



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

September 16, 2024

GALWEGAN INC. D/B/A THE BURREN
247 ELM STREET
SOMERVILLE, MA 02144
LICENSE#: 00010-RS-1130
VIOLATION DATE: 9/21/2023
HEARD: 3/26/2024

After a hearing on March 26, 2024, the Commission finds Galwegan Inc. d/b/a The Burren 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 (24 Counts).

The Commission **suspends the license for a period of 25 days of which 10 days will be served and 15 days will be held in abeyance for two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

The suspension shall commence on Monday, November 4, 2024, and terminate on Wednesday November 13, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, November 4, 2024, at 9:00 A.M. It will be returned to the licensee on November 14, 2024.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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2023-000251-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicole Smith, Investigator
Sean Fleming, Investigator
Katelyn Quinn, Investigator
Christopher Temple, Investigator
Dennis A. Quilty, Esq.
Administration, File



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**GALWEGAN INC. D/B/A THE BURREN
247 ELM STREET
SOMERVILLE, MA 02144
LICENSE#: 00010-RS-1130
VIOLATION DATE: 9/21/2023
HEARD: 3/26/2024**

Galwegan Inc. d/b/a The Burren ("Licensee" or "Burren") 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, March 26, 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 (24 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. Investigator Smith's Report;
2. Photograph of Fraudulent and Imposter Identifications;
3. ABCC Form 43, Transfer of License Approval, 6/21/1995;
4. ABCC Decision, 7/5/1996;
5. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday September 21, 2023, at approximately 11:00 p.m., Investigators Fleming, Quinn, Temple, and Smith ("Investigators") inspected Galwegan Inc. d/b/a The Burren ("Licensee" or "Burren") to determine the way its business was being conducted and to investigate a complaint filed with this Commission.
2. Investigator Smith observed youthful appearing female individuals in possession of what appeared to be alcoholic beverages. Investigator Smith approached, identified herself and requested proof of legal age to possess alcoholic beverages.

3. Underage #1, actual date of birth 5/30/2004 (age 19), was in possession of a vodka soda. She presented to the Investigator a fraudulent Connecticut driver's license bearing her name but a different birth date.
4. Underage #2, actual date of birth 9/5/2003 (age 20), was in possession of a vodka soda. She presented to the Investigator a fraudulent California driver's license bearing her name but a different birth date.
5. Underage #3, actual date of birth 4/26/2004 (age 19), stated she had been drinking a Corona beer.
6. Underage #4, actual date of birth 12/17/2004 (age 18), was in possession of a Corona beer. She presented to the Investigator a fraudulent Illinois driver's license bearing her name but a different birth date.
7. Underage #5, actual date of birth 7/22/2004 (age 19), was in possession of a Corona beer. She presented to the Investigator a fraudulent New Jersey driver's license bearing her name but a different birth date.
8. Underage #6, actual date of birth 10/12/2004 (age 18), was in possession of a Corona beer.
9. Investigators Smith and Quinn observed a youthful appearing male in possession of what appeared to be an alcoholic beverage. Investigators approached, identified themselves and requested he provide proof of legal age to possess alcoholic beverages.
10. Underage #7, actual date of birth 12/19/2004 (age 18), was in possession of a Miller Lite beer. He presented to Investigators a fraudulent Georgia driver's license bearing his name but a different birth date.
11. Investigator Smith observed a youthful appearing female in possession of what appeared to be an alcoholic beverage. Investigator Smith approached, identified herself and requested she provide proof of legal age to possess alcoholic beverages.
12. Underage #8, actual date of birth 8/29/2003 (age 20), was in possession of a Corona beer. She presented to the Investigator a fraudulent Pennsylvania driver's license bearing her name but a different birth date.
13. Investigator Fleming observed a group of youthful appearing females in possession of what appeared to be an alcoholic beverage. Investigator Fleming approached, identified himself and requested proof of legal age to possess alcoholic beverages.
14. Underage #9, actual date of birth 12/29/2004 (age 19), was in possession of a draft beer. She presented to the Investigator a fraudulent Ontario driver's license bearing her name but a different birth date.
15. Underage #10, actual date of birth 12/31/2003 (age 19), was in possession of a draft beer. She presented to the Investigator her older sister's true Massachusetts driver's license.

