



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

Jean M. Lorizio, Esq.
Chairman

DECISION

W BOYLSTON PACKAGE STORE CO.
293 WEST BOYLSTON STREET
WEST BOYLSTON, MA 01583
LICENSE#: 00011-PK-1364
VIOLATION DATE: 4/05/2023
HEARD: 6/20/2023

W Boylston Package Store Co. (“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, June 20, 2023, 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 Binienda’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Binienda’s Minimum Purchase Age Compliance Check Field Report;
2. ABCC Form 43, License Approval, 7/19/1956;
3. ABCC Decision, 9/3/2013;
4. ABCC Decision, 7/18/1996;
5. ABCC Warning, 11/29/1979;
6. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, April 5, 2023, at approximately 2:10 p.m., Investigators Velez and Binienda (“Investigators”), conducted a compliance check at W Boylston Package Store Co.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 4-pack of Happy Dad Hard Seltzer, for six dollars and sixty-nine cents (\$6.69). The underage operative was not asked for identification.
3. Lisa Meola Harris, Julie Currier, and Christopher Meola appeared at the Commission hearing on behalf of the Licensee entity. Ms. Harris was working at the time of the

compliance check and spoke with Investigators that day. Ms. Harris testified that all employees were informed of the incident and the need to be more diligent to prevent future violations.

4. The Licensee has held a license under M.G.L. c. 138, § 15 since 1956.

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 Jean M. Lorizio

Crystal Matthews, Commissioner Crystal Matthews

Deborah A. Baglio, Commissioner Deborah A. Baglio

Dated: July 11, 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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2023-000063-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Jamie Binienda, Investigator
Nicholas Velez, Investigator
Administration, File