



*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: 3/25/2024
HEARD: 7/09/2024**

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, July 9, 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, 3/25/2024;
2. ABCC Form 43, New License Approval, 7/19/1956;
3. ABCC Decision, 7/11/2023;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Monday, March 25, 2024, at approximately 4:50 p.m., Investigators Binienda and Velez ("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 24-ounce can of High Noon Vodka & Soda, for five dollars and forty-nine cents (\$5.49). The underage operative was not asked for identification.
3. 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 **suspends the license for a period of one (1) day which 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

Jean M. Lorizio, Chairman



Deborah A. Baglio, Commissioner



Dated: July 9, 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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2024-000077-ad-enf

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