

Re: **McCSTONE LLC**  
Premise: **61 South Main St.**  
**P.O. Box 202**  
City/Town: **Sandisfield, MA 02155**  
License #: **106800004**  
Heard: **September 7, 2010**

## **DECISION**

McCSTONE LLC ("The Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission ("The Commission") scheduled a hearing on September 07, 2010 regarding an alleged violation M.G.L. c.138, §23. Prior to the commencement of the hearing, the licensee stipulated to the facts detailed in the Investigator Timothy Hooton's report regarding the violations that occurred on August 6, 2010.

The following documents are in evidence:

1. Stipulation of Facts;
2. Investigator Timothy Hooton's Report; and
3. (2) Receipts From Normand Wine and Spirit Shoppe in Connecticut.

There is one (1) tape of this hearing.

### Facts

1. On August 6, 2010 Investigators Kujawski and Hooton investigated the business operation of McCSTONE LLC on a complaint that the licensee was buying alcohol from a package store in Connecticut.
2. They conducted an inspection of the stick room and found 1 bottle with a retail package store sticker on the bottle. The bottle was a 1.75 liter of Peach Tree Schnapps.
3. The Investigators spoke to the owner Chris Stone, and asked him if he had purchased any alcohol from a package store. Stone produced 2 receipts from Nomand Wine and Spirit Shoppe in Winsted, CT with alcohol sales totaling \$324.03.
4. Investigators informed Mr. Stone of the violation and that a report would be filed with the Chief Investigator for further action.

### Conclusion

Based on the evidence, the Commission finds the licensee violated M.G.L. c.138, §23. The Commission **suspends the license for three (3) days of which three (3) 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

Robert Cronin, Commissioner \_\_\_\_\_

Kim S. Gainsboro, Chairman \_\_\_\_\_

Dated in Boston, Massachusetts this 15<sup>th</sup> day of September 2010.

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 days of receipt of this decision.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
File