



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

**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**HOLBROOK BEER & WINE, INC. D/B/A HOLBROOK CENTER PACKAGE STORE  
41 PLYMOUTH STREET  
HOLBROOK, MA 02343  
LICENSE#: 88874-PK-0532  
VIOLATION DATE: 4/01/2019  
HEARD: 7/16/2019**

Holbrook Beer & Wine, Inc. d/b/a Holbrook Center Package Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, July 16, 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 Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Compliance Check Field Report;
2. Licensee Stipulation of Fact; and
3. Licensee's License Application.

A. Photos of Identification Scanners on Licensed Premises.

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

**FACTS**

1. On Monday, April 1, 2019, at approximately 6:02 p.m., Investigators Teehan and Kenny ("Investigators") investigated the business of Holbrook Beer & Wine, Inc. d/b/a Holbrook Center Package Store.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer, for six dollars and ninety-eight cents (\$6.98). The underage operative was not asked for identification.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 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). As the Licensee has had no previous violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: July 18, 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  
Mark Kenny, Investigator  
Michael Teehan, Investigator  
Administration, File