



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**BLACK FISH CREEK INC. D/B/A SEASIDE LIQUORS
1426 ROUTE 6
WELLFLEET, MA 02667
LICENSE#: 00016-PK-1348
VIOLATION DATE: 6/12/2024
HEARD: 9/17/2024**

Black Fish Creek Inc. d/b/a Seaside Liquors ("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, September 17, 2024, 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 Investigators Binienda & Velez's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Binienda & Velez's Minimum Purchase Age Compliance Check Field Report, 6/12/2024;
2. ABCC Form 43, Transfer of License Approval, 6/26/1998;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

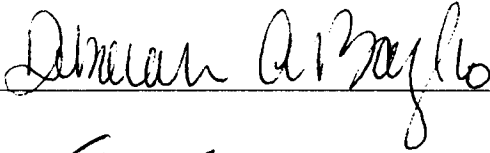
1. On Wednesday, June 12, 2024, at approximately 4:10 p.m., Investigators Binienda and Velez ("Investigators") conducted a compliance check at Black Fish Creek Inc. d/b/a Seaside Liquors.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one Twisted Tea malt beverage for two dollars and ninety-nine cents (\$2.99). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 1998 with no prior violations.

CONCLUSION

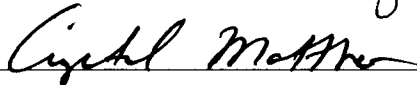
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner

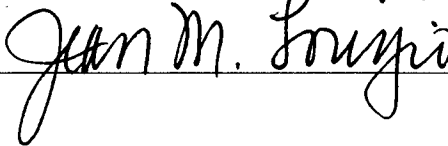


Crystal Matthews, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman



Dated: October 22, 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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यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
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cc: Local Licensing Board
Katherine McCormick, Associate General Counsel
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Jamie Binienda, Investigator
Administration, File