

HOUSE No. 3928

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega and Donald F. Humason, Jr.

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 city of Holyoke to issue additional liquor licenses.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|-------------------------------------|------------------|
| <i>Aaron Vega</i> | <i>5th Hampden</i> | <i>2/24/2014</i> |
| <i>Donald F. Humason, Jr.</i> | <i>Second Hampden and Hampshire</i> | <i>2/24/2014</i> |

HOUSE No. 3928

By Representative Vega of Holyoke and Senator Humason, a joint petition (accompanied by bill, House, No. 3928) of Aaron Vega and Donald F. Humason, Jr. that the city of Holyoke be authorized to grant 6 additional licenses for the sale of all alcoholic beverages and 7 additional licenses 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 Year Two Thousand Fourteen

An Act authorizing the city of Holyoke to issue additional liquor licenses.

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. Notwithstanding section 17 of chapter 138 of the General Laws,
2 or any other general or special law to the contrary, the city of Holyoke
3 may grant 6 additional licenses for the sale of all alcoholic beverages,
4 and 7 additional licenses of wine & malt beverages to be drunk on the
5 premises pursuant to section 12 of said chapter 138 subject to the
6 conditions set forth in this act, and 2 additional licenses for the sale of
7 wine and malt beverages to be drunk off the premises pursuant to section 15
8 of said chapter 138 subject to the conditions set forth in this act, to
9 establishments located in certain areas of census tracts 8114, 8115, 8116,
10 and 8117 as defined in sections 4 and 5.

11 SECTION 2.

12 (a) Notwithstanding sections 12 and 15 of chapter 138 of the General Laws,
13 the additional licenses authorized by this act shall be subject to an

14 initial, 1-time application fee of \$10,000 in addition to the existing
15 license fee applicable in the city of Holyoke for the sale of: (i) all
16 alcoholic beverages to be drunk on the premises; (ii) wines and malt
17 beverages to be drunk on the premises, or; (iii) the sale of all alcoholic
18 beverages not to be drunk on the premises. The additional \$10,000 fee shall
19 be deposited into an economic development account held by the Holyoke
20 Redevelopment Authority and expended consistently with the purposes of the
21 account.

22 SECTION 3. A license granted under this act is non-transferrable and if
23 cancelled, revoked or no longer in use, shall be returned physically, with
24 all of the legal rights, privileges and restrictions pertaining thereto, to
25 the licensing authority for the city of Holyoke. The licensing authority
26 may then grant the license to a new applicant who meets the criteria set
27 forth in this act.

28 SECTION 4.

29 (a) 1 license for the sale of all alcoholic beverages and 2 licenses of
30 wine & malt beverages to be drunk on the premises pursuant to section 12 of
31 said chapter 138 shall be allocated to the area known as TOD West which
32 consists of all parcels inside the following boundaries: Beginning at the
33 intersection of Chestnut Street and Hampden Street, southeasterly along the
34 centerline of Hampden Street to the intersection with the centerline of an
35 alley between parcels 013-03-005 and 013-01-001. Southwesterly along the
36 centerline of said alley, to the intersection of the centerline of John
37 Street. Southeasterly along the centerline of John Street to the
38 intersection of a parcel 013-04-003 having a parking facility. South

39 westerly along the westerly side of such parking facility transcending
40 parcel 013-04-003 to its intersection with the centerline of Dwight Street.
41 Southeasterly along the centerline of Dwight Street to the intersection
42 with the centerline of Heritage Street. Southwesterly along the centerline
43 of Heritage to its intersection with the centerline of Appleton Street.
44 Northwesterly along the centerline of Appleton Street the intersection of
45 the centerline of Chestnut Street. Northeasterly along the centerline of
46 Chestnut Street to the point of beginning.

