



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**GREENHOUSE LLC D/B/A THE PORT HUNTER
55 MAIN STREET
EDGARTOWN, MA 02539
LICENSE#: 00077-RS-0372
VIOLATION DATE: 8/02/2024
HEARD: 10/29/2024**

Greenhouse LLC d/b/a The Port Hunter ("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, October 29, 2024, 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 21 years of age (2 Counts). Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigator Smith's report.

The following documents are in evidence:

1. Investigative Report of N. Smith;
 2. ABCC Form 43, New Seasonal License Approval, 5/09/2012;
 3. Photograph of Driver's Licenses;
 4. Licensee's Stipulation of Facts.
- A. Letter from Licensee with attached floor plan, dated 10/28/2024.

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

FINDINGS OF FACT

1. On Friday August 2, 2024, at approximately 10:55 p.m., Investigators David and Smith ("Investigators"), inspected the business operation of Greenhouse LLC d/b/a The Port Hunter ("Licensee").
2. At approximately 11:00 p.m., Investigators observed a table with two youthful appearing male individuals who were in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age to possess alcoholic beverages.
3. Underage #1, actual date of birth 3/22/2005 (age 20), was in possession of a Miller Highlife beer. He presented to Investigators a Maine driver's license in another's name which he

used to enter the establishment. Investigators observed that the physical features of the person in front of them did not match those of the person pictured on the identification.

4. Underage #2, actual date of birth 9/14/2004 (age 19), was in possession of a Miller Highlife beer. He presented to Investigators a Massachusetts driver's license in his brother's name which he used to enter the establishment. Investigators observed that the physical features of the person in front of them did not match those of the person pictured on the identification.
5. Investigator Smith informed the manager, Theodore Courtney, of the violations and that a report would be filed with the Chief Investigator for further review.
6. Patrick Courtney and Theodore Courtney, Licensees, appeared at the Commission hearing.
7. The Licensee has held a license under M.G.L. c. 138, § 12 since 2012 with no prior violations.

CONCLUSION

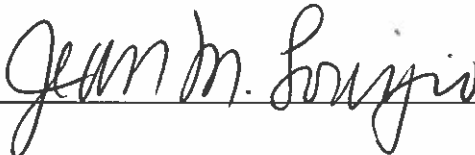
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (2 Counts). Therefore, the Commission **suspends the license for a period of one (1) day which 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

Crystal Matthews, Commissioner 

Deborah Baglio, Commissioner 

I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman 

Dated: June 24, 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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2024-000174-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Esq., Associate General Counsel
Nicole Smith, Investigator
John David, Investigator
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