

# TOWN OF STURBRIDGE PERMITTING GUIDEBOOK

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**TOWN OF STURBRIDGE**  
Permitting Guidebook

**INTRODUCTION**

The Town of Sturbridge is a small community located in the southwest corner of Worcester County. The Town has a variety of Zoning Districts including two Residential Districts and several Commercial and Industrial Districts with varying requirements. Additionally the Town is somewhat unique in that it contains several lakes and ponds many of which are headwaters of tributary streams that feed the Quinebaug River. These factors combined can make the task of understanding what permits are required and how to obtain them a bit daunting.

The guidebook was prepared in an effort to facilitate the permitting process for developers, business owners and homeowners within the Town of Sturbridge. The guidebook provides a summary of various staff persons, departments and boards involved with the permitting process in the Town of Sturbridge. There are a wide variety of permits, approvals and licenses; therefore only the most common permits related to land development and business expansion are covered in the guidebook. If at any time, before and during your application process you have questions, please do not hesitate to contact the appropriate staff person, we will be more than happy to help in any way we can.

We hope this guidebook assists you in some manner as you move through the various stages of permitting. For detailed information, please contact the appropriate staff person, or if in doubt as to where to start, contact the Town Planner or Zoning Enforcement Officer first to review your project, they can help to steer you to the appropriate departments.

**Disclaimer:** The General Bylaw, Zoning Bylaw, Wetlands Regulations and Subdivision Rules and Regulations of the Town of Sturbridge, as applicable, take precedence over any information contained within this guidebook in any conflict between them.

## **GENERAL OVERVIEW**

The Town of Sturbridge is divided into residential, commercial, industrial, and special use zoning districts as shown on the Sturbridge Zoning Map. The Zoning Map can be viewed on line at the following link [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_Bylaws/001AED64-000F8513.-1/zone-map%206-17-03.pdf](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Bylaws/001AED64-000F8513.-1/zone-map%206-17-03.pdf). The Town also has a Geographic Information System (GIS) that can be accessed on-line. This is a very user friendly way to determine the zoning of a particular piece of property since it allows you to search by address or by street. This great tool can be accessed here <http://hosting.tighebond.com/sturbridgema/main.htm>. If you have a question about a zoning district or the permitted uses you should consult the Building Official/Zoning Enforcement Officer. He can be reached at 508-347-2505.

The zoning bylaws define in detail the requirements of each district. Dimensional controls include: building heights, lot square footage, frontage, setbacks, and lot coverage. The zoning bylaws set standards for things such as off-street parking requirements, off-street loading requirements, and signage and landscape requirements.

The zoning bylaws also establish what uses are permitted in each district. Some uses are allowed by right; other uses require a special permit. **If a use is not listed as permitted, then the use is prohibited.** Special permits are discretionary and are not granted automatically. Normally the Zoning Board of Appeals (ZBA) is the Special Permit Granting Authority in Sturbridge; however, in some cases this is the Planning Board or Board of Selectmen.

Zoning provisions are made for three situations:

1. Uses that are permitted as a matter of right
2. Uses that require a special permit
3. Uses that require site plan approval

Some projects may require a combination of a special permit and site plan approval or some may require just site plan approval.

Commercial and industrial projects, as well as multiple dwelling projects, including expansions and additions, require Site Plan Review approval from the Planning Board. Your plans will be reviewed for specifics of site, layout and building design, parking facilities, landscaping, drainage, lighting and the mitigation of traffic and other potential effects. The Planning Department will forward copies of your plans to the other Departments for review and comment. They may also send your plans out for an outside review by engineers and/or other consultants.

The specific Special Permit and Site Plan Approval requirements of the Town can be found in Section 24.09 Special Permits and Chapter 25 Site Plan Review within the Zoning Bylaw which can be accessed by following this link [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_Planning/S0270EAF3-0270EB05](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Planning/S0270EAF3-0270EB05).

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Both the Planning Board and Zoning Board of Appeals have adopted Rules and Regulations that detail filing requirements. These documents can be viewed and/or printed on-line at [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_Bylaws/SPECIA~1.PDF](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Bylaws/SPECIA~1.PDF) (Planning Board Rules and Regulations), or at this link for ZBA Rules and Regulations [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_ByLaws/S0083CC10-0083CC23.0/SPECIAL%20PERMITS%20Rules%20&%20Regulations%20Amended%2002-08-06.pdf](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_ByLaws/S0083CC10-0083CC23.0/SPECIAL%20PERMITS%20Rules%20&%20Regulations%20Amended%2002-08-06.pdf). The Zoning Bylaw can also be purchased in the Town Clerk's office.

The best way to stay on track with your project is to begin early. If you are thinking about a renovation or addition project to begin in the spring or summer, get started in the winter. The spring and summer months are busy and if you wait too long to file the paperwork you may be in for an unpleasant surprise. We want to help you avoid that experience.

You can avoid delays and costly changes by scheduling one or more informal reviews with town departments when your design is still in the early stages. It is strongly advised that the Zoning Enforcement Officer and the Town Planner be your first point of contact for projects that may require multiple hearings, special permits and or other approvals. The amount of detail you need varies according to the permits you are applying for. This outline contains basic guidelines, but if you have further questions please consult the appropriate town department to find out their requirements.

Contact: Building Department (508-347-2505) or Planning Department (508-347-2508)

## FREQUENTLY ASKED QUESTIONS

This section of the Guidebook is designed to answer frequently asked questions about the permitting process in the Town of Sturbridge. Each question is followed by a short answer and directs the reader to a section that outlines the procedure in more detail.

### ***How do I know if a permit or a review is needed?***

Generally, remodeling or interior improvements to an existing building only require a building permit (See Section IV). Town staff will assist applicants in coordinating procedures for all projects that require more than just a building permit. Whatever the requirements of a project, it is useful to consult with Town personnel early in the project planning process.

### ***What if I want to construct a new home or business?***

New construction may require one or more permits depending on the size, location, and proposed use. Your first step should be to consult the Building Inspector/Zoning Enforcement Officer and review the Town of Sturbridge's Zoning Bylaw to determine whether your project is allowed in that zone. The By-laws specify minimum lot area, building coverage and setback requirements. Required permits for your project may include a Special Permit, Site Plan Review, Conservation Permit, Driveway Permit, Sewer and/or Water Connection Permit, Building Permit, and/or Board of Health Review.

### ***What should I do if I wish to use my property in a manner not allowed for in the by-laws?***

Exceptions for uses not specified in the Bylaw will likely not be permitted since our bylaw does not provide for use variances. You should contact the Building Commissioner/Zoning Enforcement Officer for a zoning determination.

### ***What if I wish to demolish a structure?***

The Town of Sturbridge does have a Demolition Delay Bylaw in place. What this means is that there may be a delay period before a demolition permit may be issued by the Building Commissioner if your building is in whole or in part 100 years or more old and which has been determined by the Historic Commission or its designee to be significant. This bylaw can be found in Section 2.30

[http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_ByLaws/I022F598F](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_ByLaws/I022F598F) of the Town of Sturbridge General Bylaws.

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***What if I wish to subdivide my land?***

The Planning Board regulates the creation of new lots in the Town of Sturbridge. See the Planning Department Section starting on page 34 for further information.

***When can a perc test be done?***

Perc tests can be performed from November 1<sup>st</sup> to May 1<sup>st</sup>. Contact the Health Department for further information or to schedule an appointment.

***What approvals are needed if my project requires a new or expanded septic system?***

The Health Department handles Title 5 septic system approvals. See the Health Department Section starting on page 19 for further information.

***What if I am doing work near a stream or wetland?***

The Town of Sturbridge Conservation Commission regulates construction near wetlands, streams and other water bodies. See Section V for further information.

***What types of inspections/certifications are needed to obtain a Certificate of Occupancy?***

A list of inspections needed for a Certificate of Occupancy is provided in the Inspectional Services section beginning on page 12.

***Who should I contact for more info?***

Each section of this guide book has a Town Official to contact if more information is needed. The Town Planner and Building Official are also available to help answer questions.

***How do I apply for a permit?***

Forms are available at the individual departments or on-line at the Town's website <http://www.town.sturbridge.ma.us>.

***I have heard my road is a Scenic Road; what does that mean to me?***

Certain Roads in town have been designated as Scenic because they possess certain characteristics that make it especially aesthetically pleasing to residents as well as those visiting the town. As one way to help maintain that character, the town has adopted regulations governing the removal of stone walls and trees within the right of way on these roads. Any removal as stated in Section 3.70 [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_ByLaws/I022F598F](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_ByLaws/I022F598F) of the General Bylaws can only occur after a Special Permit has been granted by the Planning Board and the Tree Warden.

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***Can I be denied a building permit?***

The Building Inspector has the authority to deny a Building Permit on the basis of noncompliance with the State Building code and/or the zoning bylaw. However, the Building Official is committed to working with applicants to ensure that work is completed in a manner that is safe and in compliance with the State Building Code.

***How long is a building permit valid?***

A building permit lapses if substantial construction has not occurred within 180 days following the approval of the permit. If an extension is required, the applicant should meet with the Building Official in advance of the expiration date to discuss the possibility of an extension.

***What other items require permits from the Building Official's Office?***

As noted demolition permit can be obtained through the Building Official. Sign permits are also obtained through the Building Official's office. Mechanical permit applications can be picked up and dropped off in this office as well.

***What happens after a Special Permit approval is granted?***

The Special Permit becomes effective when recorded with the Worcester District Registry of Deeds. The applicant must obtain a certificate of from the Town Clerk and record the permit with the Registry if no appeal is filed within 20 days of the date on which the detailed record and decision with the Town Clerk. In granting the permit, the ZBA and/or Planning Board may impose conditions, safeguards and limitations or may require a bond or other security to insure compliance.

***How long a Special Permit valid?***

The Special Permit lapses if it is not exercised within one year of the date on which the decision is filed with the Town Clerk. Major amendments to the plans submitted in the original review process require an additional review and approval by the ZBA and/or Planning Board. Any person, whether or not previously a party to the proceedings, or any municipal officer or board, aggrieved by a decision of a Board of Appeals or by a Planning Board regarding an action or inaction on an application, may enter an appeal to the Superior Court within 20 days after such decision has been filed in the office of the town clerk or after the expiration of the required time in which a decision should have been rendered.

***What happens in the event of an unfavorable decision on a Special Permit?***

If an unfavorable decision is issued, an applicant may not reapply until two years have passed, unless consent to reapply earlier is granted by the Planning Board and the ZBA based on specific, material changes in the application and/or conditions upon which the decision was based. The applicant may also appeal the ZBA and/or Planning Board decision to the Superior Court.

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***What happens after a variance is granted?***

The Variance becomes effective when recorded with the Worcester District Registry of Deeds. The applicant must obtain a certificate from the Town Clerk and record the permit with the Registry if no appeal is filed within 20 days of the date on which the ZBA has filed its detailed record and decision with the Town Clerk. In granting the permit, the ZBA may impose conditions, safeguards and limitations or may require a bond or other security to insure compliance.

***How long is a variance valid?***

Permission for the Variance lapses if it is not exercised within one year of the date upon which the ZBA's makes its decision. An extension may be granted by the ZBA for a period not to exceed six months, provided the application for extension is filed prior to the expiration of the Variance.

***What happens in the event of an unfavorable decision on a variance?***

If an unfavorable decision is issued, an applicant may not reapply for a Variance until two years have passed, unless consent to reapply earlier is granted by the Planning Board and/or the ZBA based on specific, material changes in the application and/or conditions upon which the decision was based. The applicant may also appeal the ZBA decision to the Superior Court.

