

TOWN OF RAYNHAM



Permitting Guide

TOWN HALL
558 South Main Street
Raynham, MA 02767

October 2015

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I. Introduction

The local permitting process can often be confusing for homeowners, small businesses and other professionals, especially since they it can vary from community to community. Even though there are Massachusetts General Laws that all communities must follow, each municipality has its own regulations that dictate which boards have permitting authority over various types of approvals. Therefore a helping hand is needed to get through the complicated process of securing local approvals and permits for development and construction projects. The Town of Raynham prepared this Permitting Guide as a way to help understand its local process.

This Guide is for information only. It does not have the force of the law. Please refer to the applicable Massachusetts General Laws, local Zoning By-Laws, General By-Laws, Subdivision Rules and Regulations and other departmental regulations for specific technical and procedural requirements and contact the appropriate department with any questions.

II. First Contacts and Research

As soon as you know the location, the proposed scope and use of your development project, it would be wise to reach out to the Building Department, who will direct you to other appropriate Town departments and/or Boards such as the Planning Department, Board of Health, Conservation Commission, Fire Department, among others, as needed. Each department can explain any approvals and/or permits that will be required by them for your project, what information you will need to provide for review, applicable fees and how long the process may take. For certain approvals, public hearings may be required for review and approval before a Town Board or Commission. This information will help you estimate your planning costs, set realistic timelines and minimize the likelihood of unexpected surprises and/or setbacks.

As you are likely aware, there are fees required for most permits you must obtain. If you are required to file with certain Boards, there may be additional application and/or review fees. Each office has its own fee schedule and will provide you with the amount of the fee, based upon your project. Fee schedules for the various departments/Boards are available on the Town website at www.town.raynham.ma.us or can be obtained from the given department and/or Board.

Building Department

No matter what type of development is being proposed, the Building Commissioner should be the first person you should contact. He is responsible for enforcing the Zoning By-Laws, some General By-Laws and the State Building Code and administers the issuance of building, occupancy and sign permits. The Building Commissioner will advise you as to whether your project requires Site Plan Review from the Planning Board or any Special Permit or Variance from the Zoning Board of Appeals. The Building Department also issues official zoning determinations for individual properties and is responsible for issuing a variety of permits such as building permits, demolition permits, sheet metal and mechanical permits, residential and

commercial occupancy permits, trench permits and others. The Building Department staff conducts the necessary inspections during and following construction to ensure compliance with the State Building Code and local approval(s), if applicable.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Building/index for the staff listing, hours of operation and contact information for the Building Department.

Board of Health and Health Department

The Board of Health that enforces the state and local health and environmental codes and local health regulations and issues permits for various residential and business activities such as food establishments, septic haulers, percolation tests and soil evaluations, stables, swimming pools tobacco vendors among others. In addition, the Health Agent responds to complaints made by residents and others in regards to septic system failures, food service violations, farm animals, substandard living conditions, rubbish, illegal dumping, odors, pests, communicable diseases and other nuisances. The Health Agent acts as staff to the Board of Health. One of the permits you may need to obtain from the Board of Health is a Septic System Permit that are issued after proper testing and design review. Residents may be required to repair or upgrade septic systems serving existing structures in order to remain in compliance with Title 5 of the State Environmental Code. You should allow at least 45 days for issuance of necessary septic system permits and associated construction and inspection. The three (3)-member Board of Selectmen also acts as the Board of Health for the Town of Raynham and meet every Tuesday evening at 7:00 p.m. in the Board of Selectmen's Meeting Room on the 2nd floor of Town hall.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Health/index for the staff listing, hours of operation and contact information for the Health Department.

Fire Department

The Fire Department reviews all plans submitted for residential, commercial and industrial building permits as well as all development application plans submitted to the Planning Department. Plans submitted under the State Building Code (780 CMR) are reviewed by the Fire Department for approval of the following, but not limited to:

- Location of hydrants;
- Access for firefighting apparatus and rescue vehicles;
- Provisions for fire pumps;
- Design and location of required standpipes, sprinkler systems and related equipment;
- Design and location of fire alarm systems, including detection, supervision and related equipment;
- Smoke control in buildings; and
- Location and protection of furnace and boiler rooms.

