



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

*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
Facsimile: 617-727-1510*

## **DECISION**

**ROSS'S GRILLE LLC D/B/A ROSS'S GRILLE  
237-241 COMMERCIAL STREET, #25  
PROVINCETOWN, MA 02567  
LICENSE#: 1004-00122  
VIOLATION DATE: 08/01/2017  
HEARING DATE: 12/19/2017**

Ross's Grille LLC d/b/a Ross's Grille (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 19, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 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 violation alleged in Investigator Binienda's Report.

The following documents are in evidence:

1. Investigator Binienda's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

A. Letter 12/19/2017 from Owner.

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

The Commission took Administrative Notice of the Licensee's record.

## **FACTS**

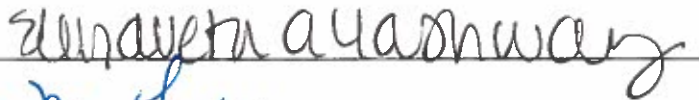
1. On Tuesday, August 1, 2017, at approximately 6:45 p.m., Investigators Kenny and Binienda ("Investigators") investigated the business Ross's Grille LLC d/b/a Ross's Grille.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer for six dollars (\$6.00). The underage operative was not asked for identification.

### CONCLUSION

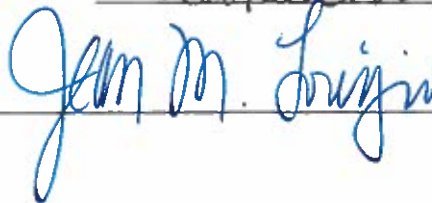
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business approximately 17 years with no prior violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



Jean M. Lorizio, Chairman



Dated: December 19, 2017

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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jamie Binienda, Investigator  
Mark Kenny, Investigator  
Administration, File