

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**GRANITE PACKAGE STORE OF WEYMOUTH, INC.
D/B/A GRANITE PACKAGE STORE
622 MIDDLE STREET
WEYMOUTH, MA 02189
LICENSE#: 00063-PK-1458
VIOLATION DATE: 6/06/2023
HEARD: 11/07/2023**

Granite Package Store of Weymouth, Inc. d/b/a Granite Package Store ("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, November 7, 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 Investigators Gardner and Terasconi's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Gardner and Terasconi's Minimum Purchase Age Compliance Check Field Report, 6/6/2023;
2. ABCC License Renewal Application for 1994, Approved, 12/13/1993;
3. ABCC Licensing Authority Certification, Change of Manager, Approved, 5/9/2019;
4. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, June 6, 2023, at approximately 6:38 p.m., Investigators Terasconi and Gardner ("Investigators") conducted a compliance check at Granite Package Store of Weymouth, Inc. d/b/a Granite Package Store.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 19-ounce can of White Claw Hard Seltzer, for three dollars (\$3.00). The underage operative was not asked for identification.

3. Daniel Hill, License Manager, appeared at the Commission hearing and testified all employees are required to be TIPS certified and he has reinforced the Licensee's policy requiring employees to request identification from anyone who appears to be under the age of 40 years old.
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 1993 with no prior violations.

CONCLUSION

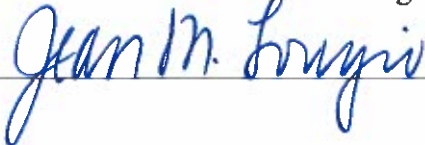
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner 

Deborah A. Baglio, Commissioner 

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

Jean M. Lorizio, Chairman 

Dated: January 2, 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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2023-000112-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Robert Gardner, Investigator
Nicole Terasconi, Investigator
Gregory J. Fleming, Esq.
Administration, File