



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

**APPLE NEW ENGLAND LLC D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR
50 DRUM HILL ROAD
CHELMSFORD, MA 01824
LICENSE#: 020000062
VIOLATION DATE: 04/24/2017
HEARING DATE: 07/11/2017**

Apple New England LLC d/b/a Applebee's Neighborhood Grill & Bar (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 11, 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 Doyle's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
 2. Investigator Doyle's Compliance Check Field Report.
- A. Licensee's Packet for Training, Safety, and Certifications.

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

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

FACTS

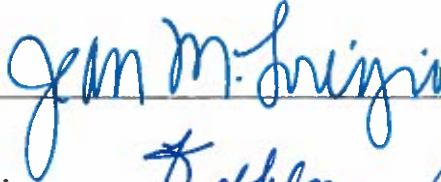
1. On Monday, April 24, 2017, at approximately 6:46 p.m., Investigators Bailey and Doyle ("Investigators") investigated the business operation of Apple New England LLC d/b/a Applebee's Neighborhood Grill & Bar.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Budweiser Light beer, for five dollars and eighteen cents (\$5.18). 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. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: July 12, 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
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration, File