



Extension of Premises: Outdoor Dining Area on Municipal Property

APPLICATION

Approved January 4, 2022

Application Fee Payable to the Town of Maynard

\$225 Per Parking Space

\$100 Per Sidewalk Space

BASIC INFORMATION

1. Business name: _____
2. Business address: _____

3. Business phone number: _____
4. Owner/manager: _____
5. Owner/manager email address: _____
6. 24-hour contact number (In case of issues outside of normal business hours): _____
7. Business hours of operation: _____
8. Is this business currently approved to operate as a restaurant?
 YES NO
9. Do you have a current common victualler license?
 YES NO
10. Are all health and building inspections current and valid?
 YES NO
11. Will you require Town of Maynard equipment, materials or other assistance?
 YES NO

If yes, please describe the number and type of materials you will be requesting and other pertinent details. Town staff will contact you to confirm availability. (Attach additional pages, if necessary).

12. Will there be portable heaters in the exterior area of the premises?

YES NO

NOTE: Town regulations require the establishment to maintain a fire extinguisher in the immediate vicinity of the portable heaters.

13. If you have portable heaters, do you have a fire extinguisher in the immediate vicinity of the portable heaters per Town regulations?

YES NO N/A

14. Will you be using outdoor speakers for music?

YES NO

15. Describe below and provide an illustration of the type of barrier/fencing proposed for the seating area (if applicable):*** _____

*** Note: Refer to ABCC Patio Guidance.

16. Will there be food preparation or storage occurring in the exterior area of the premises?

YES NO

If so, please describe the type and location of such storage and preparation: _____

17. Will there be lighting in the exterior area of the premises?

YES NO

If so, please describe the type and location of such lighting: _____

18. Does this business have a current license for on-premises consumption under G.L. c. 138 § 12 (Pouring License)?

YES NO

If so, what type of license do you currently hold?

Restaurant Hotel Club
 Tavern General-on-premises other

a. Will you be serving alcohol in the outdoor dining area? YES NO

b. If yes, does your liquor license include the extension of premises area?

YES NO

If you have a liquor license but it does not include the additional square footage in the extension of premises, please contact Becky Mosca in the Select Boards Office bmosca@townofmaynard.net. Also review state requirements on the [ABCC website](#).

18. I will avoid short-term, on-street parking by using long-term municipal parking and will encourage my staff to do the same. YES NO

19. I acknowledge and accept the following guidelines and responsibilities listed above and as contained in the "Extension of Premises: Outdoor Dining on Municipal Property Policy" attached to this Application. YES NO

REQUIRED DOCUMENTS

1. **Photo** of existing conditions of area.
2. **Plan** – submit a drawing showing the public property you would like to use for outdoor dining that includes the following information:
 - a. Dimensions of the portion of the parking area to be used for outdoor dining. Include the number of parking spaces that will be used for dining.
 - b. Locations of curb cuts with ramps to the parking lot, if applicable.
 - c. Layout of tables and chairs.
 - d. Dimensions of tables.
 - e. Layout and dimension of host stand if applicable.

- f. Photo or description of barriers to be used to protect diners from vehicles and their locations (i.e. at entrance(s) to parking lot, around the portion of the lot being used for outdoor dining, etc.).
 - g. The outdoor dining area and barriers must be accessible and meet ADA and Massachusetts Architectural Access Board's regulations. <https://www.mass.gov/law-library/521-cmr>. This information is also included in this guidance packet. **50% of the cover's perimeter must be open.**
3. **License to Enter and Use Town-Owned Land**, - fill out the linked license agreement to use public space to extend your premises. <https://maynardtownadmin.org/wp-content/uploads/sites/20/2020/06/License-Town-Property-Maynard-6.4.20.docx>
 4. **Insurance Information (policy details outlined here.)**

TOWN OF MAYNARD LIABILITY DISCLAIMER FOR EXTENSION OF PREMISES LICENSE

By exercising the privileges of this License in serving persons with food and alcoholic beverages, the Licensee is potentially exposed to significant liability for injuries and damages to the persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this License Extension will be deemed to be acknowledgement that you are aware of this potential liability.

You are encouraged to discuss the risks associated with exercising your privileges of this License Extension and the appropriate precautions to avoid injuries, damage and liability to others with your legal advisor.

The Town of Maynard, the Select Board acting as the Local Licensing Authority, and the Board of Health, its employees, officers and affiliates shall not be liable to the Licensee to others if injury or damage shall result from the exercise of this License Extension.

By signing this form, the Applicant acknowledges that he/she understands and will comply with all applicable liquor regulations set forth by the Alcoholic Beverages Control Commission (ABCC) (iff applicable), the Local Licensing Authority (SB) of the Town of Maynard, and any other local or state authority.

Signature of Applicant: _____ **Date:** _____

Select Board Approval

Name Date

Name Date

Name Date

Name Date

Name Date

Board of Health (Food Permit)

By the authority granted under the G.L. c. 111, 105 CMR 590.000, and the 2013 Food Code, the application to expand the food permit to include outdoor seating is:

Approved

Not Approved

John Robertson
Health Agent

Date

REQUIREMENTS FOR ACCESSIBILITY

Dining must be accessible and meet ADA and Massachusetts Architectural Access Board's regulations. <https://www.mass.gov/law-library/521-cmr>

521 CMR 17.00: RESTAURANTS

17.2 SEATING

At least 5%, but not less than one, of the tables shall be accessible, be on an accessible route, and in compliance with the following:

17.2.2 A 36-inch (36" = 914mm) access aisle shall be provided between all accessible tables. No seating shall overlap the access aisle. See Fig. 17a.

17.2.3 Clear floor space as defined in 521 CMR 5.00: DEFINITIONS shall be provided at each seating space. Such clear floor space shall not overlap knee space by more than 19 inches (19" = 483mm). See Fig. 17a.

17.2.4 Knee Clearances: If seating for people in wheelchairs is provided at tables or counters, knee spaces at least 27 inches (27" = 686mm) high, 30 inches (30" = 762mm) wide, and 19 inches (19" = 483mm) deep shall be provided. See Fig. 17b.

17.2.5 Height of Tables or Counters: The tops of accessible tables and counters shall be from 28 inches to 34 inches (28" to 34" = 711 mm to 864mm) above the finish floor or ground. See Fig 17b.