***What is the Site Plan Review Process?***

Site Plan Review allows the Planning Board the ability to consider how the proposed project will impact a variety of matters in the town such as compatibility with the neighborhood, vehicular and pedestrian circulation, noise, water pollution, stormwater management and open space. It is strongly recommended before submission of the site plan that you meet with the Town Planner to discuss potential concerns early in the process. The intent of the Site Plan review process is not to restrict your use of the site but to ensure that it fits into the Town's setting. The Planning Board will work with any person proposing a project to develop a site plan that is acceptable to both parties.

***What are the elements that are reviewed during this process?***

As part of the Site Plan review process the Planning Board will review the following items for their appropriateness:

- ❖ Preservation of natural resources
- ❖ Relation of buildings to environment
- ❖ Open space
- ❖ Circulation
- ❖ Surface water drainage
- ❖ Ground Water Recharge and Quality Preservation
- ❖ Utility service
- ❖ Advertising features
- ❖ Landscaping

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- ❖ Buffering
  - ❖ Parking
  - ❖ Vehicular and Pedestrian Safety

Applications for Special Permits and Site Plan Approval shall be referred by the Planning Board to the Conservation Agent, the Health Agent, DPW Director, Building Inspector, Fire Chief and Police Chief. Any such reviewing party may make such recommendations as they deem appropriate to the Planning Board.

***What is the Approval Not Required (ANR) or Form A Criteria?***

The Planning Board determines ANR eligibility by reviewing the proposed lots to see if they have adequate area and frontage on either:

- ❖ A public way or a way that the Planning Board certifies is maintained and used as a public way.
- ❖ A way shown on a subdivision plan that has been approved previously and endorsed by the Planning Board.
- ❖ A way that the Planning Board has determined has sufficient width, grades and construction to provide for the needs of vehicular traffic in relation to the proposed use of the land.

***How is the Board of Health involved in the Subdivision Approval Process?***

The Board of Health works with the Planning Board in reviewing Definitive Subdivision Plans. Review of Definitive Subdivision Plans begins with the submission of the plan to the Planning Board and the Board of Health. The Board of Health has 45 days after the Definitive Plan is filed to report to the Planning Board in writing either:

- A. Approval of the plan; or
- B. Disapproval of the plan including specific findings as to which, if any, areas shown on the plan cannot be used for building sites without injury to the public health. The report should also include the reasons for such a decision and, where possible, should include recommendations for adjustment to the plan. Approval of the plan by the Health Department shall not be deemed to be an approval of a permit for construction.

***What are the other activities of the Health Department?***

The Town of Sturbridge Board of Health administers Title 5 of the State Environmental Code. Title 5 regulates the construction, maintenance, inspection and upgrade of septic systems. It also regulates the placement of private water supply wells and issuing drilling permits.

***What if I want to build or upgrade a septic system?***

New Septic Systems: New septic systems must meet Title 5 requirements and require a permit from the Board of Health. Consultation with a professional engineer is advised.

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Modification or upgrade: Title 5 sets specific requirements for the modification or upgrade of an existing septic system, consultation with a professional engineer is advised. Contact the Board of Health for permit and inspection requirements.

***Are there standards other than Title 5, of which I should be aware?***

Yes. All septic tanks and soil absorption systems have minimum setback distances from property lines, watercourses, water supply wells, and other natural and manmade features. There is a perc season, minimum perc rate and a deadline for new perc tests. For further information please contact the Sturbridge Board of Health at 508-347-2504.

***Why does the Board of Health need to review my addition or remodeling plans?***

Any change of use or potential addition of a bedroom, even if you don't intend to use it for a bedroom, must be reviewed. If the addition meets the definition of a bedroom in Title 5, (70 square feet, heated, with a door and a window) then the Board of Health must determine if your existing septic system is adequate or if your septic system must be upgraded.

***What is the ANR Filing Procedure?***

Formal filing requirements include the submission of one Mylar survey plan, three paper copies of the plan, a completed Form A, "Application for Endorsement that Planning Board Approval under Subdivision Control Law is not Required", an ANR Checklist and the filing fee.

***What happens after the Planning Board endorses the ANR plan?***

Endorsement of an ANR plan by the Planning Board does not certify that the lots shown on the plan qualify as building lots under the Zoning Bylaw. The Building Inspector will make this determination. Planning Board endorsement only indicates that the plan shows a subdivision of land that does not require further review and approval under the Rules and Regulations Governing the Subdivision of Land. It should be noted that additional approvals or permits may be required from the Board of Health and/or Conservation Commission depending on the scope of the project.

***What is the process for Subdivision Approval?***

The division of land into two or more lots with frontage on a way that is proposed to be constructed requires Planning Board approval. A subdivision plan must be submitted that meets the standards described in Sturbridge's Rules and Regulations Governing the Subdivision of Land as well as the standards contained in the Sturbridge Zoning Bylaw.

***What is a Preliminary Plan?***

Although required for non-residential subdivisions, submission of a Preliminary Plan (also known as "Form B" plans) is strongly recommended for residential subdivisions as well, since it will avoid costly delays in the project arising from necessary design changes.

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Prospective developers are encouraged to discuss projects with the Town Planner before filing their “Form B” plan. The applicant should also discuss the plan with the Conservation Agent and the Health Agent early in the process to incorporate their suggestions and to gain an understanding of their requirements.

***What is a Definitive Plan?***

The Definitive Subdivision Plan (also known as “Form C” plans) must be submitted within seven months of submission of the Preliminary Plan in order to be governed by the zoning in effect at the time the Preliminary Subdivision Plan was submitted. The approval process requires that the Planning Board consult with the Fire Chief, Conservation Commission, DPW Director, Police Chief and Board of Health prior to the Public Hearing. Both a Preliminary and a Definitive Plan require a public hearing, which must be advertised twice with the first publication occurring at least 14 days in advance of the Public Hearing. All abutters within 300 feet of the proposed subdivision must be notified using a Certificate of Mailing. The Planning Department will prepare the appropriate notices for you, but it is your responsibility to public the notice and notify the abutters. Fees are based on the number of lots in the proposed subdivision (see fee schedule). State law requires that the Planning Board rule on a Definitive Plan within 90 days of submission, following review of a Preliminary Plan or 135 days where there was no Preliminary Plan. The Planning Board must approve a Definitive Plan by a majority vote.

***What happens after the Definitive Subdivision Plan is approved?***

Following approval of a Definitive Plan, the applicant is subject to a mandatory 20-day appeal period. If no appeals are filed within the 20-day period, the Town Clerk will certify that no appeal has been filed, and the Planning Board will sign the plan. The Definitive Plan must be recorded with the Worcester District Registry of Deeds. This is the applicant’s responsibility.

***How do I know if there are any other special features about my property; for instance is it located in a flood plain or a water protection district or any special controlled area?***

The Water Protection District Maps and Flood Zone Maps can be reviewed in the Planning Department or Conservation Commission offices, this information can also be view online at <http://hosting.tighebond.com/sturbridgema/main.htm> . Staff in either of those offices can help you locate your property on the maps and let you know if any special conditions apply to your property.

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## CONSERVATION COMMISSION

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<b>Board/Commission/Committee:</b>	Conservation Commission
<b>Public Liaison:</b>	Erin Jacque (508) 347-2506 ejacque@town.sturbridge.ma.us
<b>Office Hours:</b> ahead as the office may	8:00 a.m. to 4:00 p.m. Monday – Friday, but please call be closed due to site inspections, meetings, etc.
<b>Meeting Schedule:</b>	1 <sup>st</sup> & 3 <sup>rd</sup> Thursday of the month.
<b>Members:</b> for more information.	Consists of seven members, contact Conservation office
<b>Description of Board/ Commission/Committee:</b>	The Sturbridge Conservation Commission’s mission is to protect wetlands and resources in the Town of Sturbridge through acquisition, management, education, and regulations.
<b>Permits Issued:</b>	Determination of Applicability Order of Conditions
<b>Process for Obtaining Permit(s):</b>	Applications may be copied from <a href="http://www.mass.gov/dep/water/approvals/wwforms.htm">http://www.mass.gov/dep/water/approvals/wwforms.htm</a>
<b>Advertising Requirements:</b>	Legal notice must be published at least five (5) business days prior to a hearing and sent to abutters as required. Responsibility for advertising requirement is assumed by the applicant.
<b>Time Frame for Public Hearing:</b>	A hearing will be scheduled at the next meeting after completion of the application and once a file number has been issued by the Massachusetts Department of Environmental Protection.
<b>Time Frame for Decision:</b>	Twenty-one (21) days after the close of the public hearing.
<b>Appeal Process:</b>	Appeals may be made by applicant, landowner, any aggrieved person, abutter, group of 10 citizens, or Massachusetts Department of Environmental Protection (DEP) and must be submitted to DEP within ten (10) days permit review outcome.
<b>Fee Schedule:</b>	Call for fee
<b>Applicable Local, State and Federal Statutes:</b>	M.G.L. Chapter 131, Section 40; Massachusetts Wetlands Protection Act & Rivers Protection Act

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## **The Wetlands Protection Act and Sturbridge Wetlands Bylaw**

The Conservation Commission administers the Massachusetts Wetlands Protection Act (M.G.L Chapter 131 Section 40) and associated regulations (310 CMR 10.00), and the Town of Sturbridge Wetland Bylaw and Regulations. The Conservation Commission also reviews projects within areas of protected rare/endangered and/or priority habitat governed by the Natural Heritage Endangered Species Program, a Division of the MA Fisheries & Wildlife.

Wetland resource areas that fall under the jurisdiction of the Conservation Commission are not always apparent. Any proposed activity that may remove, fill, dredge or alter a wetlands resource area is subject to Conservation Commission approval. Wetlands that are subject to protection under the bylaw and regulations include banks, beaches, isolated wetlands, marshes, wet meadows, bogs swamps, lakes, ponds, rivers, streams, intermittent streams, seasonal wetlands, land under any of the above water bodies, land subject to flooding and land within 200 feet of any of the above areas

The purpose of Massachusetts Wetlands Protection Act is to protect the following eight interests: public and private water supplies, protect ground water, provide flood control, storm damage prevention, prevention of pollution, protection of land containing shellfish, protection of fisheries and protection of wildlife habitat. The Sturbridge Wetlands Bylaw is intended to provide more stringent wetlands and natural resource protection which also serves to protect/provide erosion and sedimentation control, protection of water quality, protection of rare species habitat, protection of recreational values, and protection of agriculture and aquatic activities.

The Conservation Commission also reviews all Forest Cutting Plans within the town (approval and public hearing with the Board of Selectman). Please contact the Conservation office for guidance or information regarding the Forest Cutting Practices Act.

### **Wetlands Permits**

The Conservation Commission regulates work in or within 200 feet of any wetland resource area. Work regulated by the Conservation Commission includes (but is not limited to the following types of activities: vegetation removal, excavation, erection of any type of structure, creation of impervious areas (paving a driveway) etc. The scope of work and the distance from the wetland resource area dictates the type of permit you will need for your project.

- 1) Letter Permits - In Sturbridge Minor activities like installing a fence or removing a tree, which may be exempt (as a Minor Activity) under the Wetlands Protection Act require the submission of a Letter Permit request. Letter Permits allow quick action on projects that are simple and non-impacting on wetlands. Letter Permits are reserved for activities that present a very low probability of any wetlands impacts.
- 2) Request for Determination of Applicability (Form 1) - The Request for Determination of Applicability is a process, which provides applicants with the *option*

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of seeking a determination on the applicability of the Wetlands Protection Act and the Sturbridge Wetlands Bylaw to a proposed site or activity. Before filing this form to confirm the boundary delineation of a resource area, the applicant should discuss other delineation review options with the Conservation Commission. The Commission may require the submission of WPA Form 4A (Abbreviated Notice of Resource Area Delineation), WPA Form 3 (Notice of Intent), or WPA Form 4 (Abbreviated Notice of Intent).

The applicant is responsible for providing the information required for the review of this application to the Conservation Commission and the Department of Environmental Protection. The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the Commission, which may result in an unnecessary delay in the issuance of a Determination of Applicability.

