



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**WAYLAND VARIETY & DELI CORP. D/B/A VINTAGE WINE
70 BOSTON POST ROAD
WAYLAND, MA 01778
LICENSE#: 1340-00026
VIOLATION DATE: 7/10/2019
HEARD: 9/24/2019**

Wayland Variety & Deli Corp. d/b/a Vintage Wine (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, September 24, 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 Teehan's Report.

The following documents are in evidence:

1. Investigator Teehan's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of Application Approved 4/5/2010.

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

FACTS

1. On Wednesday, July 10, 2019, at approximately 5:10 p.m., Investigators Kenny and Teehan ("Investigators") investigated the business of Wayland Variety & Deli Corp. d/b/a Vintage Wine.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 12-pack of Budweiser beer. The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2010 with no prior violations.

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 (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



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

Kathleen McNally, Commissioner



Dated: October 10, 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
Michael Teehan, Investigator
Mark Kenny, Investigator
Administration, File