

**TOWN OF NATICK
SELECT BOARD**

**POLICY STATEMENT FOR ISSUANCE OF LICENSES
MGL c.138, s.15 OFF PREMISES RETAIL WINE AND MALT BEVERAGES
MGL c. 138, s.15 OFF PREMISES RETAIL ALL ALCOHOL BEVERAGES**

AUTHORITY

The Natick Select Board (the “Board”) is the Town’s chief policy making agency and the licensing board for the Town with the authority, per Massachusetts General Laws (MGL c. 138) and Natick Charter and Bylaws, to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, to attach conditions and impose restrictions on any such license as the Board deems to be in the public interest, and to enforce all laws relating to all such businesses for which the Board issues any licenses.

With respect to licenses for the sale of alcoholic beverages, such licenses are issued to protect the public interest through the controlled and supervised sale of alcohol to responsible adults at acceptable locations. The Board’s approval of any such license is discretionary and the mere availability of a license within the quota established by state law does not require the Board, as the Local Licensing Authority, to issue said license. The burden is upon the applicant to demonstrate to the satisfaction of the Licensing Authority that the approval of the license will serve the public need and will be carried out in the public interest.

For the avoidance of doubt, this Policy affects MGL c. 138, s.15 off premises wine and malt beverage license holders and/or MGL c.138, s.15 off premises all alcohol license holders with a license issuance date on or after **January XX, 2023**, inclusive of new and/or transfer licenses.

Applications for the off premises sale of wine and malt beverages shall be processed in the manner set forth below and as set forth in MGL Chapter 138. To the extent that these procedures conflict with Chapter 138 or other provisions of law, Chapter 138 shall govern.

The Board reserves the right to reject any application it deems to be incomplete. However it may, at its discretion, request that omitted information or further clarifications be provided by any applicant.

GENERAL CONSIDERATIONS FOR ISSUANCE OF A LICENSE

In reviewing the applications for s15 Off Premises licenses, the Board shall consider applications that serve the public need in a manner that seeks to protect the common good, and, to that end, provide an adequate number of places at which the public may obtain a wide variety of different kinds of alcoholic beverages.

In considering whether the public need and common good would be served by granting a new license, the Board shall consider the following general criteria:

- number and location of existing licenses
- nature of operation proposed
- qualifications of the applicant and proposed manager
- any impact on the community with respect to matters such as noise, traffic, congestion, odors, sanitary and/or nuisance conditions, waste disposal requirements and facilities, parking, dust and fumes
- the impact on the character of the neighborhood and the Town
- any articulable harm that may/would follow from the granting of the license
- any other criteria the Board deems appropriate as it relates to the license(s) being issued

Prior to approval of a license, the Board may seek the recommendation and/or information from Town Administration (including any and all town staff), other town boards or committees it deems appropriate, legal counsel review, or any other persons/groups with information the Board feels is necessary to render an informed decision. The Board shall hold a public hearing on an application for a new liquor license or license transfer, per Massachusetts General Laws and local bylaws.

REVIEW CRITERIA – Wine and Malt Beverage s.15 Off Premises Licenses

The Board seeks to ensure that the issuance of Wine and Malt Beverage s.15 Off Premises Licenses contribute in a beneficial manner to the Town’s efforts to support economic development, diversify the offerings to its citizens, and support the common good.

This includes at minimum:

1. The suitability and proximity of the proposed premises to neighborhoods and other sensitive areas as determined by the Board;
2. Attract specialty shops that provide quality wine and malt beverages as a complement to other quality offerings of the community;
3. Provide shopping options in convenient locations designed to limit the amount/need for automobile traffic, such as within walking distance to public transit, mixed-use districts, and/or residential neighborhoods;
4. Enhance the variety of shops and retail offerings, particularly in Natick Center and other underserved areas of town, where the issuance of a license will help to fill an existing gap or meet unmet market demand;
5. Target at least 25 percent of licenses for establishments seeking to locate within the Natick Center Cultural District;
6. Promote the vibrancy and continued viability of Natick Center and other mixed-use districts;
7. Attract or enhance diverse, independent, and/or unique businesses, that encourage increased foot traffic; and

8. Offer locations that provide or enhance an economic benefit to the community and strengthen the town's commercial tax base.

REVIEW CRITERIA – All Alcohol (s.15) Off Premises Licenses

The Board seeks to ensure that the issuance of All Alcohol s.15 Off Premises Licenses contribute in a beneficial manner to the Town's efforts to support economic development, diversify the offerings to its citizens, and support the common good.

This includes at minimum:

1. The suitability and proximity of the proposed premises to neighborhoods and other sensitive areas as determined by the Board.
2. Attract quality all alcohol off premises establishments that complement to other quality offerings of the community;
3. Provide shopping options in convenient locations designed to limit the amount/need for automobile use, such as within walking distance to public transit, mixed use districts, and/or residential neighborhoods;
4. Enhance the variety of shops and retail offerings in underserved areas of town, where the issuance of an all alcohol off premises license will help to fill an existing gap or meet unmet market demand;
5. Promote the vibrancy and continued viability of Natick's mixed use districts/corridors by attracting or enhancing diverse, independent, and/or unique businesses; and
6. Offer locations that provide/enhance an economic benefit to the community and strengthen the town's commercial tax base.

APPLICATION PROCESS

Applicants for s15 Off-Premises Licenses shall apply through the Alcohol Beverages Control Commission (ABCC) application process. In addition, applicants are encouraged to supplement the ABCC application provided to the Select Board with additional materials necessary to support the proposal as it relates to this policy.

All applications for off-premises licenses are subject the Select Board review, as well as MGL and the criteria outlined within this policy. The Board reserves the right to reject any application for any reason it deems appropriate.

Applicants are encouraged to contact the Natick Select Board office to confirm availability of s15 Off Premises Licenses in Natick or with any questions.