In addition, the Fire Department issues permits for oil burners, installation and removal of tanks and containers, blasting, flammable and combustible storage, fire alarm installation, sprinkler system installation and residential smoke detectors.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Fire/index for the staff listing, hours of operation and contact information for the Fire Department.

Highway Department

If your project is located on a Town roadway and involves the addition of a new curb cut or cuts, the construction on a new roadway, the generation significant new vehicle trips or impact drainage on a public roadway, then the Highway Department will play a key role in the review and approval of your project. The Highway Department is instrumental in determining the appropriate design and construction of new roadway intended for acceptance by the Town. In addition, they play a role in the location of street trees mailboxes and kiosks, street sweeping and sidewalk cleaning, pavement markings, street signage and traffic signals.

All projects requiring any type curb cut or street opening (excavation, trenching, cutting, curbing, utility connections, etc.) will require proper permitting from the Highway Department. Permits at a minimum will consist of a Street Opening and Trenching Permit, and a qualified Public Works Construction License for working in the Town of Raynham. Fees are charged for Permits and a Cash Bond may also be required depending on the scope of the Project. All information is available on the Town Website or by stopping at the Highway Department office at 1555 King Philip Street, Raynham Mass.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Highway/index for the staff listing, hours of operation and contact information for the Highway Department.

III. Town Boards and Commissions

Some projects require review and/or approval by a Town Board or Commission prior to seeking the necessary permits. As stated, the Building Commissioner will help to guide you to the appropriate Board or Commission, if necessary. As you gather information, study the applicable laws and local regulations that apply to your project. If necessary, get independent professional engineering or legal advice on surveys, soil tests, groundwater analyses, traffic studies and any legal aspects of your project. The more research you do during the planning stage, the easier it will be to meet the requirements for Town and other applicable state and federal permits and approvals. Also, the more information you can provide to the local Board at the time of application (i.e. photographs) that is relevant to the review of the project can only serve to help the Board to make an educated decision and expedite the review process. You will increase the likelihood that your project and design will be accepted and reduce the risk of having to make significant and potentially expensive changes in order to obtain approval.

Please note that permits may be withheld until all financial obligations to the Town have been met such as payment of applicable application and review fees as well as taxes owed on the subject property.

Planning Board

The Planning Board is a five (5)-member elected board that is empowered to regulate the subdivision of land under the provision of the Subdivision Control Law within the Massachusetts General Laws for the purpose of protecting the safety, convenience and welfare of the residents of Raynham. The Planning Board reviews and renders decisions on applications for Definitive Subdivisions, Preliminary Subdivisions, Open Space Preservation Developments, Cluster Multi-Family Developments, Adult Retirement Communities, Large-Scale Ground-Mounted Solar Photovoltaic Installations, Site Plan Review proposals, Approval Not Required (ANR) Plans, Waiver of Frontage Plans, Transfer of Development Rights proposals and certain Special Permits.

In addition, the Planning Board researches and prepares amendments to the Zoning By-Laws in accordance with Massachusetts General Laws and holds public hearings on such amendments prior to presentation to Town Meeting. The Director of Planning & Development acts as the staff for the Planning Board and can be contacted during normal Town Hall business hours as listed on the Town's web site. The Planning Board meets on the 1st and 3rd Thursday of each month at 6:00 p.m. in the Board of Selectmen's Meeting Room on the 2nd floor of Town Hall.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Planning/index for the staff listing, hours of operation and contact information for the Planning Department.

Zoning Board of Appeals

The Zoning Board of Appeals is a three (3)-member quasi-judicial board with five (5) associate members responsible for reviewing requests for variances from various aspects of the Zoning By-Laws, certain Special Permits and appeals of decisions rendered by the Building Commissioner under Massachusetts General Law Ch. 40 in order to promote the health, safety and general welfare of the residents of the Town Raynham. For many projects, it is necessary for an applicant to hold public hearings before the Zoning Board Appeals concurrently with a public hearing with the Planning Board because it requires a Special Permit from the Board of Appeals as well as an approval from the Planning Board. The Zoning Board of Appeals also reviews and issues decisions on Comprehensive Permits for affordable housing developments pursuant to Chapter 40B of Massachusetts General Laws. Lastly, the Zoning Board of Appeals issues Special Permits for any development within the town's Water Resource Protection Overlay District pursuant to Article 11 of the Zoning By-Laws.

