

Jean M. Lorizio, Esq.  
Chairman

*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
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## DECISION

**EMERALD ALE CORP. D/B/A BELMONT LIQUORS  
108 BELMONT STREET  
WORCESTER, MA 01605  
LICENSE#: 1508-00221  
VIOLATION DATE: 2/23/2018  
HEARD: 5/01/2018**

Emerald Ale Corp. d/b/a Belmont Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 1, 2018, regarding an alleged violation of Ch. 138 § 34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. False Driver's License.

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

The Commission took Administrative Notice of the Licensee's record.

## FINDINGS OF FACT

1. On Friday, February 23, 2018, at approximately 7:14 p.m., Investigators Lordan and Temple ("Investigators") conducted an investigation of the business operation of Emerald Ale Corp. d/b/a Belmont Liquors to determine the manner in which its business was being conducted.
2. While outside the licensed premises, Investigators observed a youthful appearing male subject enter the premises, purchase alcohol and exit the premises in possession of alcoholic beverages.
3. Investigators identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 7/15/1997 (age 20) was in possession of a 12-pack of Twisted Tea malt beverage; a 1.75 liter bottle of New Amsterdam Red Berry vodka; and a 375 milliliter bottle of Fireball whiskey. The underage male stated that he used a fraudulent Rhode Island driver's license to purchase the alcohol.

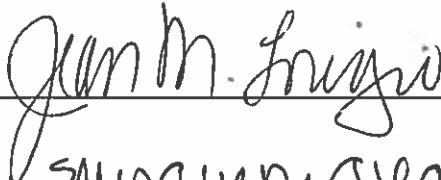
5. Investigators informed the clerk on duty, Senjuhn Madison, of the violation and that a report would be filed with the Chief Investigator for further action.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for a period of three (3) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: May 3, 2018

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Christopher Temple, Investigator  
Lisa (Lordan) Watson, Investigator  
Administration, File