



*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**DOHERTY BROS MARKET INC. D/B/A BUSA WINE & SPIRITS**  
**159 MAIN STREET**  
**WOBURN, MA 01801**  
**LICENSE#: 149800029**  
**VIOLATION DATE: 06/16/2016**  
**HEARING DATE: 12/13/2016**

Doherty Bros Market Inc. d/b/a Busa Wine & Spirits (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, December 13, 2016, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Bailey's Report.

The following documents are in evidence:

1. Investigator Bailey's Compliance Check Field Report dated June 16, 2016; and
2. Licensee's Stipulation of Facts.

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

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


FACTS

1. On Thursday, June 16, 2016, at approximately 7:42 p.m., Investigators Doyle and Bailey ("Investigators") investigated the business operation of Doherty Bros Market Inc. d/b/a Busa Wine & Spirits.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 12 ounce can of Budweiser Light beer for one dollar and twenty-five cents (\$1.25). The underage operative was not asked for identification.

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. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 25 years with no prior violations, the Commission issues a **WARNING**.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: December 16, 2016

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  
Brad Doyle, Investigator  
Rose Bailey, Investigator  
Administration, File