



# CAMBRIDGE LICENSE COMMISSION

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## **NOTICE OF BOARD VOTE – APPLICATIONS TO INCLUDE OUTDOOR AREAS TO LICENSED PREMISES**

**Board Voted: May 8, 2024**

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On April 30, 2024, Governor Maura Healy signed into law “An Act Making Appropriations for the Fiscal Year 2024 to Provide for Supplementing certain Existing Appropriations and for Certain Other Activities and Projects.” Based on the changes made by this law, applications for alteration of premises to include an outdoor area that serves alcohol no longer need ABCC approval. These applications will now only need local board approval. The law requires that each local board establish a process by which these requests will be considered.

Accordingly, on May 8, 2024, the Board of License Commissioners (the “Board”) discussed the changes in the law and established changes to its existing process. As a summary, the only changes made is as to the publication and the type and extent of notification to abutters, which is something that was previously established by state law. Specifically, the Board voted (3-0) to eliminate the need to publish the application in the local newspaper, have applicants serve their abutter(s) with the newspaper notice and hearing notice within three days of publication, and notification to churches, hospitals and schools within 500-foot radius of the premises. The Board voted (3-0) to implement a requirement that the applicant send notice, at least seven days prior to the hearing before the Board on the application, to all legal abutters (front, back and sides), and directly across from the proposed outdoor area/licensed premises.

As such, effective immediately, when a licensed business seeks to include or expand the licensed premises to an outdoor area, the applicant must:

- (1) Submit a Change to Existing License application through the online application portal.
- (2) Attach to the application the proposed floor plan which must be compliant with the outdoor area requirements which have been laid out for both public and private outdoor areas in the City’s Outdoor Dining Policy, [cityofcambridgeoutdoordiningpolicy21624.pdf](https://www.cityofcambridgeoutdoordiningpolicy21624.pdf) ([cambridgema.gov](https://www.cambridgema.gov)). As summary, the ADA compliant plan must show the location of the area as it relates to the brick and mortar, the dimensions of the area, the layout of the seating area, and detail the seating and standing capacities of the area.
- (3) Upon receipt of the application, License Commission staff will review for completion and may ask for additional information/documentation.
- (4) The application will proceed to a zoning review.
- (5) After zoning approval is received, the application will proceed to the hearing fee step (\$100 hearing fee + \$25 application fee [if serving alcohol]).
- (6) After payment of the fees, the applicant will receive a notice of hearing.
- (7) Upon receipt of the hearing notice, and no later than seven days prior to the hearing date, the applicant must notify all legal abutters (front, back, sides) of the application with details of the request and provide the hearing date, time and location (physical/virtual), and information that the public/abutters may submit written testimony to the Board prior to the

- meeting. "Front" abutters include those directly across from the proposed outdoor area/licensed premises.
- (8) The applicant must upload to the record an affidavit of notice to abutters certifying notification was sent in accordance with the Board's process. A form affidavit is available at, [noadvertismentnoticetoabutters.pdf](http://noadvertismentnoticetoabutters.pdf) ([cambridgema.gov](http://cambridgema.gov)).
  - (9) The applicant must appear at the hearing before the Board to answer any questions or respond to any abutter testimony/concerns.
  - (10) The Board will vote on the application, and if granted, the applicant must pay any fees associated with the change and complete any other related permitting requirements.

The Board's amended and new process eliminates: the \$75.00 advertising cost; need to notify abutters within 3 days of publication in the newspaper; notification to churches, hospitals and schools within a 500-foot radius; and notification via certified mail, return receipt requested. The new process is expected to speed up the timing by which the applications will be before the Board by at least two weeks, alleviate businesses' pre-operational and application costs, and reduce the turn around time by at least 4 weeks.

Should any person have any questions regarding the Board's vote, please email them to [license@cambridgema.gov](mailto:license@cambridgema.gov).