



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

November 2, 2016

FORESTDALE MOBIL INC. D/B/A FORESTDALE MOBILE
80 RTE 130
SANDWICH, MA 02644
LICENSE#: 107400027
VIOLATION DATE: 05/20/2016
HEARD: 11/01/2016

After a hearing on November 1, 2016, the Commission finds Forestdale Mobil Inc. d/b/a Forestdale Mobile violated M.G.L. C. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count).

The Commission suspends the license for a period of four (4) days of which one (1) day will be served, and 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.

The suspension shall commence on Wednesday, January 4, 2017 and terminate on Wednesday, January 4, 2017. The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 4, 2017 at 9:00 A.M. It will be returned to the licensee Thursday, January 5, 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



Kim S. Gainsboro
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Sandwich Police Officer Christa Cabral
Erin R. Donovan, Esq. via facsimile 508-375-0067
Administration, File



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DECISION

FORESTDALE MOBIL INC. D/B/A FORESTDALE MOBILE
80 RTE 130
SANDWICH, MA 02644
LICENSE#: 107400027
VIOLATION DATE: 05/20/2016
HEARD: 11/01/2016

Forestdale Mobil Inc. d/b/a 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, November 1, 2016, regarding an alleged violation of M.G.L. C. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Velez's report.

The following documents are in evidence:

1. Investigator Velez's Investigative Report dated May 20, 2016;
 2. Licensee's Stipulation of Facts; and
 3. RMV Printout for Underage.
- A. Information about Licensee's Scanning Identification Detection Program.

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

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

FACTS

1. On Friday, May 20, 2016, at approximately 6:20 p.m., Investigator Velez along with Sandwich Police Officer Cabral ("Investigators") investigated the business operation of Forestdale Mobil Inc. d/b/a Forestdale Mobile to determine the manner in which their business was being conducted.

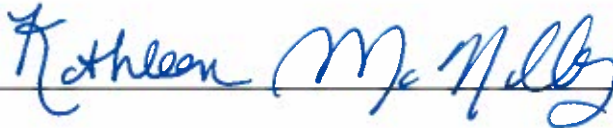
2. While outside the licensed premises Investigators observed a youthful looking male individual exiting the premises in possession of an alcoholic beverage, a 12-pack of Busch Light beer.
3. Investigators asked the male individual to see proof of legal drinking age.
4. Underage #1, actual date of birth of 03/28/1997 (age 19) presented Investigators with a false Connecticut driver's license.
5. Investigators entered the premises and spoke to the clerk on duty, Usman Afzal, and identified the underage individual to him.
6. Investigators informed Mr. Afzal of the violation and that a report would be filed with the Chief Investigator for further action.

CONCLUSION

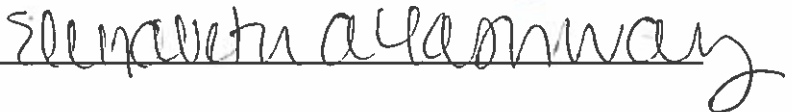
Based on the evidence, the Commission finds the Licensee violated M.G.L. C. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Therefore the Commission **suspends the license for a period of four (4) days of which one (1) day will be served, and 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

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: November 2, 2016

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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