

TOWN OF GRANBY, MASSACHUSETTS PLANNING & BUILDING GUIDE

This guide will help you through the process of obtaining permits in Granby, MA. It is in four sections:

- I. Advice on establishing contacts with town departments and the research needed for your application.
- II. A summary of the most common permits you may need.
- III. A brief review of the permit application process
- IV. A checklist of permit requirements and constraints.

IMPORTANT

This guide is for information only; it does not have the force of law. Please refer to the applicable laws and regulations for specific technical and procedural requirements. In most cases you will need professional help in such areas as land survey, engineering, architecture, law and transportation planning.

I. THE FIRST STEPS

Most construction projects need permits. The more research you do in the planning stage, the easier it will be to meet the requirements for town and, when applicable, state and federal permits and approvals. You will increase the likelihood that your project and design will be approved -- and reduce your risk of having to make significant and possibly expensive changes in order to obtain project approval -- by contacting all permitting authorities early in the design and permitting process.

As soon as you know the approximate size and location of your project, seek input from the professional staff in the Building, Conservation, Health, and Planning departments at the Granby Town Hall located at 250 State Street. They can tell you if your project seems feasible or what changes you may need to make. They will show you which permits you are likely to need, roughly how long it will take to get them, and whether a public hearing will be required. This information will help you estimate your planning costs, set realistic project time lines, and minimize the likelihood of unpleasant surprises.

Building Department

This is the first department you should visit. It enforces the Granby Zoning Bylaws, Town Bylaws and the State Building Code and issues building, occupancy, and sign permits. Electrical and gas permits are also processed through this department.

Conservation Commission

The Conservation Commission administers the Massachusetts Wetlands Protection Act including related state regulations. The Conservation Commission can tell you if your project falls under the Commission's jurisdiction and advise you on obtaining local, state or federal permits. Do not bypass this step; conservation impacts are not always apparent. Any work such as clearing, filling, grading or construction within 100 feet of a wetland or within 200 feet of a stream or river requires approval of the Conservation Commission.

Health Department

The Board of Health enforces the state and local health and environmental codes. Among the many permits and certificates it issues are those for septic systems, restaurants and food retailers, public swimming pools, and the raising and keeping of livestock and fowl.

Planning Department

The Planning Department guides residential and commercial development proposals through the respective permitting process as outlined in the Zoning Bylaws and Subdivision Rules and Regulations. It coordinates the multi-departmental review and legal process for proposals submitted under the Site Plan Review process. The Planning Department evaluates proposals for their contributions toward community planning goals as documented in the current Town of Granby Master Plan and assesses the potential impacts on the environment, transportation system, neighborhood integrity and town character. The Planning Department renders opinions regarding Flood Zone determination.

Highway Department

Consult with the Highway Department on questions regarding roadways, curb cuts, and locations of underground utility lines such as sanitary, storm and water mains. Removal of public shade trees requires a permit from the Tree Warden through a public hearing process.

Selectmen's Office

The Board of Selectmen issue licenses as required by local and state regulations and special permits for various uses allowed under zoning. Many of the licenses and all Special Permits will require a public hearing before the Board. Contact the Selectmen's Office early in the permitting process to avoid potential delays.

Fire Department

The Fire Department processes all permits associated with the storage of flammable or hazardous materials, underground storage tanks, the use of explosives or blasting materials and cutting and

welding equipment. The department also conducts inspections associated with smoke and fire detectors and sprinkler systems.

Assessors' Office

The office maintains all tax (parcel) maps and records. Abutters lists required for license, special permit, variance and subdivision applications may be obtained in the Assessors' Office for a nominal fee.

Town Clerk

The Town Clerk is the official recorder of all applications and decisions for Special Permits and Variances. Prior to applying for a building permit, it is recommended that the existence of variances or special permits be determined. All businesses operating in the Town of Granby must register with the Town Clerk.

Regulations, Maps, and Other Materials

You may obtain maps, plans, regulations and forms in the town offices as shown on the partial list below. Department staff will assist you with all information you may need.

Building Department:	All permits associated with demolition or construction
Board of Health:	Bylaws and regulations on health related issues, i.e., wells and septic systems, food handling, keeping of livestock and fowl
Planning Department:	Zoning bylaws and maps, regulations for Subdivisions, Site Plan Review, and Special Permits, applications associated with the Conservation Commission and the Board of Appeals
Highway Department:	Municipal utility and street layout plans
Assessors' Office:	Tax maps and data; Abutters lists
Town Clerk:	Business Certificates

As you gather information, thoroughly study the applicable laws and regulations. If necessary, get independent professional advice on surveys, engineering, site design, soil tests, traffic studies, and legal questions.

Preliminary Design and Review

Often, 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. The amount of detail you need varies according to the permits you are applying for. Consult the appropriate town department to find out their requirements. In general, your plans should show a rough building and site layout, and you should have information in hand related to factors influencing feasibility (see the checklist in Section IV).