The Commission also may require that supporting materials (plans and calculations) be prepared by professionals including, but not limited to, a registered engineer, registered architect, registered landscape architect, registered land surveyor, registered sanitarian biologist, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.

3) Notice of Intent (Form 3) - To obtain a permit (called an Order of Conditions), a project proponent must submit a Notice of intent application to the Conservation Commission and the Department of Environmental Protection. The Notice of Intent application provides the Conservation Commission and DEP with a complete and accurate description of the:

- **Site:** including the type and boundaries of resource areas under the Wetlands Protection Act, and
- **Proposed work:** including all measures and designs proposed to meet the performance standards described in the Wetlands Protection Act Regulations, 310 Code of Massachusetts Regulations (CMR) 10.00, and the Town of Sturbridge Wetlands Bylaw, for each applicable resource area.

The applicant is responsible for providing the information required for the review of this application to the Conservation Commission. The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the Commission that may result in an unnecessary delay in the issuance of an Order of Conditions.

4) Abbreviated Notice of Intent (Form 4) - The Abbreviated Notice of Intent simplifies filing requirements for projects, which are likely to result in limited impacts to wetland resource areas. The form may be used when:

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- The proposed work is within the Buffer Zone as defined in 310 CMR 10.04 (if the filing of a Notice of Intent is required) or within Land Subject to Flooding, as defined in 310 CMR 10.57(2), or within the Riverfront Area, as defined in 310 CMR 10.58; and
  - The proposed work will disturb less than 1,000 square feet of surface area within the Buffer Zone and/or Land Subject to Flooding or less than 1,000 square feet of Riverfront Area, provided the work conforms to the requirements of 310 CMR 10.58(4)(c)2.a. pertaining to analysis of alternatives; and
  - Neither a Department of Army permit nor a Chapter 91 Waterways license is required.
- 5) Abbreviated Notice of Resource Area Delineation (Form 4A) - The Abbreviated Notice of Resource Area Delineation (ANRAD) serves two purposes under the Wetland Protection Act. First, the ANRAD provides a procedure for an applicant to confirm the delineation of a Bordering Vegetated Wetlands (BVW). If an ANRAD is filed for BVW delineation, confirmation of other resource areas may also be requested provided the other resource area boundaries are identified on the plans, which accompany the BVW boundary delineation. The second purpose of the ANRAD is to serve as the application for Simplified Review for projects in the Buffer Zone.

The filing of an Abbreviated Notice of Resource Area Delineation is optional. However, any work within an area subject to the jurisdiction of the Wetlands Protection Act may not proceed until the Conservation Commission or the Department of Environmental Protection has issued either a Negative Determination of Applicability or a final Order of Conditions. If an applicant is uncertain as to whether the Wetlands Protection Act applies to a particular area of land or to specific work planned on a particular area of land, he or she may file a Request for Determination of Applicability, RDA, (WPA Form 1) instead of WPA Form 4A. Also, an applicant may file a Notice of Intent, NOI, (WPA Form 3) or, in limited circumstances, an Abbreviated Notice of Intent (WPA Form 4) and, as part of that permitting process, seek confirmation from the Conservation Commission of delineated wetland resource area boundaries.

The applicant is responsible for providing the information required for the review of this application to the Conservation Commission and the Department of Environmental Protection. The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the Commission, which may result in an unnecessary delay in the issuance of an Order of Resource Area Delineation.

The issuing authority also may require that supporting materials be prepared by other professionals including, but not limited to a registered landscape architect, registered land surveyor, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.

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All applications (except for Letter Permits) are copied to the MA Department of Environmental Protection (DEP), and to the Natural Heritage of Endangered Species Program if necessary. Please keep in mind that the MA Department of Environmental Protection provides comments on all NOI applications and may overrule the Commission on the approval/denial.

The following is a list of wetlands protection buffer zones (from all wetland resource areas) to keep in mind when developing a project (refer to Sturbridge Wetland Bylaw Regulations for a complete list):

25-foot local No Touch Buffer Zone

50-foot local No New Permanent Structure Buffer Zone

100-foot state and local jurisdictional Buffer Zone

100-foot local No Touch buffer zone from all vernal pools (certified and potential)

200-foot local jurisdictional Buffer Zone

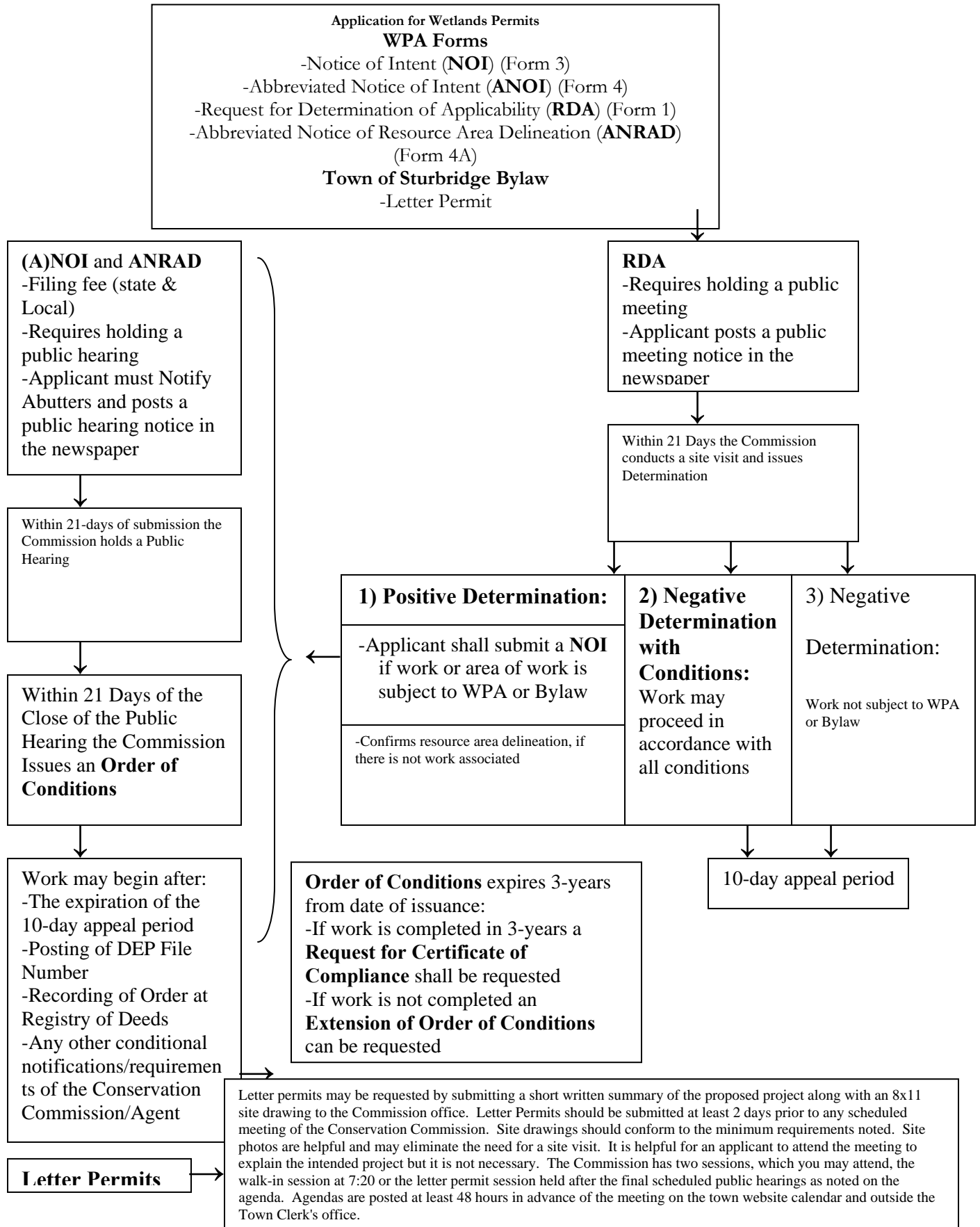
200-foot Riverfront Resource Area from all perennial streams

Utilization of Geographic Information Systems (GIS)/Computer Mapping is a big part of the Conservation Commission review process. The Conservation Office has many map sources such as the FIRM (Flood Insurance Rate Map) maps, USGS topographic maps, Natural Heritage Priority and Estimated Habitat for Rare and Endangered species maps, and DEP Wetlands maps. Maps are a great source of information to help you determine what resource areas may be on your property, or near a proposed project.

### **Time Frame and Approval Process**

The timeline for permit issuance (RDA, NOI and ANRAD) is approximately 2 months (start being submittal of application to the Office and finish being permit in hand). Large-scale projects (i.e. Residential Definitive Subdivisions) require a longer timeframe for review and approval. Project review can take place in as little as a few months, or can take over a year depending on the complexity of the project. When a completed application is submitted to the office, the Conservation Commission will hold a public hearing/meeting within 21 days. Typically, the first hearing is a presentation of the project given by the Applicant or the Applicant's representative. After the first hearing, the Commission and/or the Conservation Agent will visit the project site to review the wetlands in the field and review the proposed work. The second public hearing includes review of any observations on the site visit and any outstanding concerns/questions. Multiple hearings and multiple plan revisions may be necessary for larger or more complicated plans. Once the public hearing is closed, the Conservation Commission has 21 days to issue the approval/denial permit. There is a 10-business day appeal period from the date of issuance. All Conservation Commission permits (Order of Conditions, Determinations and Notice of Resource Area Delineations) are valid for three years.

If you have any questions regarding the Wetlands Protection Act, the Sturbridge Wetlands Bylaw, or Conservation related mapping assistance please contact the Conservation Agent.



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## **DESIGN REVIEW COMMITTEE**

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<b>Board/Commission/Committee:</b>	Design Review Committee
<b>Public Liaison:</b>	Leslie Wong (508) 347-2505
<b>Office Hours:</b>	8:30 a.m. to 4:00 p.m. Monday and Wednesday and 8:00 a.m. to Noon on Friday. (Summer Hours 8:00 a.m. to 4:00 p.m. Wednesday and Thursday, Friday 8:00 a.m. to Noon.
<b>Meeting Schedule:</b>	2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday of the month.
<b>Members:</b>	Consists of five members contact the office for more information.
<b>Description of Board/ Commission/Committee:</b>	The role of the DRC is to review landscaping and architectural designs in the Commercial districts and all signs.
<b>Permits Issued:</b>	The DRC does not issue permits it makes recommendations.
<b>Process for Obtaining Permit(s):</b>	Applications may be obtained in the Building Inspector's Office.
<b>Advertising Requirements:</b>	NA
<b>Time Frame for Public Hearing:</b>	NA
<b>Time Frame for Decision:</b>	NA
<b>Appeal Process:</b>	NA
<b>Fee Schedule:</b>	No fee for review
<b>Applicable Local, State and</b>	Town of Sturbridge General Bylaw and Town of Sturbridge Zoning Bylaw

The Design Review Committee (DRC) is a five member committee appointed by the Board of Selectmen. The role of the DRC is to review landscaping and architectural designs in the Commercial districts and all signs. The Committee serves as advisor to the Building Official. Section 1.30 of the General Bylaws of the Town explains the standards for judging plans and permits.

The Design Review Committee meets as often as necessary to carry out its business with meetings generally taking place on the second and fourth Tuesdays of the month.

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Applications may be dropped off at the Building Official's office. The DRC will render a decision within twenty days of receipt of the application and plans.

