



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

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

**DECISION**

**WATERFRONT MARY'S 1 LLC**  
**103 BIRCH ISLAND ROAD**  
**WEBSTER, MA 01570**  
**LICENSE#: 00001-RS-1342**  
**VIOLATION DATE: 5/24/2022**  
**HEARD: 11/01/2022**

Waterfront Mary's 1 LLC ("Licensee") 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, November 1, 2022, 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 years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Minimum Purchase Age Compliance Check Field Report;
2. ABCC Licensing Authority Certification, New Annual License Approved, 1/14/2022;
3. ABCC Form 43, Seasonal License Approval, 6/16/2009;
4. ABCC 2022 Compliance Check Guidelines;
5. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

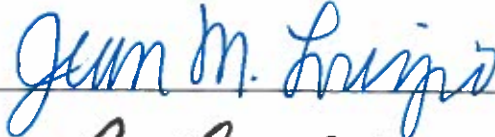
1. On Tuesday, May 24, 2022, at approximately 5:30 p.m., Investigators Terasconi and Temple ("Investigators"), inspected the business operation of Waterfront Mary's 1 LLC.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one bottle of Bud Light beer, for four dollars (\$4.00). The underage operative was not asked to produce identification.
3. Tracy Lis appeared at the Commission hearing along with Cheryl Orrico, an employee of the Licensee. Ms. Orrico testified that since the compliance check she ensured all employees, including herself, went through a TIPS certification class, with new employees doing so within a week of employment. She stated that any patron who appears to be under 30 years of age, or whose age is questionable, is asked to produce identification.

## CONCLUSION

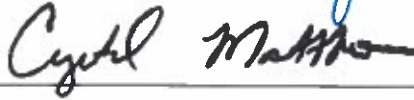
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission issues a **WARNING**.

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: November 22, 2022

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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2022-000089-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Christopher Temple, Investigator  
Nicole Terasconi, Investigator  
Administration, File