The staff of the Planning Department acts as staff to the Zoning Board of Appeals and can be contacted during normal Town Hall business hours as listed on the Town's web site. The Zoning Board of Appeals meets on an as-needed basis on a Wednesday evening at 7:00 p.m. either in the Board of Selectmen's Meeting Room on the 2nd floor of Town Hall or at the Raynham Senior Center on King Philip Street.

Please www.town.raynham.ma.us/Public_Documents/RaynhamMA_BComm/appeals for the staff listing, hours of operation and contact information for the Zoning Board of Appeals.

Conservation Commission

The Conservation is a five (5)-member commission charged with the responsibility of administering and enforcing the State Wetlands Protection Act (M.G.L. Ch. 131, §40) and its applicable State Regulations (310 CMR 10.00). They also administer the Town of Raynham's Wetland Protection By-Law and its respective Rules and Regulations. In general, the Conservation Commission has jurisdiction over all activities within lands subject to flooding, vegetated wetlands, lands that are within 100 feet of vegetated wetlands and lands within 200 feet of perennial streams. Any activity that takes place on lands under the Commission's jurisdiction is subject to its review and approval before the proposed activity can legally commence.

Regardless of the scope of your project, **DO NOT** skip this step of speaking with the Conservation Commission. Conservation impacts are not always apparent or obvious. Depending on the nature of the project being proposed and the resources area(s) involved, the process may be simple or complex and time-consuming. The review process for the Conservation Commission can occur concurrently with reviews by other Town boards. The Commission's Administrative Assistant will be your point of contact and can be contacted during normal Town Hall business hours as listed on the Town's web site. The Conservation Commission meets on the 1st and 3rd Wednesday of each month at 5:30 p.m. in the Board of Selectmen's Meeting Room on the 2nd floor of Town Hall.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Conservation/index for the staff listing, hours of operation and contact information for the Conservation Commission.

IV. Getting Started

Once you know the zoning requirements associated with your project, you should contact the Conservation Commission. As stated above work in or within 100 feet of a wetland or within 200 feet of a perennial stream is regulated by the Conservation Commission. When you present your proposed project to the Conservation Commission an evaluation will be made if you need to file with Conservation. The various types of filings are described on the Conservation Commission web page along with the submission requirements for each. Once all necessary information, including all applicable fees, has been submitted, the Commission will hold a public hearing. The time frame for completion of the Commission's review process varies depending on the type of filing.

General Zoning

The Town of Raynham contains a total of 10 zoning districts plus two (2) overlay zoning districts. The Zoning By-Laws contain information on each district, such as allowed and prohibited uses and dimensional regulations for building height, minimum lot square footage, frontage, setbacks and parking requirements and landscaping. They also detail uses that are allowed by right in each district as well as those allowed by Special Permit, through Site Plan review or prohibited. Either the Zoning Board of Appeals or the Planning Board act as the Special Permit Granting Authority and the Planning Board is responsible for issuing Site Plan Approval. In considering granting a Special Permit or Site Plan Approval, the board considers neighborhood character and other site-specific issues and may require mitigation measure to off-set potential impacts as part of an approval. The Building Commissioner is the Zoning Enforcement Officer and determines what is required pursuant to the Zoning By-Law.

Special Permits and/or Zoning Variances

If your project requires the issuance of a Variance from the Zoning Board of Appeals, it should be obtained prior to applying for any other approval(s). The reason is that without issuance of the Variance, the project would create a violation of the Zoning By-Laws and could not proceed. It will also be vital that a reference to any Variance(s) received be included on the cover page of the site plans of the proposed project when filing for other approvals. If you project requires the issuance of a Special Permit, the review process can normally be conducted concurrently with the review of other applications such as Site Plan Approval.

