



**TOWN OF FOXBOROUGH**  
**Office of the Planning Director**

40 South Street  
Foxborough, Massachusetts 02035  
Phone: 508-543-1250  
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June 4, 2020

Dear Foxborough Restaurant Owner:

Pursuant to and in accordance with the authority vested in the Board of Selectmen by Governor Baker's COVID-19 Order No. 35, issued on June 1, 2020, and every other enabling authority, the Town of Foxborough seeks to support the restaurants in Town by temporarily allowing the creation or expansion of outdoor dining areas to facilitate social distancing. The Town is creating this program to allow temporary outdoor dining areas with the intent to allow for greater physical distancing and safety for patrons when the state's public health orders allow restaurants to resume sit-down service.

Attached are regulations adopted by the Foxborough Board of Selectmen on June 3, 2020, along with an application form (both in printable and PDF fillable form) and a licensing agreement (for temporary outdoor dining on public property). We have also attached the Massachusetts Restaurant Safety Standards and Checklist documents issued by the Commonwealth in late May 2020. As this is a fluid situation, there is a chance there will be amendments to the regulations. If any amendments are made, we will notify you.

The Governor is scheduled to announce the start date for Phase 2 on Saturday June 6, 2020, but restaurants will not be permitted to seat customers until their temporary outdoor dining area plans are approved by the Town of Foxborough. Therefore, we will immediately start accepting applications for Temporary Outdoor Dining Areas at the following email address [planning@foxboroughma.gov](mailto:planning@foxboroughma.gov), or by drop off at the Town Hall mailbox.

**Before submitting your application, please spend the time to review the regulations and state guidance documents.** We know it is a lot of information, but improving the quality of the plan and submitting a complete application package will improve the timing of the process and allow you to begin outdoor dining that much sooner.

Once we have received your application, plan and other required documents (see checklist on application form), plans will be reviewed on a first in basis. We will circulate your application to the Inspections, Fire, Police and Health Departments for their review and sign off. If all

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departments sign off, the Town Manager will issue a permit. Outdoor dining on public property is a bit more involved and will require advance coordination with the DPW Director. See regulations for specifics.

The State has granted a waiver of ABCC approval for new seating areas to allow review at the local level. The Foxborough Board of Selectmen will have to review and approve the serving of alcohol in temporary outdoor dining areas. Please coordinate with them for this approval.

The State has also granted zoning relief for tent covering seating areas. This means that tents can now be approved without zoning approval (they may now be placed in the setback). **But they will still need building permit approval. Please submit your tent plan for approval before ordering** because they will be conditioned by Building Commissioner for life safety concerns.

We hope this information and the attached regulations are helpful as we all adapt to these challenging times. Please do not hesitate to contact me at [pduncan@foxboroughma.gov](mailto:pduncan@foxboroughma.gov) or call 508.543.1250 if you have any questions (do to remote working, email is recommended).

Thank you.

A handwritten signature in blue ink, appearing to read "Paige E. Duncan", with a stylized flourish at the end.

Paige E. Duncan, AICP, Planning Director  
Foxborough Town Hall  
40 South Street  
Foxborough, MA 02035

Attachments:

- Temporary Outdoor Dining Regulations
- Temporary Outdoor Dining Application form (paper version)
- Temporary Outdoor Dining Application form (fillable PDF form)
- Temporary Outdoor Dining Licensing Agreement (for Tier 2, public property)
- Massachusetts Restaurant Safety Standards and Checklist (for reference only)