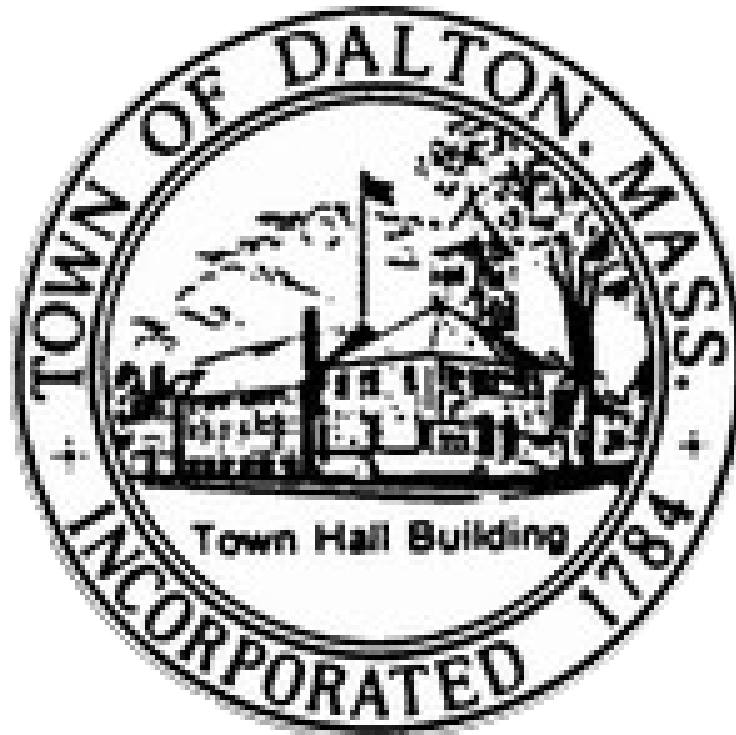


Town of Dalton
Permitting Guidebook



A Guide to Project Review and Permitting
March, 2022

Purpose of this Guidebook:

This guidebook is intended to serve as a manual for applicants seeking approval of projects located within the town of Dalton. The guidebook answers many questions about which types of permits and which people will assist you in obtaining the permits you need. It presents all applications and forms needed and the roles that each member of the town government will play and how they will guide you through the process. It also presents a timeline for applicants and permit granting boards to follow. Our hopes are that when you plan to develop, remodel, or relocate to our town that this guidebook will save you time. As always our Town Planner and Building Commissioner are here to answer any more in depth questions you may have regarding your project. Our zoning bylaws are also located on our town website.

Step by Step Guide to Permitting a Project:

Most construction projects require some type of permit. You as the business developer/owner or homeowner will need to do your homework. Where are you zoned? Are you near wetlands? How is your building set up on your property? Do you need a special permit for your project? Are you creating a new lot or road? These are all questions you should ask yourself to save time and money and reduce headaches later on. If you are unsure where to begin or have questions with multiple boards please set up a meeting with our technical support team consisting of:

- Town Manager
- Select Board
- Town Planner
- Building Commissioner
- Conservation Chair
- Fire Chief
- Health Agent
- Traffic Commission
- Development and Industrial Commission
- Stormwater Management Commission

After you know the location, size, and use of your project the next step is to set up an informal preliminary consultation with our Building Commissioner. The Building Commissioner will help applicants through the development review and permit process by identifying regulations and By-Laws that apply to the project, identify site design issues that are of concern and discussion of potential solutions. The Building Commissioner will also start guiding you as to which permits you may need, and a time frame of how long it takes to obtain those permits. This allows the applicant to receive input prior to officially submitting any applications. **Please note that preliminary consultations are non-binding, and do not commit applicants or permit granting authorities to any actions or decisions during the permit review process.**

Once the applicant knows which permits they need to obtain; A procedure Outline detailed below:

These decisions are not made simultaneously. Each board meets on a different day once or twice a month.

For a Building Permit:

The **Building Commissioner** serves as the Zoning Enforcement Officer and is responsible for issuing permits for the construction, alteration and demolition of structures and accessory buildings, in accordance with the Massachusetts Building Code, the Zoning Bylaw and other local bylaws.

Contact Person: Brian Duval, Building Commissioner (413) 684-6111 x301

- Applicant contacts the Building Commissioner
- Building Commissioner determines whether the project is zoned properly and if the use is allowed by right or needs a special permit, and in some cases a variance.
- The applicant files for a building permit through our online permitting system called “Permit Eyes”. This is located on the Building Department page of the Dalton, MA town website: <https://dalton-ma.gov/building-department/> or visit https://perमितeyes.com/berkshire/user_logins.asp
- Once application is deemed complete, a 30 day clock starts
- Plan review begins and can include the following:
 - Tax status
 - Fire Chief Review
 - Conservation Commission Review
 - Board of Health Review
 - Zoning Review
 - Building Code Review
- Once a permit has been reviewed and is ready to be issued, the applicant will be notified, electronically of the fee amount and can chose to either pay using the on-line payment option or may pay by check or cash. Once the fee has been paid and the permit has been issued, the applicant can print the permit card from the permit system to display on the job site.
- After the applicant receives their building permit, an inspection process begins. Applicants will be required to request their inspections through the online permitting system and the inspector has 48 hours to schedule the inspection.

