



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

January 8, 2024

TRESTLE BRIDGE LLC D/B/A THIRSTY TURTLE
15 CENTRAL STREET
TEMPLETON, MA 01436
LICENSE#: 03459-RS-1268
VIOLATION DATE: 12/04/2022
HEARD: 10/03/2023

After a hearing on October 3, 2023, the Commission finds Trestle Bridge LLC d/b/a Thirsty Turtle violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). The Commission **suspends the license for a period of one (1) day to be served.**

The suspension shall be served on Monday, February 26, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, February 26, 2024, at 9:00 A.M. It will be returned to the Licensee on February 27, 2024.

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

Jean M. Lorizio
Chairman

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Dokiman sa a enpòtan epi li ta dwe tradwi touswit
‘Đây là tài liệu quan trọng và cần được dịch ngay’
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Sean Fleming, Investigator
David Bolcome, Investigator
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

**TRESTLE BRIDGE LLC D/B/A THIRSTY TURTLE
15 CENTRAL STREET
TEMPLETON, MA 01436
LICENSE#: 03459-RS-1268
VIOLATION DATE: 12/04/2022
HEARD: 10/03/2023**

Trestle Bridge LLC d/b/a Thirsty Turtle (the "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 3, 2023, regarding an alleged violation of M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Fleming's report.

The following documents are in evidence:

1. Investigator Fleming's Amended Report;
2. ABCC Accela Summary, Transfer of License Approved, 6/30/2017;
3. ABCC Decision, 10/26/2020;
4. ABCC Decision, 11/19/2020;
5. ABCC Decision, 4/21/2021;
6. Licensee's Stipulation of Facts.

A. Receipt.

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

FINDINGS OF FACT

1. On Saturday, December 3, 2022, at approximately 10:00 p.m., Investigators Fleming and Bolcome ("Investigators") inspected Trestle Bridge LLC d/b/a Thirsty Turtle to determine the way its business was being conducted.
2. The Investigators' attention was drawn to an unknown male individual ("UM") standing directly in front of the bar, in direct view of the bartender, who appeared to be intoxicated.

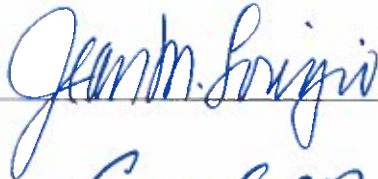
3. Investigators observed UM's eyes were glassy, bloodshot, and watery and he had a dazed look. UM swayed as he talked to friends, and he stumbled several times as he approached the bar.
4. Investigator Fleming heard UM's speech as he spoke with friends and noted it was thickly slurred. Investigator Fleming also noted UM seemed to lean on the bar for support.
5. Investigators observed that UM was physically held upright by his friends several times as he attempted to walk.
6. Based on their training and experience, Investigators determined that UM was intoxicated.
7. Investigators observed the bartender in a one-on-one conversation with UM.
8. At approximately 11:20 p.m., the bartender delivered a Corona beer to UM.
9. Investigators identified themselves to another bartender and identified UM to her, informed her of the violation and that a report would be filed with the Chief Investigator for further review. She stated UM would no longer be served and staff would arrange for safe transportation home for him.
10. Jason Arsenault, Licensee, appeared at the Commission hearing and testified UM was only served one beer. (Exhibit A)
11. The Licensee has held a license under M.G.L. c. 138, § 12 since 2017.

CONCLUSION

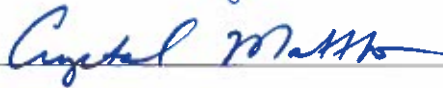
Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). As a result, the Commission **suspends the license for a period of one (1) day.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: January 8, 2024

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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2023-000066-ad-enf

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