

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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

August 15, 2012

MAUREEN HESS DBA OUR PLACE
14 SUMMER ST.
BRIDGEWATER, MA 02324
LICENSE#: 013600020
HEARD: 08/14/2012

After a hearing on August 14, 2012, the Commission finds Maureen Hess dba Our Place in violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premise, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count).

The Commission **suspends the licensee's license for a total of fifteen (15) days to be served. The suspension shall commence on Wednesday, October 3, 2012 and terminate on Wednesday, October 17, 2012.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, October 3, 2012 at 9:00 A.M. It will be returned to the licensee Thursday, October 18, 2012.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by a Massachusetts Licensed Accountant.

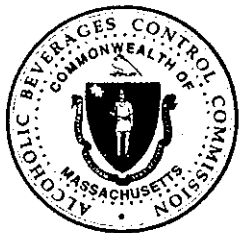
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
Administration
File

1767-0311



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

Steven Grossman
Treasurer and Receiver General

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DECISION

MAUREEN HESS DBA OUR PLACE
14 SUMMER ST.
BRIDGEWATER, MA 02324
LICENSE#: 013600020
HEARD: 08/14/2012

Maureen Hess dba Our Place (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, August 14, 2012, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premise, to wit: 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 dated April 4, 2012;
2. Licensee's Stipulation of Facts; and
3. Photocopy of Massachusetts Driver's License.

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

FACTS

1. On Wednesday, April 4, 2012, at approximately 10:00 p.m., Investigators Teehan, Kujawski and Keefe conducted an investigation of Maureen Hess dba Our Place to determine the manner in which their business was conducted.
2. Investigators observed a youthful looking male individual in possession of a Bud Light draft beer.
3. Investigators approached the male individual, identified themselves, and asked for proof of age.
4. The male individual produced a Massachusetts Driver's License that was not his own.
5. The license produced indicated the individual was six feet tall; the male individual was approximately five (5) feet and nine (9) inches tall, and his facial features were different from those in the license photo.
6. The underage then produced his real identification which indicated a date of birth August 4, 1991, age twenty (20) years.
7. Investigators notified the Bridgewater Police Department, and the licensee, Mr. Joel Hess, of the violation and that a report would be submitted to the Chief Investigator for review.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premise, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). As the licensee has several previous violations for the same offense, the Commission **suspends the license for twenty (20) days of which fifteen (15) days will be served and five (5) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

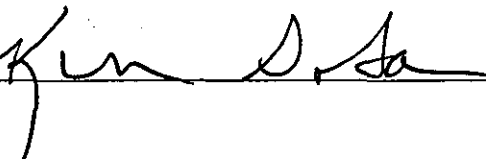
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Kim S. Gainsboro, Chairman



DATE: August 15, 2012

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
Dennis Keefe, Investigator
Administration
File