



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**DEER HOLLOW CORP. D/B/A BARNSTABLE BOTTLE SHOP
10 SEABOARD LANE
HYANNIS, MA 02601
LICENSE#: 00130-PK-0070
VIOLATION DATE: 6/27/2019
HEARD: 11/12/2019**

Deer Hollow Corp. d/b/a Barnstable Bottle Shop (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, November 12, 2019, regarding an alleged violation of M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Investigative Report;
2. Licensee Stipulation of Facts;
3. Copy of License Transfer Approval, 1/3/1995;
4. RMV Printout for Underage #1.

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

FINDINGS OF FACT

1. On Thursday, June 27, 2019, at approximately 8:30 p.m., Investigators Gardner, Gould, Temple, and Velez ("Investigators") conducted an investigation of the business operation of Deer Hollow Corp. d/b/a Barnstable Bottle Shop to determine the manner in which its business was being conducted.
2. While outside of the licensed premises, Investigators observed a youthful appearing male individual enter the premises and minutes later, exit in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 10/30/1998 (age 20), was in possession of a 6-pack of Corona beer and a 12-pack of White Claw Hard Seltzer. He informed Investigators that he did not present any identification to purchase the alcoholic beverages.

4. Investigators entered the licensed premises and spoke to the clerk on duty, John Remmers. Remmers stated to Investigators that he had not ask the Underage individual for any identification as the Underage has been coming to the store for a long time and was a regular customer.
5. Investigators informed Mr. Remmers of the violation and that a report would be filed with the Chief Investigator for further action.
6. The two principles of the Licensee Corporation appeared and testified that they have since purchased an identification scanner.
7. The Licensee has held a license under M.G.L. c. 138, § 15 since 1995 with no prior violations.

CONCLUSION

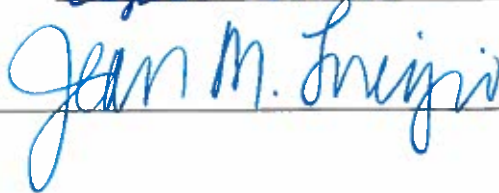
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner



Jean M. Lorizio, Chairman



Dated: November 18, 2019

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
Kyle E. Gill, Esq., Associate General Counsel
Nicholas Velez, Investigator
R. Gardner, B. Gould, C. Temple, Investigators
Administration, File