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## HEALTH DEPARTMENT

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<b>Department:</b>	Health Department
<b>Staff Liaison:</b>	Alyssa Rusiecki, R.S.M.S., Health Agent (508) 347-2504 arusiecki@town.sturbridge.ma.us
<b>Office Hours:</b>	8:00 am- 4:00 pm, Monday - Friday
<b>Administrative Assistant</b>	Lynne Girouard Tuesday & Thursday 8:00 a.m. to 2:00 p.m.
<b>Food &amp; Accommodations Inspector</b>	Ron Woolhouse <a href="mailto:rwoolhouse@charter.net">rwoolhouse@charter.net</a>
<b>Plumbing Inspector</b>	John Sohenuick 508-764-7037 774-230-2830 (Cell)
<b>Board/Commission/Committee:</b>	Board of Health
<b>Meeting Schedule:</b>	The Board meets on the first and third Monday of the month.
<b>Members:</b>	See the Board of Health for details or visit the website at <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/health">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/health</a>
<b>Description of Board/Commission/Committee:</b>	The Board of Health's responsibilities include oversight of private septic systems, permits public accommodations, housing standards, plumbing, communicable diseases, barns and animal inspections, and solid waste management, including the operations of the recycling center application and overseeing the landfill operations.
<b>Permits Issued:</b>	Food Establishment Caterer Mobile Food Service Temporary Food Service Frozen Dessert Recreational Camps Septic System

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Tanning  
Mobile Home Park  
Well  
Sewage/Offal/ Trash Haulers  
Body Art/Tattoo  
Hotel/Motel/Campground  
Manufactured Housing  
Percolation Test  
Recycling Center Permits  
Outdoor Wood Burning Boilers  
Public Pools/ Spas

<b>Process for Obtaining Permit(s):</b>	All applications obtained from Department; permit may need Board review at a public meeting
<b>Advertising Requirements:</b>	Not applicable
<b>Time Frame for Public Hearing:</b>	Not applicable
<b>Time Frame for Decision:</b>	Variable, information on application
<b>Appeal Process:</b>	Information on application
<b>Fee Schedule:</b>	Please see next page
<b>Applicable Local, State and Federal Statutes:</b>	105 C.M.R., 310 C.M.R.

The Board of Health regulates a wide variety of permit areas from Environmental Health and Housing Inspections, to Public Health and Sanitation. The most common requests to the Board of Health are for approvals of septic systems and the issuance of well permits. Food establishment permits are also required for all restaurants and food establishments. Since these are the types of permits most commonly requested, this guide will discuss only those items. Please contact the Health Department if you require additional information.

Title 5 is the State Code that governs on-site sewage disposal systems, or “septic” systems. The Town of Sturbridge also has local regulations in addition to Title 5. If it is determined that public sewer is not available for a project, percolation tests and soil evaluations must be performed to determine if the naturally-occurring soil will support on-site septic systems. The perc test must be performed by a registered engineer or sanitarian and witnessed by the Board of Health Agent. If the test passes, the next step is to have the system plan designed by an engineer or sanitarian. The Board of Health then has 45 days to review the plan. An approved plan is required by the Board of Health prior to any construction taking place. A passing percolation test, adequate soil evaluations and an approved septic

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design, will result in the preparation of a **disposal system construction permit**, which must be obtained by a licensed septic installer. After the licensed installer obtains the permit, he or she meets with the Health Agent to discuss the schedule to install the septic system. Once the system is installed, the system must be inspected at two different stages and certified prior to back filling. Once the installation is approved, the Certificate of Compliance must be completed by the engineer or sanitarian and must also be signed by the installer and the inspector and filed at the Board of Health office. Well permit applications must also be reviewed and approved prior to any Building taking place. A certificate of occupancy will be signed by the Health Department after the septic Certificate of Compliance and the passing potable water tests are delivered to the Health Department office.

The Federal Food Code of 1999 and State Food Code regulate any food that is prepared for the public. Prior to beginning any new construction or renovation project for a restaurant, foodservice or retail food service establishment, plans of the interior design and an application must be submitted to the Board of Health for approval. The plan approved by the Board must be confirmed to during construction and the establishment must be inspected by the Health Department before a food service permit will be issued. Please see the Board of Health Office for a complete list of permits and fees. All food establishments, except for certain retail enterprises, must have a Serve Safe certified person trained in food safety and sanitation.

The other permits and licenses that the Board of Health issues are: septic installers, septic haulers, trash haulers, massage therapists and establishments

**HEALTH DEPARTMENT FEE SCHEDULE**  
 (Per Board of Health as revised 8/03/09 - Check with department for recent fee amendments)

Permit/ Service	Fee
<b>Restaurant Permits</b>	
Less than 50 Seats - Per Permit	\$75.00
51-100 Seats – Per Permit	\$115.00
101-200 Seats – Per Permit	\$165.00
201-300 Seats – Per Permit	\$175.00
Over 300 Seats	\$250.00
<b>Retail Food Establishment License</b>	
0-1000 sq ft	\$75.00
1001-5000 sq ft	\$225.00
5001+ sq ft	\$550.00
Incidental Retail	\$50.00
Mobile Food Service	\$75.00
Club Food License	\$25.00
Frozen Dessert – Per Permit	\$20.00
Temporary Food 1-3 days	\$30.00
Caterer/ Deli	\$75.00
Day Care Kitchen Renewal	\$75.00
Tobacco	\$120.00
Tattoo Event/ Establishment	\$150.00
Body Art/Tattoo/Tanning Practitioner	\$75.00
Bakery	\$100.00
New Establishment Plan Review	\$100.00
<b>Hotel / Motel Licenses</b>	
Less than 35 Units - Each	\$45.00
35-75 Units – Each	\$85.00
76-150 Units – Each	\$165.00
Over 200 Units - Each	\$350.00
<b>Hauler Offal/ Trash /Septage Permits</b>	
Per Permit	\$100.00
Plumbing/ Gas Permit	\$100.00/\$90.00
<b>Mobile Home Park/ Manufactured Housing Permit</b>	
Well (pvt.) New Repair	\$40.00
<b>Title 5 Fees</b>	
Installers License	\$100.00
Percolation Test – Per Permit	\$120.00
Pool/Spa Year Round	\$175.00
Pool/ Outdoor	\$100.00

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Pool/ Spa Re-Inspection	\$50.00
<b>Application for Review of:</b>	
Subsurface Sewage Disposal – Each	\$90.00
Disposal Works Construction Permit	\$45.00
Additional Disposal Works Inspection	\$45.00
<b>Total Fee:</b>	<b>\$180.00</b>
Disposal Works Re-Inspection – Per Inspection	\$60.00 per hour

**Late Fees- All fees doubled if Annual Renewals are not received by 2/15**

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## HISTORIC COMMISSION

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<b>Board/Commission/Committee:</b>	Historical Commission
<b>Contact Information:</b>	Brian Burns, Chairman bburns@meganet.net
<b>Meeting Schedule:</b>	3 <sup>rd</sup> Wednesday of the Month.
<b>Members:</b>	Consists of 5 regular members. See the website for details <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/historical">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/historical</a>
<b>Description of Board/Commission/Committee:</b>	The Sturbridge Historical Commission is charged by statute as <b>the local authority to determine the significance of local historic assets</b> . Its goal to assist in the preservation of those assets, including but not limited to individual buildings, historic sites, open areas, artifacts, documents, and other real and personal property.
<b>Permits Issued:</b>	None. The historical Commission may make recommendations but does not issue permits.
<b>Process for Obtaining Permit(s):</b>	Not applicable
<b>Advertising Requirements:</b>	Not applicable
<b>Time Frame for Public Hearing:</b>	Not applicable
<b>Time Frame for Decision:</b>	Not applicable
<b>Appeal Process:</b>	Not applicable
<b>Fee Schedule:</b>	Not applicable
<b>Applicable Local, State and Federal Statutes:</b>	Town of Sturbridge General Bylaw

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The Sturbridge Historical Commission is charged by statute as **the local authority to determine the significance of local historic assets**. Its goal to assist in the preservation of those assets, including but not limited to individual buildings, historic sites, open areas, artifacts, documents, and other real and personal property.

As part of its efforts to preserve local historic assets, the Commission has developed a demolition delay bylaw that was adopted by Town Meeting in April 2007. This by-law was enacted for “the purpose of preserving and protecting significant buildings and structures within the Town of Sturbridge which constitute or reflect distinctive features of the architectural, historical or cultural, history of the Town and to limit the detrimental effect of demolition on the character of the Town. Through this bylaw, owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings and residents of the Town are alerted to impending demolitions of significant buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods, this bylaw promotes the public welfare by making the town a more attractive and desirable place in which to live and work. To achieve these purposes the Historical Commission is authorized to advise the Building Inspector with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this by-law.” The complete text of this bylaw can be accessed at [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_ByLaws/I022F598F](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_ByLaws/I022F598F)

No demolition permit for a building which is in whole or in part 100 years or more old, or for any building that is included on the National Register of Historic Places shall be issued without following the provisions of this bylaw. If a building is of unknown age, it shall be assumed that the building is over 100 years old for the purposes of this bylaw.

An applicant proposing to demolish a building subject to this bylaw shall file with the Building Inspector an application containing the following information:

- The address of the building to be demolished.
- The owner's name, address and telephone number.
- A description of the building.
- The reason for requesting a demolition permit.
- A brief description of the proposed reuse, reconstruction or replacement.
- A photograph or photograph(s) of the building.

Significant Buildings are those that meet fall into any of the following categories:

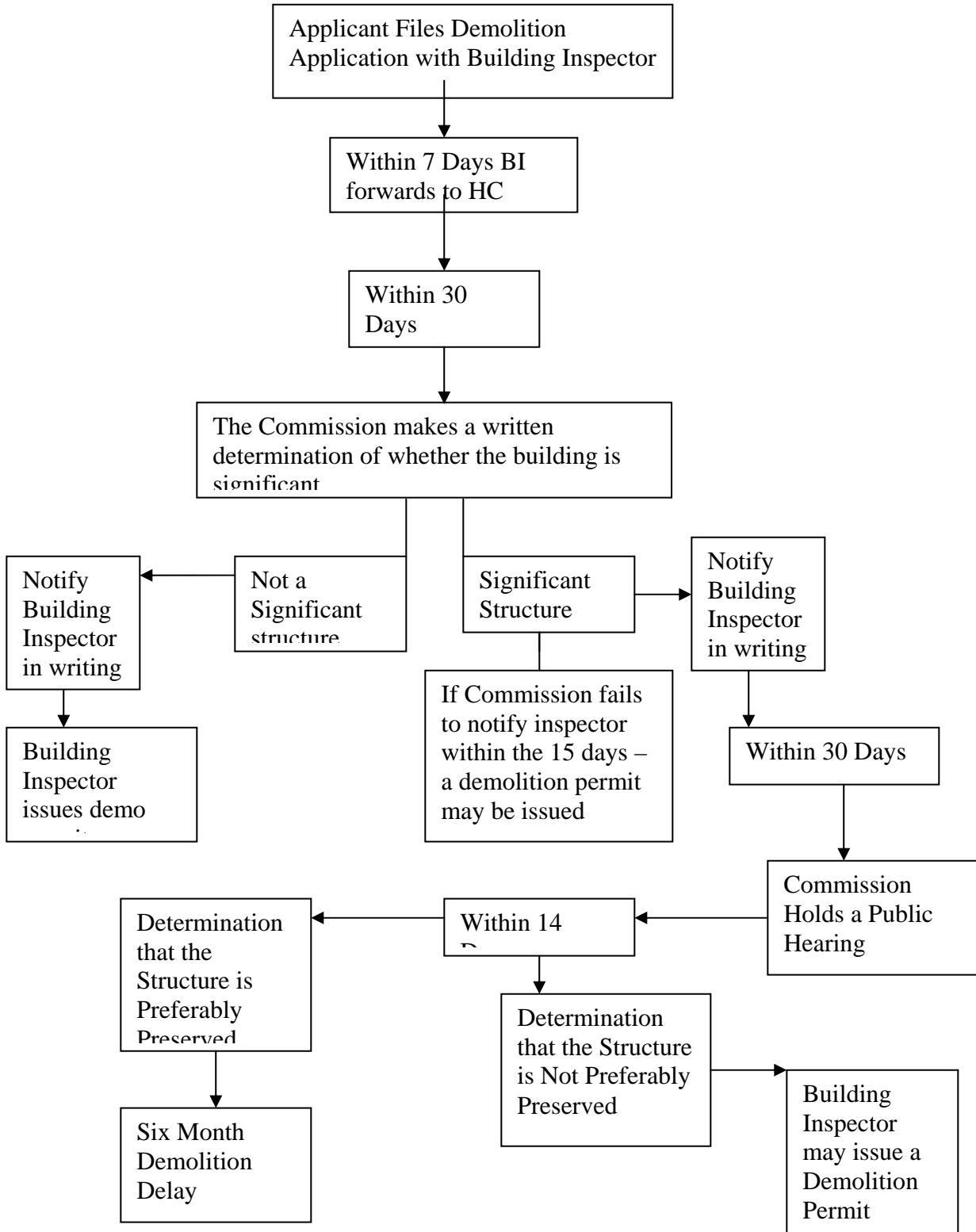
- The Building is listed on, or is within an area listed on, the National Register of Historic Places; or
- The Building has been found eligible for the National Register of Historic Places; or
- The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth; or
- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or

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builder) either by itself or in the context of a group of buildings.

