



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**COCONUT CLUB INC. D/B/A WEST DENNIS SAND BAR
33 LIGHTHOUSE ROAD
DENNIS, MA 02670
LICENSE#: 00011-RS-0278
VIOLATION DATE: 6/08/2022
HEARD: 11/1/2022**

Coconut Club Inc. d/b/a West Dennis Sand Bar ("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, November 1, 2022, 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 Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Minimum Purchase Age Compliance Check Field Report;
2. ABCC Form 43, Transfer of License Approval, 5/23/2012;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, June 8, 2022, at approximately 4:08 p.m., Investigators Binienda and Velez ("Investigators"), inspected the business operation of Coconut Club Inc. d/b/a West Dennis Sand Bar.
2. An underage operative, working under the supervision of Investigators, was served an alcoholic beverage, one White Claw Black Cherry Hard Seltzer. The underage operative was not asked to produce identification.
3. Andrew Murphy, Licensee and Manager of Record, appeared at the Commission hearing. Mr. Murphy testified as to his extensive experience in the industry. He spoke of the rigorous training required of all staff members, including TIPS training along with their own in-house training. Mr. Murphy testified the employee who made the sale to the

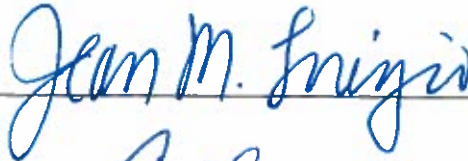
underage individual was an experienced bartender, but the Licensee immediately took corrective action and reviewed all protocols and procedures with her.

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



Dated: November 21, 2022

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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2022-000116-ad-enf

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