



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

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

March 9, 2023

**PIKEY, LLC D/B/A THE PICKLED ONION  
355-357 RANTOUL STREET  
BEVERLY, MA 01915  
LICENSE#: 00031-RS-0100  
VIOLATION DATE: 9/22/2022  
HEARD: 1/31/2023**

After a hearing on January 31, 2023, the Commission finds Pikey, LLC d/b/a The Pickled Onion violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch.138 §34 – Sale or delivery of an alcoholic beverage to a person under 21 years of age (2 Counts). The Commission **suspends the license for a period of one day to be served.**

**The suspension shall be served on Monday, May 1, 2023.** The license will be delivered to the Local Licensing Board or its designee on Monday, May 1, 2023, at 9:00 A.M. It will be returned to the licensee on Tuesday, May 2, 2023.

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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'Đây là tài liệu quan trọng và cần được dịch ngay'  
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

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



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
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*Chairman*

**DECISION**

**PIKEY, LLC D/B/A THE PICKLED ONION  
355-357 RANTOUL STREET  
BEVERLY, MA 01915  
LICENSE#: 00031-RS-0100  
VIOLATION DATE: 9/22/2022  
HEARD: 1/31/2023**

Pikey, LLC d/b/a The Pickled Onion (the "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, January 31, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch.138 §34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age. (2 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Report;
2. ABCC Form 43, Transfer of License Approval, 1/12/2007;
3. Photocopies of Fraudulent Driver's Licenses Confiscated;
4. ABCC Decision, March 2008;
5. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

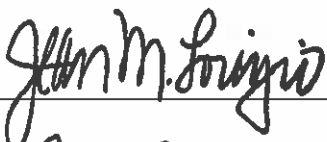
1. On Thursday, September 22, 2022, at approximately 10:30 p.m., Investigators Anderson, Bolcome, Keefe, and Quinn (Investigators) inspected the business operation of Pikey, LLC d/b/a The Pickled Onion.

2. Investigators entered the licensed premises and observed two youthful appearing individuals in possession of what appeared to be alcoholic beverages.
3. Investigators identified themselves and asked to see proof of legal age to possess alcoholic beverages.
4. Underage #1, actual date of birth 12/06/2001 (age 20), was in possession of a vodka and tequila mixed drink. She presented Investigators with an imposter Rhode Island driver's license, bearing the name and photograph of another person.
5. Underage #2, actual date of birth 1/07/2002 (age 20), was in possession of a bottle of Corona beer. He was in possession of a fraudulent Connecticut identification.
6. Investigators spoke with the manager on duty, informed him of the violations and that a report would be filed with the Chief Investigator for further review.
7. Peter Kelly, Licensee and Manager of Record, appeared at the Commission hearing and provided information as to his policies and procedures regarding checking identification. He testified their cook had called in sick on the night of the Investigator's visit. As a result, the manager was working in the kitchen which left less experienced employees working at the front door. Mr. Kelly further testified that since the incident, employees have been retrained.
8. The Licensee has held a license under M.G.L. c. 138, § 12 since 2007.

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: Ch.138 § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age. (2 Counts). Therefore, the Commission **suspends the license for a period of two (2) days of which one (1) will be served and one (1) day will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman 

Crystal Matthews, Commissioner 

Deborah A. Baglio, Commissioner 

Dated: March 9, 2023

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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2022-000200-ad-enf

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