

Staff Report

Devens
Enterprise
Commission

Date: March 4, 2024

To: **Devens Enterprise Commission**

From: Neil Angus, DEC Director

RE: **Sterling Street Brewery Common Victualler License Application**

All facilities in Devens that have the capabilities for cooking, preparing, and serving food and which provides seating for the immediate consumption therein, are required to have a Common Victualler License. Common Victualler licenses falls under the DEC's Board of Health responsibilities. These facilities are inspected on an annual basis and food service permits are issued by our agent, Nashoba Associated Boards of Health. These food service permits are a prerequisite to the DEC issuing any license.

Application:

Jesse Tarbell, on behalf of Mass Brewing LLC (dba Sterling Street Brewery) is seeking a Common Victualler License to authorize facilities for cooking, preparing, and serving appetizers/finger foods and sandwiches during the late afternoon-evening and on weekends to employees at King Street's campus, as well as the general public, in a 2,800 sq.ft. portion of the new Amenity building located at 65 Jackson Road within the Innovation & Technology Business District.

Sterling Street is proposing to operate Monday through Thursday from 4PM to 9PM, Fridays from 4PM to 10PM, Saturdays 12PM to 10PM, and 12PM to 8PM on Sundays. Their plan is to replicate the menu from their current Clinton location, which includes appetizers, stuffed tater tots, garlic knots, pizza bagels, salted pretzels, and build-to-order paninis. They also plan to sell prepackaged chips, candy, trail mix, along with sodas and non-alcoholic beer. These operations would complement Sterling Street's proposed tap room operations that they are currently seeking approval for from the state and federal licensing authorities. Once Sterling Street obtains their farmer-brewery alcohol licenses from the federal government and state (Alcoholic Beverages Control Commission), they will be applying to the DEC for a Pouring Permit for the Tap room. This Common Victualler application is only for the food service portion of their operations.

The building and kitchen floor plan is attached. The owner (King Street Properties) is proposing a shared dining, patio, and kitchen space with Flik International, another vendor that will be serving breakfast and lunch during the week. As this type of shared kitchen is a fairly unique situation, our Health Agent requested a number of additional items as part of both entities' food service permit applications:

- Food delivery coordination plan
- Protocols for sharing of equipment
- Cleaning protocols between two establishments
- Safely secured and seperated food storage (food security and to prevent cross contamination)
- Equipment management and maintenance (hoods, stoves, fridges, freezers, cookware, applicances, etc...)
- Pest control
- Building maitnance (common areas, bathrooms, dining areas, etc.)
- Trash management and removal

All of these items will be important to ensure food safety and manage expectations between the two separate entities that will be sharing the space. King Street Properties, the building owner, has contracted with Lincoln Property Company to manage the campus and building operations. The facility is nearing completion and once all the kitchen equipment is in place, our Health Agent will conduct a final inspection of the facility, and if everything is up to code, they will issue a food service permit, which would in turn, allow the DEC to issue the Common Victualler License.

Process: The Application was submitted on February 16, 2024, and determined complete that same day. Legal notice was placed in Nashoba Publications on February 23, 2024. Surrounding towns and abutting property owners were duly notified. No comments were received.

Recommended Action:

Once the Commissioners and public have had an opportunity to ask questions and there is no additional information needed, the Commission should close the public hearing. If there are no concerns, Staff would recommend the DEC approve Jesse Tarbell and Mass Brewing LLC. (dba Sterling Street Brewery) request for a Common Victualler License at 65 Jackson Road, conditional upon passing final inspection and the issuance of a food service permit from the Nashoba Associated Boards of Health.

Attachments*:

- Application
- Floor Plan
- Public Hearing Legal Notice

**All attachments are available on-line at: <https://www.devensec.com/level2hearingsMar7.htm>*