Public hearings are required for the review and potential approval of a Special Permit or a Variance pursuant to Massachusetts General Law Ch. 40A that contains various requirements for advertisement, public notification, etc. If approved, there is a 20-day appeal period during which the decision remains with the Office of the Town Clerk. Once that period expires, if there are no comments received, the decision is available for recording and subsequent permits may be obtained. The decision must be recorded with the Bristol County Registry of Deeds within six (6) months of the expiration of the appeal period. In total, from submission of application materials to approval, the process can be expected to take approximately two (2) to three (3) months.

Board of Health Permits

Once wetlands and other limiting factors are located and identified on and/or near the site, the Board of Health Agent should be notified to witness perk testing in order to design a septic system if the project includes on-site septic. If the intent is to connect to Town sewer and sewer service is available, a Sewer Connection Permit should be obtained from the Raynham Sewer Department. Among the permits you will need from the Board of Health are those for a septic system or other wastewater disposal method or a well construction permit (if not connecting to Town water service).

Other permits issued by the Board of Health include licenses for tobacco, stables, restaurants, markets or any other food service establishment, among others. It is advised that you review your project with the Board of Health Agent to be certain which permit(s) you will need. You will need to have potable water available on-site before a Building Permit can be issued.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Health/index for the applicable regulations, forms and notifications for the Health Department.

Planning Board Approval

If your project is a subdivision; that is, if it divides land into lots or parcels (residential, commercial or industrial) and requires the construction of a new roadway(s), you must get a Subdivision Approval from the Planning Board. This may include the submission of a Preliminary Subdivision Plan prior to proceeding with the submission of a Definitive Subdivision Plan. Both will require a public hearing before the Planning Board. If you don't have to build a new roadway(s), the Planning Board may sign a "Subdivision Approval Not Required" Plan at one of their regularly-scheduled meetings. This would not require a public hearing before the Planning Board. By law the Planning Board has 21 days within which to act on an ANR Plan unless an extension is requested and granted by the applicant and/or the Planning Board.

The Planning Board also grants special permits for registered marijuana dispensaries, assisted living facilities, drive-through facilities, public utility structures, open space preservation developments, subdivision phasing, transfer of development rights and adult retirement communities. The Planning Board also grants Site Plan Approval for projects that meet various development thresholds pursuant to Article 13 of the Zoning By-Laws and large-scale ground-mounted solar photovoltaic installations pursuant to Article 19 of the Zoning By-Laws. Approval for any of these uses would require a public hearing before the Planning Board.

Water Districts

If your project proposes connection to a Town water service line, then you will have to obtain approval from one of the town's water districts. The Town contains the North Raynham Water District and the Raynham Center Water District and each has its own staff and Director.

Please visit www.nrwd.org for contact information, rules and regulations, applications and forms and other relevant information for the North Raynham Water District.

Please visit www.raynhamcenterwater.com for contact information, rules and regulations and other relevant information for the Raynham Center Water District.

Work Within a Public Way

All work within a public way is either controlled or maintained by the Town of Raynham or the Massachusetts Department of Transportation, such as curb openings for driveways, connections to utilities such as water, sewer or gas, tree removal, storm water drainage, traffic signals and

any other street improvements required as part of the proposed project. These activities will require a review and/or permit from the Highway Department or Mass DOT. All connections to Town utilities are subject to rules and regulations promulgated by that Town Department.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Highway/index for the staff listing, contact information, hours of operation, permits and licenses and other relevant information for the Highway Department.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Sewer/index for the staff listing, contact information, hours of operation regulations and fees, forms and other relevant information for the Sewer Department.

Please visit www.massdot.state.ma.us/highway/AbouttheDistricts.aspx for contact information for the Massachusetts Highway Department District 5 Office.

Signs

If your project involves installation of a new sign(s) or alteration of an existing sign, then you want to speak with the Building Commissioner and review Article 6.6 of the Zoning By-Laws to determine whether or not the proposed sign(s) comply with the town's Sign By-Law. If your sign(s) exceed the regulations within the by-law, then you may need to request a Variance from the Zoning Board of Appeals that will require an application submittal and public hearing. Even if your sign(s) do not exceed the regulations, you may need to obtain a permit from the Building Department. Article 6.6 of the Zoning By-Laws regulates the design, type, size, location and number of signs allowed by the Town.

