

# INTRODUCTION TO TOWN OF DRACUT LAND USE DEVELOPMENT AND PERMITTING

This brief introduction to the procedures involved in obtaining permits in the Town of Dracut, especially those necessary for land development, is intended to assist you in your understanding of how, what, who, where, when, and if a project can go forward. These activities are governed by provisions of Massachusetts General Laws (MGL) and relevant regulations (CMR), as well as the Town's Zoning, Subdivision and Wetlands By-Laws and other Town By-Laws and Regulations which may apply to a particular project.

The rules and regulations have been instituted to protect Dracut's environmental assets, and are designed to ensure the preservation of the Town's special character, and to protect the health and safety of its residents.

All land in Dracut carries a zoning district designation, which determines the land's permissible uses. The chart in Section 2.11.30 of the Zoning By-Law (Table of Permitted Uses') indicates the uses of land, buildings, and other structures that are allowed in each of the zoning districts. The chart specifies whether a use is not allowed, allowed by right, allowed with a Site Plan Review, or allowed only under a Special Permit all substantial construction requires an appropriate permit from the Inspector of Buildings.

Town staff will also assist applicants in coordinating procedures in the event more than one type of permit and/or review by more than one board is required. Since this is frequently the case, it is useful to consult with staff early in the planning process.

**The information contained in this guide, is not a substitute for the detailed information contained in the individual by-laws which should be consulted prior to the submission of any application for land development. In addition, this guide addresses local approvals and procedures only. Many land use developments also require state and federal permits. The appropriate agencies at these levels of government should be consulted as well.**

## 1. WHERE TO START

Most land use/construction projects require permits, often from multiple boards, commissions and levels of government. The more information generated in the planning stage, the easier it will be to understand the process and costs involved in meeting the local, state and federal requirements, thereby increasing the probability of a successful outcome.

As soon as the decision is made to undertake a project and the parameters of the project have been formulated (e.g. size, location), depending upon the size and complexity of the project, an appointment should be made with the Town Planner, who is the first point of contact. The Town Planner will provide an outline of what will be needed; the anticipated time frames involved, the approximate permit fees and other pertinent information that will help maximize the likelihood of a successful outcome. After meeting with the Town Planner, you should meet with other town staff who may be involved in the review and processing of the application(s). It is important to remember that each department has a clearly defined area of statutory responsibility and is the best source of definitive information within its area of expertise. **The best way to expedite project approval is to know the requirements and understand the process.**

## 2. TYPES OF PERMITS AND APPROVAL TIME FRAMES

(Note: not all permits are listed)

The following list of permits represents the more common land use and construction permits. The listed time frames are approximate and many are based on state law and cannot be changed by a local board or commission. Once again, it is important to consult with the individual department charged with the administration of the law governing the permit

<u>PERMIT</u>	<u>APPROVAL TIME</u>	<u>APPROVAL AUTHORITY</u>
Subdivision	Up to 120 days	Planning Board
Variance (Zoning)	65 –100 days	Zoning Board of Appeals
Special Permit	Up to 145 days	Special Permitting Granting Authority <sup>1</sup>
Wetlands <sup>2</sup>	42 days <sup>3</sup>	Conservation Commission
Board of Health	Up to 45 days	Board of Health
Sewer/Water Connection	Up to 7 days	Dracut Water District/Kenwood Water District/Sewer Commission
Demolition Permit	Up to 30 days	Building Inspector
Building Permit	Up to 30 days	Building Inspector
Comprehensive Permit	Up to 145 days	Zoning Board of Appeals
Fuel Storage Permit	Up to 5 days	Fire Department
Smoke detector/CO	Up to 5 days	Fire Department
Street Opening	Up to 7 days	DPW

Many permit applications must go through a public meeting and/or public hearing and there are very strict regulations and laws concerning notifications. Any final decision may be appealed to Superior Court in accordance with the provisions of Ch. 40A of the Massachusetts General Laws.

## 3. TOWN STAFF AND DEPARTMENTS

### Dennis Piendak, Town Manager

The Town Manager's Office is located on the 1<sup>st</sup> floor of Town Hall, 62 Arlington Street. TEL: 978 452-1227; FAX: 978-452-7924; [townmanager@dracut-ma.us](mailto:townmanager@dracut-ma.us)

**Functions:** The Town Manager is the chief administrative officer of the town and is responsible for the proper administration of all town affairs placed in his charge by or under the Town Charter.

