

Proposed Breweries in Needham Frequently Asked Questions

Why is the Town of Needham considering allowing breweries?

Breweries continue to rise in popularity and according to the Massachusetts Brewers Guild, there is no indication that the market will be oversaturated with them anytime soon. They are a destination business and help draw visitors from a wide geographic area which will help benefit other local businesses. A brewery would add to the diversity of Needham's business inventory and would help infuse new energy into a commercial or industrial area in town. A new brewery would also potentially generate additional meals tax revenue for the Town.

Why does the Town need to adopt special zoning to allow for breweries?

The Town's zoning regulations do not currently allow the multiple types of uses at one site that would be requested by a brewery - such as producing, serving, and bottling of its beer, food service, retail sales, and live entertainment. An amendment to the Town's zoning bylaws would allow for multiple uses on one site.

Why did the Planning Board define two different types of brewery categories in the zoning?

After reviewing similar zoning from dozens of other Massachusetts' towns that have breweries, the Planning Board selected the two types of breweries they believed are best suited for the Needham community, brew pubs and microbreweries. A brew pub is essentially an eat-in restaurant that also brews and sells its own beer. A microbrewery has a different business model in which the production and sale of beer is the primary use. The volume of beer produced at a microbrewery will be limited to 15,000 barrels per year which is comparable to what most mid-sized breweries currently produce.

Where will breweries be allowed to be located in Needham?

The Planning Board held a public hearing in Spring 2022 and again in early September to discuss the proposed zoning districts in which a brew pub or microbrewery would be allowed.

The following commercial districts are being proposed for brew pubs by special permit only:

- Avery Square Business
- Business
- Center Business
- Chestnut Street Business (applies only to the portion of the CSB district that is west of Chestnut Street and south of Keith Place)
- Highland Commercial-128 (applies only to the portion of the HC-128 district located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue)
- Hillside Avenue Business
- Industrial (applies only in the Industrial District located within 150 feet of the Arbor Street boundary and the Industrial District that is located east of Rte. 95/128)
- Mixed Use-128
- New England Business Center (applies only to the portion of the NEBC located west and south of Second Avenue)

The following commercial districts are being proposed for microbreweries by special permit only:

- Highland Commercial-128 (applies only to the portion of the HC-128 district located a) north of Highland Avenue and b) south of Highland Avenue and west of Second Avenue)
- Industrial (applies only to the portion of the Industrial District that is located east of Rte. 95/128)
- Industrial 1
- Mixed Use-128
- New England Business Center (applies only to the portion of the NEBC located west and south of Second Avenue)

Will breweries be required to serve food?

Under the [recently approved changes to the Select Board's alcohol regulations](#), a brew pub must operate similarly to a full-service restaurant while a microbrewery will be required to make food available, however, it may be supplied by a food truck visiting the establishment, through an outside caterer, through the sale of pre-packaged food items, and/or by the limited menu of food items that are prepared by the microbrewery on site.

Who licenses the manufacturing of beer in Massachusetts?

To open a brewery in Massachusetts, a prospective brewer must first select a site and show proof to federal and state regulators that the zoning at the site allows for such use. The business then seeks federal approval from the Alcohol and Tobacco Tax and Trade Bureau (ATTTB) to manufacture alcohol. After this federal permit is obtained, the business must then apply to the Massachusetts Alcoholic Beverages Control Commission (ABCC) for a license to manufacture and distribute their beer. There are two state licensing options, under M.G.L. c.138, a 19C Farmer-Brewery license or a 19D Pub Brewery license. Under these licenses, the ABCC determines all conditions relative to the production and sale of alcohol for off-premises consumption.

What authority does the Town of Needham have to regulate breweries?

The Select Board is the [local licensing authority](#) for the Town of Needham. All breweries must be granted a license from the Select Board to sell alcohol to consumers for on-premises consumption. A Pub Brewery licensee (brew pubs) would seek a Section 12 license from the Select Board, the same license required by restaurants to serve alcohol in Needham. A Farmer-Brewery licensee (microbreweries) must obtain a Farmers Series Pouring Permit from the Select Board. The recent changes to the Board's regulations add a new section to create rules and regulations applicable to Farmer Series Pouring Permittees (see Section X).

Will the liquor license granted to a brewery be counted towards the Town's license quota from the state?

A microbrewery will be required to obtain a different type of license from the Town, a section 19C Farmers Series Pouring Permit, which will not count towards the Town's quota of liquor licenses. Brew pubs will be required to obtain a section 12 liquor license from the Select Board, which is the same type of license required by restaurants in Needham to serve alcohol. Therefore, brew pubs will count towards the Town's quota of liquor licenses.

Will breweries be treated the same as restaurants as it relates to alcohol service standards and safety requirements?

Yes. The same regulations that are required of restaurants which have alcohol licenses will also be required of both brew pubs and microbreweries including hours of operation for on-premises consumption, alcohol safety training requirements for staff and managers, penalties for license violations, and licensing fees.

What will be changing for existing alcohol license holders?

There is one recent change to the Town's alcohol regulations that will impact existing alcohol license holders. This change is in section 4.6.12, which would require that "Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep".