

*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

**90 HARDING STREET LLC D/B/A THE COMPASS TAVERN
90 HARDING STREET
WORCESTER, MA 01608
LICENSE#: 1508-00589
VIOLATION DATE: 10/19/2017
HEARD: 2/27/2018**

90 Harding Street LLC d/b/a The Compass Tavern (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 27, 2018, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Investigative Report;
2. Licensee's Stipulation of Facts; and

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

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

FINDINGS OF FACT

1. On Thursday, October 19, 2017, at approximately 10:55 p.m., Investigators Di Cicco, Kujaswski, and Keefe, along with member of the Worcester Police Department Alcohol Unit, ("Investigators") conducted an investigation of the business operation of 90 Harding Street LLC d/b/a The Compass Tavern to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and observed a youthful appearing male individual in possession of an alcoholic beverage.
3. Investigators identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 4/10/1997 (age 20) was in possession of a bottle of Bud Light beer. He was not cooperative with Investigators; therefore, Worcester Police officers placed him under arrest. The underage male stated that he gained access to the

establishment by showing his military identification, and stating he was with Bar Stool Promotions.

5. Investigators informed the manager of record, Dave Doenick, of the violation and that a report would be filed with the Chief Investigator for review.

CONCLUSION

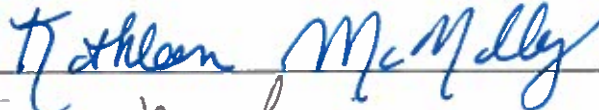
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 Count). The Commission **suspends the license for a period of two (2) 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

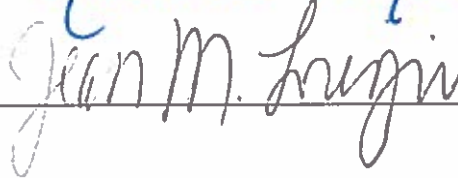
Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Dated: February 28, 2018

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
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Joseph Di Cicco, Investigator
Brian Burke, Esq. via facsimile 978-486-9362
Administration, File