

HOUSE No. 4753

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 28, 2020.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 4288) of Patricia A. Haddad (by vote of the town) that the town of Somerset be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises in said town, reports recommending that the accompanying bill (House, No. 4753) ought to pass.

For the committee,

TACKEY CHAN.

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the town of Somerset to grand additional licenses for the sale of alcoholic 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 the provisions of section 17 of chapter 138 of the
2 General Laws, the licensing authority of the town of Somerset may grant 4 additional licenses for
3 the sale of wine and malt beverages to be drunk on the premises under said section 12 of said
4 chapter 138 to establishments located within the following four development zones, as those
5 areas are defined by the town’s zoning map, existing as of April, 2018, upon approval of and
6 under conditions set by the licensing authority of the town of Somerset. A license granted under
7 this act shall be clearly marked on its face “Limited Business District North Side Route 6
8 Fairfield Commons Development”, “Business District Northerly and Southerly Parcels Along
9 Route 6”, “Slades Ferry Crossing Overlay”, or “Town Owned Land North Side of Wilbur
10 Avenue”, and shall be subject to all of said chapter 138 except said section 17.

11 (b) The licensing authority shall restrict the 4 licenses authorized in this act to the four
12 zoned areas defined as follows:

13 (1) To establishments located within the “Limited Business District North Side Route 6
14 Fairfield Commons Development” District to comprise the area to include approximately 14.27
15 acres of land located on the north side of Grand Army Highway within the “Limited Business
16 District” on the map; provided, however, that for the purposes of this paragraph, map shall mean
17 the parcel specific corridor areas designated as Limited Business District North Side Route 6
18 Fairfield Commons Development, dated April, 2018 , a copy of which is on file in the office of
19 the Somerset town clerk;

20 (2) To establishments located within the “Business District Northerly and Southerly
21 Parcels Along Route 6” District identified as extending from Brayton Avenue on the westerly
22 border to the town of Swansea town line, as those areas are designated as Business District
23 Northerly and Southerly Parcels along Route 6, on the map; provided, however, that for the
24 purposes of this paragraph, map shall mean the parcel specific corridor areas designated as
25 Business District Northerly and Southerly Parcels along Route 6, dated April, 2018, a copy of
26 which is on file in the office of the Somerset town clerk;

27 (3) To establishments located within the “Slades Ferry Crossing Overlay” District
28 defined as the area in between Brayton Avenue to the west, Newhill Avenue to the north, the
29 Taunton River to the east, and the intersection of Riverside Avenue, Wilbur Avenue and Brayton
30 Avenue to the south on the map; provided, however, that for the purposes of this paragraph, map
31 shall mean the parcel specific corridor areas designated as Slades Ferry Crossing Overlay
32 District, dated April, 2018, a copy of which is on file in the office of the Somerset town clerk;
33 and

34 (4) To establishments located within the “Town Owned Land North Side of Wilbur
35 Avenue” District extending to the easterly side of Brayton Point Road and the westerly and
36 northerly side of Wilbur Avenue, together consisting of approximately 120.73020 acres on the
37 map; provided, however, that for the purposes of this paragraph, map shall mean the parcel
38 specific corridor areas designated as “Town Owned Land North Side of Wilbur Avenue”, dated
39 April, 2018, a copy of which is on file in the office of the Somerset town clerk.

40 (c) A license granted under this act shall only be exercised in the dining room of a
41 common victualler and such other public rooms or areas as may be deemed reasonable and
42 appropriate by the licensing authority as certified in writing.

43 (d) The licensing authority shall not approve the transfer of a license granted under this
44 act to a location outside of such license’s initial zoned area as defined in either paragraph (1),
45 (2), (3), or (4) of subsection (b) but it may grant a license to a new applicant within that initial
46 zoned area as defined in either paragraph (1), (2), (3), or (4) of subsection (b) if the applicant
47 files with the licensing authority a letter from the department of revenue and letter from the
48 department of unemployment assistance indicating that the license is in good standing with those
49 departments and that all applicable taxes, fees and contributions have been paid.

50 (e) If any license granted under this act is cancelled, revoked or no longer in use, it shall
51 be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto,
52 to the licensing authority and the licensing authority may then grant the license to a new
53 applicant under the same conditions as specified in this act.

54 (f) All licenses granted under this act shall be issued within 3 years after the effective
55 date of this act; provided, however, that a license originally granted within that time period may
56 be granted to a new applicant under subsections (d) or (e) thereafter.

57 SECTION 2. This act shall take effect upon its passage.