### Glen Edwards, Assistant Town Manager/Town Planner

**Location:** The Town Planner is located on the second floor of Town Hall, 62 Arlington Street and can be reached at TEL 978 453-4557, FAX: 978-452-7924; [atm-planner@dracut-ma.us](mailto:atm-planner@dracut-ma.us)

**Functions:** The Town Planner, who is the first point-of-contact, reviews and makes recommendations on development proposals to the Planning Board, as well as other boards and commissions as necessary.

<sup>1</sup> The Special Permit Granting Authority varies with the type of special permit

<sup>2</sup> As per MGL c.131 §40, if a project requires approval from boards and commission other than the Conservation Commission. Applications to those boards and commissions must be made prior to or concurrently with, the application to the Conservation Commission. Significant time may be saved if the permit for the local wetlands permit is filed concurrently with the state wetlands permit both of which are administered and approved by the local Conservation Commission.

## **Dan McLaughlin, Inspector of Buildings/Building Department**

**Location:** The Inspector of Buildings is located in the Building Department in the Town Hall Annex, 11 Spring Park Avenue and can be reached at TEL: 978-454-0603; FAX: 978-937-9885; [buildingdept@dracut-ma.us](mailto:buildingdept@dracut-ma.us)

**Functions:** The responsibilities of the Inspector of Buildings include the protection of the health, safety and welfare of the residents through the enforcement of State and local laws, by-laws and regulations. This department issues permits for all types of construction, including all public and private buildings. The department also issue permits for additions and alterations of buildings, installation of pools, sheds, garages and other such improvements to properties. The Building Inspector is also required to perform periodic inspections for those businesses and buildings that are required to obtain a Certificate of Inspection. The Plumbing and Electrical Inspectors also work out of this department. The Inspector of Buildings also functions as the Zoning Enforcement Officer and the contact for the Zoning Board of Appeals.

## **Lori Cahill, Conservation Agent/Conservation Department**

**Location:** The Conservation Administrator is located in the Conservation Department in the Town Hall Annex, 11 Spring Park Avenue. Contact the Conservation Department TEL: 978 458-4478; FAX: 978-937-9885: [conservation@dracut-ma.us](mailto:conservation@dracut-ma.us)

**Functions:** The Conservation Administrator is the technical advisor to the Conservation Commission and also advises the public and municipal staff and boards on the Massachusetts Wetlands Protection Act and the Town of Dracut's Wetlands By-law.

## **Tom Bomil, Director of Public Health/ Health Department**

**Location:** The Director of Public Health is located in the Health Department in the Town Hall Annex, 11 Spring Park Avenue and can be reached at TEL: 978 453-8162; FAX: 978-937-9885; [boardofhealth@dracut-ma.us](mailto:boardofhealth@dracut-ma.us)

**Functions:** The Board of Health enforces state and local health and environmental codes, and provides input to other land use boards e.g. Planning Board for subdivisions. The Health Department conducts various health screenings and immunization programs, communicable disease surveillance and reporting, and provides community education. The Health Department checks on adherence to sanitary regulations at establishments setting food and drink, investigates complaints, and responds to public health emergencies. The Department inspects all installations of private sewage disposal systems. The Department also works on beaver and mosquito control in the town.

## **Michael Buxton, Director/Public Works Department**

The Public Works Department is located at 833 Hildreth Street and can be reached at TEL: 978 957-0411; FAX: 978-957-9313 [dpw@dracut-ma.us](mailto:dpw@dracut-ma.us).

**Functions:** This department issues street opening permits and trench permits.

## **Mark Hamel P.E., Town Engineer/Engineering Department**

**Location:** The Town Engineer is located in the Engineering Department in the Town Hall Annex, 11 Spring Park Avenue and can be reached at TEL: 978 454-2594; FAX: 978- 937-9885; [engineering@dracut-ma.us](mailto:engineering@dracut-ma.us)

**Functions:** The Engineering Department performs numerous functions to support the upkeep of the town's public grounds and public ways. These functions include: Plan Reviews, Inspection Services, Planning Board Reviews, Surveying Design, and Specification Preparation.

### **Kathleen Roark, Town Assessor/ Assessors Department**

The Town Assessor is **located** on the first floor of Town Hall, 62 Arlington Street and can be reached at TEL: 978 453-2451; FAX: 978-452-7924; [assessor@dracut-ma.us](mailto:assessor@dracut-ma.us)

**Functions:** The Assessor's office maintains up-to-date property records, including owner Information, and is where a certified abutter list can be obtained.