State and Federal Permits

Depending on the nature, scope and location of your project, you may need to obtain one (1) or more permits from the State or Federal government. It is your responsibility to ensure compliance with state and federal requirements and those processes are separate from the local approval and permitting process. In other words, even if you receive approval by a local Board or Commission and permits from the Building Department (i.e. demolition permit, building permit, etc.), your project will not be able to be completed until you obtain the necessary state or federal permits. The following are the most common permits required:

- ✓ A curb-cut permit from the Massachusetts Department of Transportation for work affecting a State highway;
- ✓ 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);
- ✓ NPDES permit when altering one (1) acre of land or more; and
- ✓ State Department of Environmental Protection (MassDEP) sewer extension permit.

Building Permit

This is the last local permit you will need before starting construction on your project. Depending on the nature of your project you may need to obtain a permit(s) prior to construction such as a demolition permit, foundation permit or a street-opening permit. Before issuing a Building Permit, the Building Commissioner conducts a final check on zoning compliance and review your building and construction plans for compliance with the Massachusetts Building Code and all other applicable permits. The Building Commissioner has up to 30 days to review a Building Permit Application upon receipt of a complete application with all applicable signatures and information.

Depending on the nature, scope and location of the project, the Building Department may require signatures from other Town departments and/or Boards/Commissions prior to the issuance of a building permit. The Building Department will inform you of what other signatures will be required at the time of application.

Certificate of Occupancy

Once all local approvals and permits have been issued pre-construction and during construction, the final local permit required is a Certificate of Occupancy (CO). Similar to a Building Permit, the Building Department will determine what signatures are needed from other departments and/or Boards/Commissions. If the project received Planning Board approval, the Board will offer its recommendation to the Building Commissioner and will ensure that proper surety is in place for any remaining work. In cases where it is practicable to do so, the Planning Board will recommend the issuance of a Temporary Certificate of Occupancy (TCO) depending on the level of completion and if proper surety is in place for any remaining work.

Even though the state and federal permitting processes are separate from the local approval and permitting process, Certificates of Occupancy will not be issued by the Building Department unless ALL state and/or federal permits have been obtained by the applicant.

V. What to Expect

When your design work is complete, you are ready to apply for your permits and the nature, scope and location of the project will determine what permits will be needed. This Guide will help provide direction, but you should get independent professional and legal advice as well. Careful attention to detail will help you avoid delays, frustration and disappointment.

How long will it take to get a Permit?

That depends on how many permits are required for your project and which permits you will need to obtain. The nature, scope and location of your project will also play a role in how long it will take to obtain the necessary permits. The time of year also plays a minor role, because most local Boards/Commissions meet less frequent during the summer and meetings may be cancelled when they fall close to or on holidays. Many applications can be reviewed and processed simultaneously; but some, including a Building Permit, require that others be in place

first. Here are some typical processing timelines from the day you submit your application to approval for common permits:

✓ Building Permit	- 30 Days upon receipt of completed application
✓ Sign Permit (conforming)	- Within seven (7) days
✓ Special Permit*	- 2-3 months
✓ Variance*	- 2-3 months
✓ Wetlands Permits	- Up to 2 months
✓ Board of Health Permits	- Up to 45 days
✓ Subdivision Approvals*	- 3-4 months
✓ Site Plan Review*	- 2-3 months
✓ Approval Not Required Plans	- Up to 21 days
✓ Fire Department Permits	- 2-3 days
✓ Sewer/Water Connection Permits	- 2-3 days



* - Depends on how many public hearings are necessary for review and approval

Public Hearing Timing and Procedure

Some permits require a public hearing before a Board or Commission before a permit may be granted. The purpose of the public hearing is to provide citizens, particularly neighbors and abutters, with a forum to comment on or express concerns about your project. In many cases, neighbors simply want to be made aware of a project taking place close to their property. The permit granting authority will schedule the hearing within a specific time frame after receiving your application and will place the required notices in the local newspaper, in Town Hall and send it via certified mail to abutters. The notice provides the date, time, location and purpose for the hearing.

For **ALL** public hearings held before Town Boards and Commissions, there are timelines and procedures to which the Board or Commission has to adhere pursuant to Massachusetts General Laws. First, they require creation of a certified list of abutters to the project locus as part of the application. This list can be obtained from the Office of the Town Assessor for a nominal fee. Simply go to the Assessor's Office and fill out the proper request form. The Assessor's Office has up to 10 days to generate a Certified Abutter's List, although it normally takes less than that.