47 (b) 1 license for the sale of all alcoholic beverages and 1 license of wine
48 & malt beverages to be drunk on the premises pursuant to section 12 of said
49 chapter 138, and 1 license for the sale of wine and malt beverages to be
50 drunk off the premises pursuant to section 15 of said chapter 138 shall be
51 allocated to the area known as TOD East which consists of all parcels
52 inside the following boundaries: Beginning at the intersection of the
53 centerline of Canal Street and Grover Street, southerly along the
54 centerline of Grover Street to its intersection with the centerline of
55 Lyman Street. Westerly along the centerline of Lyman Street to its
56 intersection with the centerline of Bowers Street. Southerly along the
57 centerline of Bowers Street to its intersection with the centerline of
58 Mosher Street. Westerly along the centerline of Mosher Street to its
59 intersection with the westerly boundary of parcel 033-04-001. Southerly
60 along the westerly side of parcel 033-04-001 and along the westerly
61 boundary or parcel 033-05-002 to its intersection with the centerline of
62 Appleton Street. Northwesterly along the centerline of Appleton Street to
63 its intersection of an alley between parcels 030-06-01 and 030-06-011

64 (between Main Street and Race Street). Northeasterly along the centerline
65 of an alley to its intersection with the centerline of Dwight Street.
66 Northwesternly along the centerline of Dwight Street to its intersection
67 with the centerline of Race Street. Northeasterly along the centerline of
68 Race Street to its intersection with centerline of Canal Street, to the
69 point of beginning.

70 (c) 1 license for the sale of all alcoholic beverages and 2 licenses of
71 wine & malt beverages to be drunk on the premises pursuant to section 12 of
72 said chapter 138 shall be allocated to the area known as Mid-Canal consists
73 of the area all parcels inside the following boundaries: Beginning at the
74 intersection of the centerline of a parcel 022-01-010A located on the
75 easterly side of Front Street and Lyman Street, southeasterly along the
76 centerline of Lyman Street to the easterly boundary of parcel 023-01-024,
77 owned by the Holyoke Gas & Electric. Following the easterly boundary of
78 parcel 023-01-024, northerly along the easterly boundary of parcel
79 023-01-024 and southerly along the easterly boundary of parcel 023-01-024
80 to the intersection of the westerly boundary of parcel 023-01-011, owned by
81 the Holyoke Gas & Electric. Southerly along the westerly boundary of parcel
82 023-01-011 to its intersection of the centerline of Lyman Street.

83 Southeasterly along the centerline of Lyman Street to its intersection with
84 the centerline of Race Street. Southwesterly along the centerline of Race
85 Street to its intersection of the centerline of Dwight Street.

86 Southeasterly along the centerline of Dwight Street to its intersection
87 with the centerline of an alley beginning between parcels 033-07-001 and
88 033-07-021 (between Race St & Main St). Southwesterly along the

89 centerlines of alleys beginning between parcels 033-07-001 and 033-07-021
90 to its intersection with the centerline of Cabot Street. Northwesterly
91 along the centerline of Cabot Street to its intersection with the
92 centerline of railroad tracks adjacent to the westerly side of parcel
93 020-02-006. Northeasterly along the centerline of the railroad tracks up to
94 and along the easterly boundary of parcel 021-01-012 (Heritage State Park)
95 and northeasterly along the centerlines of parcels 022-01-010 and
96 022-01-010A, owned by Pioneer Valley Railroad and Trident Holyoke LLC, to
97 the point of beginning.

98 (d) Notwithstanding sections 12 and 77 of said chapter 138, the licensing
99 authority for the city of Holyoke shall restrict the on premises licenses
100 granted under this section to holders of common victualler licenses who
101 have provided a development and restaurant concept, menu and seating chart
102 reviewed and approved by the Holyoke Redevelopment Authority.

103 SECTION 5

104 (a) 3 licenses for the sale of all alcoholic beverages and 2 licenses of
105 wine & malt beverages to be drunk on the premises pursuant to section 12 of
106 said chapter 138, and 1 license for the sale of wine and malt beverages to
107 be drunk off the premises pursuant to section 15 of said chapter 138 shall
108 be allocated to census tracts 8114, 8115, 8116, and 8117.

109 (b) Notwithstanding sections 12 and 77 of said chapter 138, the licensing
110 authority for the city of Holyoke shall restrict the on premises licenses
111 granted under this section to holders of common victualler licenses who
112 have provided a development and restaurant concept, menu and seating chart
113 reviewed and approved by the Holyoke Redevelopment Authority.

SECTION 6. This act shall take effect upon its passage.