

HOUSE No. 5061

Substituted by the House, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 4692) [Local Approval Received]. October 19, 2020.

The Commonwealth of Massachusetts

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

An Act authorizing the town of Plainville to grant additional licenses for the sale of alcoholic beverages.

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 Plainville may grant 5 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises under section 12 of said chapter 138 and 1
4 additional license for the sale of all alcoholic beverages not to be drunk on the premises under
5 section 15 of said chapter 138, to establishments located within the town's 2 zoned development
6 areas, as defined by the town's zoning map, as it existed as of October 17, 2018, upon approval
7 of and under conditions set by the licensing authority of the town of Plainville. A license granted
8 under this act shall be clearly marked on its face "Route 1 Corridor" or "Central Business
9 District/Downtown Area" and shall be subject to all of said chapter 138 except said section 17.

10 (b) The licensing authority shall restrict the 5 licenses for the sale of all alcoholic
11 beverages to be drunk on the premises under section 12 and 1 license for the sale of all alcoholic

12 beverages not to be drunk on the premises under section 15 authorized in this act to the 2 zoned
13 development areas as follows:

14 (1) Three licenses for the sale of all alcoholic beverages to be drunk on the premises
15 under section 12 and 1 license for the sale of all alcoholic beverages not to be drunk on the
16 premises under section 15 shall be issued to establishments located within the Route 1 Corridor,
17 to comprise the area to include parcels immediately along Route 1 and Taunton Street, as those
18 areas are designated as Route 1 Corridor on the map; provided, however, that for the purposes of
19 this paragraph, “map” shall mean the parcel specific corridor areas designated as Route 1
20 Corridor, dated October 17, 2018, a copy of which is on file in the office of the Plainville town
21 clerk; and

22 (2) Two licenses for the sale of all alcoholic beverages to be drunk on the premises under
23 section 12 shall be issued to establishments located within the Central Business
24 District/Downtown Area, to comprise the area to include parcels immediately along: (A) South
25 Street, (B) West Bacon Street from South Street until Fletcher Street, or (C) East Bacon Street
26 from South Street until Pleasant Street, as those areas are designated as Central Business
27 District/Downtown Area on the map; provided, however, that for the purposes of this paragraph,
28 “map” shall mean the parcel specific corridor areas designated as Central Business
29 District/Downtown Area, dated October 17, 2018, a copy of which is on file in the office of the
30 Plainville town clerk.

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

34 (d) The licensing authority shall not approve the transfer of a license granted under this
35 act to a location outside of the initial zoned area as defined in paragraph (1) or (2) of subsection
36 (b) but it may grant a license to a new applicant within the initial zoned area as defined in said
37 paragraph (1) or (2) of subsection (b) if the applicant files with the licensing authority a letter
38 from the department of revenue and a letter from the department of unemployment assistance
39 indicating that the license is in good standing with those departments and that all applicable
40 taxes, fees and contributions have been paid.

41 (e) If a licensee terminates or fails to renew a license granted under this act or any such
42 license granted under this act is cancelled, revoked or no longer in use, the license shall be
43 returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to
44 the licensing authority and the licensing authority may then grant the license to a new applicant
45 in the town's two zoned development areas under the same conditions as specified in this act.

46 (f) All licenses granted under this act shall be issued within 2 years after the effective
47 date of this act; provided, however, that a license originally granted within that time period may
48 be granted to a new applicant under subsections (d) or (e) thereafter.

49 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
50 licensing authority of the town of Plainville may grant an additional license for the sale of wines
51 and malt beverages not to be drunk on the premises, under section 15 of said chapter 138, to
52 Westwood Property Management LLC. d/b/a Plainville shell station, located at 10 Taunton street
53 in the town of Plainville. The license shall be subject to all of said chapter 138 except said
54 section 17.

55 (b) The licensing authority shall not approve the transfer of the license granted under this
56 section to any other location but it may grant the license to a new applicant at the same location
57 if the applicant files with the licensing authority a letter from the department of revenue and a
58 letter from the department of unemployment assistance indicating that the license is in good
59 standing with those departments and that all applicable taxes, fees and contributions have been
60 paid.

61 (c) If a licensee terminates or fails to renew a license granted under this section or any
62 such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of
63 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, and the
64 licensing authority may then grant the license to a new applicant at the same location under the
65 same conditions as specified in this act.

66 (d) All licenses granted under this section shall be issued within 1 year after the effective
67 date of this act; provided, however, that a license originally granted within that time period may
68 be granted to a new applicant under subsections (b) or (c) thereafter.

69 SECTION 3. This act shall take effect upon its passage.