



Planning Department

The Town's Sign Bylaw regulates the size, placement and content of all signs on a building and letters or signs on windows and doors. Design review is administered in accordance with Planning Board design guidelines. There is a 30 day maximum time period from the date of the sign application for the Planning Board to make a decision regarding a sign proposal. The following are the necessary steps in the sign approval process:

- Create plans for proposed sign/awning or façade alteration.
- Bring plans to the Planning Department for pre-review by staff.
- Apply for Planning Department design review. A meeting date will be set and a meeting notice mailed one week in advance.
- At the Planning Board meeting, the sign plans will either be approved, approved with conditions, or denied.
- If the proposed sign design is denied, the process starts over.
- If approved as submitted, a building permit for the sign may be obtained from the Building Department.
- If approved with conditions, when the conditions are met an approval memo will be issued by the Planning Department. A building permit for the sign may then be obtained from the Building Department.

This Pamphlet was made with the help of all the Regulatory, Inspectional and Public Safety Departments in the Town of Brookline. In addition, the material was compiled and developed by James Viano and Justin Groves, interns from Boston University School of Public Health.



Opening a Food Establishment?

A guide to opening a food establishment in the Town of Brookline:

With an overview of common application procedures and frequently asked questions.



Selectmen's Office

Thank you for your inquiry into the process of opening a food establishment in Brookline. We hope you will find this guide informative and helpful in facilitating the application process.

All food applications begin at the Selectmen's Office, and are then distributed to the Police, Fire, Building, and Health Departments for approval.

Licenses issued by Selectmen's Office:

- Food Vendor - For restaurants that only plan to offer take out.
- Common Victualler - For restaurants that plan to have customer seating on the premises, but may also offer take out service.
- Liquor - For establishments wishing to serve alcohol.
- Entertainment - Arcade machines, live entertainment, televisions, muzak, etc.
- Outdoor Seating for licensed food establishments.

Once all recommendations have been returned to the Selectmen's Office, a hearing will be scheduled for final license approval. Ten days prior to the scheduled hearing, all abutters and area precinct members (Town Meeting members) will be notified by the Selectmen's Office that a hearing will take place. If a liquor license is requested, it will be advertised in the local paper, The Brookline Tab, ten days prior to the hearing. If approval is granted by the board, licenses will be released only after a final walkthrough inspection conducted by the Health and Building Departments.

- Exits – This critical life safety requirement is checked by the Fire Safety Department. Exits must be free and clear and hardware must be on the doors to allow for emergency egress. Operators may put alarms on these doors to avoid security issues.
- Heat producing equipment within the establishment, such as boilers and water heaters, will be checked to ensure that combustibles are not around them and that they are free and clear.
- Fees for above approvals are on a sliding scale dependent on the size of the facility.



Economic Development Office

We are committed to ensuring all commercial establishments thrive in the town of Brookline. This is achieved through the Economic Development Office. If a neighborhood group raises issues of concern, this department will assist the applicant in addressing those issues as best as possible prior to the public licensing hearing. The Economic Development Office will conduct neighborhood meetings where issues can be hashed out and compromises reached.

For instance, applicants may be required to address neighborhood concerns such as installing odor control systems, adjusting delivery times, addressing littering and parking plans, and other neighborhood impact issues.

This department also assists establishments with neighborhood promotion by facilitating involvement in community events.



Fire Department

The Fire Department has a variety of requirements that address public and structural safety issues. The operator must address the following:

- The cooking environment must be protected by an auto extinguishing or “Ansul” system. This system must be approved prior to installation and then a pre-operational inspection will determine that all requirements are met. Auto extinguishing systems must be checked every 6 months by an auto extinguishing company and retagged stating it has been charged within 6 months.
- In addition, establishments are required to have free standing fire extinguishers in specific locations. K extinguishers belong in kitchen cooking area, hung low by the exit, at least 4 inches off of the floor by an alarm pull station. In the front of the establishment an ABC dry chemical fire extinguishers should be hung in locations easily accessible to staff, and by the exit door.
- Establishments with 50 or more seats are required to have a compliant fire alarm system by an approved company. This system includes: a fire alarm panel at grade level (by the front door), pull stations by the exits, and sounders/audible devices. It should also interface with the auto fire extinguisher. A fire detection system is recommended, but not required. Depending on the size of the establishment, an externally monitored alarm may be required.
- Establishments are required to install and maintain a cooking hood duct system. This system should be installed per compliance with Fire Department standards, so a plan must be submitted. In addition, this should be maintained and cleaned by a certified cleaning company at least once every 6 months. This requirement may be more depending on type of food operation. Equipment to be cleaned should consist of hood, filters, and duct work all the way through to the ventilation fan on the roof.



