



CITY OF MELROSE

OFFICE OF THE MAYOR

PAUL BRODEUR

Mayor

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Melrose, Massachusetts 02176
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To: Melrose Liquor Licensing Commission
From: Mayor Paul Brodeur
Re: Adopting New License Farmer Series Pouring Permit (M.G.L. c. 138, § 19C)
Date: Monday, October 16, 2023

As you are aware, my administration has been working closely with the City Council and the Planning Board to establish a local process in Melrose to allow for the operation of breweries within City limits. With a reputation as a destination business¹, and with 130 breweries already across Massachusetts, a brewery in Melrose would help draw visitors from a wide geographical area, benefitting other local businesses here, and potentially generating thousands of dollars in local meals excise tax revenue for our community.

Background:

In May, the City Council accepted M.G.L. c. 138, § 19C², the statute that addresses Farmers Brewery Licenses. This is the state license which must be issued to breweries prior to their operation within City/Town limits in Massachusetts. Generally, such a license allows the business to manufacture and sell at retail those products produced by the brewer. In August, the Planning Board drafted and recommended zoning amendments to allow for this new intended use/ business within City limits. A joint public hearing by the Planning Board and the City Council was held on August 14, 2023 and on September 21, 2023, the City Council approved the zoning amendments. A copy of the Planning Board's Final Recommendation is included.

Next Steps:

The initial steps in moving us towards this goal have been completed, as outlined above. The next step in the local process involves the Melrose Liquor Licensing Commission considering, reviewing, and adopting Liquor Licensing regulations for the local issuance of Farmer Series Pouring Permits. This local pouring permit is required to allow for a Farmer Brewer Licensee to pour its own beer on-premises for sale and sampling to the public. To that end I request the Commission consider the attached regulations as a starting point for creating a Farmer Series Pouring Permit.

I expect that allowing for this new type of business within Melrose will help stimulate economic activity and support business development opportunities here, adding to the diversity of our business inventory, and offering an additional amenity to residents.

Thank you for considering these draft regulations.

¹ <https://www.mass.gov/info-details/craft-breweries>

² <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter138/Section19C>

**City of Melrose Farmer Series Pouring Permit
Draft Language for Consideration:**

License Description:

Farmer Series Pouring Permit: issued to qualified applicants holding a Farmer Brewery License from the ABCC pursuant to M.G.L. c.138 §19C to sell malt beverages, for consumption on the premises and at retail for consumption off the premises pursuant to M.G.L. c. 138, § 19C, and in accordance with the applicable regulations of the Massachusetts General Laws, the City of Melrose Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for in the specific license. This license allows for the sale of malt beverages manufactured by the licensee on the premises, and sale of items produced for the licensee off the premises in the licensee’s name, to be consumed on premises and to be sold at retail for consumption off premises. This permit only permits the licensee to sell its own products which have either been brewed on premises, or off premises in the licensee’s name, and no other alcoholic beverages may be sold under this license. For purposes of these regulations, the word “License”, “Licensee” and “Licensed Premises” shall include a “Farmer Series Pouring Permit”, “Farmer Series Pouring Permittee”, and “premises subject to a Farmer Series Pouring Permit”, respectively, unless otherwise noted. (M.G.L. c. 138, § 19C)

Additional Rules Applicable to Farmer Series Pouring Permits:³

A. Purpose

The issuance of Farmer Series Pouring Permits shall be utilized so as to foster the economic development of the City by encouraging and promoting patronage in those areas where Farmer Series Pouring Permittees are located. The Commission shall consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Commission including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, community engagement, and other aesthetic considerations including the physical layout of the interior of the establishment.

B. Applicants

Applicants for a Farmer Series Pouring Permit shall hold a Farmer-Brewery License (M.G.L. c.138, §19C) from the ABCC at all times. If an Applicant for a Permit does not have a valid ABCC Farmer-Brewery License at the time of Application, issuance of the Permit shall be conditioned on receipt of such ABCC license.

C. Water Station

At all times, there shall be a free, self-service water station for patrons and customers to use without staff assistance. This provision may be waived by the Liquor Commission upon a

³ Additional, General Liquor Licensing Commission rules and regulations not mentioned here are applicable to Farmer Series Pouring Permits.

showing of good cause and only if a sign is posted by the bar stating that tap water is available upon request and free of charge.

D. Occupancy

Where required by the Commission, the Licensee shall delegate a staff member to keep and maintain an accurate count of all individuals occupying the premises to ensure compliance with building code occupancy limits.

E. Food Service

The Permittee shall ensure that food service is available to its patrons at all times that alcohol is served for on-premises consumption. The Permittee may satisfy this provision by (i) holding a Common Victualler's license and operating a full-service kitchen; or (ii) arranging for food to be brought onto the premises by mobile food truck vendors; or (iii) contracting with nearby restaurants; or (iv) allowing patrons to have food delivered for consumption on the premises; or (v) such other arrangement as the Liquor Commission deems appropriate. The Permittee shall submit a plan for food service with its application.

G. Hours of Operation

The hours during which sales of alcoholic beverages may be made under any license issued in accordance with G.L. c.138 §12, §14, or §19C shall be as set forth by the Commission but in no event shall the hours exceed the following: Sunday 10:00a.m. to 11:00 p.m.; Monday through Wednesday - 11:00a.m. to 11:00p.m.; Thursday through Saturday Friday – 11:00a.m. to 12:00a.m.; and Saturday 10:00a.m. – 12:00a.m. The hours during which sales of alcoholic beverages may be made under any license issued in accordance with G.L. c.138, §15 shall be from 10:00a.m. – 10:00p.m., Monday through Saturday, and from 1:00p.m. to 9:00p.m. on Sunday.

H. License Fee

The annual fee for licenses issued pursuant to these regulations for a Farmer Series Pouring Permit shall be \$1,500 annually.