

Outdoor Dining Process Guidelines

The Outdoor Dining season begins on April 1. Applicants are strongly encouraged to apply in late fall/early winter prior to the next outdoor dining season. Applicants may need approval from multiple local boards including the Select Board, Planning Board, and/or Zoning Board of Appeals (ZBA) depending on the specifics of the application. Applicants with liquor licenses will also require approval from the Alcoholic Beverages Control Commission, after local approval is received. While the Town will work diligently to process applications, applicants may not receive a decision before April 1.

If you would like to...	And you have....	Checklist
<p>Serve <u>food only</u> on the sidewalk or on a public parking space (on-street or in a Town-owned lot).</p>	<p>A Common Victualler (CV) license</p>	<ol style="list-style-type: none"> 1. Submit outdoor dining application [link], all documents required by the application, a copy of the Special Permit Decision, and Certificate of Liability insurance extending to the outdoor area to planning@needhamma.gov. Ensure plans comply with Select Board Outdoor Dining Policy and Appendix A: Outdoor Dining Requirements [link]. Pay \$25 application fee, which will be credited toward the annual licensing fee if the application is approved. Note: this fee is waived for Calendar Year 2022. 2. Town staff will review your application and determine the approvals that are required. If your outdoor seating proposal increases your approved restaurant seating capacity by more than 30%, you must receive approval by the Special Permit Granting Authority that originally approved your restaurant (either the Planning Board or the ZBA), before the Select Board will review your application. An additional application and fee will be required for an amendment to the existing special permit and a hearing will be held. Attend Planning Board or ZBA meeting (or hearing, if required). 3. Attend Select Board hearing. You and abutters within 300-foot radius will be notified at least 7 days prior to the hearing. 4. Sign license agreement with the Town of Needham for the use of the public right of way. Pay licensing fee of \$100 for sidewalk use or \$250 per public parking space. Note: this fee is waived for Calendar Year 2022.
<p>Serve <u>food and alcohol</u> on the sidewalk or on a public parking space.</p>	<p>A Common Victualler (CV) license AND an alcohol license.</p>	<p>The above plus:</p> <ol style="list-style-type: none"> 5. File an Alcoholic Beverages Control Commission’s Alteration of Premises form [link] with the Select Board.

If you would like to...	And you have....	Checklist
<p>Serve <u>food only</u> outdoors on private property that you own or lease.</p>	<p>A Common Victualler (CV) license</p>	<ol style="list-style-type: none"> 1. Submit outdoor dining application [link], all documents required by the application, a copy of the Special Permit Decision, and Certificate of Liability insurance extending to the outdoor area to [planning@needhamma.gov]. Ensure plans comply with Zoning Bylaw 6.9 and Appendix A: Outdoor Dining Requirements [link]. Pay \$25 application fee. Note: this fee is waived for Calendar Year 2022. 2. Receive approval by the Special Permit Granting Authority that originally approved your restaurant (either the Planning Board or the ZBA). Proposals that utilize designated or required landscaped areas, parking lots, or drive aisles for outdoor seating and/or increase your restaurant seating capacity by more than 30% will be subject to a higher level of review, which would include a Special Permit amendment application, an additional fee and a hearing. Town staff will review your application to determine if a hearing will be required. 3. Attend Planning Board or ZBA meeting (or hearing, if required).
<p>Serve <u>food and alcohol</u> outdoors on private property that you own or lease.</p>	<p>A Common Victualler (CV) license AND an alcohol license.</p>	<p>The above plus:</p> <ol style="list-style-type: none"> 4. File an Alcoholic Beverages Control Commission's Alteration of Premises form [link] with the Select Board.

If you have been approved for outdoor dining	
And would like to...	Checklist
<p>Use any parking spot (public or private).</p>	<p>Coordinate with the Office of the Town Manager for the placement of concrete jersey barriers before outdoor furniture can be installed.</p>
<p>Have a tent or outdoor structure with a roof.</p>	<p>Secure a permit from the Building Department.</p>
<p>Have outdoor lighting or electricity.</p>	<p>Secure an electrical permit from the Building Department.</p>
<p>Have outdoor heating.</p>	<p>Secure a permit from the Fire Department.</p>
<p>Continue next season.</p>	<p>Remove furniture by the date indicated on your approval letter. Renew annually.</p>