

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

Jean M. Lorizio, Esq. Chair

NOTICE OF SUSPENSION

November 19, 2024

DREAM CATCHER FARM INC. D/B/A BLACKSTONE HERBS & MARTINI BAR

102 GREEN STREET WORCESTER, MA 01604

LICENSE#: 07276-RS-1508 VIOLATION DATE: 4/11/2024

HEARD: 7/09/2024

After a hearing on July 9, 2024, the Commission finds Dream Catcher Farm Inc. d/b/a Blackstone Herbs & Martini Bar violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (4 Counts).

The Commission suspends the license for a period of 5 days of which two (2) days will be served and three (3) days 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.

The suspension shall commence on Monday, January 6, 2025, and terminate on Tuesday, January 7, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, January 6, 2025, at 9:00 A.M. It will be returned to the licensee on January 8, 2025.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio

Han M. Lorigio

Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Associate General Counsel
Nicholas Velez, Investigator
Brian Gould, Investigator
Officer Patrick Harrington, Worcester Police Dept.
Administration, File



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

Jean M. Lorizio, Esq. Chair

DECISION

DREAM CATCHER FARM INC. D/B/A BLACKSTONE HERBS & MARTINI BAR 102 GREEN STREET WORCESTER, MA 01604

LICENSE#: 07276-RS-1508 VIOLATION DATE: 4/11/2024

HEARD: 7/09/2024

Dream Catcher Farm Inc. d/b/a Blackstone Herbs & Martini Bar ("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, July 9, 2024, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (4 Counts). At the close of the hearing, the Licensee stipulated to the facts alleged in Special Investigator Velez's report and the record was left open through the end of the business day to allow the Licensee to submit a written stipulation. Said stipulation was received and marked as an exhibit.

The following documents are in evidence:

- 1. Investigative Report of N. Velez;
- 2. ABCC Licensing Authority Certification, New License Approved 12/29/2022;
- 3. Photographs of Fraudulent Driver's Licenses;
- 4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

- 1. On Thursday April 11, 2024, at approximately 9:50 p.m., Special Investigators Gould and Velez, with Officer Patrick Harrington of the Worcester Police Department ("Investigators") inspected the business operation of Dream Catcher Farm Inc. d/b/a Blackstone Herbs & Martini Bar ("Licensee" or "Blackstone Herbs")
- 2. Investigators observed a group of youthful appearing male individuals seated at the bar in possession of what appeared to be alcoholic beverages. Investigators identified themselves and requested proof of legal age to possess alcoholic beverages.

- 3. Underage #1, actual date of birth 5/07/2004 (age 19), was in possession of a Michelob Ultra draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but a different birth date.
- 4. Underage #2, actual date of birth 2/23/2004 (age 20), was in possession of a Rolling Rock draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but a different birth date.
- 5. Underage #3, actual date of birth 7/11/2005 (age 18), was in possession of a Michelob Ultra draft beer. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
- 6. Underage #4, actual date of birth 9/12/2005 (age 18), was in possession of a Michelob Ultra draft beer. He presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date.
- 7. Investigators identified themselves to the clerk, informed her of the violation and advised her that a report would be submitted to the Chief Investigator for further review.
- 8. Mr. Gian Ranucci, Licensee, appeared at the Commission hearing and testified as to his plans to purchase an identification scanner to assist with assessing identification.
- 9. The Licensee has held a license under M.G.L. c. 138, § 12 since 2022.

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: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (4 Counts). Therefore, the Commission suspends the license for a period of 5 days of which two (2) days will be served and three (3) days 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 Baglio, Commissioner

Dated: November 19, 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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2024-000100-ad-enf

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