



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

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

**DECISION**

**LUCKY THIRTEEN RESTAURANT INC. D/B/A SONNY NOTO'S RESTAURANT  
49 WATER STREET  
WAKEFIELD, MA 01880  
LICENSE#: 1310-00032  
VIOLATION DATE: 4/01/2019  
HEARD: 8/06/2019**

Lucky Thirteen Restaurant Inc. d/b/a Sonny Noto's Restaurant (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, August 6, 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 Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Receipt of Alcohol Purchase; and
4. Licensee's License Application.

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

**FACTS**

1. On Monday, April 1, 2019, at approximately 6:23 p.m., Investigators Kujawski and Di Cicco ("Investigators") investigated the business of Lucky Thirteen Restaurant Inc. d/b/a Sonny Noto's Restaurant.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a bottle of Bud Light beer for four dollars and twenty-eight cents (\$4.28). The underage operative was not asked for identification.
3. The Licensee has been licensed under M.G.L. c. 138, § 12 since 2010 with no prior violations.

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

## **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Jean M. Lorizio, Chair



Dated: August 6, 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  
Joseph Di Cicco, Investigator  
Jan Kujawski, Investigator  
Administration, File