Please visit www.town.raynham.ma.us/Public_Documents/RaynhamMA_Assessor/index for a staff listing, contact information and hours of operation for the Assessor's Office.

The abutter's list is then used to send all certified abutters ("parties in interest") a notification of the public hearing via certified mail. These notices are usually mailed to abutter's 14 days prior to the public hearing. It is done so at this time because M.G.L. Ch. 40A §11 requires that the public hearing notice be published in a newspaper of general circulation within the Town in each of the two (2) successive weeks prior to the date of the public hearing, the first publication to

appear in the newspaper not less than 14 days prior to the date of the public hearing. In addition, the notice is required to be posted in a “conspicuous place” within Town Hall.

You and your representative(s) should attend the public hearing(s) to present the application and state the reason(s) why the permit or approval should be granted. Following your presentation, members of the Board or Commission will offer their comments and ask questions about the project. The Chairman will then likely solicit comments and/or questions from any abutters or other members of the public in attendance. The Board or Commission may also receive comments from residents via letter or email that become part of the public file for the project. Any citizen may speak in person or through an agent or attorney at any public hearing. A public hearing may be continued to a specific future date and time stated at the hearing if more information is required by the Board or Commission in order to make a decision. When all persons wishing to be heard have spoken and all information has been obtained by the Board or Commission to make a decision, the Chairman will close the public hearing and the Board or Commission will take the matter under advisement. Once the public hearing is closed no further testimony may be taken. No new evidence can be admitted after the close of the public hearing unless the Board or Commission had previously requested it.

Decision

Once the public hearing is closed on an application, the Board or Commission will issue its decision. Once the decision is endorsed by the Board or Commission, there is a mandatory appeal period during which any resident can provide comments on the project. If none are received after the time period has elapsed, then the decision is sent to the applicant and his/her representative(s) via certified mail and is eligible for recording at the registry of deeds, if applicable. No activity may proceed until all appeal periods have lapsed. At this point, you are ready to obtain and further permits and begin construction on your project. Proof of recording is to be provided to the applicable Board or Commission, if applicable.