The Historic Commission will gladly work with you to find an alternative to demolition if your building is deemed historically significant. The steps in this process are as follow:

## Town of Sturbridge Demolition Delay Process



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## INSPECTIONAL SERVICES

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<b>Department:</b>	Building Department
<b>Staff Liaison:</b>	David Lindberg, Building Commissioner (508) 347-2505
<b>Office hours:</b>	8:00 am- 4:00 pm, Tuesday, Wednesday, Friday
<b>Secretary:</b>	Leslie Wong, Secretary Tuesday & Wednesday 8:30 a.m. to 4:00 p.m. and Friday 8:30 to 1:30 p.m.
<b>Inspectors/Contact information:</b>	Clyde Gagnon, Electrical Inspector (508) 764-4149 John Sohenuick (508)-764-7037 or cell (774) 230-2830
<b>Permits Issued:</b>	Building Permits Certificate of Occupancy Demolition Permits Sign Permits Electrical Permits Gas Permits Plumbing Permits
<b>Process for Obtaining Permit(s):</b>	All construction requires a building permit. For advice regarding compliance with zoning ordinances and sign regulations and for permit applications, please contact the Building Commissioner. Building permit applications may be picked up at Town Hall during office hours, or they may be downloaded from the town website <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Depts/buildinginspector">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Depts/buildinginspector</a>
<b>Advertising Requirements:</b>	Not applicable
<b>Time Frame for Public Hearing:</b>	Not applicable
<b>Time Frame for Decision:</b>	After all required documentation and plans are submitted, permit review shall not exceed 30 days.
<b>Appeal Process:</b>	<u>BUILDING</u> : Code appeals to Massachusetts Building Board of Appeals. <u>ELECTRICAL</u> : Submit a request in writing regarding the appeal to the Board of Electricians' Appeals, 239

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Causeway Street, Suite 500, Boston, MA 02114, the notice of disapproval received by the wiring inspector, and a check or money order for \$75 made payable to the Commonwealth of Massachusetts.

PLUMBING & GAS: Call Board of State Examiners of Plumbers and Gas Fitters at 617-727-9952 to obtain an application to appeal. \$75 fee for application.

**\*THE ABOVE IS SUBJECT TO CHANGE.**

**Contact the appropriate agency for current information prior to submittal.**

**Fee Schedule:**

See table on following page.

**Applicable Local, State and Federal Statutes:**

Mass. Building Code 780 C.M.R.

### **General Department Overview**

This is one of the first places you should visit. The Building Official enforces the Sturbridge Zoning Bylaws and some General By-laws, the (CMR 780) State Building Code, (CMR521) Architectural Access Board (Rules & Regulations) and issues building, occupancy, and sign permits. The Building Official's office can assist you in determining your zoning classification and can help you determine the other departments you need to contact. You may access the State Building Code and the Architectural Access Regulations by going to [www.mass.gov/bbrs](http://www.mass.gov/bbrs). You must comply with all federal and state laws.

No building or structure shall be erected, altered or demolished without a written permit issued by the Building Inspector. The Building Inspector shall not issue any such permit unless the plans for the building and the intended use fulfill the provisions of the Zoning Bylaw in all respects, except as specifically permitted otherwise by action of the Planning Board, Board of Appeals or the Board of Selectmen. Additionally, the Zoning Bylaw stipulates that all uses other than single family and two family dwellings, nursery, farm, in-home professional office, and accessory uses shall be subject to Site Plan Approval. Many projects will also require approvals of the Conservation Commission prior to the issuance of a Building Permit. Therefore, a building permit can only be issued after all Zoning Bylaw and Wetland requirements are met.

### **Building Permit Checklist**

1. Submit a signed Building Permit application with the following attachments:

- ❖ Two sets of plans, **drawn to scale**, and specifications, showing the proposed work (See Zoning Bylaws for more detailed information).

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- ❖ Plot Plan showing the **existing structure, proposed structure or addition** with measurements showing the setbacks to the front, side and rear property lines (see Zoning Bylaws for more detailed information).
  - ❖ **Completed application and fees** completed by appropriate town boards and/or departments.

2. Where Town sewer is unavailable, a Disposal Works Permit (showing Title 5 compliance), must be obtained from the Board of Health. The Board of Health must review all plans for additions to homes as well since the Title 5 requirements could change if the number of bedrooms increases.

3. Where Town water is unavailable, a functioning well must be installed and tested prior to the issuance of a building permit. Contact the Board of Health Office for appropriate approvals.

4. The Department of Public Works (DPW) must review any plans for new construction, addition of bedrooms to dwellings, and changes of use of any building due to potential for change in sewer usage. Tie-in fees for utilities (sewer and water) must be paid prior to the issuance of a building permit. A copy of proof of payment is to accompany the building permit application (application for connection to water/sewer are available at Town Hall or the DPW).

5. A curb cut permit (where applicable) is issued by the DPW. There is a fee for a curb cut permit.

6. The Fire Department must review plans for new construction and any alterations or additions.

7. Copies of Recorded Zoning Permits, Site Plan Approval and Wetlands Permits must be submitted with the building permit application.

### **Inspections**

The following inspections are required by the Town DURING the construction or land development process in order for the Building Inspector to issue a Certificate of Occupancy.

1. Plumbing and Gas Inspection
2. Wiring Inspection
3. Building Inspection

- ❖ Footings-Foundations-Piers- PRIOR to backfilling, (NO EXCEPTIONS), Drainage (where applicable) must be installed at time of inspection.
- ❖ Framing Inspection- After rough wiring and plumbing inspections have been completed and approved

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- ❖ Insulation Inspection- When insulation is complete, before covering walls and ceilings
  - ❖ Final Inspection- After the final inspections have been completed and approved by the wiring and plumbing inspectors and the Fire Department

### **Signs**

The zoning bylaw regulates the size, location and number of signs you may erect. Most signs cannot be installed without a sign permit from the Building Official's office. You should contact the Building Official's office to determine if you will need a sign permit. Detailed sign information can be found in Chapter (22) Twenty-Two Signs of the Zoning By-Law. You will note that signs must also be reviewed by the Design Review Committee.

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## PLANNING DEPARTMENT

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<b>Department:</b>	Planning
<b>Public Liaison:</b>	Jean M. Bubon, AICP, Town Planner (508) 347-2508 <a href="mailto:jbubon@town.sturbridge.ma.us">jbubon@town.sturbridge.ma.us</a>
<b>Administrative Assistant:</b>	Diane Trapasso – Tuesday, Wednesday and Thursday
<b>Office Hours:</b>	Monday through Friday 8:00 a.m. to 4:00 p.m. Please call ahead as the office may be closed due to meetings, site visits, etc.
<b>Board/Commission/Committee:</b>	Planning Board  <b>Meeting Schedule:</b> Planning Board – Generally the second and fourth Tuesday of the month but this can vary. Please check the Town Meeting Calendar for a listing of upcoming meeting dates - <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Calendar/?formid=158">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Calendar/?formid=158</a>
<b>Members:</b>	Planning Board Consists of seven appointed members for more information, please see the Planning Board website - <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/planning">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/planning</a>
<b>Description of Board:</b>	Established by M.G.L. c. 41 s. 81A and governed by local zoning bylaw and subdivision rules and regulations.
<b>Permits Issued:</b>	Subdivision approval Site plan approval Waivers of Site Plan Approval ANR endorsement Special Permits Zoning Map change recommendations Zoning Bylaw change recommendations Scenic Road Special Permit
<b>Process for Obtaining Permit(s):</b>	File one completed application with the Town Clerk's office prior to submitting to the Planning

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Department. Application instructions are included with application form. Applications are submitted to the Planning Department.

**Advertising Requirements:**

Legal ad published twice in local newspaper, first ad must be at least 14 days prior to date of public hearing. The Planning Department prepares the advertisement but the application is responsible for publishing and notifying abutters.

**Time Frame for Public Hearing:**

Upon submission of complete application, the Planning Board will schedule a hearing as soon as possible, usually within one-month from date of submittal

**Time Frame for Decision:**

Preliminary Subdivision Plan, 45 days  
Definitive Subdivision Plan preceded by Preliminary Plan, 90 days  
Definitive Plan where no Preliminary Plan was filed, 135 days  
Site Plan Review, 90 days  
Special Permits, public hearing to be held within 65 days of submittal and decision within 90 days of close of public hearing  
ANR determined within 21 days  
Review period begins when complete application received by Planning Board  
(See Flow Charts at end of this Section)

**Appeal Process:**

Within 20 days after decision is filed, filed in accordance with M.G.L. c. 40A s.17. Site plans and ANRs are not subject to appeal.

**Fee Schedule:**

See table on following page.

**Applicable Local, State and Federal Statutes:**

M.G.L. Chapters 40A & 41  
Town of Sturbridge )- Zoning and Subdivision Rules & Regulations

**PLANNING DEPARTMENT** (continued)

**PLANNING DEPARTMENT FEE SCHEDULE**

<b>Permit</b>	<b>Fee</b>
<b>Planning Board Fees</b>	
Subdivision Approval Not Required Plans (ANRs)	\$ 100.00 application + \$50.00 per lot
Site Plan Review	\$ 1.50 per \$1,000 of construction value + advertising and notification costs \$100.00 min
Special Permit	\$ 275.00 application + advertising and notification costs
Preliminary Subdivision Plans	\$ 200.00 submittal + \$25.00 per lot + advertising and notification costs
Definitive Subdivision Plans	\$ 500.00 submittal + \$150.00 per lot + advertising and notification costs (Peer review fees may be charged if deemed necessary by the Board)
<b>Zoning Board of Appeals Fees</b>	
Variance Petition	Residential \$100.00 application + advertising and notification Commercial \$250.00 + advertising and notification
Special Permit	Residential \$100.00 application + advertising and notification Commercial \$250.00 + advertising and notification
Administrative Appeal	\$100.00 application + advertising and notification
Request for Determination	\$25.00 per application

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## PLANNING DEPARTMENT (continued)

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<b>Department:</b>	Planning
<b>Public Liaison:</b>	Jean M. Bubon, AICP, Town Planner (508) 347-2508 <a href="mailto:jbubon@town.sturbridge.ma.us">jbubon@town.sturbridge.ma.us</a>
<b>Administrative Assistant:</b>	Diane Trapasso – Tuesday, Wednesday and Thursday
<b>Office Hours:</b> call ahead as etc.	Monday through Friday 8:00 a.m. to 4:00 p.m. Please the office may be closed due to meetings, site visits, etc.
<b>Board/Commission/Committee:</b>	Zoning Board of Appeals

