



TOWN OF ACTON
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Steven L. Ledoux
Town Manager

To: Board of Selectmen
From: Steven L Ledoux, Town Manager
Date: March 2, 2016
Re: HB 3884

As you are aware, Town Meeting in November approved the filing of legislation to increase the number of full alcohol as well as beer and wine licenses in Town. Currently, the Town has 22 full licenses for service on premises and 5 wine and malt. Town Meeting authorized the filing of a Special Act to add 16 additional full alcohol licenses and 6 additional beer and wine licenses.

After a hearing in front of the Committee on Consumer Protection and Professional Licensure, the bill was rewritten to limit the additional licenses by zoning district. The Selectmen then directed me to request no such limit by zoning district.

Late last week, I received a call from Representative Benson, the Chair of the Committee, who told me because of the large percentage increase in licenses that we are requesting, it is the Committee's policy that there needs to be some sort of assignment by district. She also told me that it doesn't have to be by zoning district. In essence, we can create what we feel are appropriate districts.

Consequently, I met with the Land Use Director, Planning staff and the GIS Coordinator to discuss.

As the attached indicates, we have come up with two districts, one that encompasses Great Road, included East Acton Village, from Concord line to Littleton line. The second includes Kelley's Corner as well as West Acton Village and Village residential district.

We have recommended that the Great Road district be assigned 4 all alcohol and 1 wine and malt licenses. The Massachusetts Avenue district would have 8 full alcohol and 3 wine and malt licenses. 4 all alcohol and 2 wine and malt licenses would be unassigned to any zone.

HOUSE DOCKET, NO. 4310 FILED ON: 11/25/2015

HOUSE No. 3884

The Commonwealth of Massachusetts

PRESENTED BY:

Cory Atkins and Jennifer E. Benson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises.

PETITION OF:

NAME:

Cory Atkins

DISTRICT/ADDRESS:

14th Middlesex

HOUSE No. 3884

By Representatives Atkins of Concord and Benson of Lunenburg, a petition (accompanied by bill, House, No. 3884) of Cory Atkins (by vote of the town) that the town of Acton be authorized to grant sixteen additional licenses for the sale of all alcoholic beverages and six additional licenses for the sale of wines and malt beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Acton may grant 9 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and 4
4 additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
5 to said section 12 of chapter 138, to locations to be determined by the licensing authority in
6 accordance to this section. The licenses shall be subject to all of said chapter 138 except said
7 section 17.

8 (b) The licensing authority of the town of Acton shall restrict the licenses authorized by
9 this section in the following manner: ~~(i) 6-5~~ licenses for the sale of all alcoholic beverages and ~~4~~
10 2 licenses for the sale of wines and malt beverages to be drunk on the premises pursuant to said

11 | section 12 of said chapter 138 shall be restricted to entities located within the Kelley's Corner,
12 | West Acton Village and Village Residential dDistricts; 42 licenses for the sale of all alcoholic
13 | beverages and 1 license for the sale of wines and malt beverages to be drunk on the premises
14 | pursuant to said section 12 of said chapter 138 shall be restricted to entities located within the
15 | Limited Business and East Acton Village districts ~~within the South Acton Village District; 42~~
16 | licenses for the sale of all alcoholic beverages and 1 license for the sale of wines and malt
17 | beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 shall be
18 | unrestricted to and available to entities located anywhere within Acton where restaurants are
19 | allowed or permitted by zoning. within the West Acton Village District; and 1 license for the sale
20 | of all alcoholic beverages and 1 licenses for the sale of wines and malt beverages to be drunk on
21 | the premises pursuant to said section 12 of said chapter 138 shall be restricted to an entity
22 | located within the East Acton Village District.

23 | (c) Notwithstanding sections 12 and 77 of said chapter 138, the licensing authority may
24 | restrict the licenses issued pursuant to this section to holders of common victualler licenses.

25 | (d) The licensing authority may approve the transfer of any license issued pursuant to this
26 | section to another location provided that the license shall remain subject to the location
27 | restriction set forth in subsection (b) that applied to such license as initially issued.

28 | (e) If any license granted under this section is cancelled, revoked, or no longer in use, it
29 | shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
30 | thereto, to the licensing authority which may then grant the license to a new applicant under the
31 | same conditions as specified in this section provided that the applicant files with the licensing
32 | authority a letter from the department of revenue and a letter from the department of

33 unemployment assistance indicating that the licensee is in good standing with those departments
34 and that all applicable taxes, fees and contributions have been paid.

35 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
36 licensing authority of the town of Acton may grant 7 additional licenses for the sale of all
37 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and 2
38 additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
39 to said section 12 of chapter 138, to locations to be determined by the licensing authority in
40 accordance to this section. The licenses shall be subject to all of said chapter 138 except said
41 section 17.

