



# TOWN OF YARMOUTH

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BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR  
Daniel M. Knapik

May 19, 2020

The Honorable Karyn Polito  
Lieutenant Governor of the Commonwealth of Massachusetts  
Massachusetts State House  
24 Beacon Street  
Boston, MA 02133

Dear Lieutenant Governor Polito:

The Town of Yarmouth is in support of the legislative changes proposed by the Town of Barnstable to support safe and successful reopening of restaurants on Cape Cod (see attached letter). Although Barnstable's letter relates specifically to temporary changes for regulating alcoholic beverage service at restaurants, there are many Town and State Regulations (zoning, health, licensing, etc.) that could use legislative relief as we move towards reopening Cape Cod.

We have heard from our business community about various ways they can reimagine their businesses with many business owners thinking outside the box and developing new business models. However, some of these ideas conflict with zoning, health, licensing for liquor and entertainment, and other Town and State Regulations. As it is often a lengthy process to get regulatory relief, even temporarily, we can't accommodate these different business concepts under our existing regulatory structure.

During these unprecedented times, we need to be nimble and flexible in our regulations to accommodate changing situations. Giving legislative authority to the local governing body to temporarily modify these types of regulations under an established local review process would give us that flexibility. Once standards are set, much of the review can be delegated by the Board of Selectmen to the staff level on a temporary basis to provide oversight.

Thank you for your time and consideration of these suggestions and your strong leadership during these difficult times.

Sincerely,

Michael Stone, Chairman  
Yarmouth Board of Selectmen

cc (via e-mail): Representative Timothy Whelan  
Representative William Crocker  
Senator Julian Cyr



# The Town of Barnstable

## Office of Town Manager

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The Honorable Karyn Polito  
Lieutenant Governor of the Commonwealth of Massachusetts  
Massachusetts State House  
24 Beacon St  
Boston, MA 02133

Dear Lieutenant Governor Polito:

On behalf of the Town of Barnstable, thank you for the opportunity to provide recommendations for legislative changes to support the safe and successful reopening of restaurants on Cape Cod. The below suggestions were born out of conversations with local officials and representatives of the restaurant industry. They are focused temporary changes to regulating the service of alcoholic beverages by restaurants. Legislative relief in this area is crucial in light of anticipated occupancy restrictions and other workplace safety measures that will challenge the profitable ongoing operation of restaurants during the extended recovery period.

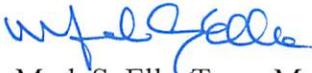
Proposals for Restaurants that Serve Alcohol:

1. Streamline the process for temporary extension of premises by delegating ABCC review to local licensing authorities. Application requirements should be limited to a one page application and hand-drawn plans. Materials would be subsequently submitted to ABCC for their files. This change is necessary to handle the anticipated volume of temporary extension of premises requests (there are 9,200 licenses statewide).
2. Allow temporary extension of premises requests to be reviewed and approved administratively. Waive requirements for hearings by local licensing authorities. Allow administratively approved applications to be approved by licensing authorities on a consent agenda.
3. Waive requirements for abutter notification and reduce or eliminate requirements for advertised notifications for requests for temporary extension of premises.
4. Towns should establish a local review process to allow for interdepartmental review of plans, such as an administrative site plan review process. For example, in Barnstable, authority for site plan approval lies with the Building Commissioner.

5. Towns would require that licensees obtain insurance coverage for any extension location.
6. Allow the temporary extension of premises to remain in place until Massachusetts reaches Phase 4 of the reopening plan.
7. Allow for expansion of outdoor licensed areas that are not directly adjacent or attached to the main restaurant, allowing for service in parking lots or other designated areas. Allow for access to and use of other walkways in which alcohol transport would be allowed.
8. Restaurants and patrons must adhere to all overall social guidance and mandatory safety standards for the workplace indoor and, to the extent required, outdoors.
9. Waive provisions for enclosure of licensed areas that require them to be enclosed or otherwise delineated for the period of temporary approval.
10. Consider other provisions, such as waivers to the requirement for dedicated areas for a single restaurant, that would allow for the creation of "restaurant zones" in outdoor public spaces.

Thank you for your consideration of these suggestions and for your support and leadership during these unprecedented times.

Sincerely,



Mark S. Ells, Town Manager  
Town of Barnstable