration, File



*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
Facsimile: 617-727-1510*

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

**DECISION**

**PATSFAN INC. D/B/A MAIN STREET SPORTS  
39 – 41 MAIN STREET  
PLYMOUTH, MA 02360  
LICENSE#: 0984-00218  
VIOLATION DATE: 03/17/2017  
HEARD: 08/01/2017**

Patsfan Inc. d/b/a Main Street Sports (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, August 1, 2017, regarding an alleged violation of 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. Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Binienda’s report.

The following documents are in evidence:

1. Investigator Binienda’s Investigative Report; and
2. Licensee’s Stipulation of Facts.

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

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

**FINDINGS OF FACT**

1. On Friday, March 17, 2017, at approximately 10:38 p.m., Investigators Carey and Binienda (“Investigators”) conducted an investigation of the business operation of Patsfan Inc. d/b/a Main Street Sports to determine the manner in which its business was being conducted.
2. At approximately 10:38 p.m., Investigators entered the establishment and observed the premises was extremely overcrowded. Investigators also saw a doorman and noticed that he was not keeping a count of how many patrons entered and exited the premises.
3. Investigators then conducted a visual count of the people on the first floor and observed approximately 125 patrons. Investigator Binienda then went to the second floor and observed approximately 80 patrons upstairs.
4. Investigators identified themselves to the manager on duty, Lisa Russell, and asked to see the building occupancy permit. Ms. Russell showed Investigators the occupancy permit which stated the capacity for the first floor was 60 people and the capacity of the second floor was 52 people.

5. Investigators asked Ms. Russell if anyone was keeping track of how many people were in the establishment. Ms. Russell replied, no.
6. Investigator Binienda then asked Ms. Russell if she understood the establishment was clearly over capacity, and she stated yes.
7. Investigators informed Ms. Russell of the violation and that a report would be filed with the Chief Investigator for further action.
8. Administrative review of the Licensee's file indicates Brian Vogel is the manager of record, and he is President and Manager of the corporation.

#### CONCLUSION

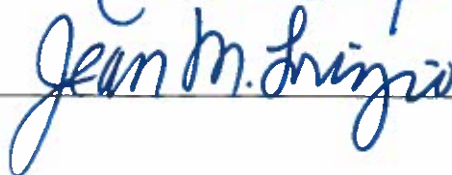
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: 527 CMR 1.05 § 10.5.2.1 Overcrowding or admittance of any person beyond the established posted occupant load shall be prohibited. Therefore, the Commission **suspends the license for a period of nine (9) days of which three (3) days will be served, and six (6) 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

Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Dated: August 1, 2017

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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jaime Binienda, Investigator  
Jack Carey, Investigator  
Caroline O'Connell, Esq. via facsimile 617-439-3987  
Administration, File