

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim J. Guinsboro, Esq.
Chairman

DECISION

BOYLSTON BEVERAGES INC. DBA VINNY C'S WINE & LIQUORS
63 SHREWSBURY ST.
BOYLSTON, MA 01505
LICENSE#: 012600006
VIOLATION DATE: 06/03/2013
HEARD: 09/10/2013

Boylston Beverages Inc. dba Vinny C's Wine & Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, September 10, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Bailey's Compliance Check Field Report dated June 3, 2013;
3. Compliance Check Guidelines;
4. Underage Operative's Release to Conduct Compliance Check;
5. Photograph of Underage Operative; and
6. Compliance Check Underage Operative's Breathalyzer Results.

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

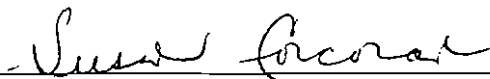
FACTS

1. On Monday, June 3, 2013, at approximately 7:34 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Boylston Beverages Inc. dba Vinny C's Wine & Liquors.
2. An underage operative working with investigators purchased an alcoholic beverage, a 16 ounce can of Budweiser Light beer, for one dollar and forty-five cents (\$1.45). The underage operative was not asked for identification.

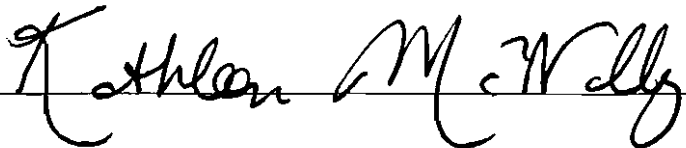
CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner 

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

Kathleen McNally, Commissioner 

Dated: September 11, 2013

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration
File