### Meeting Schedule:

Zoning Board – Meets the second Wednesday of the month. Please check the Town Meeting Calendar for a listing of upcoming meeting dates -  
[http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_Calendar/?formid=158](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Calendar/?formid=158)

<b>Members:</b>	Zoning Board consists of five elected and two appointed members – for more information; please see the Zoning Board of Appeals website - <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/zba">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/zba</a>
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<b>Description of Board:</b>	Provides relief from zoning dimensional requirements and hears appeals, grants Special Permits.
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<b>Permits Issued:</b>	Variances Appeals of Order or Decisions of Building Commissioner Special Permits Determinations
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<b>Process for Obtaining Permit(s):</b>	Variance applications may be obtained at the Planning Department. Application instructions are included with application form. Submit a completed application at Town Clerk's prior to submitting to the Planning Department.
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<b>Advertising Requirements:</b>	Legal ad published twice in local newspaper, first ad must be at least 14 days prior to date of public hearing. The Planning Department prepares the advertisement but the application is responsible for publishing and notifying abutters.
<b>Time Frame for Public Hearing:</b>	Within 65 days from the date of filing of completed application.
<b>Time Frame for Decision:</b>	Within ninety days following date of the public hearing. Copies of the decision must be filed with the Town Clerk within fourteen days in the office.
<b>Appeal Process:</b>	Applicant may appeal to Superior Court within 20 days of filing of decision with the Town of Sturbridge Town Clerk.
<b>Fee Schedule:</b>	See Planning Department Fee Schedule above.
<b>Applicable Local, State and Federal Statutes:</b>	MGL Chapter 40A & 40B Town of Sturbridge Zoning Bylaw and Town of Sturbridge Rules and Regulations Governing Special Permits and Town of Sturbridge Rules and Regulations Governing Comprehensive Permits

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## General Overview

Permits granted under the provisions of the Zoning Bylaw, Subdivision Regulations, General Bylaws and Rules and Regulations as well as adopted policies and procedures guide the work of this department. An overview of the processes and applications handled by this department follows:

### Subdivision Control Law:

The purpose of the Subdivision Control Law is to protect the safety, convenience, and welfare of the inhabitants of the Town of Sturbridge. It is the intent of the Subdivision Control Laws that any subdivision plan filed with the Planning Board shall only receive approval if it conforms to all Town standards, including those of the Boards of Health, DPW, and Conservation Commission. Each Board has a role specified in the appropriate law for review and approval of a plan, just as each Board imposes its own set of conditions associated with the approval of a plan. An applicant must receive all necessary approvals prior to starting construction of a subdivision. Subdivision Control Law covers both “Approval Not Required Plans”, and Subdivision Plans which are described below.

1. Subdivision Approval Not Required (SANR) applications. These plans involve lot line adjustments or the subdivision of existing property on established roadways. A registered land surveyor must prepare the plan. As the name implies, these are plans that do not require approval. The plans need to be endorsed to allow the owner to record the lot division at the Registry of Deeds. In reviewing the plan, the Town Planner checks to be sure that the lot has sufficient frontage as specified in the Zoning Bylaw and the Massachusetts General Laws. If a determination is made that the lot does have sufficient frontage on a way as specified in the Massachusetts General Laws, then the Board endorses the plan at a public meeting. It is the practice of the Sturbridge Planning Board that the Clerk be the person authorized to endorse the plan, if the Clerk is absent, then a majority of the Board must endorse the plan. All SANR Plans must be acted upon within twenty-one days of submission.
  
2. Subdivision of land - subdivision is the creation of new lots by subdividing property that requires the construction of a new roadway to provide access to the lots. The Sturbridge Rules and Regulations Governing the Subdivision of Land [http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_Bylaws/SUBDIV~1.PDF](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_Bylaws/SUBDIV~1.PDF) explains in detail the steps that need to be followed to receive subdivision approval. The Regulations also specify certain design, safety and construction standards that must be followed. The Town Planner and staff from other appropriate departments such as DPW, Board of Health and the Conservation Agent review the plans for compliance with the regulations and make recommendations on the plan.

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## **Chapter 40A – The Zoning Act:**

The Zoning Bylaw can restrict or permit various activities and uses of land within the town, including but not limited to density and intensity of use, accessory facilities and uses such as vehicle parking and loading standards, landscaping and open space. The Town of Sturbridge designates the Zoning Board of Appeals as the Special Permit Granting Authority (SPGA) in most cases, however there are several instances noted in the bylaw such as Special Permits for Bed & Breakfast facilities where the Planning Board would serve as the SPGA. The Planning Board is also the reviewing authority for Site Plan Approval applications. The Planning Board is also responsible for the zoning bylaws of the town. An overview of these processes follows:

1. **Site Plan Review** – Must be conducted for most uses of land (with the exception of single and two family homes) including some changes of use and expansions and additions to commercial or industrial properties and construction of new commercial and industrial buildings or facilities. Through this process plans are reviewed for specifics of site, layout and building design, parking facilities, landscaping, drainage, lighting, as well as the mitigation of traffic and other potential effects. The Planning Board forwards copies of the plans to the other town departments, boards and commissions for their review and comments. If a plan is very large or complex, the Planning Board may choose to send plans out for an outside review by engineers and/or other consultants such as a traffic engineer. A Site Plan Review requires a Public Hearing and a majority of the Board must vote to approve a site plan. The Planning Board must take final action on a site plan within ninety (90) days of submission of the plan.
2. **Zoning Amendments** - Any proposed amendments to the Sturbridge Zoning By-Law or Map require a Public Hearing held by the Planning Board. Zoning amendments can be initiated by submission to the Board of Selectmen of an proposed ordinance or by-law by a Board of Selectmen, a Board of Appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to Section Ten of Chapter Thirty-nine, by a Planning Board, by a Regional Planning Agency or by any other methods as allowed in the Town Charter. All zoning amendments must be approved by Town Meeting and require a two-thirds majority to pass. (See Massachusetts General Laws Chapter 40A, Section 5 for further information).
3. **Special Permits** - The Board of Selectmen, Planning Board or Zoning Board of Appeals is given Special Permit Granting Authority by state law. In most communities this authority is delegated to the Zoning Board of Appeals or Planning Board. In Sturbridge the Zoning Board of Appeals has been assigned almost all special permit powers.

The Town of Sturbridge is divided into residential, commercial and industrial, zones as shown on the Zoning Map. The Zoning Bylaws define in detail the requirements of each district. Dimensional controls include: maximum

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building heights, minimum lot size, frontage, setbacks, and lot coverage. Standards for off-street parking requirements, off-street loading requirements, and landscape requirements are also specified in the bylaw.

The Zoning Bylaws also establish what uses are allowed in each district. Some uses are allowed by right, other uses are prohibited and some uses require a special permit. Special permits are discretionary and are not granted automatically, but are uses that may be allowed if the Special Permit Granting authority finds that the granting of the special permit will not cause undue harm or disruption to the neighborhood, or derogate from the surrounding environment. It is different from a variance because it does not involve the hardship standard.

The SPGA must hold the Public Hearing for a Special Permit request within sixty-five (65) days of the date of submission and must render a decision within ninety days (90) or agreed upon extended time after the Public Hearing.

4. Variations - Rarely, and only in extraordinary circumstances, the Board of Appeals may grant variances to allow a departure from the Zoning Bylaws dimensional requirements. The Massachusetts Laws set stringent legal conditions for these variances, allowing them only in cases of hardship related to the size, shape or topography of the land. Under no circumstances can the Zoning Board of Appeals grant a variance to allow a prohibited use unless the local bylaw specifically allows for that to occur. Under no circumstances can the Zoning Board of Appeals grant a variance to allow a prohibited use. Massachusetts General Laws Chapter 40A, Section 10 provides information on when a variance may be granted. The Zoning Board of Appeals must make specific statutory findings that must be related to the land or structure to grant a variance. These findings include the following:

- The land or structure that is the subject of the variance is uniquely and specifically impacted by one of the following circumstances:
  - i. Soil conditions;
  - ii. Shape
  - iii. (c) Topography
- The circumstances do not generally affect other land or structures in the district in which the property is located;
- Due to circumstances related to the soil, shape, or topography the literal enforcement of zoning creates a hardship;
- The variance requested may be granted without substantial detriment to the public good;

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- The variance requested may be granted without nullifying or substantially derogating from the intent or purpose of the zoning ordinance or bylaw.

Public Hearings on a variance application must occur within sixty-five (65) days of the date of filing and a decision must be rendered within one hundred (100) days of the date of filing of the application.

5. Determinations – The alteration of a pre-existing non-conforming structure generally may only be altered by Special Permit however, Section 20.05.1 of the Sturbridge Zoning Bylaw specifically allows for alteration of pre-existing non-conforming single family or two family homes without a Special Permit if the ZBA determines that the proposed alteration will not increase the non-conforming nature of the structure. Unlike a Special Permit, a Determination does not require a Public Hearing and is therefore a quicker process for the applicant.
6. Waivers of Site Plan – Similar to a Determination, the Planning Board is granted the right to waive the necessity of Site Plan Approval where the nature of the proposed construction, alteration or use is such as to have a minimal effect on any of the standards or criteria provided for in Section 25.04 of the Zoning Bylaw.

### **Chapter 40B – The Zoning Act:**

Massachusetts General Laws, Chapter 40B Sections 20-23 (Often called the Comprehensive Permit Law or the Anti Snob Zoning Law) was enacted in 1969 as a way to streamline the local approval process for housing developments if 25% of the units proposed have a long-term affordability restriction. The intent was to address the shortage of affordable housing within the state. A requirement that at least ten percent of the housing in the community must be affordable has been established by the State. If a community does not meet that requirement then an applicant may file for a Comprehensive Permit with the Zoning Board of Appeals. Other local Boards and Commissions may provide information and comments to the ZBA, but it is that Board that grants the permit. The Conservation Commission and Board of Health still review the application and grant permits for the project, but using only the state requirements not the local requirements. A Comprehensive Permit allows the applicant to supersede local zoning requirements, and an applicant can challenge conditions attached to a permit that make the development economically unfeasible. Appeals on a Comprehensive Permit are taken to the Housing Appeals Committee. The Sturbridge ZBA has adopted local Rules and Regulations related to Comprehensive Permits. These Rules and Regulations are available in the Planning Department.

The Zoning Board of Appeals - In accordance with the Massachusetts General Laws, the ZBA serves four functions.

1. The ZBA hears and decides appeals in accordance with Massachusetts General Laws, Chapter 40A, Section 8. This section provides that an appeal may be filed by any person aggrieved by reason of inability to obtain a permit

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or enforcement action from any administrative officer under the provisions of that chapter. In Sturbridge this administrative officer is the Building Inspector/Zoning Enforcement Officer.

2. The ZBA also hears and decides petitions for variances as set forth in Massachusetts General Laws, Chapter 40A, Section 10. This section provides that the ZBA may grant a variance from the terms of the applicable zoning by-law where the ZBA finds that there are circumstances that relate to soil conditions, shape or topography of such land or structures that such variance is warranted.
3. Massachusetts General Laws also provides that the ZBA may hear and decide applications for special permits upon which the Board is empowered to act under said ordinance or by-law.
4. Massachusetts General Laws also provides that the ZBA may hear and decide appeals from decisions of a Zoning Administrator (ZA). The Town of Sturbridge does not have a ZA and therefore the local ZBA does not perform this function.

The ZBA is a 7-member board with five elected and two appointed members that review applications for special permits and variances. Four affirmative votes are needed for a Determination and five are required for Special Permits and Variances.

# SUBDIVISION APPROVAL PROCESS

Planning Board

## PRELIMINARY PLAN

Preliminary plan and filing fee filed with Town Clerk and forwarded to the Planning Board. Copy of plan is forwarded to the Board of Health.

Within 45 days of submission, reviewing authorities must notify Town Clerk and applicant of approval with or without modifications or disapproval and the reasons therefore.

