



*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

**WALSH BOYS MARKET LLC D/B/A WEST STOCKBRIDGE PUBLIC MARKET
8 MAIN ST.
WEST STOCKBRIDGE, MA 01266
LICENSE#: 1420-00006
VIOLATION DATE: 07/27/2017
HEARING DATE: 11/14/2017**

Walsh Boys Market LLC d/b/a West Stockbridge Public Market (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 14, 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 Lordan's Report.

The following documents are in evidence:

1. Investigator Lordan's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

A. Employee's Acknowledgment of Law/Policy

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

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

FACTS

1. On Thursday, July 27, 2017, at approximately 5:40 p.m., Investigators Teehan and Lordan ("Investigators") investigated the business operation of Walsh Boys Market LLC d/b/a West Stockbridge Public Market.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, one 6-pack of Michelob Ultra beer and one 6-pack of Summer Love beer for eighteen dollars and thirty-nine cents (\$18.39). The underage operative was not asked for identification.

CONCLUSION

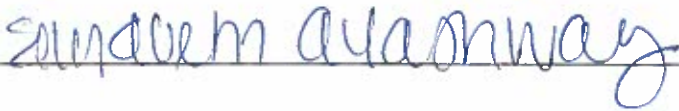
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days which 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 15, 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
Lisa Lordan, Investigator
Michael Teehan, Investigator
Andrea Harrington, Esq. via facsimile 413-455-1594
Administration, File