II. PERMITS

These are the most common permits and approvals. It is not a complete list -- only through your first contacts, research, and preliminary reviews can you identify all the permits you will need.

General Zoning

Your site is in one of Granby's 10 zoning districts. The Zoning Bylaws define in detail the requirements of each district with dimensional controls for building heights, square footage, setback, parking facilities, and landscaping. The Zoning Bylaws define many special permits (not listed here) which allow for special circumstances, uses, and designs. There are also three "overlay" districts (River Protection, Watershed Protection and Upland Floodplain) which stipulate additional development standards in addition to the requirements of the underlying district.

Wetlands Protection

Work in or within 100 feet of a wetland (defined in the Massachusetts Wetlands Protection Act) or within 200 feet of a river or stream is regulated by the Conservation Commission. Many kinds of work are prohibited in these areas; those that are allowed may require a permit called Order of Conditions or a finding of non-impact through a Determination of Applicability.

A Determination of Applicability is issued by the Conservation Commission when requested by an applicant to establish and/or define the Commission's jurisdiction in relation to a proposed project. Applicants are encouraged to file a Request for Determination of Applicability during preliminary project planning, seeking the Commission's approval of the wetlands boundaries on a project site.

An Order of Conditions is issued by the Conservation Commission under M.G.L. 131, &40 (the State Wetlands Protection Act) for proposed work within 100 feet of wetlands or water bodies or 200 feet from a river or stream which will impact the resource area. To secure this permit, the applicant must submit either a Notice of Intent or an Abbreviated Notice of Intent. Generally, an Abbreviated Notice of Intent may be used only when no alteration is proposed within a wetland resource or waterway, alteration within the buffer zone or land subject to flooding is less than 1,000 square feet and neither a Federal Army Corps nor State Division of Waterways permit is required. Otherwise, a more comprehensive full Notice of Intent is required. Contact with the Conservation Commission prior to project design is strongly advised.

Board of Health Permits

Among the permits you will need from the Board of Health are those for a septic system, percolation test, and well siting; restaurants and retail food establishments; public pools; plumbing; the raising and keeping of livestock and fowl; and burial permits. In addition, you will need permits for tanning salons, motels, hotels, massage therapists, catering and mobile food permits prior to providing services to the public.

Site Plan Review

Almost every commercial or industrial project, including expansion of use and/or building additions, requires Site Plan Review from the Planning Board. Your plans will be reviewed by several boards and departments for specifics of site, layout, building design, parking facilities, landscaping, drainage, and the mitigation of traffic and other impacts.

Signs

Most commercial signs cannot be installed or altered without a sign permit from the Building Inspector. The Zoning Bylaws regulate the design, size, lighting, location and number of commercial signs. The Building Inspector can assist you with the sign requirements of the Zoning Bylaws.

Subdivision Approval

If your project is a subdivision -- that is, if it divides the land into lots or parcels (either residential or commercial) and requires the construction of new streets -- you must get Subdivision Approval from the Planning Board. If you do not have to build a new street, the Planning Board may sign a "Subdivision Approval Not Required" Plan. Pre-design meetings with the Planning Board are strongly encouraged to facilitate the approval process.

Zoning Variances

Rarely, and only in extraordinary circumstances, the Board of Appeals may grant Variances, or departures from the Zoning Bylaws, such as a setback or building height not otherwise permitted in a zoning district. The Zoning Bylaws, mirroring the State Zoning Act, set stringent legal conditions for these variances, allowing them only in cases of unusual hardship related to the soil, shape or topography unique to the parcel in question and not the zoning district in general. You should not request a Variance unless you have determined, with legal counsel, that your situation satisfies the legal criteria. Even if all legal criteria are met, the Board of Appeals is under no obligation to grant a Variance.

Business Certificate

All businesses operating in the Town of Granby (including businesses operating "in the home") are required to register with the Town Clerk's office.

Licenses

Many businesses may not begin operation until the business has received a license or permit from the Board of Selectmen including Common Victualer (preparation of food products), Entertainment, Automatic Amusement Devices, Transient Vendor, Taxi cab and Limousine services, Junk Dealers, and Liquor Licenses. Many licenses require that a public hearing be held before the Board.

State and Federal Permits

Depending on the nature of your project or its impacts, you may need to apply for one or more permits from the State or the Federal government. Among the most common are:

- *a curb-cut permit from the Massachusetts Highway Department for work affecting a state highway (Routes 202 & 116);
- *a permit from the U.S. Army Corps of Engineers for work affecting certain wetlands and waterways;
- *a Certificate of Compliance from the Massachusetts Executive Office of Environmental Affairs (MEPA);
- *a NPDES permit for Storm Water Discharges from Construction sites;
- *a Sewer Extension Permit issued by the Department of Environmental Protection.

