



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

June 17, 2022

WATROBA'S LIQUORS, INC.
81 SUNDERLAND ROAD
AMHERST, MA 01002
LICENSE#: 01020-PK-0116
VIOLATION DATE: 4/01/2022
HEARD: 5/17/2022

After a hearing on May 17, 2022, the Commission finds Watroba's Liquors, Inc. violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). The Commission **suspends the license for a period of two (2) days to be served.**

The suspension shall commence on Monday, August 1, 2022, and terminate on Tuesday, August 2, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, August 1, 2022, at 9:00 A.M. It will be returned to the licensee on August 3, 2022.

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 which must be signed by the Licensee and a Massachusetts Licensed Accountant.

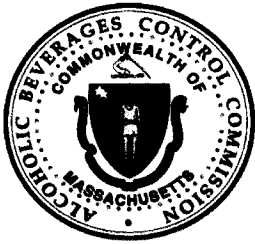
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
David Bolcome, Investigator
Dennis Keefe, Investigator
Nicole Terasconi, Investigator
Administration, File



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Jean M. Lorizio, Esq.
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DECISION

**WATROBA'S LIQUORS, INC.
81 SUNDERLAND ROAD
AMHERST, MA 01002
LICENSE#: 01020-PK-0116
VIOLATION DATE: 4/01/2022
HEARD: 5/17/2022**

Watroba's Liquors, Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, May 17, 2022, regarding an alleged violation of violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Bolcome's report.

The following documents are in evidence:

1. Investigator Bolcome's Report;
2. ABCC Form 43 License Transfer Approved, 4/29/2004;
3. Photograph of Confiscated Fraudulent Driver's Licenses;
4. ABCC Decision, 7/15/2011;
5. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, April 1, 2022, Investigators Keefe, Terasconi, and Bolcome ("Investigators") were conducting enforcement in the Amherst area. Investigators had received information from local law enforcement that underage individuals had been purchasing alcoholic beverages from Watroba's Liquors.
2. While in the parking lot of Watroba's Liquors, at approximately 9:40 p.m., Investigators observed a grey Chevrolet Sports Utility Vehicle ("SUV") pull in front of the establishment. Investigators observed a youthful appearing female individual exit the vehicle and enter the store.

3. Investigators observed the same female individual exit the premises in possession of alcoholic beverages.
4. Investigators identified themselves and asked to see proof of legal age.
5. Underage #1, actual date of birth 2/25/2003 (age 19), was in possession of two cases of White Claw Seltzer, and one 24-ounce can of Mike's Hard Lemonade. Underage #1 provided to Investigators a fraudulent Connecticut driver's license that she used to purchase the alcoholic beverages.
6. Approximately ten minutes later, Investigators observed a youthful appearing male individual exit the premises in possession of what appeared to be alcoholic beverages and walk towards a motor vehicle parked on another side of the building.
7. Investigators identified themselves and asked to see proof of legal age.
8. Underage #2, actual date of birth 11/29/2002 (age 19), provided to Investigators a fraudulent Maine driver's license that he used to purchase the alcoholic beverages.
9. Investigators confiscated the alcoholic beverages: one sleeve of Dr. McGillicuddy's Menthol nips, one sleeve of Dr. McGillicuddy's Root beer nips, and one sleeve of Fireball nips.
10. Investigators entered the licensed premises and spoke to the clerk on duty and manager of record, Matthew Corcoran.
11. Investigators showed Mr. Corcoran the fraudulent driver's licenses and informed him of the sales to underage individuals. Mr. Corcoran stated he had been distracted throughout the evening.
12. Investigators informed Mr. Corcoran of the violation and that a report would be filed with the Chief Investigator for further review.
13. Mr. Corcoran appeared at the Commission hearing and testified that on the evening of the violation neighboring licensees had repeatedly telephoned warning him a shoplifter was going back and forth between businesses. He was processing sales while on the telephone and was not scanning identifications. Mr. Corcoran testified he was distracted and worried about his safety.
14. The Licensee has been licensed under M.G.L. c. 138, § 15 since 2004 with one prior Commission violation.

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. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Therefore, the Commission **suspends the license for a period of two (2) days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner

Crystal Matthews

Deborah A. Baglio, Commissioner

Deborah A. Baglio

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

Jean M. Lorizio, Chairman

Jean M. Lorizio

Dated: June 17, 2022

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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