



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

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

NOTICE OF SUSPENSION

March 20, 2023

**METRO MINI MART INC. D/B/A VAHEY'S LIQUORS  
401-405 MAIN STREET  
WATERTOWN, MA 02472  
LICENSE#: 00050-PK-1336  
VIOLATION DATE: 10/06/2022  
HEARD: 1/10/2023**

After a hearing on January 10, 2023, the Commission finds Metro Mini Mart Inc. d/b/a Vahey's Liquors violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). The Commission **suspends the license for a period of one (1) day to be served.**

**The suspension shall be served on Monday, May 15, 2023.** The license will be delivered to the Local Licensing Board or its designee on Monday, May 15, 2023 at 9:00 A.M. It will be returned to the licensee on Tuesday, May 16, 2023.

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Melissa Anderson, Investigator  
Mark Kenny, Investigator  
Michael Teehan, Investigator  
Timothy McGoldrick, Esq.  
Administration, File



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
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*Chairman*

**DECISION**

**METRO MINI MART INC. D/B/A VAHEY'S LIQUORS  
401-405 MAIN STREET  
WATERTOWN, MA 02472  
LICENSE#: 00050-PK-1336  
VIOLATION DATE: 10/06/2022  
HEARD: 1/10/2023**

Metro Mini Mart Inc. d/b/a Vahey's Liquors (the "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, January 10, 2023, regarding an alleged violation of M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Anderson's Report.

The following documents are in evidence:

1. Investigator Anderson's Report;
  2. ABCC Form 43, License Transfer Approval, 6/14/2007;
  3. Photograph of Fraudulent Driver's Licenses Confiscated;
  4. Licensee Stipulation of Facts.
- A. TIPS Certificates.

The Commission left the record open until the close of business on January 10, 2023, for the Licensee to submit an additional exhibit. The document was timely received. The record is now closed.

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

**FINDINGS OF FACT**

1. On Thursday, October 6, 2022, at approximately 6:45 p.m., Investigators Kenny, Teehan, and Anderson ("Investigators"), inspected the business operation of Metro Mini Mart Inc. d/b/a Vahey's Liquors to determine the manner in which its business was being conducted.
2. At approximately 6:50 p.m., Investigators observed three youthful appearing individuals seated outside the licensed premises with a cardboard box containing what appeared to be

alcoholic beverages. A few minutes later, these individuals entered a black Sports Utility vehicle carrying the box.

3. Investigators approached the vehicle with their credentials displayed, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
4. Underage #1, actual date of birth 10/28/2003 (age 18), and Underage #2, actual date of birth 3/4/2004 (age 18), were in possession of the cardboard box which contained: one 6-pack of Blue Moon beer; one 750 ml bottle of Espero Tequila; seven (7) one-pint cans of Smirnoff Smash; one 24-ounce can of Twisted Tea; and one 25-ounce can of Michelob Ultra beer.
5. The Underage individuals admitted to Investigators they were 18 years of age. Underage #1 and #2 stated each had provided a fraudulent driver's license to the clerk when asked for identification.
6. Underage #1 provided to Investigators a fraudulent New York driver's license in his own name with a different birth date. Underage #2 provided to Investigators a fraudulent New Jersey driver's license in his own name with a different birth date.
7. At approximately 7:25 p.m., Investigators entered the licensed premises and spoke to the clerk on duty. They informed him of the violations and that a report would be filed with the Chief Investigator for further review.
8. Atha Mitropoulos, the Licensee, appeared at the Commission hearing. The Commission was informed that although the alcoholic beverages were purchased in one transaction, the clerk required both Underage #1 and Underage #2 to produce identification and scanned both identifications. The Licensee and clerk had been TIPS certified but after this incident, underwent recertification. (Exhibit A) The Licensee no longer accepts out of state identifications.
9. The Licensee has held a license under M.G.L. c. 138, § 15 since 2007 with no prior violations.

#### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Therefore, the Commission **suspends the license for a period of two (2) days of which one (1) day will be served and one (1) day will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner Crystal Matthews

I/We, the undersigned, hereby certify that I/we have reviewed the hearing record and concur with the above decision.

Jean M. Lorizio, Chairman Jean M. Lorizio

Deborah A. Baglio, Commissioner Deborah A. Baglio

Dated: March 20, 2023

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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2022-000179-ad-enf

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