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Chairman

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

**FRONT STREET LIQUOR INC. D/B/A SCITUATE PACKAGE STORE
184 FRONT ST.
SCITUATE, MA 02066
LICENSE#: 1086-88946
VIOLATION DATE: 5/17/2018
HEARD: 8/7/2018**

Front Street Liquor Inc. d/b/a Scituate Package Store (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, August 7, 2018, regarding an alleged violation of M.G.L. c. 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 Kenny’s Report.

The following documents are in evidence:

1. Investigator Kenny’s Investigative Report;
2. Licensee’s Stipulation of Facts;
3. Photocopy of Fraudulent Massachusetts driver’s licenses.

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

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

FINDINGS OF FACT


1. On Thursday, May 17, 2018, at approximately 9:00 p.m., Investigators Kujawski and Kenny (“Investigators”) conducted an investigation of the business operation of Front Street Liquor Inc. d/b/a Scituate Package Store to determine the manner in which its business was being conducted.
2. While outside of the licensed premises Investigators observed a youthful looking male individual enter the store. Shortly thereafter, Investigators observed the individual exit the premises in possession of alcoholic beverages.
3. Investigators identified themselves and asked to see proof of legal age.

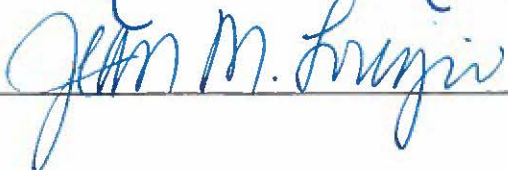
4. Underage #1, actual date of birth 12/31/1998 (age 19) was in possession of a 30-pack of Bush beer. He presented to Investigators a fraudulent Connecticut driver's license which he had used to purchase the alcoholic beverages.
5. Investigators informed the clerk on duty, Vanessa Houaye, of the violation 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. c. 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 four (4) days of which two (2) days will be served and two (2) days 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

Kathleen McNally, Commissioner 

Jean M. Lorizio, Chairman 

Dated: August 10, 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
Mark Kenny, Investigator
Jan Kujawski, Investigator
Stephen V. Miller, Esq. via facsimile 617-946-4624
Administration, File