



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

April 16, 2025

**JJ BEVERAGE OF BRAINTREE LLC D/B/A GRANITE WINE & SPIRITS
715 GRANITE STREET
BRAINTREE, MA 01085
LICENSE#: 90462-PK-0130
VIOLATION DATE: 9/27/2024
HEARD: 11/19/2024**

After a hearing on November 19, 2024, the Commission finds JJ Beverage of Braintree LLC d/b/a Granite Wine & Spirits violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (9 counts).

The Commission **suspends the license for a period of 11 days of which 5 days will be served and 6 days 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.**

The suspension shall commence on Monday, June 2, 2025, and terminate on Friday, June 6, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, June 2, 2025, at 9:00 A.M. It will be returned to the licensee on June 7, 2025.

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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2024-000205-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Esq., Associate General Counsel
Sean Smiddy, Investigator
Dennis Keefe, Investigator
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
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DECISION

**JJ BEVERAGE OF BRAINTREE LLC D/B/A GRANITE WINE & SPIRITS
715 GRANITE STREET
BRAINTREE, MA 01085
LICENSE#: 90462-PK-0130
VIOLATION DATE: 9/27/2024
HEARD: 11/19/2024**

JJ Beverage of Braintree LLC d/b/a Granite Wine & Spirits ("Licensee" or "Granite Wine") 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, November 19, 2024, regarding an alleged violation of M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (9 Counts). Prior to the commencement of the hearing the Licensee stipulated to the facts in Investigator Smiddy's report.

The following documents are in evidence:

1. Investigative Report of S. Smiddy;
2. ABCC Licensing Authority Certification, Transfer of License Approved 1/23/2023;
3. Photographs of Fraudulent Driver's Licenses;
4. Licensee's Stipulation of Facts.

A. TIPS Certificate of Completion.

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

FINDINGS OF FACT

1. On Friday, September 27, 2024, at approximately 4:45 p.m., Investigators Keefe and Smiddy ("Investigators") inspected the business operation of JJ Beverage of Braintree LLC d/b/a Granite Wine & Spirits ("Licensee" or "Granite Wine").
2. At approximately 4:50 p.m., Investigators observed a white Volkswagen Passport parked in the fire lane in front of Granite Wine. This vehicle was occupied by two youthful appearing individuals. Investigators observed one youthful appearing male individual exit the vehicle, enter the store and shortly thereafter exit in possession of alcoholic beverages, which he placed in the back seat. Investigators approached, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.

3. Underage #1, actual date of birth 3/08/2008 (age 16), was in possession of 3 sleeves of Kinky Pink Lemonade flavored nips. He admitted he was under the age of 21. He presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he used to purchase the alcoholic beverages. Investigators confiscated the alcohol and fraudulent identification and notified the parents of Underage #1.
4. At approximately 5:03 p.m., Investigators observed a Toyota Camry enter the parking lot of the licensed premises. Investigators observed one youthful appearing male exit the vehicle, enter the store, and shortly thereafter exit in possession of alcoholic beverages. Investigators approached the individuals, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #2, actual date of birth 10/17/2006 (age 17), admitted he was 17 years old and presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he used to purchase alcoholic beverages. Underage #2 was in possession of: one 12-pack of Bud Light beer and one 12-pack of Michelob Ultra beer. Investigators confiscated the alcohol and fraudulent identification and notified Underage #2's parents.
6. At approximately 6:43 p.m., Investigators observed a black Ford Fusion containing two youthful appearing male individuals enter the parking lot of the licensed premises. Investigators observed one youthful appearing male exit the vehicle, enter the store and shortly thereafter exit in possession of: two 12-packs of Twisted Tea malt beverage and one 8-pack of SurfSide Variety. Investigators approached, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #3, actual date of birth 3/24/2005 (age 19), presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he used to purchase the alcohol. Investigators confiscated the alcohol and fraudulent identification.
8. At approximately 8:05 p.m., Investigators observed a youthful appearing male individual exit the premises in possession of one 30-pack of Michelob Ultra beer. Investigator Smiddy approached, identified himself and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
9. Underage #4, actual date of birth 11/04/2004 (age 19), presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he used to purchase the alcohol. Investigators confiscated the alcohol and fraudulent identification.
10. At approximately 8:05 p.m., Investigators observed four youthful appearing male individuals exit the licensed premises in possession of alcoholic beverages which they placed in a motor vehicle. Investigator Keefe approached, identified himself and requested proof of legal age to purchase and/or possess alcoholic beverages.
11. Underage #5, actual date of birth 7/21/2004 (age 20), Underage #6, actual date of birth 12/30/2004 (age 19), Underage #7, actual date of birth 4/21/2005 (age 19), and Underage

#8, actual date of birth 2/05/2005 (age 19), were in possession of: one 18-pack of Natural Ice beer, one 30-pack of Bud Light beer, one 18-pack of Coors Light beer, one 6-pack of Long Drink sparkling cocktail, one 1.75 ml bottle of Fleischmann vodka, one 200-ml bottle of Bacardi Peach Red. These four underage individuals admitted they were not 21 years of age. The alcoholic beverages were confiscated by Investigators.

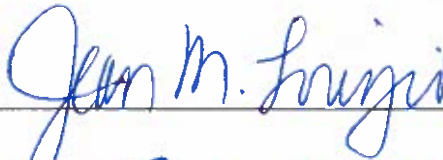
12. At approximately 8:46 p.m., Investigators observed a Mercury Sable enter the parking lot of the licensed premises. Investigators observed a youthful appearing male exit the vehicle, enter the store, and shortly thereafter exit in possession of alcoholic beverages, one 30-pack of Bud Light beer. Investigators approached, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.
13. Underage #9, actual date of birth 5/21/2007 (age 17), stated to Investigators that he was not asked for any identification. Investigators confiscated the alcoholic beverages.
14. Investigators informed John Cao, Licensee and Manager of Record, of the above violations and that a report would be submitted to the Chief Investigator for further review.
15. Mr. Cao appeared at the Commission hearing and testified he and his employee are TIPS trained (Exhibit A) and he has since purchased an identification scanner.
16. The Licensee has held a license under M.G.L. c. 138, § 15 since 2023.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (9 Counts). As a result, the Commission **suspends the license for a period of 11 days of which 5 days will be served and 6 days 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



Dated: April 16, 2025

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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यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

Dokiman sa a enpòtan epi li ta dwe tradwi touswit

‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

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