

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

Jean M. Lorizio, Esq.
Chairman

DECISION

**KEN'S LIQUOR SHOPPE INC.
8 HUDSON ST.
STOW, MA 01775
LICENSE#: 1246-00006
VIOLATION DATE: 06/05/2017
HEARING DATE: 08/15/2017**

Ken's Liquor Shoppe Inc. (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, August 15, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Investigator Kujawski's Compliance Check Field Report;
2. Licensee's Stipulation of Facts;
3. Letter 7/27/17, from Stow Police Chief William Bosworth;
4. Photo of Underage Operative; and
5. Investigator's Compliance Check List.

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

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

FACTS

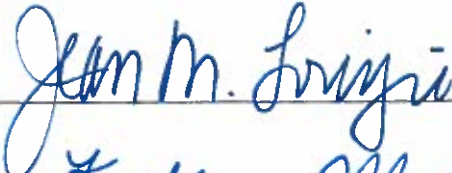
1. On Monday, June 5, 2017, at approximately 4:22 p.m., Investigators Keefe and Kujawski ("Investigators") investigated the business operation of Ken's Liquor Shoppe Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a can of Bud Light beer, for two dollars and sixty-four cents (\$2.64). The underage operative was not asked for identification.

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. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: August 16, 2017

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
Jan Kujawski, Investigator
Dennis Keefe, Investigator
Administration, File