



*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**FORESTDALE MOBIL, INC. DBA FORESTDALE MOBILE**  
**80 RTE 130**  
**SANDWICH, MA 02644**  
**LICENSE#: 107400027**  
**HEARD: 10/02/2012**

Forestdale Mobil, Inc. dba Forestdale Mobile (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, October 2, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Binienda's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Binienda's Compliance Check Field Report dated May 16, 2012.

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

**FACTS**

1. On Wednesday, May 16, 2012 at approximately 6:00 p.m., Investigators Kenny and Binienda conducted an investigation of the business operation of Forestdale Mobil, Inc. dba Forestdale Mobile.
2. An underage operative working with investigators purchased an alcoholic beverage, a Bud Light beer for six dollars and ninety-nine cents (\$6.99). The underage operative was not asked for identification.

**CONCLUSION**

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, 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.**

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ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner *Susan Corcoran*

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kim S. Gainsboro, Chairman *KS*

Dated: October 2, 2012

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.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jamie Binienda, Investigator  
Mark Kenny, Investigator  
Paul Tardif, Esq., 508-362-7199  
Administration  
File