42 (b) The licensing authority of the town of Acton shall restrict the licenses authorized by
43 this section in the following manner: ~~(+) 5-3~~ licenses for the sale of all alcoholic beverages and 1
44 license for the sale of wines and malt beverages to be drunk on the premises pursuant to said
45 section 12 of said chapter 138 shall be restricted to entities located within the Kelley's Corner,
46 West Acton Village and Village Residential- districts; +2 licenses for the sale of all alcoholic
47 beverages ~~and 1 license for the sale of wines and malt beverages~~ to be drunk on the premises
48 pursuant to said section 12 of said chapter 138 shall be restricted to entities located within the
49 Limited Business and East Acton Village districts ~~within the South Acton Village District~~; +2
50 licenses for the sale of all alcoholic beverages and 1 license for the sale of wines and malt
51 beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 shall be
52 unrestricted and available to entities located anywhere within ~~the West Acton~~ where restaurants
53 are allowed or permitted by zoning. Village District; ~~and 1 license for the sale of all alcoholic~~
54 ~~beverages and 1 licenses for the sale of wines and malt beverages to be drunk on the premises~~

55 | ~~pursuant to said section 12 of said chapter 138 shall be restricted to entities located within the~~
56 | ~~East Acton Village District.~~

57 | (c) Notwithstanding sections 12 and 77 of said chapter 138, the licensing authority may
58 | restrict the licenses issued pursuant to this section to holders of common victualler licenses.

59 | (d) The licensing authority may approve the transfer of any license issued pursuant to this
60 | section to another location provided that the license shall remain subject to the location
61 | restriction set forth in subsection (b) that applied to such license as initially issued.

62 | (e) If any license granted under this section is cancelled, revoked, or no longer in use, it
63 | shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
64 | thereto, to the licensing authority which may then grant the license to a new applicant under the
65 | same conditions as specified in this section provided that the applicant files with the licensing
66 | authority a letter from the department of revenue and a letter from the department of
67 | unemployment assistance indicating that the licensee is in good standing with those departments
68 | and that all applicable taxes, fees and contributions have been paid.

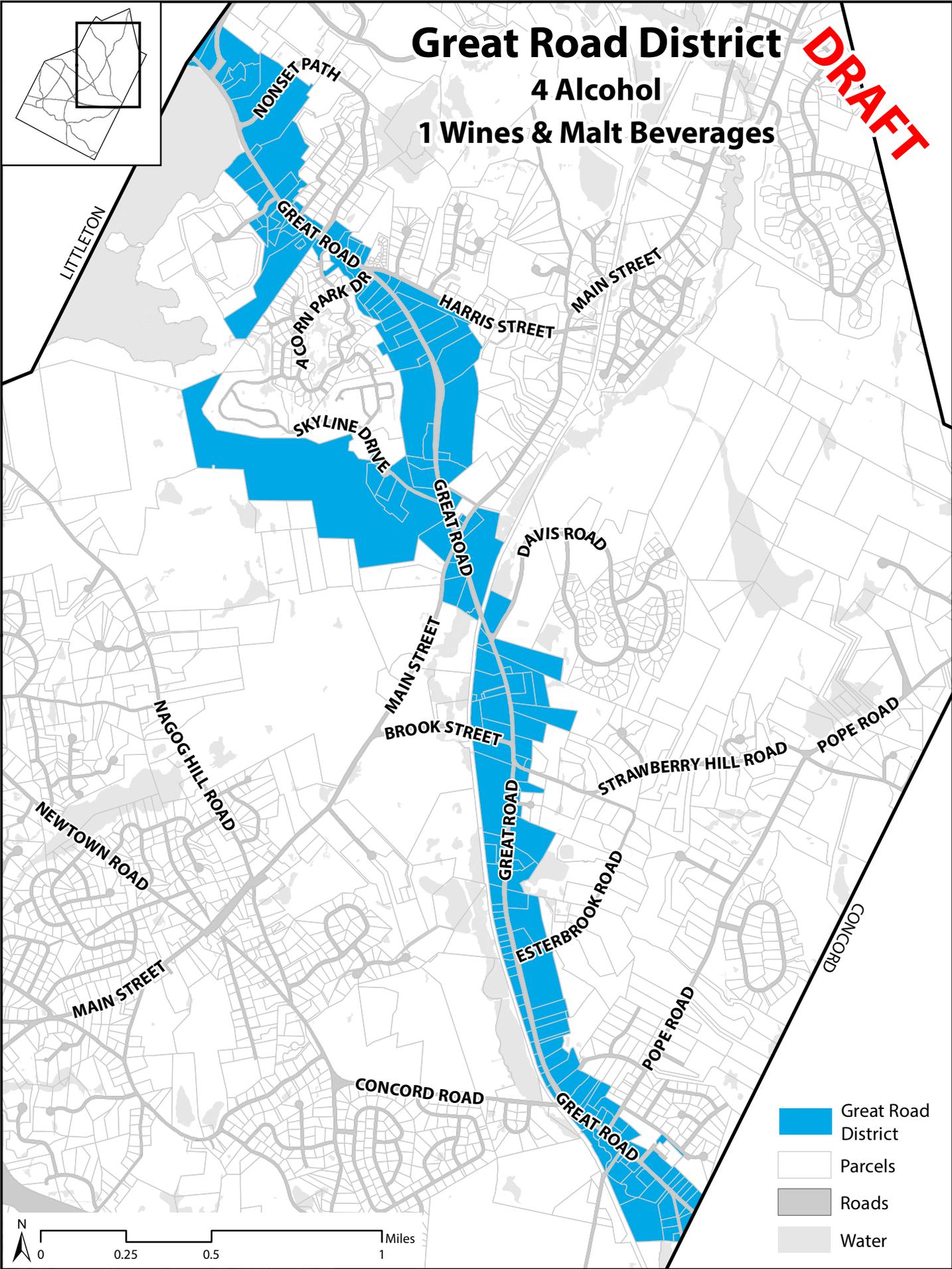
69 | SECTION 3. Section 1 of this Act shall take effect upon passage.

