

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**PLEASANTDALE VILLAGE INC. D/B/A COLONIAL WINE & SPIRITS
222 BARRE PAXTON ROAD
RUTLAND, MA 01543
LICENSE # 00003-PK-1056
HEARD: 6/04/2024**

Pleasantdale Village Inc. d/b/a Colonial Wine & Spirits ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, June 4, 2024, 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 years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators McDonough & Temple's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Special Investigators McDonough & Temple's Minimum Purchase Age Compliance Check Field Report, 3/6/2024;
2. ABCC Form 43, Transfer of License Approval, 5/31/2001;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, March 6, 2024, at approximately 4:57 p.m., Special Investigators McDonough & Temple ("Investigators") conducted a compliance check at Pleasantdale Village, Inc., d/b/a Colonial Wine and Spirits.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 25-ounce can of Bud Light beer for three dollars and thirty cents (\$3.30). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2001 with no prior violations.

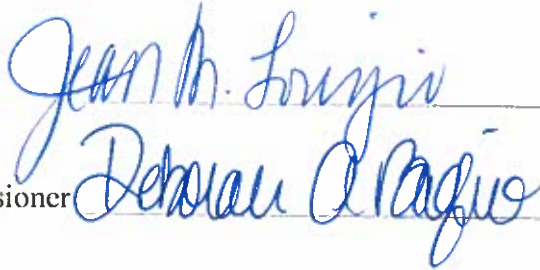
CONCLUSION

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 years of age. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

Deborah A. Baglio, Commissioner



Dated: June 18, 2024

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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2024-000047-ad-cnff

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Christopher Temple, Investigator
David McDonough, Investigator
Administration, File