Definitive plan must be submitted within 7 months to preserve zoning and subdivision exemptions.

## DEFINITIVE PLAN

Definitive Plan and filing fee filed with Town Clerk and forwarded to the Planning Board. Copy of plan is forwarded to the Board of Health.

Within 45 days of receipt, the Board of Health shall issue a written report to the Planning Board and applicant of approval with or without modifications or disapproval.

The Planning Board must hold a public hearing, but not until receipt of report from Board of Health or the lapse of 45 days.

Notice must be posted, published and sent to abutters at least 14 days in advance.

Planning Board must issue and file a decision with the Town Clerk and send notice to the applicant within 135 days or within 90 days if a Preliminary Plan was submitted.

Failure to act within required time frame.

Within 20 days of filing decision with Town Clerk, an appeal may be filed in Superior Court with notice to the Town Clerk.

After the 20 day appeal period has expired, the Town Clerk must issue a certificate stating that approval has been granted due to failure to act within the required time.

After the 20 day appeal period has expired and prior to final endorsement by the Planning Board, a performance guarantee must be provided and a time frame for construction of ways and municipal services decided upon. Performance guaranteed must be provided.

Town Clerk certifies that no appeal was made or granted. Planning Board endorses plan and sends it to the applicant.

Town Clerk issues certificate and sends it to the applicant.

Within 6 months of endorsement or certificate, applicant must file plan with Registry of Deeds.

## SPECIAL PERMIT PROCESS

Special Permit Granting Authority (SPGA) may be the Planning Board or Zoning Board of Appeals

Application is filed with the City/Town Clerk, and a certified copy filed with the SPGA, by the proponent

Within 10 days of receipt, the SPGA transmits copies of the application for inter-departmental review.

14 days before the public hearing, notice must be posted, published (once in each of 2 consecutive weeks) and sent to abutters.

A public hearing must be held within 65 days of filing with Town Clerk.

Within 90 days after the close of the public hearing, the SPGA must issue a decision. a decision must be issued.

Failure to act within 90 days.

With 14 days from the expiration of the 90 days to act, the applicant must notify parties in interest and the Town Clerk of approval due to failure to act and 20 day right to appeal.

If no appeal has been made within 20 days or appeal has been settled, the Town Clerk shall issue certificate stating date of approval for failure to act. Certificate is forwarded to applicant.

Within 14 days after decision, the SPGA must file the decision with the Town Clerk.

Decision is sent to applicant and parties in interest specifying 20 day appeal period.

Within 20 days after filing with Town Clerk an appeal may be taken to Superior Court.

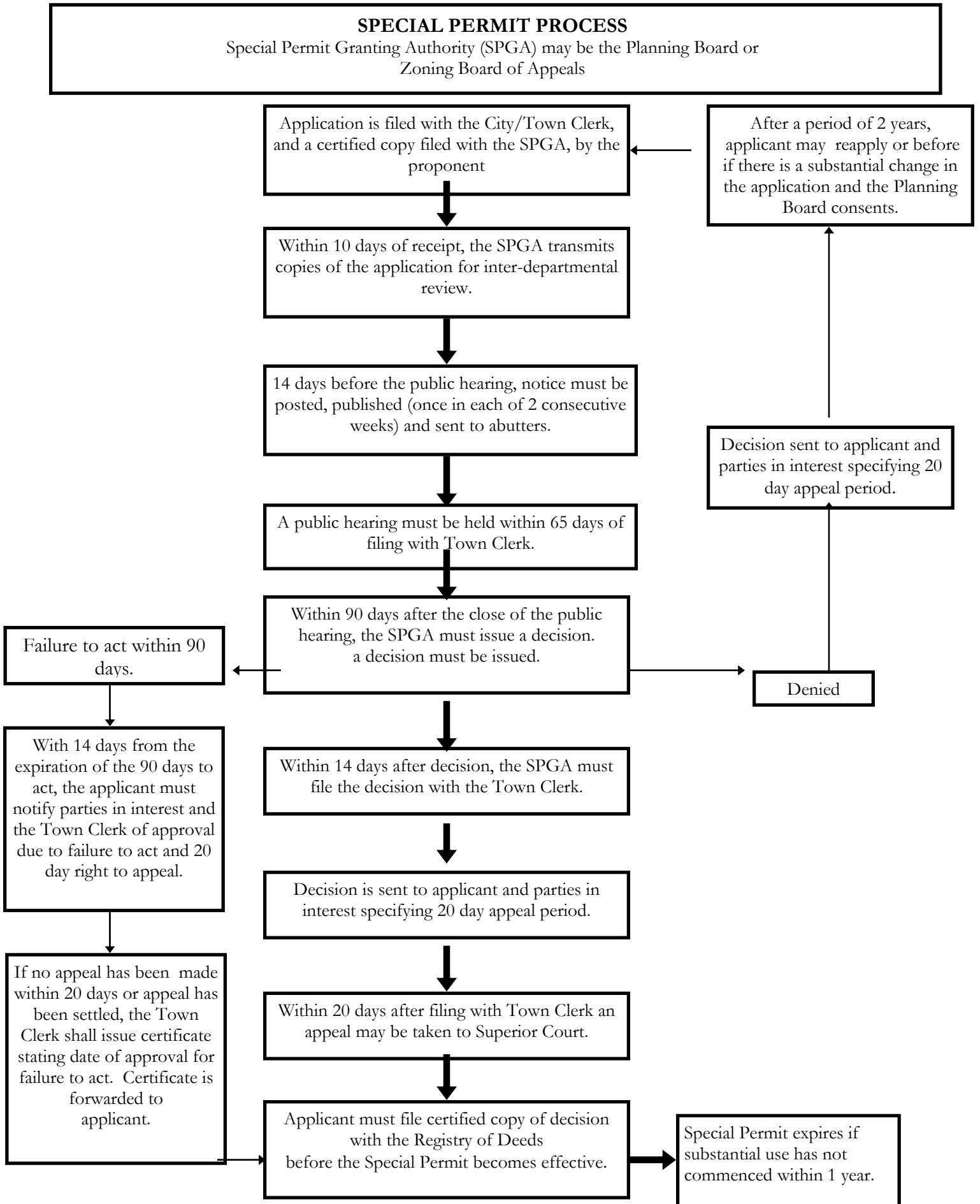
Applicant must file certified copy of decision with the Registry of Deeds before the Special Permit becomes effective.

Special Permit expires if substantial use has not commenced within 1 year.

After a period of 2 years, applicant may reapply or before if there is a substantial change in the application and the Planning Board consents.

Decision sent to applicant and parties in interest specifying 20 day appeal period.

Denied



# VARIANCE PROCESS

Zoning Board of Appeals

Application is filed with the City/Town Clerk, and a certified copy filed with the ZBA by the petitioner

After a period of 2 years, applicant may reapply or before if there is a substantial change in the application.

14 days before the public hearing, notice must be posted, published (once in each of 2 consecutive weeks) and sent to abutters.

Decision sent to applicant and parties in interest specifying 20 day appeal period.

A public hearing must be held within 65 days of filing with the Town Clerk.

Failure to act within 100 days.

Within 100 days after date of filing with the Town Clerk, the ZBA must issue decision. a decision must be issued.

Denied

With 14 days from the expiration of the 100 days to act, the applicant must notify parties in interest and the Town Clerk of approval due to failure to act and 20 day right to appeal.

Within 14 days after decision, the ZBA files decision with the Town Clerk.

Decision sent to applicant and parties in interest specifying 20 day appeal period.

Within 20 days, after filing with Town Clerk, an appeal may be taken to Superior Court.

If no appeal has been made within 20 days or appeal has been settled, the Town Clerk shall issue certificate stating date of approval for failure to act. Certificate is forwarded to applicant.

Applicant must file certified copy of decision with Registry of Deeds before Variance becomes effective.

Variance expires if not exercised within 1 year, or an extension is granted.

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## BOARD OF SELECTMEN

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<b>Board/Commission/Committee:</b>	Board of Selectmen
<b>Public Liaison:</b>	Shaun Suhoski, Town Administrator (508) 347-2500
<b>Office Hours:</b>	8:00 am- 4:00 pm, Monday - Friday
<b>Meeting Schedule:</b>	1st and 3rd Mondays of each month
<b>Members:</b>	The Board consists of five regular members. Please see the website at the following link <a href="http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/selectmen">http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_BoardCmt/selectmen</a>
<b>Description of Board:</b>	The Board of Selectmen serves as the Chief elected officials of the Town. Massachusetts General Laws vest the Board of Selectmen with all municipal authority not delegated to other elected boards or retained by Town Meeting, as the Town's legislative branch. The Board of Selectmen serves as the licensing authority with regard to alcoholic beverages. The Board of Selectmen also serves as the Sewer Commission for the Town of Sturbridge. The Board of Selectmen employs a Town Administrator to manage the day-to-day business of the Town.
<b>Permits Issued:</b>	Auctioneers' licenses Antique Dealers Temporary Use Earth Removal Sale of Motor Vehicles (all classes) Livery Permits Sewer Connections Hawkers, Peddlers and Transient Vendors
<b>Process for Obtaining Permit(s):</b>	Please see the Selectmen's Office for the appropriate permit application.
<b>Advertising Requirements:</b>	Varies by application type.
<b>Time Frame for Public Hearing:</b>	Varies by application type.

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<b>Time Frame for Decision:</b>	Varies by type.
<b>Appeal Process:</b> filed in	When applicable within 20 days after decision is filed, accordance with M.G.L. c. 40A s.17.
<b>Fee Schedule:</b>	See table on below.
<b>Applicable Local, State and Federal Statutes:</b>	MGL and Town of Sturbridge General Bylaw

## BOARD OF SELECTMEN PERMIT FEE SCHEDULE

Permit/ License	Fee
Automatic Amusement Device Permit	\$50.00 per device
Billiards License Per Table	\$ 25.00 \$ 15.00
Common Victualler's License	\$25.00 each
Innholder's License	\$250.00 each
Logging Permit	\$10.00
Miniature Golf Permit	\$40.00
Sunday Entertainment Permit	\$100.00 each
Earth Removal Permit	\$100.00 per permit
Hawker/Peddler Permit	\$25.00 per day/ \$150.00 per year
Live Entertainment Permit	\$40.00
Taxi/Livery Permit	\$50.00 per vehicle
Transient Vendor License	\$10.00
<b>Liquor Licenses:</b>	
Club – All Alcohol	\$1,000.00
Druggist – All Alcohol	\$1,000.00
Restaurant – All Alcohol	\$ 500.00
Restaurant – Wine & Malt	\$1,000.00
Tavern – All Alcohol	\$ 500.00
Tavern – Wine & Malt	\$1,000.00
1 Day All Alcohol License	\$ 25.00

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**TOWN CLERK'S OFFICE**

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<b>Department:</b>	Town Clerk's Office
<b>Staff Liaison:</b>	Lorraine Murawski, Town Clerk (508) 347-2510 lmurawski@town.sturbridge.ma.us
<b>Office Hours:</b>	8:00 am to 4:00 pm, Monday - Friday
<b>Board/Commission/Committee:</b>	Not applicable
<b>Permits Issued:</b>	Business Certificates Gas Storage Renewal Permits
<b>Process for Obtaining Permit(s):</b>	Applications are available during normal business hours.
<b>Advertising Requirements:</b>	NA
<b>Time Frame for Public Hearing:</b>	NA
<b>Time Frame for Decision:</b>	NA
<b>Appeal Process:</b>	NA
<b>Fee Schedule:</b>	Business Certificate is \$40.00 for 4 years, a Gas Renewal Permit fee varies by size
<b>Applicable Local, State and Federal Statutes:</b>	MGL Chapters 138 & 140 Town of Sturbridge Bylaw

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## DEPARTMENT OF PUBLIC WORKS

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<b>Department:</b>	Department of Public Works
<b>Staff Liaison:</b>	Greg Morse, Director (508) 347-2515 gmorse@town.sturbridge.ma.us
<b>Office Hours:</b>	7:30 a.m. to 3:00 p.m., Monday- Friday
<b>Administrative Assistant:</b>	Elyssa Splaine
<b>Board/Commission/Committee:</b>	Not applicable
<b>Meeting Schedule:</b>	Not applicable
<b>Members:</b>	Not applicable
<b>Description of Board/ Commission/Committee:</b>	Not applicable
<b>Permits Issued:</b>	Driveway Permit Road Opening Permits Stormwater Permits Water Connection Sewer Connection (Board of Selectmen serve as Sewer Commissioners)
<b>Process for Obtaining Permit(s):</b>	Applications may be obtained at DPW offices during regular business hours
<b>Advertising Requirements:</b>	Not applicable
<b>Time Frame for Public Hearing:</b>	Not applicable
<b>Time Frame for Decision:</b>	Not applicable
<b>Appeal Process:</b>	Not applicable
<b>Fee Schedule:</b>	Fees are shown in table below
<b>Applicable Local, State and Federal Statutes:</b>	M.G.L. Chapter 84

### Work within a public way

All work within a public way owned and maintained by the Town of Sturbridge, such as the installation of driveways, curb cuts, or connection to the municipal water or sewer

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requires a permit from the Sturbridge DPW. You should contact the DPW Director while you are in the planning stages of your project so that they may help you determine which types of permits you will need for your particular project.

