



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

April 2, 2025

**590 SOUTHBRIDGE GAS & MARKET LLC D/B/A SOUTHBRIDGE STREET GULF
590 SOUTHBRIDGE STREET
WORCESTER, MA 01609
LICENSE#: 90321-PK-1508
VIOLATION DATE: 8/30/2024
HEARD: 11/05/2024**

After a hearing on November 5, 2024, the Commission finds 590 Southbridge Gas & Market LLC d/b/a Southbridge Street Gulf violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (6 Counts).

The Commission suspends the license for a period of six (6) days of which two (2) days will be served and four (4) days 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.

The suspension shall commence on Monday, May 19, 2025, and terminate on Tuesday, May 20, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, May 19, 2025, at 9:00 A.M. It will be returned to the licensee on May 21, 2025.

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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2024-000204-ad-enf

- cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Esq., Associate General Counsel
Joseph Di Cicco, Investigator
John David, Investigator
Sean Fleming, Investigator
Sean Smiddy, Investigator
Officer Patrick Harrington, Worcester Police Department
Administration, File



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Alcoholic Beverages Control Commission
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DECISION

**590 SOUTHBRIDGE GAS & MARKET LLC D/B/A SOUTHBRIDGE STREET GULF
590 SOUTHBRIDGE STREET
WORCESTER, MA 01609
LICENSE#: 90321-PK-1508
VIOLATION DATE: 8/30/2024
HEARD: 11/05/2024**

590 Southbridge Gas & Market LLC d/b/a Southbridge Street Gulf ("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, November 5, 2024, regarding an alleged violation of M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (6 Counts). Prior to the commencement of the hearing the Licensee stipulated to the facts in Investigator Di Cicco's report.

The following documents are in evidence:

1. Investigative Report of J. Di Cicco;
2. ABCC Licensing Authority Certification, New License Approved, 7/29/2022;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, August 30, 2024, Investigators David, Fleming, Smiddy, and Di Cicco ("Investigators") along with Officer Harrington of the Worcester Police Department inspected the business operation of 590 Southbridge Gas & Market LLC d/b/a Southbridge Street Gulf ("Licensee").
2. At approximately 8:30 p.m., Investigators observed a Volvo vehicle containing four youthful appearing individuals enter the parking lot of the licensed premises. The four individuals exited the vehicle and entered Southbridge St. Gulf.
3. As Investigators watched the four individuals enter the licensed premises, they observed two youthful appearing individuals exiting the licensed premises, in possession of alcoholic beverages. The two individuals got into a motor vehicle and began to drive out of the parking lot.

4. Officer Harrington stopped this motor vehicle, identified himself, and asked to see proof of lawful age to purchase/possess alcoholic beverages.
5. Investigators DiCicco and David observed the four individuals from the Volvo exiting the licensed premises in possession of alcoholic beverages. Investigators approached, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages. The individuals informed Investigators that they were under the age of twenty-one and had presented fraudulent identifications when purchasing the alcoholic beverages.
6. Underage #1, actual date of birth 3/24/2005 (age 19), was in possession of one 12-pack of Corona beer. He presented to Investigators a fraudulent Virginia driver's license bearing his name but a different birth date.
7. Underage #2, actual date of birth 9/05/2004 (age 19), was in possession of one 12-pack of Miller Lite beer. He presented to Investigators a fraudulent New York driver's license bearing his name but a different birth date.
8. Underage #3, actual date of birth 10/27/2005 (age 18), was in possession of one 18-pack of Miller Lite beer. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
9. Underage #4, actual date of birth 7/09/2004 (age 20), was in possession of one 12-pack of Coors Lite beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but a different birth date.
10. As Investigators DiCicco and David spoke with the above-referenced four individuals, Officer Harrington spoke with the other two youthful appearing individuals. They informed Officer Harrington they were not of legal age to possess alcoholic beverages and had presented fraudulent identifications when purchasing alcoholic beverages in the licensed premises.
11. Underage #5, actual date of birth 7/26/2004 (age 20), was in possession of two 18-packs of Bud Light beer. He presented to Officer Harrington a fraudulent Connecticut driver's license bearing his name but a different birth date.
12. Underage #6, actual date of birth 3/10/2004 (age 20), was in possession of two 18-packs of Bud Light beer. He presented to Officer Harrington a fraudulent Pennsylvania driver's license bearing his name but a different birth date.
13. Investigators entered the licensed premises and spoke to the clerks on duty, informed them of the above violations and showed them the fraudulent drivers licenses. The clerks admitted to Investigators that they sold alcoholic beverages to the individuals and demonstrated the scanning software which they used to check the identifications.
14. Investigators reviewed some of the provisions of M.G.L. c. 138, §§ 34, 34B with the clerks and advised them that a report would be submitted to the Chief Investigator for review.
15. Mr. Hyatim Yatime, Manager of the Licensee entity, appeared at the Commission hearing. The Commission was informed the Licensee has implemented a new policy wherein any

patron who presents an out-of-state identification or appears to be under 35 years of age, must present a 2nd form of identification. In addition, the Licensee is looking into upgrading the identification scanner. Lastly, the Licensee reached out to the Worcester Police Department to inquire about training, and they've agreed to visit the licensed premises to go over best practices with the Licensee and staff.

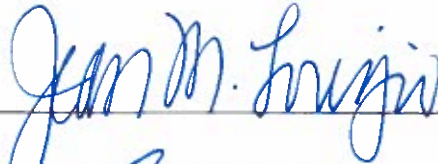
16. The Licensee has held a license under M.G.L. c. 138, § 15 since 2022 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (6 Counts). Therefore, the Commission **suspends the license for a period of six (6) days of which two (2) days will be served and four (4) days 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

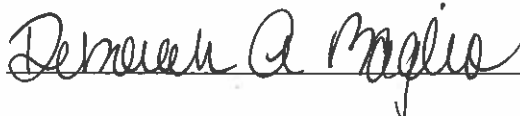
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: April 2, 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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