



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

Jean M. Lorizio, Esq.
Chairman

DECISION

SHANER OPERATING CORP.
D/B/A SOUTHBRIDGE HOTEL AND CONFERENCE CENTER
14 MECHANIC STREET
SOUTHBRIDGE, MA 01550
LICENSE#: 00019-HT-1218
VIOLATION DATE: 5/08/2023
HEARD: 10/31/2023

Shaner Operating Corp. d/b/a Southbridge Hotel and Conference Center (“Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a remote hearing via Microsoft Teams on Tuesday, October 31, 2023, 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 Fleming and Guarino’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Fleming and Guarino’s Minimum Purchase Age Compliance Check Field Report, 5/8/2023;
2. ABCC Form 43, Transfer of License approval, 7/9/2014;
3. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Monday, May 8, 2023, at approximately 7:04 p.m., Investigators Fleming and Guarino (“Investigators”) conducted a compliance check at Shaner Operating Corp. d/b/a Southbridge Hotel and Conference Center.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a Bud Light beer, for six dollars (\$6.00). The underage operative was not asked for identification.
3. Steve Gardiner, General Manager, appeared at the Commission hearing.

4. The Licensee has held a license under M.G.L. c. 138, § 12 since 2014 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. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner Crystal Matthews

I/We, the undersigned, hereby certify that I/We have reviewed the hearing record.

Jean M. Lorizio, Chairman Jean M. Lorizio

Deborah A. Baglio, Commissioner Deborah A. Baglio

Dated: December 11, 2023

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Caroline Guarino, Investigator
Sean Fleming, Investigator
George P. Wolfe, Esq.
Administration, File