16. Investigator Fleming observed a group of youthful appearing males in possession of what appeared to be an alcoholic beverage. Investigator Fleming approached, identified himself and requested proof of legal age to possess alcoholic beverages.
17. Underage #11, actual date of birth 10/26/2004 (age 18), was in possession of a Corona beer. He presented to the Investigator a fraudulent Rhode Island driver's license bearing his name but a different birth date.
18. Underage #12, actual date of birth 3/03/2005 (age 18), was in possession of a draft beer. He presented to the Investigator a fraudulent South Carolina driver's license bearing his name but a different birth date.
19. Underage #13, actual date of birth 6/07/2005 (age 18), was in possession of a draft beer. He was in possession of a fraudulent Georgia driver's license bearing his name but a different birth date.
20. Investigator Temple observed a group of youthful appearing females in possession of what appeared to be an alcoholic beverage. Investigator Temple approached, identified himself and requested proof of legal age to possess alcoholic beverages.
21. Underage #14, actual date of birth 10/31/2002 (age 20), was in possession of a vodka cranberry mixed drink. She presented to the Investigator a fraudulent New Jersey driver's license bearing her name but a different birth date.
22. Underage #15, actual date of birth 10/19/2002 (age 20), was in possession of a Corona Extra beer. She presented to the Investigator a fraudulent Ohio driver's license bearing her name but a different birth date.
23. Underage #16, actual date of birth 5/10/2003 (age 20), was in possession of a Corona Extra beer. She presented to the Investigator a fraudulent Illinois driver's license bearing her name but a different birth date.
24. Underage #17, actual date of birth 8/12/2004 (age 19), was in possession of a Corona beer. She presented to the Investigator a fraudulent California driver's license bearing her name but a different birth date.
25. Underage #18, actual date of birth 7/22/2004 (age 19), was in possession of a Corona beer. She presented to the Investigator a fraudulent South Carolina driver's license bearing her name but a different birth date.
26. Underage #19, actual date of birth 3/26/2003 (age 20), was in possession of a draft beer. She presented to the Investigator a fraudulent Rhode Island driver's license bearing her name but a different birth date.
27. Investigator Quinn observed youthful appearing individuals in possession of what appeared to be an alcoholic beverage. Investigator Quinn approached, identified herself and requested proof of legal age to possess alcoholic beverages.

28. Underage #20, actual date of birth 3/04/2005 (age 18), was in possession of a Corona beer. She presented to the Investigator a fraudulent Michigan driver's license bearing her name but a different birth date.
29. Underage #21, actual date of birth 12/03/2002 (age 20), was in possession of a vodka and cranberry mixed drink. She presented to the Investigator a fraudulent New Jersey driver's license bearing her name but a different birth date.
30. Underage #22, actual date of birth 2/03/2004 (age 19), was in possession of a vodka and cranberry mixed drink. She presented to the Investigator a fraudulent California driver's license bearing her name but a different birth date.
31. Underage #23, actual date of birth 4/29/2003 (age 20), was in possession of a margarita alcoholic beverage. She presented to the Investigator a New Jersey driver's license bearing her name but a different birth date.
32. Underage #24, actual date of birth 10/21/2002 (age 20), was in possession of a draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing her name but a different birth date.
33. Investigators informed the manager on duty, Joanna Conroy, of the violations and that a report would be filed with the Chief Investigator for further review.
34. Mr. Thomas McCarthy, Licensee, appeared at the Commission hearing along with Ms. Conroy.
35. Mr. McCarthy testified the two employees who regularly staff the door were not on duty this night. The Licensee has since invested in an identification scanner.
36. Ms. Conroy testified that they were understaffed and unexpectedly became very busy on the night of the inspection.
37. The Licensee has held a license under M.G.L. c. 138, § 12 since 1995 with one prior violation, a compliance check violation which occurred nearly 30 years ago.

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. (24 Counts)

Therefore, the Commission **suspends the license for a period of 25 days of which 10 days will be served and 15 days will be held in abeyance for two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner

Crystal Matthews

Deborah Baglio, Commissioner

Deborah A Baglio

Dated: September 16, 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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