



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

August 16, 2022

J & PJ SOLUTIONS INC. D/B/A HAZEL'S BLUE LAGOON
39-41 BOLTWOOD WALK
AMHERST, MA 01002
LICENSE#: 06465-GP-0024
VIOLATION DATE: 5/05/2022
HEARD: 6/14/2022

After a hearing on June 14, 2022, the Commission finds J & PJ Solutions Inc. d/b/a Hazel's Blue Lagoon violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one years of age (6 Counts). The Commission **suspends the license for a period of eight (8) days to be served.**

The suspension shall commence on Monday, October 3, 2022, and terminate on Monday, October 10, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, October 3, 2022, at 9:00 A.M. It will be returned to the licensee on October 11, 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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Katelyn Quinn, Investigator
Melissa Anderson, Investigator
David Bolcome, Investigator
Dennis Keefe, Investigator
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

DECISION

**J & PJ SOLUTIONS INC. D/B/A HAZEL'S BLUE LAGOON
39-41 BOLTWOOD WALK
AMHERST, MA 01002
LICENSE#: 06465-GP-0024
VIOLATION DATE: 5/05/2022
HEARD: 6/14/2022**

J & PJ Solutions Inc. d/b/a Hazel's Blue Lagoon ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, June 14, 2022, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one years of age (6 Counts). Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigator Quinn's report.

The following documents are in evidence:

1. Investigator Quinn's Report;
2. Licensing Authority Certification, New License Approved, 12/6/2021;
3. Photographs of Fraudulent Identifications Confiscated;
4. Photographs of Genuine Identifications;
5. Licensee's Stipulation of Facts.

A. MassLive Article, 5/30/2022.

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

FINDINGS OF FACT

1. On Thursday May 5, 2022, Investigators Anderson, Bolcome, Keefe, and Quinn ("Investigators") were conducting observations of licensed premises in the downtown area of Amherst.
2. At approximately 11:05 p.m., Investigators approached the licensed premises Hazel's Blue Lagoon and observed numerous youthful appearing individuals socializing. Investigators heard music and could see signs of activity inside the establishment.

3. At approximately 11:10 p.m., Investigators attempted to enter the licensed premises to determine the manner in which the business was being conducted. Investigator Keefe found the doors were locked. Investigators knocked on the door but did not get any response.
4. Investigator Keefe used his flashlight to gain the attention of a male employee who opened the door. From the door, Investigators observed numerous youthful appearing individuals in possession of what appeared to be alcoholic beverages.
5. Investigator Keefe identified himself and his fellow Investigators and informed the employee they would be conducting an inspection. The male employee blocked the doorway. When Investigator Keefe attempted to go around him, the employee told Keefe to "wait" and raised his forearm which made contact with Investigator Keefe's chest.
6. Investigator Keefe moved the employee's forearm away from his chest. Investigator Keefe identified himself once more and requested that the employee to cease any type of physical contact. The male employee then stated, "do we have a problem?" in a confrontational tone.
7. Investigator Keefe endeavored to de-escalate the encounter by stepping back away from the employee. Keefe stated, "there is not problem" and immediately asked to speak to an owner or manager. The owner, Junior Williams, then approached Investigators at the doorway and allowed them to enter the premises.¹
8. Inside the premises, Investigators observed youthful appearing individuals in possession of alcoholic beverages. Investigators identified themselves to the youthful appearing patrons and asked to see proof of legal age.
9. Underage #1, actual date of birth 2/01/2003 (age 19), was in possession of a tequila mixed drink. She presented to Investigators a fraudulent Massachusetts driver's license in her name with a different birth date, which Investigators confiscated. Underage #1 then presented Investigators with her true Massachusetts license.
10. Underage #2, actual date of birth 6/21/2002 (age 19), was in possession of a vodka soda mixed drink. She presented to Investigators a fraudulent Connecticut driver's license in her name with a different birth date, which Investigators confiscated. Underage #2 then presented Investigators with her true New York driver's license.
11. Underage #3, actual date of birth 8/21/2001 (age 20), was in possession of an alcoholic beverage. He presented to Investigators a fraudulent Massachusetts driver's license in his name with a different birth date, which Investigators confiscated. Underage #3 then presented Investigators with his true Massachusetts driver's license.

¹ M.G.L. c. 138, § 63A is violated when a person "hinders or delays any authorized investigator . . . in the performance of his duties . . ." While the Licensee is not charged with a violation of M.G.L. c. 138, § 63A, the Commission reminds the Licensee of the importance of cooperating and allowing Commission Investigators to perform their official duties.

12. Underage #4, actual date of birth 9/21/2001 (age 20) was in possession of a vodka cranberry mixed drink. She presented to Investigators a fraudulent Massachusetts driver's license in her name with a different birth date, which Investigators confiscated. Underage #4 then presented Investigators with her true Massachusetts driver's license.
13. Underage #5, actual date of birth 7/11/2002 (age 19) was in possession of a vodka cranberry mixed drink. She initially refused to provide any identification but then presented to Investigators her true Illinois driver's license. Underage #5 then attempted to hide in the bathroom and Investigators later observed her exit the premises.
14. Underage #6, actual date of birth 12/16/2002 (age 19) was in possession of a vodka and pineapple mixed drink. She presented to Investigators a fraudulent New Jersey driver's license in another person's name and different birth date, which Investigators confiscated. Underage #6 then presented Investigators with her true Maryland driver's license.
15. Investigators informed Mr. Williams of the violations, and that a report would be submitted to the Chief Investigator for review.
16. Mr. Williams appeared at the Commission hearing and testified he has since terminated the security employee who was working that evening, purchased another identification scanner and has tightened up security. Mr. Williams stated he is also working on obtaining more law enforcement officers to be present at the door to deter youthful individuals from entering the establishment with fraudulent identifications.
17. The Licensee has held a license under M.G.L. c. 138, § 12 since 2021 with no prior violations.

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, § 34C – Possession of an alcoholic beverage by a person under twenty-one years of age (6 Counts). Therefore, the Commission **suspends the license for a period of eight (8) days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner

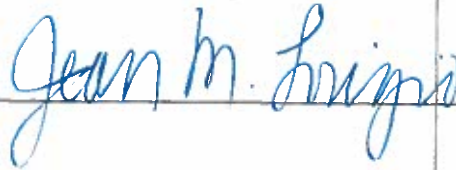


Deborah Baglio, Commissioner



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

Jean M. Lorizio, Chairman



Dated: August 16, 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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这份文件是重要的，应立即进行翻译

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