Please Note: You may need electrical, plumbing, and gas inspections as well. Those permits can also be obtained through our online permitting system. The Building Commissioner is also the issuing authority for Sign Permits.

If your project triggered another type of permit such as a Form A, Special Permit, Variance, Wetland Permit, Septic Permit, Sign Permit, or Trench Permit the procedure for obtaining those is listed below with the necessary points of contact.

For a Special Permit or Variance:

Contact Person: Grant McGregor, Town Planner (413) 684-6111 x304

- Applicant contacts the Town Planner or can get an application on our website under Board of Appeals
- Applicant provides 10 copies including one original with required payment
- Notices of public hearings held by the Board of Appeals and the Planning Board must be posted in a newspaper of local circulation in two consecutive weeks (14 days) prior to the Public Hearing date. Please communicate with the Town Planner to ensure all deadlines are on track to be met when completing your application.

For a Wetland Permit:

Contact Person: Cheryl Rose, Conservation Chair or Grant McGregor, Town Planner (413) 684-6111 x304

- Development within 100 feet of a wetland, 200 feet of a river/stream, or 500 feet of a public drinking water source triggers the Massachusetts Wetlands Protection Act. This may require you to get a permit or prohibit you from your project
- For all Notice of Intents and Request for Determination please visit: <http://www.mass.gov/eea/agencies/massdep/service/approvals/> or the Conservation Commission page of the Dalton, MA town website for our Scenic Mountain regulations. <https://dalton-ma.gov/conservation-commission/>

Definitions (Wetland Permit):

RDA: (Request for a Determination of Applicability): A legal question posed by a person or entity seeking a legally binding answer from the issuing authority. In a broader sense, the object is to give an applicant, and often other parties, a reliable certainty that an action they propose to take will or will not require an Order of Conditions. The board is here to serve you in revising or clarifying your RDA.

- Issuing authorities are required to issue a DOA, WPA Form 2 within 21 calendar days of the receipt of the RDA

NOI (Notice of Intent): Prohibits the removal, dredging, filling, or altering of wetlands without a permit. The Notice of Intent application provides the Conservation Commission and the Department 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, for each applicable resource area.

For a Septic Permit:

Contact Person: Agnes Witkowski, Board of Health Agent (413) 684-6111 x302

- Septic systems must be done under Mass Title V regulations and are administered by the Board of Health. If you are putting in a new septic system, repairing, or replacing an existing septic system you will need a permit. Permit applications are found under The Health Department page of the Dalton, MA town website. <https://dalton-ma.gov/board-of-health/>

Please see Health Agent for Private Well Permits.

For a Trench Permit:

Contact Person: Bud Hall, Highway Superintendent (413) 684-6111 x501

- You may need a trench permit if you are digging 3' or deeper, and/or digging a trench of greater depth than width. Trench permit applications can be found through our online permitting system: https://permiteyes.com/berkshire/user_logins.asp

For a Curb Cut Permit:

Contact Person: Bud Hall, Highway Superintendent (413) 684-6111 x501

- Prior to obtaining a building permit the owner and superintendent shall locate and establish the width of the curb cut(s) for lot access. Applications can be found on our website under the Highway/Cemetery/Sewer Department page of the Dalton, MA town website under the "Fees, Forms & Permits heading. <https://dalton-ma.gov/highway-cemetery-sewer-department/>

For an Underground Storage Tank and Dumpster Permits:

Contact Person: James Peltier, Fire Chief (413) 684-6118

- The fire Chief issues permits for underground storage tanks which contains hazardous materials. The Fire Chief also works closely with the Building Official to conduct smoke detector and sprinkler tests. The two departments work together to provide safe, functioning buildings in our town.
- Dumpster Permits must be obtained at the Fire Station located at 20 Flansburg Avenue.

For a Subdivision: 2 Types – Required Subdivision Approval and Approval Not Required (Form "A")

Contact Person: Grant McGregor, Town Planner (413) 684-6111 x304

- Applicant contacts the Town Planner or downloads an application on the Planning Board page of the Dalton, MA town website. <https://dalton-ma.gov/planning-board/>
- Applicant provides 7 copies of application, plans, and 1 mylar including one original with required payment
- Form "A" applications (Approval Not Required) **do not** require a public hearing, and are reviewed under regular open meeting.

If the Planning Board determines that the plan **does not** require approval, it shall, without a public hearing and within 21 days, endorse on the plan the words, "Approval Under the Subdivision Control Law Not Required." Chair Person endorses the Planning Board Approval. (Section 501:5C)

If the Planning Board determines that the plan **does** require approval under the Subdivision Control Act, it shall so inform the applicant within 21 days and return the plan. (Section 501:5C)

Applicants seeking additional help are encouraged to reach out to the prospective department heads. Please don't hesitate to reach out BEFORE you apply, we are here to help you.

March 15, 2022