70 | SECTION 4. Section 2 of this Act shall take effect on January 1, 2018.

Great Road District

4 Alcohol
1 Wines & Malt Beverages

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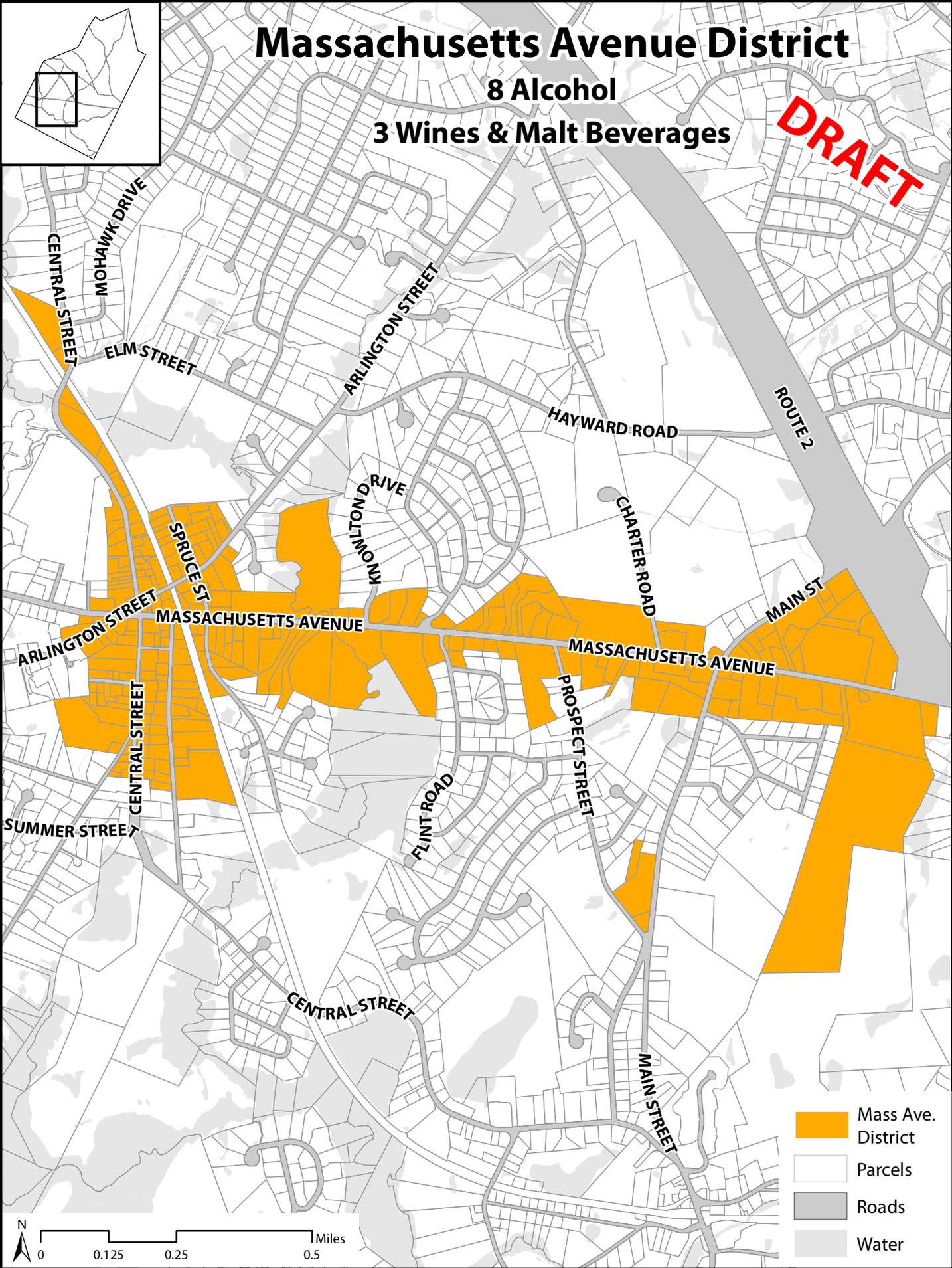


Massachusetts Avenue District

8 Alcohol

3 Wines & Malt Beverages

DRAFT



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Liquor License Districts

Town of Acton, MA

- Great Road District**
 - 4 Alcohol
 - 1 Wines & Malt beverages
- Massachusetts Avenue District**
 - 8 Alcohol
 - 3 Wines & Malt beverages
- No Zone Restriction**
 - 4 Alcohol
 - 2 Wines & Malt beverages