The town's staff can help you identify state and federal requirements for your project and help you make contact with the appropriate agency, but it is your responsibility to ensure compliance with state and federal requirements.

Building Permit

This is the last permit you get before starting construction. All other permits must be in place at this time. Before issuing a building permit, the Building Inspector conducts a final check on zoning compliance and reviews your building and construction plans for compliance with the Massachusetts Building Code and handicapped-access standards. Other permits that may be associated with a Building Permit are electrical and gas permits. Upon inspection and approval of all construction work, the Building Inspector will issue a Certificate of Occupancy.

III. THE REVIEW PROCESS

When your design work is complete, you are ready to apply for your permits. Preparing an application is not always simple. Department staff will answer any questions and try to clear up problems, but you are advised to secure independent professional and/or legal advice as well. Careful attention to detail will help you avoid delays, frustration, and disappointment.

The length of time it will take to obtain a specific permit or license is dependent upon the required review process. Many applications can be processed simultaneously, but some, including the Building Permit, require that others be in place first. Typical processing times (from the day you submit your application) for common permits are listed below.

Building Permit	30 days
Sign Permit	30 days
Special Permit (Zoning)	3-5 months
Variance (Zoning)	3-5 months
Wetlands Permit	2 months
Board of Health permits	1 month
Subdivision Approvals	4-8 months
"Subdivision Approval Not Required" plans	21 days

The issuance of most permits and licenses will take less than three months, but your schedule should allow up to five months just in case of unique issues specific to your project.

Public Hearings

Most licenses and permits issued by the Board of Selectmen, Subdivision and Site Plan Approvals from the Planning Board, as well as most approvals by the Conservation Commission require a public hearing. The public hearing is intended to afford abutters and any interested party an opportunity to comment on your project. It is strongly recommended that, prior to the public hearing, you contact abutters to your project to educate them about your proposal and to find out what you can do to address their concerns. Such early communication is not only courteous, it is a proven strategy for a successful application.

The Permit Granting Authority will schedule the hearing in accordance with the applicable regulations, and will place the required notices in the local newspaper(s). In addition, a notice of the public hearing will be sent to abutters of your project. For a nominal fee the Assessors' Office will prepare and certify the Abutters List upon your request.

You or your representative should attend the hearing to present the application and state the reason(s) why the permit or licence should be granted. After your presentation, Board members will offer their comments and questions. Then the Chairman will solicit comments from abutters and other members of the public. Any citizen may speak in person, or through an agent or attorney, at any hearing. When all persons wishing to be heard have spoken, the Chairman will close the hearing and the Board will take the matter under advisement. In no case will the Board allow new evidence to be admitted after the close of the public hearing unless they have previously requested it.

Administrative Review

The issuance of Building or Sign Permits, Septic Disposal Permits and many others from the Board of Health do not require a public hearing. In certain instances, Site Plan Approval will not require a public hearing. In general, permits not requiring a public hearing may be issued within 30 days of the submission of an application.

IV. CHECKLIST

Use this checklist to keep track of the information and permits you are likely to need.

Factors influencing feasibility

- * Flood plain (100-year-flood elevation)
- * Overlay protection districts
- * Wetlands
- * Steep slopes
- * Proximity to public utilities
- * General Zoning Requirements (whether the use is permitted, building heights, setbacks, parking facilities, etc.)
- * Alternatives (other designs/layouts that might save money or increase revenues)

Permits/Licenses

- * Demolition Permit
- * Order of Conditions (Wetlands)
- * Permit for Septic System
- * Subdivision or "Approval Not Required" Plan
- * Special Permit
- * Zoning Variance
- * Site Plan Approval
- * Sign Permit
- * State or Federal permits
- * Street Tree Removal Permit
- * Building Permit
- * License required by local or state regulation

An application fee may be associated with a specific permit or license. Contact the respective permitting authority to determine the fee associated with individual permits and licenses.

IMPORTANT REMINDER: THE TOWN MAY DENY THE ISSUANCE OF ANY PERMIT OR LICENSE UNLESS ALL PROPERTY TAXES ARE PAID CURRENT AT THE TIME OF APPLICATION FOR A PERMIT OR LICENSE.



TOWN OF GRANBY

Kellogg Hall
250 State Street
Granby, MA 01033
413-467-7177 Fax 413-467-2080

TOWN OF GRANBY, MASSACHUSETTS TELEPHONE NUMBERS

Town Administrator	413-467-3101
Select Board Office	467-7177
Building Department	467-7179
Fire Department	467-9696
Conservation Commission	467-7177
Board of Health	467-7174
Planning Board	467-7177
Town Clerk	467-7178
Highway Department	467-7575
Assessor's Office	467-7196
Tax Collector's Office	467-7170
Treasurer's Office	467-7176
Accountant	467-7177
Library	467-3320
Council on Aging	467-3239
Recreation Department	467-9041
Police Department	467-9222