EASTON

WEST BRIDGEWATER

Town of Raynham, MA



Zoning Map

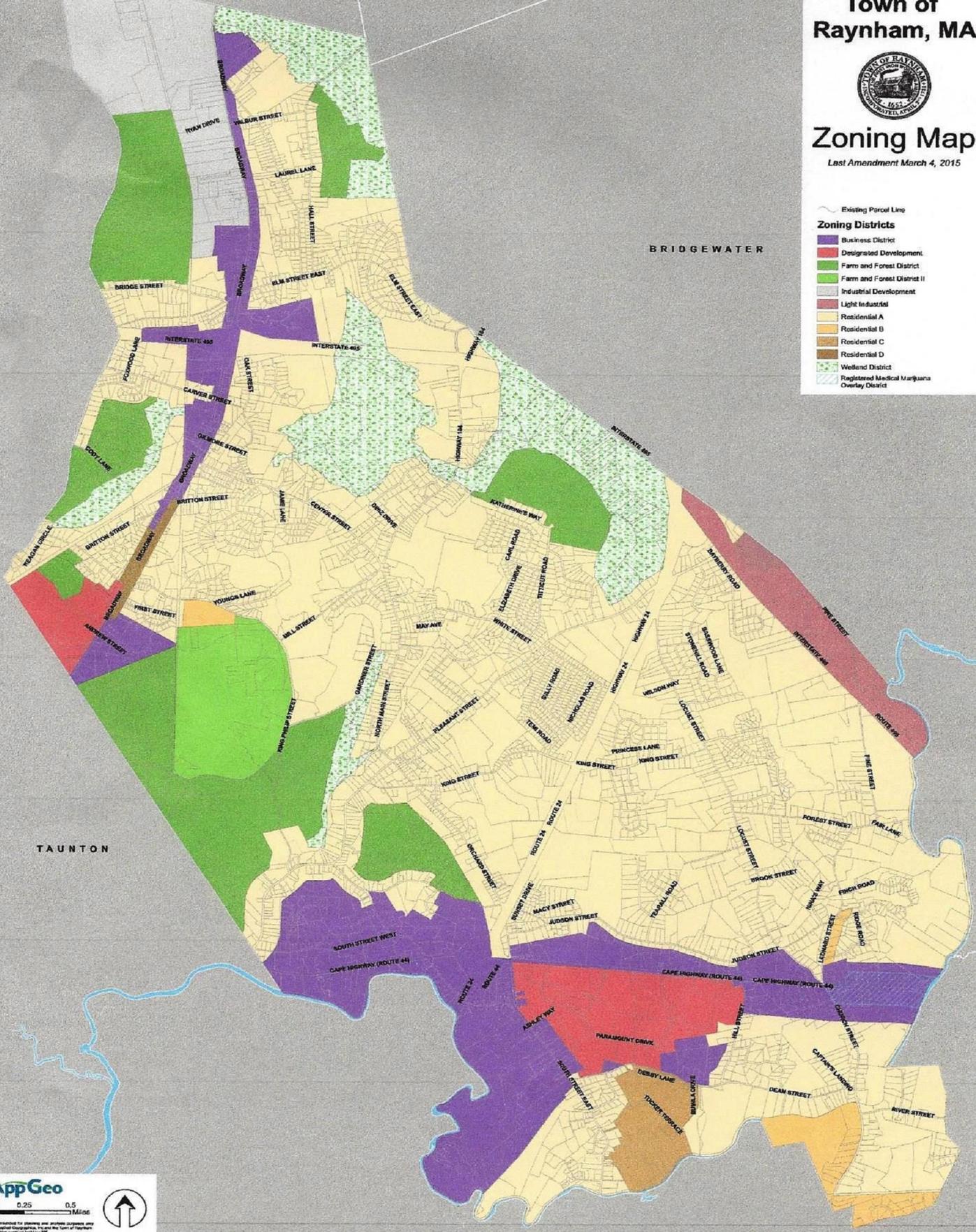
Last Amendment March 4, 2015

BRIDGEWATER

Existing Parcel Line

Zoning Districts

-  Business District
-  Designated Development
-  Farm and Forest District
-  Farm and Forest District II
-  Industrial Development
-  Light Industrial
-  Residential A
-  Residential B
-  Residential C
-  Residential D
-  Wetland District
-  Registered Medical Marijuana Overlay District



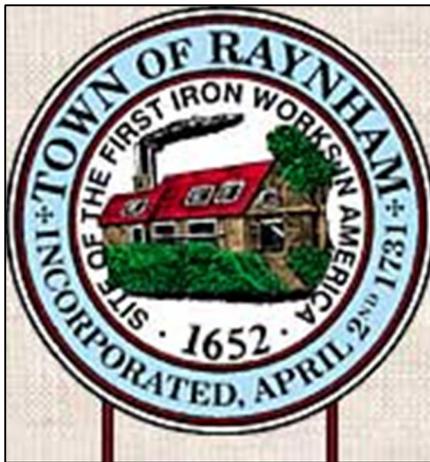
TAUNTON

AppGeo

0 0.25 0.5 Miles



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Raynham Town Hall
558 South Main Street
Raynham, MA 02767

Town Administrator/Board of Selectmen	(508) 824-2707
Town Clerk	(508) 824-2700
Town Accountant	(508) 828-6271
Town Assessor	(508) 824-2704
Building Department	(508) 824-2708
Conservation Commission	(508) 824-2706
Health Department	(508) 824-2766
Planning Department	(508) 824-2774
Treasurer/Collector	(508) 824-2702
Veterans' Agent	(508) 828-4527
Weights and Measures	(508) 802-1036
Fire Department (37 Orchard Street)	(508) 824-2713
Highway Department (1555 King Philip Street)	(508) 824-2718
Police Department (53 Orchard Street)	(508) 824-2716
North Raynham Water District (80 Baker Road)	(508) 509-3907
Raynham Center Water District (280 Pleasant Street)	(508) 824-0020
Council on Aging (2215 King Philip Street)	(508) 824-2740
Housing Authority (75 Mill Street)	(508) 824-9404