

LICENSING BOARD FOR THE TOWN OF NORWELL

DATE _____ 20____

AFFIDAVIT OF NOTICE OF MAILING TO ABUTTER AND OTHERS

To the Licensing Board
For the Town of Norwell

I, _____ hereby certify the following is a true list of persons shown upon the Assessors' most recent valuation as the owners of the property abutting the proposed location for an alcoholic beverage license at _____ shown on Assessors' Map _____ as Lot _____

And that the following schools, churches or hospitals are located with the radius of five hundred (500) feet from said proposed location:

If there are none, please so state _____

I also certify that the notice of this application/petition concerning an alcoholic beverages license was given to the above by mailing to each of them within three days after publication of same, a copy of the advertisement is attached below. Also attached are the registered receipts/return registered receipts bearing signatures of persons receiving said notice.

Signed and subscribed to under penalties of perjuries this _____ day of _____ 20____.

Printed: _____

Written: _____

Notary Public: _____

My Commission Expires: _____

ATTACH ADVERTISEMENT
AND RECEIPTS HERE

CHURCH, SCHOOL, HOSPITAL NOTIFICATION

An applicant for a new Section 12 (on-premise), Section 15 (off-premise) and Section 30A (pharmacist) license or for the change of location or for an alteration of premises (except an extension of licensed premises that does not exceed 50 feet) must notify by registered mail any church, school or hospital located within 500 feet of its premises of its intentions (Ch 138, s15A).

An affidavit of the applicant mailing such notice and an attested copy of the notice mailed shall be filed with the local licensing authority. A certified copy of that affidavit shall be considered prima facie evidence that such notice has been mailed. If a church, school or hospital files a written complaint that action on the license was taken without them receiving certified written notice and such a complaint is upheld, the licensing authority may cancel the license.

The 500 foot distance shall be measured in a straight line from the nearest point of the church, school or hospital to the nearest point of the licensed premises (204 CMR 2.11).

Applicants for an innholder's (Section 12) and parts of buildings located 10 or more floors above street level are exempted from this law.

A church is defined by Ch.138, s16C as "a church or synagogue building dedicated to divine worship and in regular use for that purpose, but not a chapel occupying a minor portion of a building primarily devoted to other uses". That same law defines a school as "an elementary or secondary school, public or private, giving not less than the minimum instruction and training required by chapter seventy-one to children of compulsory school age".

The governing bodies of these institutions have the right to file written objections with the licensing authorities concerning the license. In all cases, whether the license is protested or not, the licensing authority must determine in writing after the hearing that the premises are not detrimental to the educational and spiritual activities of such school or church if they are approving the application.