### **Driveway Construction Permits**

A driveway permit is required from the DPW to access a public way in the Town of Sturbridge. Plans must be provided showing the proposed location of the driveway, drainage structures and any proposed grade changes. The plan must also show the location of any Public Shade Trees within ten feet of all areas to be disturbed. Driveways must be at least 12' wide and cannot exceed a 12% grade. Specific details can be found in Section 6.60 of the General Bylaws of the town

[http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_ByLaws/I022F598F](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_ByLaws/I022F598F)

### **Stormwater Permits**

The Town adopted a Stormwater Bylaw in April 2007. Section 10.00 of the General Bylaw of the Town states that “No person shall uncover, excavate, block access to, or make a connection to any pipe, culvert, catch basin, manhole, or other structure under the control of the Town without first having obtained a permit from the Town Engineer or DPW Director”, this section of the bylaw can be reviewed at the following link

[http://www.town.sturbridge.ma.us/Public\\_Documents/SturbridgeMA\\_ByLaws/I022F598F](http://www.town.sturbridge.ma.us/Public_Documents/SturbridgeMA_ByLaws/I022F598F).

Stormwater connections are reviewed as part of the Special Permit and Site Plan Approval process, however if your project does not require one of these processes, you must contact DPW directly for filing and application requirements.

### **Water connection approval**

All water supply work, such as installation of a waterline or individual hook-ups and (lawn sprinkler) must conform to the rules and regulations of the water district for your location. You should begin by contacting the DPW as they can answer your questions regarding permits and procedures.

### **Sewer Connection Approval**

To connect to the Town sewer system you must follow the requirements of the DPW. However, you should begin by contacting the Town Administrator to review your request. The Board of Selectmen serves as the Sewer Commissioners for the Town. If you have a large project; you, your engineer or contractor may wish to review your sewer needs with the Director of Public Works. The department of environmental protection (DEP) also has jurisdiction over sewer extensions.

**It should be noted that availability of sewer capacity is not guaranteed.** There is currently sewer moratorium in place and there is no guarantee that sewer will be available for your proposed use. Sewer approval must be obtained prior to filing for Site Plan Approval with the Planning Board.

## DEPARTMENT OF PUBLIC WORKS PERMIT FEE SCHEDULE

(Check with department for recent fee amendments)

Permit/ Service	Fee
Driveway Permit	\$20.00 each
<b>Road Opening Permits:</b>	
1/4 Road width	\$1,000.00 each
1/2 Road width	\$1,500.00 each
3/4 Road width	\$2,000.00 each
Full Road width	\$2,500.00 each

### WATER PERMIT/SERVICE FEE SCHEDULE

Service	Fee
Base User Rate	\$2.15 per 100 cubic feet
Quarterly Minimum	\$21.50 per quarter
Water Connection Fee	\$225.00 per unit
<b>Flow Meter:</b>	
3/4"	\$234.67
1"	\$364.34
1 1/2"	\$799.19
2"	\$1,032.12
Termination Fee	\$25.00 each
Return of Service Fee	\$25.00 each
Water Main Installer's License	\$100.00 per license

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## FIRE DEPARTMENT

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<b>Department:</b>	Fire Department
<b>Staff Liaison:</b>	Leonard Senecal, <i>Fire Chief</i> 508-347-2525
<b>Office hours:</b>	Monday- Friday.
<b>Permits Issued:</b>	Registration of Underground Tanks L.P. Gas Permits Power Burner Permits Removal of Underground Storage Tanks Flammable Fluid Permits Transportation of Flammable Fluid Inspections Review Prints/New Home (smoke detectors) Blasting Permits
<b>Process for Obtaining Permit(s):</b>	Permits are obtained and filed and fees paid at the Public Safety Complex.
<b>Time Frame for Decision:</b>	Not applicable
<b>Appeal Process:</b>	Not applicable
<b>Fee Schedule:</b>	See table below
<b>Applicable Local, State and Federal Statutes:</b>	M.G.L Chapter 148

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## FIRE DEPARTMENT PERMIT FEE SCHEDULE

(Check with department for recent fee amendments)

Permit/ Service	Fee
Smoke Detector Inspection	\$25.00
Oil Burner Inspection	
Tank Removal Permit - Residential	
Tank Removal Permit – Commercial	
Blasting Permit	
Propane Tank Installation	
Suppression System – Gas Stations	
Suppression System – Kitchen Exhaust Hoods	
Sprinkler System	
Service Station Upgrade	
Transportation of Combustible Materials Permit	

\*For the sale and transfer of property only. Fees are to be paid by the seller.

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## **POLICE DEPARTMENT**

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<b>Department:</b>	Police
<b>Staff Liaison:</b>	Thomas Ford, <i>Police Chief</i> 508-347-2525 - Dispatch
<b>Office hours:</b>	Monday through Friday
<b>Permits Issued:</b>	Reviews applications for Subdivisions, Special Permits and Site Plan Approval
<b>Applicable Local, State and Federal Statutes:</b>	M.G.L. Chapter 140, Sections 121-136

## PERMIT MATRIX

	Board of Selectmen	Building Department	Town Clerk	Conservation Commission	Fire	Health Department	Planning Board	Police	Public Works	Water Department	Zoning Board of Appeals	Historic Commission
Automatic Amusements	X											
Blasting Permits					X							
Building Permits		X										
Caterer						X						
Certificate of Occupancy		X										
Common Victualler	X					X						
Definitive Subdivision approval							X					
Demolition Permits		X										X
Determination of Applicability				X								
Electrical Permits		X										
Flammable Fluid Permits					X							
Food Service						X						
Frozen Dessert						X						
Gas Storage, Initial & Annual Renewal	X		X									
Hawkers and Peddlers	X		X									
Housing Inspections						X						
Hotel/Motel						X						
Innholder						X						
Liquor Licenses (all types)	X											
Live Entertainment	X											
Mobile Food Service						X						
Order of Conditions				X								
Percolation Test						X						
Plumbing Permit		X										
Registration of Underground Storage Tanks					X							
Removal of Underground Storage Tanks					X							

	Board of Selectmen	Building Department	Town Clerk	Conservation Commission	Fire	Health Department	Planning Board	Police	Public Works	Water Department	Zoning Board of Appeals	Historic Commission
Review Prints/New Home Smoke Detector Locations					X							
Road/Curb Cut Permits									X			
Septic Tank						X						
Sewage Hauler						X						
Sign Permit		X										
Site Plan Approval							X					
Special Permit							X				X	
Stormwater Permits				X			X		X		X	
Subdivision Approval Not Required							X					
Swimming Pools		X										
Tanning						X						
Taxi/Livery	X											
Temporary Food Service						X						
Variances											X	
Waiver of Site Plan							X					
Well Permit						X						
Zoning Bylaw Recommendations							X					
Zone Change Recommendations							X					

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## Other Permits and Approvals

**Town Clerk's Office** - you will obtain most license applications from the Town Clerk's office. You will also file a copy of your completed paperwork with the town clerk in the case of special permits, variances; subdivision approvals and appeals. The Town Clerk will certify the date and time that your application was filed. This is what starts your "clock" running for approval times. .

**Fire Department** - the Fire Department reviews projects to guarantee that fire prevention, and fire fighting measures and emergency access are adequate. The department will review subdivision and site plan special permit applications and make suggestions. The Fire Department can answer your questions on sprinkler system and smoke detector and carbon monoxide detector installation requirements and inspections; chemical and hazardous substances inventory requirements, underground tank inspections, flammable storage requirements and any other fire safety concern. Smoke detector permits can also be obtained from the Fire Department.

**The Police Department** - the Police Department also reviews subdivision and site plan special permit applications to ensure that public safety is protected.

**Office of the Board of Assessors** - the Board of Assessor's office has parcel maps for the entire town. You may also find information on parcel dimensions and assessed value. This office is also where you will request a list of abutters if one is required for you project. The list of abutters is prepared for you and certified for accuracy by the Assistant Assessor. The list must contain the full names and mailing addresses for abutters together with map and parcel numbers from the most recent tax list.

**State and federal permits** - You may need to apply for one or more permits from the state or federal governments. This list is not exhaustive, but the most common permits are:

1. **Massachusetts Highway Access Permit** Approval must be obtained in writing from the Massachusetts Highway Department if a project will involve the creation, alteration, expansion or substantial impact upon an opening onto a state highway. This includes property which has access directly onto state highways and property which abuts a state highway layout;
2. **Massachusetts Environmental Policy Act, or 'MEPA'** requires state agencies to evaluate the environmental impact of all projects or activities undertaken by state agencies, and of private projects seeking state funding or permits. An Environmental Notification Form must be **filed** if the project meets one or more of the thresholds specified in the regulations, whereas certain activities automatically require the preparation of an Environmental Impact Report.

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3. **Massachusetts Clean Waters Act, Sewer Extension/Connection Permits** are required for the connection of a project to a sewer system unless exempted. There are pretreatment requirements for industrial users, which must be coordinated with the permitting requirements of the Marlborough Westerly Wastewater Treatment Plant.
  4. **Massachusetts Clean Waters Act, Surface Water and/or Groundwater Discharge Permits:** Surface Water Discharge Permits, administered jointly by the federal Environmental Protection Agency and the Massachusetts Department of Environmental Protection, are required for point source discharges to U.S. Waters and application should be made simultaneously to both agencies. A permit may also be required for stormwater discharges where runoff is substantially contaminated or if contamination exists because the discharge is located within an industrial area or is associated with industrial activity. If the project is in an unsewered area, a Disposal Works Construction Permit must be obtained from the local board of Health in accordance with Title 5 of the State Environmental Code. If a sewage disposal system with capacity in excess of 15,000 gallons per day will be constructed, a groundwater discharge permit must be obtained.
  5. **Environmental Protection Agency Stormwater Notices of Intent and/or NPDES Permits** are required for stormwater discharges associated with certain industrial activities. Industrial activity was recently redefined to include “construction activity including clearing, grading, and excavation activities except operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale”. The project owner and operator is required to file a Notice of Intent and pollution abatement plan with the Environmental Protection Agency.
  6. **Massachusetts Endangered Species Act** prohibits taking or possession of any plant or animal species listed in the federal Endangered Species Act, or the alteration of a significant habitat. A project developer should review the list of endangered species available from the Division of Fisheries and Wildlife, and habitat maps available for inspection at City Hall from the Conservation Commission.