

Re: G.L.B.R., Inc.
D/B/A: The Colonial Tavern
Premise: 39 Main Street
City/Town: Plymouth, MA 02035

DECISION

G.L.B.R., Inc. dba The Colonial Tavern (“The Colonial Tavern” or “the licensee”) holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §12. The Alcoholic Beverages Control Commission (“the Commission”) held a hearing on May 4, 2010 regarding an alleged violation of Massachusetts General Laws c. 138, §69. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Teehan’s report.

The following documents are in evidence:

1. Licensee’s Stipulation of Facts; and
2. Investigative Report of Investigator Michael Teehan.

There is one (1) tape of this hearing.

Facts

1. On Friday, March 12, 2010 at approximately 11p.m., Commission Investigators investigated the business operation of The Colonial Tavern.
2. While on the licensed premises Investigator Teehan and Detective Mason observed an individual that appeared to be intoxicated, later identified as Benjamin Warren. The individual was in possession of a mixed drink. The individual was staggering, unsteady on his feet and his movements were slow and uncoordinated.
3. At approximately 12:05 a.m. Investigator Teehan and Detective Mason observed a female bartender serve Mr. Warren a draft beer. Investigator Teehan observed Mr. Warren drinking the beer.
4. Investigator Teehan called Investigator Carey and Officer Ged Driscoll of the Plymouth Police Department for assistance.
5. A friend transported Mr. Warren to his house.
6. Investigator Teehan informed the owner, George Marinos of the violation.

Conclusion

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §69. As a result of the violation, the Commission suspends the license for seven (7) days of which four (4) will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations occur.

However, the licensee had a violation in 2009, which resulted in a Commission decision dated September 9, 2009 suspending the license for four (4) days of which those four (4) days would be held in abeyance for a period of two (2) years provided no further violation occurred. This current violation occurred within the probationary period, therefore the suspended four (4) days must be served along with the three (3) days imposed for this violation resulting in a total of suspension of seven (7) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman _____

Susan Corcoran, Commissioner _____

Dated in Boston, Massachusetts this 23rd day of June 2010.

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 days of receipt of this decision.

cc: Plymouth Licensing Board
Frederick G. Mahony, Chief Investigator
File