

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

DECISION

Kim J. Gainsboro, Esq
Chairman

R&S FISHER, LLC DBA GREEK NECK GRILLE
156 KING ST.
COHASSET, MA 02025
LICENSE#: 023800027
VIOLATION DATE: 04/10/2013
HEARD: 07/23/2013

R&S Fisher, LLC dba Greek Neck Grille (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, July 23, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: 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 Kelleher's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Kelleher's Compliance Check Field Report dated April 10, 2013.

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

FACTS

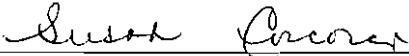
1. On Wednesday, April 10, 2013, at approximately 5:44 p.m., Investigators Carey and Kelleher conducted an investigation of the business operation of R&S Fisher, LLC dba Greek Neck Grille.
2. An underage operative working with investigators purchased an alcoholic beverage, a container of Budweiser Light beer, for three dollars and fifty-five cents (\$3.55). The underage operative was not asked for identification.

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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: 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 of which three (3) days 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

Susan Corcoran, Commissioner 

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner 

Dated: July 24, 2013

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.

- cc: Local Licensing Board
- Frederick G. Mahony, Chief Investigator
- Jack Carey, Investigator
- Tara Kelleher, Investigator
- refisher2@comcast.net
- Administration
- File