### **Kathleen Graham, Town Clerk & Kenwood Water Supply District**

The Kenwood Water Supply District is **located** on the first floor of Town Hall, 62 Arlington Street and can be reached at TEL: 978-453-1380; FAX: 978-452-7924; [kenwoodwater@dracut-ma.us](mailto:kenwoodwater@dracut-ma.us).

**Functions:** The Kenwood Water Department handles municipal water issues on the eastern side of town. The Town Clerk's office is the main document repository for the town and also is where Town Meeting Articles are filed and various licenses (marriage, fishing, hunting, etc.) and where birth certificates are obtained.

### **Jack Turpin, Superintendent Dracut Sewer Department**

The Dracut Sewer Department is **located** at 1196 Lakeview Avenue and can be reached at TEL: 978-957-0371; FAX: 978 957-9308; [sewerdept@dracut-ma.us](mailto:sewerdept@dracut-ma.us).

Functions: The Sewer Department handles all municipal sewer issues for the entire town.

### **Mark Riopelle, Superintendent/Dracut Water Supply District**

The Dracut Water Supply District is located at 59 Hopkins Street and can be reached at TEL: 978-957-0441; FAX: 978-957-2073; [frontdesk@dracutwater.com](mailto:frontdesk@dracutwater.com).

Functions: The Dracut Water Supply District handles municipal water issues in the central on the western areas of town.

### **Mike Ralls, Deputy Chief/Fire Department**

The Central Fire Station is located at 488 Pleasant Street, The non-emergency TEL: 978 454-1564, FAX: (978) 454-1443; [dfd@dracutfire.com](mailto:dfd@dracutfire.com).

Functions: This office is concerned with fire safety code issues.

### **Police Department**

The Police Department is located at 110 Loon Hill Road, Non-emergency TEL: 978-957-2123; FAX: (978) 957-7197; [dracutpd@dracutpd.com](mailto:dracutpd@dracutpd.com) .

Functions: This office schedules road details and enforces numerous town by-laws.

## **4. BOARDS AND COMMISSIONS**

### **Board of Selectmen**

Jurisdiction: Special permits for which it is the special permit granting authority (SPGA). The Selectmen's Office on the 2<sup>nd</sup> floor of Town Hall . TEL: 978 452-1908 FAX: 978-452-7924; [boardofselectmen@dracut-ma.us](mailto:boardofselectmen@dracut-ma.us)

Meetings: Usually meet on 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month in the M. G. Parker Library Community Room.

### **Planning Board**

Jurisdiction: Approvals of all subdivisions and Approval Not Required Plans; site plans and special permits for which it is the special permit granting authority (SPGA). Contact the Engineering Department located in the Town Hall Annex, 11 Spring Park Avenue and can be reached at TEL: 978 454-2594; FAX: 978- 937-9885; [engineering@dracut-ma.us](mailto:engineering@dracut-ma.us)

Meetings: Usually meet on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of the month in Harmony Hall, Lakeview Ave.

### **Conservation Commission**

Jurisdiction: Approves permits for activities in wetlands and associated buffer areas as defined in State Wetlands regulations (310 CMR 10.00) and the local Wetlands By-law. Contact the Conservation Agent in the Town Hall Annex, 11 Spring Park Avenue. TEL: 978 458-4478; FAX: 978-937-9885; [conservation@dracut-ma.us](mailto:conservation@dracut-ma.us).

Meetings: Usually meet 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month in Harmony Hall, Lakeview Ave

### **Zoning Board of Appeals**

Jurisdiction: Hears and decides all appeals from the zoning enforcement officer, applications for special permits when designated as the SPGA, all comprehensive permit applications and all requests for variances from the zoning regulations. Contact the Inspector of Buildings. Zoning Board of Appeals, the Building Department is located in the Town Hall Annex, 11 Spring Park Avenue, TEL: 978 454-0603; FAX: 978- 937-9885; [boardofappeals@dracut-ma.us](mailto:boardofappeals@dracut-ma.us)

Meetings: Usually meet 3<sup>rd</sup> Thursday in Harmony Hall, Lakeview Ave.

### **Board of Health**

Jurisdiction: All local and state health codes, septic systems, food and drink establishments. Contact the Director of Public Health in the Town Hall Annex, 11 Spring Park Avenue and can be reached at TEL: 978 453-8162; FAX: 978-937-9885; [boardofhealth@dracut-ma.us](mailto:boardofhealth@dracut-ma.us)

Meetings: Usually meet the 2<sup>nd</sup> or 3<sup>rd</sup> Thursdays but varies depending on agenda items.

