

Board Members
John Foresto, Chair
Glenn Trindade, Vice Chair
Dennis Crowley, Clerk
Richard D'Innocenzo, Member
Maryjane White, Member



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

BOARD OF SELECTMEN

Temporary Outdoor Dining Policy and Application

I. Purpose and Scope

The 2020 COVID-19 pandemic has caused not only a public health crisis; it has also triggered a worldwide economic crisis. Public health requirements for social distancing have placed new burdens and challenges on the business community to provide more physical space between customers and staff. In an effort to respond to the new social distancing requirements, the Board of Selectmen have adopted temporary outdoor dining regulations that will allow local restaurants to establish outdoor seating on sidewalks, landscaped yard areas around their restaurants and in parking lots to provide more space for seating their patrons and picking up To-Go orders. These regulations will be in effect until further notice. Outdoor dining license applications will be reviewed by Town staff and will be approved by the Board of Selectmen. Approved temporary outdoor dining licenses will be in effect through November 1 of the calendar year in which they were approved.

These rules may be amended by a majority vote of the members of the Board of Selectmen provided such amendment is presented in writing at a regular meeting and action taken thereof at a subsequent regular meeting.

These rules were adopted at a regular meeting of the Board of Selectmen on June 1, 2020 and became effective as of that date.

II. Temporary Seating & Parking Relief

Due to the seasonal and temporary nature of an outdoor dining area and reduced occupancy loads required by emergency regulations, the seating within an outdoor dining area will not be interpreted as an increase in the number of seats serving a restaurant or eating establishment, and will not be counted towards any off-street parking requirement.

III. Design and Appearance

Outdoor dining areas must be distinguished from their surroundings by some form of perimeter fence or barrier. Appropriate perimeter materials include, but not limited to, fences, bollards and chains, or individual planters of wood, masonry, or terra cotta. The public sidewalk or street may not be damaged by the installation of any perimeter treatment.

IV. Pedestrian and Wheelchair Passage

These temporary regulations allow the restaurant operator to place outdoor dining tables and chairs, umbrellas, lighting, service equipment, perimeter fences or barriers on public sidewalks conditioned upon adequate space for pedestrian and wheelchair passage.

V. Outdoor Food Preparation

Outdoor food preparation is not allowed unless specifically authorized by the Health Department.

VI. Alcoholic Beverages

Approval of an outdoor dining area shall not be construed as an approval for the alteration or extension of premises where alcoholic beverages are served. The serving or consumption of alcohol outside of the premises of a duly licensed establishment to serve alcohol must be approved by the Board of Selectmen on a case by case basis.

SUBMISSION AND APPROVAL OF APPLICATIONS

Applications for outdoor dining licenses shall be submitted to the Town Manager's Office using the attached form along with written permission from the property owner and a plan for the outdoor seating area as described below. The application and plan for outdoor seating will be reviewed by the Building, Fire, Police, Health, and Community and Economic Development Departments. All plans must comply with any applicable Massachusetts Governor's orders, Massachusetts Department of Public Health orders and guidance documents for social distancing, and for food services establishments.

Plan Requirements

A neatly drawn plan will be submitted depicting the precise area of the proposed outdoor dining area, the arrangement of outdoor dining furniture, perimeter fencing, cafe umbrellas, outdoor heaters and any other equipment. Areas designated for picking up take-out food shall also be shown on the plan. Tables and chairs shall be separated by at least six feet to provide for social distancing. Take-out food pickup areas shall also be a minimum of six feet from patron seating areas. The restaurant shall follow all other social distancing and virus prevention measures as outlined by the Board of Health. Smoking is prohibited in all outdoor dining areas.

If a restaurant will be utilizing an existing parking lot or yard area, a plan with the same requirements is required. Outdoor seating proposed for a parking lot shall not occupy more than 50% of the required parking spaces.

The Board of Selectmen (for alcohol licensees) or the Town Manager (for non-alcohol licensees) shall make a determination that the design and location of an outdoor dining area is suitable to its environs, and that all requirements of the license have been met.

Attachments (application form)

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TEMPORARY OUTDOOR DINING APPLICATION

Business Name: _____
Business Address: _____
Contact Person: _____
Telephone: _____
E-Mail: _____

Description of proposed outdoor seating area, including # of tables, to-go area, pedestrian walkways, perimeter materials and delineation:

Documents required with this application:

- Sketch of outdoor dining plan (to include proximity to physical establishment, seating arrangement, 20' fire lane and turning radius for fire apparatus)
- Written permission from property owner

Business Owner signature: _____

Application Received: _____

Application Approved: _____

Approval Expires: 11/1/2020

Board of Selectmen Chair (alcohol licensees)
Town Manager (non-alcohol licensees)