

# **HOUSE . . . . . No. 4048**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 17, 2014.

The committee on Consumer Protection and Professional Licensure to whom was referred the joint petition (accompanied by bill, House, No. 3928) of Aaron Vega and Donald F. Humason, Jr. that the city of Holyoke be authorized to grant 6 additional licenses for the sale of all alcoholic beverages and 7 additional licenses of wines and malt beverages to be drunk on the premises, reports recommending that the accompanying bill (House, No. 4048) ought to pass [Local Approval Received].

For the committee,

JOHN W. SCIBAK.

The Commonwealth of Massachusetts

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**In the Year Two Thousand Fourteen**  
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An Act authorizing the city of Holyoke to issue additional liquor licenses.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, or any  
2 other general or special law to the contrary, the city of Holyoke may grant 6 additional licenses  
3 for the sale of all alcoholic beverages to be drunk on premises and 7 additional licenses for the  
4 sale of wines and malt beverages to be drunk on premises pursuant to section 12 of said chapter  
5 138, subject to the conditions set forth in this act, to establishments located in certain areas as  
6 defined in sections 4 and 5. The licensing authority for the city of Holyoke shall restrict the  
7 licenses granted pursuant to this act to holders of common victualler licenses who have  
8 submitted a development and restaurant concept, menu, and seating chart reviewed and approved  
9 by the Holyoke Redevelopment Authority.

10           SECTION 2. Licenses granted pursuant to this act shall be subject to an initial, one-time  
11 application fee of \$10,000 in addition to the existing license fee applicable in the city of Holyoke  
12 for the sale of all alcoholic beverages to be drunk on premises and for the sale of wines and malt  
13 beverages to be drunk on premises. The additional \$10,000 fee shall be deposited into an  
14 economic development account held by the Holyoke Redevelopment Authority and expended  
15 consistently with the purposes of the account.

16           SECTION 3. The licensing authority shall not approve the transfer of a license to any  
17 other location or any other person, corporation or organization. All licenses issued pursuant to  
18 this act shall be clearly marked “nontransferable” on the face of the license. If a license granted  
19 under this section is cancelled, revoked or no longer in use, it shall be returned physically, with  
20 all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority for  
21 the city of Holyoke. The licensing authority may then grant the license to a new applicant,  
22 subject to the initial application fee of \$10,000, only at the same location if the applicant files  
23 with the licensing authority a letter from the department of revenue and a letter from the

24 department of unemployment assistance indicating that the license is in good standing with those  
25 entities and that all applicable taxes have been paid.

26 SECTION 4. (a) One license for the sale of all alcoholic beverages to be drunk on  
27 premises and 2 licenses for the sale of wines and malt beverages to be drunk on premises  
28 pursuant to section 12 of said chapter 138 shall be allocated to the area known as TOD West  
29 which consists of all parcels inside the following boundaries: beginning at the intersection of  
30 Chestnut Street and Hampden Street, southeasterly along the centerline of Hampden Street to the  
31 intersection with the centerline of an alley between parcels 013-03-005 and 013-01-001;  
32 southwesterly along the centerline of said alley, to the intersection of the centerline of John  
33 Street; southeasterly along the centerline of John Street to the intersection of a parcel 013-04-003  
34 having a parking facility; south westerly along the westerly side of such parking facility  
35 transcending parcel 013-04-003 to its intersection with the centerline of Dwight Street;  
36 southeasterly along the centerline of Dwight Street to the intersection with the centerline of  
37 Heritage Street; southwesterly along the centerline of Heritage to its intersection with the  
38 centerline of Appleton Street; northwesterly along the centerline of Appleton Street the  
39 intersection of the centerline of Chestnut Street; northeasterly along the centerline of Chestnut  
40 Street to the point of beginning.

41 (b) One license for the sale of all alcoholic beverages to be drunk on premises and 1  
42 license for the sale of of wines and malt beverages to be drunk on premises pursuant to section  
43 12 of said chapter 138 shall be allocated to the area known as TOD East which consists of all  
44 parcels inside the following boundaries: beginning at the intersection of the centerline of Canal  
45 Street and Grover Street, southerly along the centerline of Grover Street to its intersection with  
46 the centerline of Lyman Street; westerly along the centerline of Lyman Street to its intersection  
47 with the centerline of Bowers Street; southerly along the centerline of Bowers Street to its  
48 intersection with the centerline of Mosher Street; westerly along the centerline of Mosher Street  
49 to its intersection with the westerly boundary of parcel 033-04-001; southerly along the westerly  
50 side of parcel 033-04-001 and along the westerly boundary or parcel 033-05-002 to its  
51 intersection with the centerline of Appleton Street; northwesterly along the centerline of  
52 Appleton Street to its intersection of an alley between parcels 030-06-01 and 030-06-011  
53 (between Main Street and Race Street); northeasterly along the centerline of an alley to its  
54 intersection with the centerline of Dwight Street; northwesterly along the centerline of Dwight  
55 Street to its intersection with the centerline of Race Street; northeasterly along the centerline of  
56 Race Street to its intersection with centerline of Canal Street, to the point of beginning.

57 (c) One license for the sale of all alcoholic beverages to be drunk on premises and 2  
58 licenses for the sale of wines and malt beverages to be drunk on premises pursuant to section 12  
59 of said chapter 138 shall be allocated to the area known as Mid-Canal consists of the area all  
60 parcels inside the following boundaries: beginning at the intersection of the centerline of a parcel  
61 022-01-010A located on the easterly side of Front Street and Lyman Street, southeasterly along  
62 the centerline of Lyman Street to the easterly boundary of parcel 023-01-024, owned by the

63 Holyoke Gas & Electric; following the easterly boundary of parcel 023-01-024, northerly along  
64 the easterly boundary of parcel 023-01-024 and southerly along the easterly boundary of parcel  
65 023-01-024 to the intersection of the westerly boundary of parcel 023-01-011, owned by the  
66 Holyoke Gas & Electric; southerly along the westerly boundary of parcel 023-01-011 to its  
67 intersection of the centerline of Lyman Street; southeasterly along the centerline of Lyman Street  
68 to its intersection with the centerline of Race Street; southwesterly along the centerline of Race  
69 Street to its intersection of the centerline of Dwight Street; southeasterly along the centerline of  
70 Dwight Street to its intersection with the centerline of an alley beginning between parcels 033-  
71 07-001 and 033-07-021 (between Race St & Main St); southwesterly along the centerlines of  
72 alleys beginning between parcels 033-07-001 and 033-07-021 to its intersection with the  
73 centerline of Cabot Street; northwesterly along the centerline of Cabot Street to its intersection  
74 with the centerline of railroad tracks adjacent to the westerly side of parcel 020-02-006;  
75 northeasterly along the centerline of the railroad tracks up to and along the easterly boundary of  
76 parcel 021-01-012 (Heritage State Park) and northeasterly along the centerlines of parcels 022-  
77 01-010 and 022-01-010A, owned by Pioneer Valley Railroad and Trident Holyoke LLC, to the  
78 point of beginning.

79           SECTION 5. Three licenses for the sale of all alcoholic beverages to be drunk on  
80 premises and 2 licenses for the sale of wines and malt beverages to be drunk on premises  
81 pursuant to section 12 of said chapter 138 shall be allocated to census tracts 8114, 8115, 8116,  
82 and 8117.

83           SECTION 6. This act shall take effect upon its passage.