Building Department

The Building Department has various requirements. An applicant must consider issues of zoning, which involve the number of seats allowed in the establishment, the number of parking spaces required for the establishment, and which type of businesses are allowed at the proposed location. If the proposed establishment does not receive approval in any of these areas, the operator must petition the Zoning Board of Appeals, which can be a lengthy 4-6 month process. Therefore, it is advisable to meet with the local building inspector before you formally apply to the Board of Selectmen to learn of what Board of Appeals and zoning issues apply to the proposed location.

- If no issues of zoning exist, operators must seek a building permit prior to any construction. To receive permit approval, building plans, designed by an architect, must be submitted to and approved by the Building Department. Please note that if certain financial thresholds are surpassed, additional code upgrades may be required.
- Applicants should be sure to review the requirements for restrooms and disability access issues associated with this establishment with the building inspector.
- Upon building permit approval, inspections will be conducted during and upon completion of construction. If all conditions are met, recommendation for license approval will be forwarded to Selectmen’s Office.
- Applicants need to be aware that signage and exterior facades also have very specific requirements that always need approval from the Planning Board. This also has an extended time frame and public hearing process.
- Establishments can get temporary signage approval from the building department (i.e. banner, temporary sign) prior to final signage approval.
- Permit fees vary depending on the size and scope of permit requirements. Building, plumbing, wiring and mechanical permits are \$20.00 dollars per thousand dollars of construction work value.



Public Health
Prevent. Promote. Protect.

Health Department

In addition to Selectmen's licenses, you are required to get permits from the Health Department. These permits include:

- Retail Food – A food establishment whose primary foods for sale are wrapped food products with no preparation involved. Please note, making coffee is considered food preparation.
- Food Service Establishment – The bulk of most applications. Food is prepared and consumed on premises or for take out.
- Catering – A licensed food service establishment that also performs the full service of catering off site.
- Limited Retail – This is a small establishment that may have a rack of displayed candies or snacks, all prepackaged.
- Temporary Food – A short term food event involved with a fair or festival. i.e. The Boston Marathon, Flag Day, Celebration Day carnival.
- Special Event – Multi day, large scale public event, i.e., large scale events such as U.S. Open, the Boston Marathon, Ryder Cup.
- Mobile Food Facilities - Food facilities on trucks or carts are required to have a permit from the Health Department.

Additionally, the Health Department issues permits for residential kitchens. This does not require the Board of Selectmen's process, but does require Building Department approval for zoning. The Health Department permits are priced on a sliding scale, the cost depends on the size, seating capacity, and square footage of the establishment.

The Health Department requires a set of building plans showing the proposed floor plan and equipment listing for the establishment. The Health Department will then sit down with each applicant and provide an orientation as to what is expected of all food operators. At that time the proposed plans or alterations are discussed.

Once this is completed the Health Department issues a recommendation to the Board of Selectmen that this establishment is worthy of the appropriate permit as well as a plan approval letter with any established conditions for that establishments. These conditions can include: odor control systems for cooking equipment, appropriate signage for outside seating which is required to be non-smoking, and appropriate food safety and alcohol server certifications.

The final step is a pre-operational inspection before the establishment can open. The health inspector is contacted by the operator and a final inspection is performed for the health permit and recommended issuance of the Board of Selectmen's license. It is important that the applicant retain all of the other department's pre-operational inspections as well.



Police Department

The Police Department has to provide a recommendation to the Board of Selectmen on the pending application. This recommendation will occur after the department reviews with the applicant the proposed plans and type of establishment involved.

If a liquor license is involved, a more detailed background review of the applicant is required. This can require considerable background check and interview time. These reviews may include, but may not be limited to, criminal background checks, work histories, and residential histories. All mobile food establishments must also be approved by the Police Department.