



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**BEAM-W ENTERPRISES, LLC D/B/A A THING OR TWO VARIETY
228 FRANCIS AVENUE
PITTSFIELD, MA 01201
LICENSE#: 89784-PK-0974
VIOLATION DATE: 6/22/2023
HEARD: 12/05/2023**

Beam-W Enterprises, LLC d/b/a A Thing or Two Variety ("Licensee") 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, December 5, 2023, 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 Investigators Teehan & Gould's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Teehan & Gould's Minimum Purchase Age Compliance Check Field Report, 6/22/2023;
2. ABCC Licensing Authority Certification, License Transfer Approved, 5/29/2020;
3. ABCC Decision, 11/8/2023;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, June 22, 2023, at approximately 6:09 p.m., Investigators Teehan and Gould ("Investigators") conducted a compliance check at Beam-W Enterprises, LLC d/b/a A Thing or Two Variety.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 24-ounce Twisted Tea malt beverage for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2020.

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. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner *Deborah A. Baglio*

Crystal Matthews, Commissioner *Crystal Matthews*

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

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

Dated: March 4, 2024

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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2023-000144-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Brian Gould, Investigator
Michael Teehan, Investigator
Administration, File