



OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton
Memorial Hall
48 South Main Street
Middleton, MA 01949-2253
978-777-3617
www.middletonma.gov

MEMORANDUM

TO: All interested parties
CC: Select Board
FROM: Jackie Bresnahan, Interim Town Administrator
DATE: March 1, 2023
RE: Final policy on Home Rule Liquor Licenses Distribution

The Town of Middleton received eight (8) additional liquor licenses from the passage of our recent Home Rule petition. As approved by the Board at their meeting on February 21, 2023, the following process and criteria will be used to review and determine the final recipients of the new licenses:

Policy on Home Rule Licenses

Town of Middleton will advertise availability of additional licenses and requirements. Deadlines will be clearly advertised and no late applications will be considered. Applications will have no less than 15 business days to submit and no more than 30 business days to submit. The Select Board reserves the right to reject any application it deems to be incomplete.

*** For the purposes of the 2023 Home Rule Licenses, applications will be accepted from March 15, 2023 until April 18, 2023 at close of business. ***

The Select Board will review all applications and hear from all applicants at a scheduled meeting before making a decision. All applicants must appear in person and present their application to the Select Board. Applicants must be prepared to answer questions regarding their establishment. The Board may consider the opinion of local residents when making their decisions.

Criteria used:

- Proximity of location to other applications and current licenses
- Availability of parking
- Proximity to a school or house of worship
- Size of proposed business (square footage of retail space, projected sales volume, etc.), factors such as traffic and noise and other products to be sold at proposed establishment
- Potential for proposed business to further economic development goals of the Town

- Experience of applicant operating all types of alcohol establishments as allowed in Massachusetts; reputation of applicant


A questionnaire with these criteria will be included in the online form as well as available with other license forms on www.middletonma.gov.

Finally, successful applicants will submit their application for renewals through the regular process. Unless otherwise determined/communicated in advance, licensees will make every effort to renew for their Home Rule license rather apply for a non-Home Rule license.

Applicants are strongly encouraged to apply using the online portal available through the Town's website. The portal can be found here: <https://middletonma.gov/330/Licenses-Permits>

Questions can be directed to the Town Administrator's Office at 978-777-3617 or by email to Deb Mahoney at deb.mahoney@middletonma.gov.

Thank you,



Jackie Bresnahan
Interim Town Administrator
978-777-3617

Acts (2022)

Chapter 419

AN ACT AUTHORIZING THE TOWN OF MIDDLETON TO GRANT UP TO 8 ALCOHOLIC BEVERAGES LICENSES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Middleton may grant under conditions set by the licensing authority: (i) 2 additional licenses for the sale of wine and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138; (ii) 2 additional licenses for the sale of wine and malt beverages not to be drunk on the premises pursuant to section 15 of said chapter 138; (iii) 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to said section 15 of said chapter 138; and (iv) 2 additional seasonal licenses for the sale of wine and malt beverages, pursuant to sections 17A and 17B of said chapter 138 to establishments in locations as described in subsection (b). A license granted under this act shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall restrict the 8 licenses authorized in this act as follows:

(i) of the 2 licenses for wine and malt beverages to be drunk on the premises, 1 of which shall be issued to an establishment located on Maple street in the town of Middleton between the Ipswich river and the town of Danvers town line with frontage on Maple street, and 1 of which shall be issued to an establishment located on South Main street in the town of Middleton between Boston street and the town of Danvers town line with frontage on South Main street;

(ii) of the 2 licenses for the sale of wine and malt beverages not to be drunk on the premises, 1 of which shall be issued to an establishment located on North Main street in the town of Middleton between Piedmont street and the town of North Andover town line with frontage on North Main street, and 1 of which shall be issued to an establishment located on South Main street in the town of Middleton between Meadow drive and the town of Danvers town line with frontage on South Main street;

(iii) of the 2 licenses for the sale of all alcoholic beverages not to be drunk on the premises, 1 of which shall be issued to an establishment located on South Main street in the town of Middleton between Forms way and the town of Danvers town line with frontage on South Main street, and 1 of which shall be issued to an establishment located on Maple street in the town of Middleton between the Ipswich river and the town of Danvers town line with frontage on Maple street; and

(iv) of the 2 seasonal licenses for the sale of wine and malt beverages both of which shall be issued to establishments located on state highway route 114 in the town of Middleton, between the town of North Andover town line and the town of Danvers town line with frontage on state highway route 114.

(c) A license for the sale of wine and malt beverages to be drunk on the premises under said sections 12 or 17A of said chapter 138 granted under this act shall only be exercised in the dining room of a common victualler and in such other public rooms or areas as deemed reasonable and appropriate by the licensing authority as certified in writing.

(d) The licensing authority shall not approve the transfer of any license granted pursuant to this act to any other location but it may grant a license to a new applicant at a location within its zone as described in subsection (b) if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(e) If a licensee terminates or fails to renew a license granted under this act or any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, and the licensing authority may, within 3 years of such return, then grant the license to a new applicant at the same location under the same conditions specified in this act.

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

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

Approved, January 5, 2023.

