



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**2086 SOUTH HADLEY CORP. D/B/A HADLEY MART
2086 MEMORIAL DRIVE
SOUTH HADLEY, MA 01075
LICENSE#: 90337-PK-1176
VIOLATION DATE: 3/09/2024
HEARD: 6/25/2024**

2086 South Hadley Corp. d/b/a Hadley Mart ("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 25, 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 (1 Count). Prior to the commencement of the hearing the Licensee stipulated to facts alleged in Investigator Bolcome's report.

The following documents are in evidence:

1. Investigative Report of D. Bolcome;
2. Licensing Authority Certification, Transfer of License Approved 8/29/2022;
3. Licensee's Stipulation of Facts;
4. Photograph of Fraudulent Identifications;
5. Photograph of Alcoholic Beverages.

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

1. On Saturday, March 9, 2024, Investigators DiCicco and Bolcome ("Investigators") conducted enforcement at 2086 South Hadley Corp. d/b/a Hadley Mart ("Licensee" or "Hadley Mart").
2. At approximately 2:50 p.m., Investigators observed a youthful appearing male individual exit the licensed premises in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
3. Underage #1, actual date of birth 6/01/2005 (age 18), was in possession of one 30-pack case of Michelob Ultra beer. He admitted to being 18 years old and was in possession of a fraudulent Connecticut driver's license bearing his name but a different birth date.

Underage #1 stated to Investigators that he did not present any identification to purchase the beer.

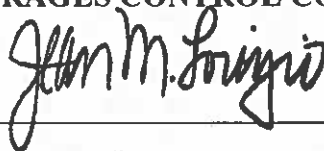
4. After confiscating the alcoholic beverages and fraudulent licenses, Investigators entered the establishment and spoke with the clerk who sold the beer to Underage #1.
5. Investigators notified the clerks on duty of the violations, and that a report would be submitted to the Chief Investigator for further review.
6. Rajeshkumar Patel, Principal of the Licensee entity, appeared at the Commission hearing.
7. The Licensee acknowledged its employee did not request identification from Underage #1. The employee remembered Underage #1 from prior sales and had requested identification from him in the past.
8. The Commission was informed as to steps taken to prevent future violations. The Licensee is now requesting identification from all patrons, regardless of whether they are known to employees. The Licensee purchased an ID Science identification scanner through which all patrons' identifications must be run. Finally, the Licensee's 10 employees were scheduled for an in-person alcohol training day following the Commission hearing.
9. The Licensee has held a license under M.G.L. c. 138, § 15 since 2022 with no prior violations.

CONCLUSION

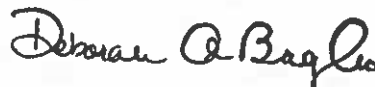
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count). Therefore, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Deborah Baglio, Commissioner



Dated: January 24, 2025

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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2024-000066-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Associate General Counsel
David Bolcome, Investigator
Joe Di Cicco, Investigator
Matthew Porter, Esq.
Administration, File