

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**DMR COLONIAL CORP. D/B/A COLONIAL SHOP & SAVE
907 NORTH STREET
RANDOLPH, MA 02368
LICENSE#: 1008-00034
VIOLATION DATE: 5/01/2019
HEARD: 8/13/2019**

DMR Colonial Corp. d/b/a Colonial Shop & Save (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, August 13, 2019, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.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 facts alleged in Investigator Carey's Report.

The following documents are in evidence:

1. Investigator Carey's Compliance Check Field Report;
2. Licensee Stipulation of Fact; and
3. Copy of Licensee's License Application.

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

FACTS

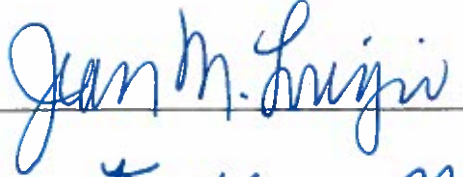
1. On Wednesday, May 1, 2019, at approximately 5:44 p.m., Investigators Teehan and Carey ("Investigators") investigated the business of DMR Colonial Corp. d/b/a Colonial Shop & Save.
2. An underage operative, working with Investigators, purchased from the Licensee alcoholic beverages, a 6-pack of Bud Light beer. The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2013 with no prior violations.

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 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21). The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: August 13, 2019

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
Kyle E. Gill, Esq., Associate General Counsel
Jack Carey, Investigator
Michael Teehan, Investigator
Gregory Demarkis, Esq.
Administration, File