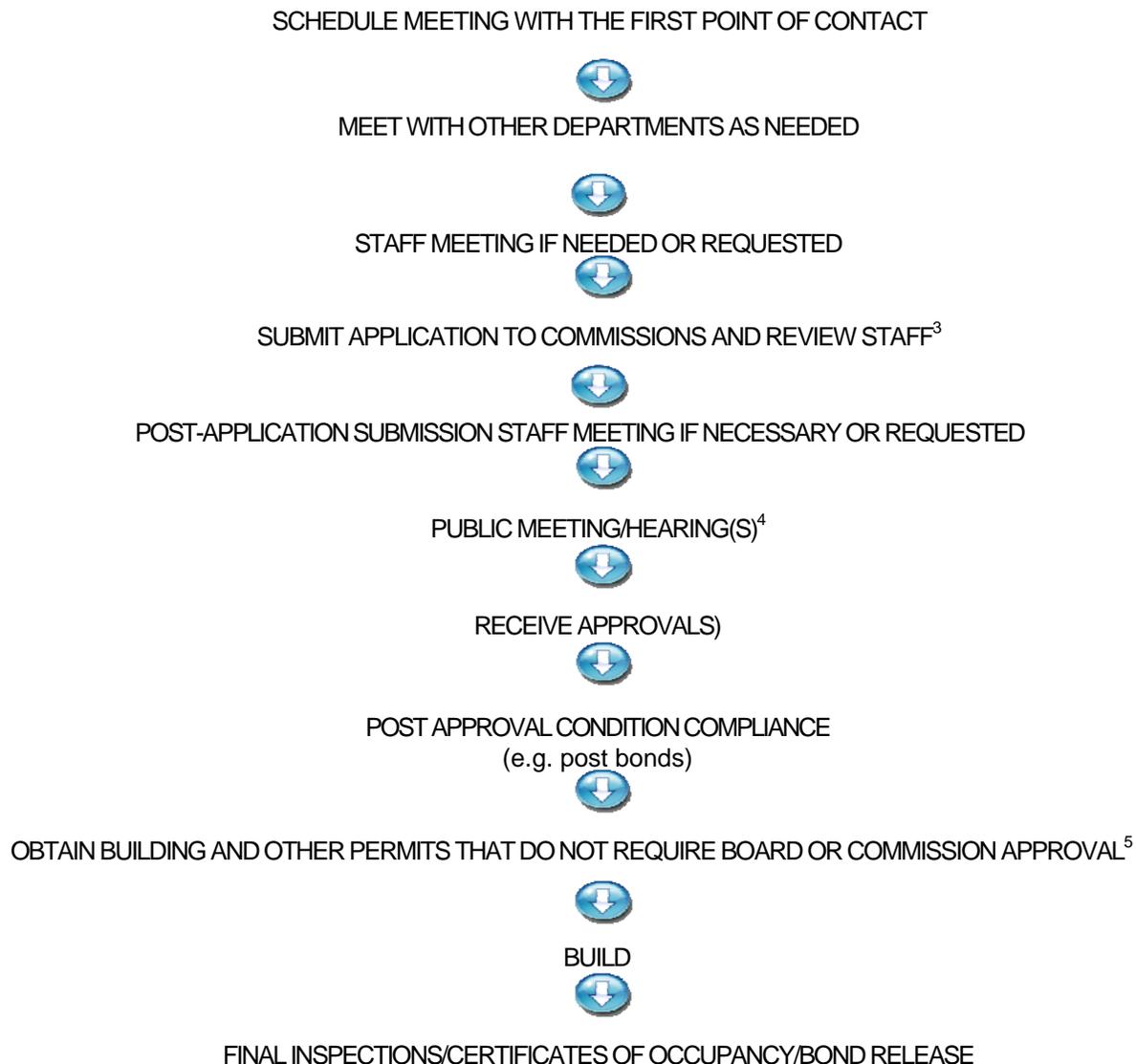
## Historical Commission

TEL 978 957-1701; [historicalcommission@dracut-ma.us](mailto:historicalcommission@dracut-ma.us)

Jurisdiction: Review and comment on applications for demolition permits

### 5. GENERALIZED FLOW CHART

The current permitting process involving a land use board or commission can be illustrated by the following generalized flow chart:



<sup>3</sup> Applications may be submitted to multiple commissions/boards and the review staff at the same time.

<sup>4</sup> Staff comments are received by the decision-making bodies and step 4 is repeated if plans are revised and sent out for staff review. The public hearing is kept open in this instance.

<sup>5</sup> Inspector of buildings requires department sign-off insuring all necessary board and commission approvals are in place for issuance of budding permit.