



## **Policy on Approval of Alcohol Licenses and License Transfers**

Nov 16, 2000; Amended Feb 8, 2001, Feb 9, 2006, July 8, 2010, Sept 8, 2011, Nov 8, 2012

The North End/Waterfront Residents' Association ("NEWRA") has promulgated the following Policy in an attempt to ensure that businesses holding beer, wine, cordials and all-alcohol licenses individually and together will not cause harm to abutters or the neighborhood generally. In considering harm, NEWRA includes personal and pedestrian safety, property damage, traffic congestion or other unsafe traffic conditions, parking problems, and noise and other nuisance conditions. Many of these issues relate to the limited capacity of this primarily residential neighborhood to bear what NEWRA believes is an overwhelming number of existing licenses and related establishments. By this Policy, NEWRA's foremost objective is to preserve and strive to improve the residential character and livability of the North End/Waterfront neighborhood.

NEWRA reserves the right to amend this Policy at any time.

In this Policy, the term "license" shall mean any license to serve beer, wine, cordials or all-alcohol, unless otherwise noted.

**1. Total Number of On-Premises Retail (Pouring) Licenses.** NEWRA will not support any request for a new license or license transfer that increases the number of Pouring licenses in total or the number of all-alcohol Pouring licenses within the area bounded by North Washington Street, Boston Harbor, Christopher Columbus Park and the area inclusive of the Central Artery corridor above the respective number of Pouring licenses that existed within the same area as of February 9, 2006, then being 91 licenses total of which 32 were all-alcohol. NEWRA will not support any application for new license or license transfer that would increase the number of pouring licenses above 91, and in response to such license application, NEWRA will send a letter of opposition to the Licensing Board.

**2. Total Number of Off-Premises Retail (Retail Store) Licenses.** NEWRA will not support any request for a new license or license transfer that increases the number of Retail Store licenses within the area bounded by North Washington Street, Boston Harbor, Christopher Columbus Park and the area inclusive of the Central Artery corridor above the respective number of licenses that existed within the same area as of September 8, 2011, then being 11 licenses.

**3. Public Need and Community Benefit.** The establishment must provide a service and benefit to the North End/Waterfront community. Consideration shall be given to the number and proximity of other licenses in the immediate area.

**4. Business Purpose/Capacity.** The capacity of any business or club seeking a new license or license transfer will be taken into account and will be assessed based on the primary purpose of the establishment (e.g. restaurant, club, bar with restaurant, bar with no food service, etc.) and location of the establishment. Bar capacity (number of seats at the bar) of any business seeking a new license, license transfer or license amendment will also be considered. Consideration will be given to the relationship of the capacity of the establishment to ingress/egress conditions, parking, traffic, trash and deliveries.

**5. Appearance before NEWRA.** The applicant seeking NEWRA support must appear before NEWRA's Zoning, Licensing and Construction Committee and then before the membership at a regular NEWRA meeting. No alcohol license request will be placed on the NEWRA membership meeting agenda unless and until the applicant provides the following information to the NEWRA president:

- a) Nature of license request (i.e. new, transfer, or amended license)
- b) Type of license (e.g. beer and wine; beer, wine and cordials; all-alcohol)
- c) If a license transfer, the name and business address of the current license holder and the name and business address of the proposed licensee.

NEWRA's action on a license or license transfer application (i.e. support, oppose or no objection) shall be in effect for no more than 1 year (365 days) from the date of the NEWRA vote or decision.

**6. Chains.** NEWRA shall not support licenses or license transfers to regional or national chains within the boundary defined in Section 1, Total Number of Licenses, unless granting such license or transfer provides an overriding benefit to the community.

**7. Location.** The application shall be limited to the commercially zoned areas in the neighborhood consistent with Map 1L of the North End Neighborhood District, a map of the Zoning Districts of the City of Boston Adopted by the Zoning Commission of the City of Boston on April 27, 1998, which is incorporated by reference herein.

**8. Abutters.** The concerns of abutters shall be a primary consideration. All applicants shall fully comply with NEWRA's Abutter Notification Policy.

**9. Victualler Operation.** The record of the applicant in fulfilling obligations as a victualler and in fulfilling obligations under NEWRA's "Good Neighbor" agreement shall be considered. The applicant shall enter into a "Good Neighbor" agreement with NEWRA.

**10. Effect on Traffic and Parking.** The use of the license shall not worsen traffic or parking conditions. See license conditions ("Agreement") below.

**11. Noise.** Noise impacts to abutters will be considered, along with mitigation measures proposed by the applicant. See license conditions ("Agreement") below.

**12. Outdoor Service.** Approval of outdoor service shall be allowed only upon a showing by the applicant that noise levels will not affect abutters and that the applicant will conduct constant outdoor monitoring and supervision. No outdoor alcohol service is allowed unless outdoor table (food) service is provided. No outdoor bars are allowed. Outdoor tables and table services shall not impede or otherwise compromise vehicular or pedestrian access or ingress/egress to other properties.

**13. Agreement.** Prior to the licensing Board hearing, the applicant shall enter into a written agreement with NEWRA that the applicant will comply with the following standard conditions, as well as any special conditions. Said agreement to be attached to any application for a license, which may be granted by the City of Boston. (See NEWRA Good Neighbor Agreement.)

a) Termination of License. The license shall be surrendered within one year of the sale, transfer or discontinuance of the business.

b) Hours of Operation. Within the boundary defined in Section 1, Total Number of Licenses, the hours of operation for new licenses and for licenses transferred into the neighborhood from outside the neighborhood shall be no later than 11:00 PM Sunday through Thursday and no later than midnight on Friday and Saturday, and there shall be no extension of hours of operation for existing licenses or for licenses transferred within the neighborhood beyond the closing hour(s) in the existing license.

c) Transportation. The licensee agrees to promote public transportation (e.g. posting available public transportation and directions, promoting public transportation in advertisements) and to assist patrons in obtaining taxi service, including but not limited to telephoning or otherwise calling for taxi service as requested by a patron and physically assisting patron, if necessary, to a waiting cab. NEWRA encourages the applicant to establish a “pickup” agreement with a local taxi company(ies).

d) Traffic and Parking. The licensee shall take practicable measures to prevent traffic congestion and illegal parking in the immediate area (e.g. discourage double parking; blocking of streets, alleys and sidewalks; etc.). The licensee shall not seek a permit for a new valet parking zone.

e) Outdoor Service. Serving of alcohol on outside patios or sidewalks may be subject to additional conditions, including additional or separate restrictions on hours of outdoor operation.

f) Noise and Order. The licensee shall ensure and demonstrate that the immediate outside vicinity of the establishment is routinely monitored and kept orderly and free of nuisance, including noise, loitering and trash. No nuisance noise, including music, shall emanate from the establishment. No outside audio or video is allowed.