

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**ROBERT HIRSCH D/B/A GRAPEVINE
104 MASSACHUSETTS AVENUE
BOXBOROUGH, MA 01719
LICENSE#: 00002-PK-0122
VIOLATION DATE: 5/01/2023
HEARD: 10/24/2023**

Robert Hirsch [Individual] d/b/a Grapevine (“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, October 24, 2023, regarding an alleged violation of 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. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Keefe and Quinn’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Keefe and Quinn’s Minimum Purchase Age Compliance Check Field Report, 5/1/2023;
2. ABCC Form 43, Transfer of License Approval, 12/12/2006;
3. Licensee’s Stipulation of Facts.

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

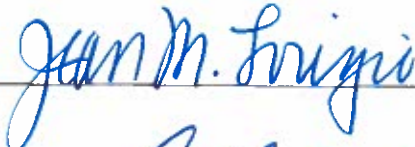
FINDINGS OF FACT

1. On Monday, May 1, 2023, at approximately 5:08 p.m., Investigators Quinn and Keefe (“Investigators”) conducted a compliance check at Grapevine.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 12-ounce bottle of Bud Light beer, for two dollars and twenty-five cents (\$2.25). The underage operative was not asked for identification.
3. Robert Hirsch, Licensee, appeared at the Commission hearing.
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2006 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, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman 

Crystal Matthews, Commissioner 

Deborah A. Baglio, Commissioner 

Dated: October 25, 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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2023-000110-ad-enf

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