



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

Jean M. Lorizio, Esq.
Chairman

DECISION

BROTHERS B&G INC. D/B/A BROTHERS GRILL
778 WASHINGTON STREET
HANOVER, MA 02339
LICENSE#: 03884-RS-0492
VIOLATION DATE: 7/10/2019
HEARD: 9/24/2019

Brothers B&G Inc. d/b/a Brothers Grill (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, September 24, 2019, 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 (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Watson's Report.

The following documents are in evidence:

1. Investigator Watson's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of Application Approved 2/13/2018.

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

FACTS

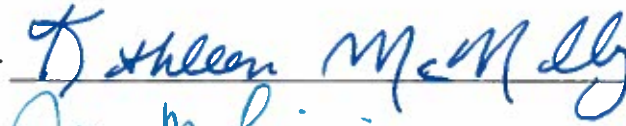
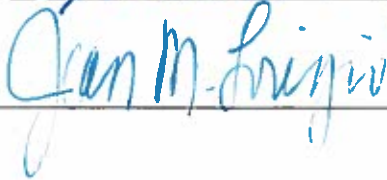
1. On Wednesday, July 10, 2019, at approximately 6:18 p.m., Investigators Smith, Temple and Watson ("Investigators") investigated the business of Brothers B&G Inc. d/b/a Brothers Grill.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a draft of Bud Light beer for five dollars and twenty-five cents (\$5.25). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 12 since 2018 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 (21). The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner

Jean M. Lorizio, Chairman

Dated: September 24, 2019

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Lisa Watson, Investigator
Christopher Temple, Investigator
Nicole Smith, Investigator
Administration, File