



Town of Natick, Massachusetts
Department of Community and Economic Development
13 East Central Street Natick, Massachusetts 01760

Telephone
(508) 647-6450
www.natickma.org

James Freas, AICP
Director

NATICK'S COVID 19 BUSINESS RECOVERY PLAN

TEMPORARY OUTDOOR DINING PERMITTING PROCESS

Pursuant to the Governor's COVID-19 Order No. 35, section 4, the Natick Board of Selectmen have adopted the following process for applications for Temporary Outdoor Dining permits. Temporary Outdoor Dining permits issued according to the process described below are valid through November 1, 2020 or until the Governor rescinds Order 35, whichever comes first.

1. Temporary Outdoor Dining Review Group

Applications for Temporary Outdoor Dining are reviewed by a Temporary Outdoor Dining Review Committee (TODR). The TODR Committee is composed of representatives of the following Departments:

- a. Public Health;
- b. Police;
- c. Fire;
- d. Public Works; and
- e. Community and Economic Development.

2. Application

- a. The TODR Committee will meet every Thursday morning.
- b. An applicant must submit an application by close of business on Monday for consideration at the following TODR Committee meeting.
- c. Applications are submitted to the Community and Economic Development Department and may be submitted electronically.
- d. An application must include the following:
 - i. Plan of proposed outdoor seating area on an aerial picture of the site downloaded from the Town of Natick Assessor's database.
 - ii. Plan showing the proposed seating arrangement, server pathways and stations, and demonstrating the required spacing between tables and other elements as described below.
 - iii. Description of the proposed temporary outdoor dining area dimensions and seating capacity.
 - iv. Document demonstrating the right to occupy the proposed area.
 - v. Operational plans in the form of a checklist indicating compliance with the Re-opening requirements provided by the State. In particular, note how trash removal and cleaning of the temporary outdoor dining area will be managed and what bathroom facilities will be available and how those will be managed for COVID 19 physical distancing requirements.

- vi. Customer Tracking Log – a document that will be used to track the name, address, and contact information for every customer.
- vii. Pictures and/or descriptions of proposed barriers, dividers, or other elements of the plan intended to separate areas, protect patrons, and workers, and otherwise define the temporary outdoor dining area.

3. Review

- a. The TODR Committee must review an application at the next meeting following submission of a complete application.
- b. The TODR Committee may approve an application, approve an application with conditions, continue an application to a following meeting, or deny an application. Denial of an application must be based on issues of public safety posed by the application.

4. Design Requirements

An application for Temporary Outdoor Dining must demonstrate compliance with the following requirements at a minimum:

- a. Pedestrian walkways must maintain a minimum of four-foot clear, unobstructed pathways.
- b. Tables must be located a minimum of six feet from each other and six feet from commonly used pathways, service stations, or other locations where customers or staff may congregate.
- c. There must be no more than six people at a table.
- d. All temporary outdoor dining areas must have clearly demarcated boundaries by rope, fence, or other continuous visible element that prevents entry other than by an established entrance.
- e. Dining areas must be contiguous to the restaurant premises with a clear view of the area from inside the premises or, alternatively, the applicant must commit to providing management personnel dedicated to the area.
- f. Temporary dining areas located in a parking lot must demonstrate measures to protect patrons and staff from vehicles. Such measures may consist of large planters, crates, or boxes filled with heavy materials and spaced no more than 4 feet apart.
- g. Where temporary dining areas are located in parking lots, the applicant must post signs at all entrances to the parking lot notifying drivers that the speed limit in the parking lot is 5 miles per hour.

5. Alcohol Service

In order to serve alcohol in temporary outdoor dining areas, the Local Licensing Authority (The Board of Selectmen in Natick) must grant an extension of premises license according to the rules and requirements provided by the Alcoholic Beverages Control Commission in their advisory regarding local licensing authorities' approval of outdoor seating. An applicant must submit a request for alcohol service with their Temporary Outdoor Dining permit application. The BoS will consider that alcohol license

application at the meeting following approval of a Temporary Outdoor Dining permit by the TODR Committee.

6. Use of Public Spaces

- a. The Town will lead the effort to establish use of public spaces in Downtown Natick for Temporary Outdoor Dining. The TODR Committee will not consider individual applications for Temporary Outdoor dining on publicly owned property in the downtown area.
- b. Applicants proposing to use publicly owned property for Temporary Outdoor Dining will need to obtain a separate license from the Board of Selectmen in addition to the processes outlined here. Such proposals will receive a high degree of scrutiny for safety issues and a potential applicant should discuss with CED in advance of a submission.

7. Enforcement

- a. The Building Commissioner will inspect the Temporary Outdoor Dining Area for consistency with the Temporary Outdoor Dining Permit. Operation of the Temporary Outdoor Dining Area may begin following inspection and approval by the Building Commissioner.
- b. The Public Health Department, Building Commissioner, and Police Department have enforcement authority under these rules and may shut down a Temporary Outdoor Dining area found to not be in compliance with the issued permit.

8. Alterations or Amendments

- a. An applicant may apply to the TODR Committee for any change to a previously approved Temporary Outdoor Dining Permit.
- b. The Town may require changes to an approved Temporary Outdoor Dining permit if, in the opinion of a member of the TODR Committee, there is a safety issue associated with the current configuration or operation of the Temporary Outdoor Dining Area. The applicant must submit an amended application addressing the issue.