

# TOWN OF DANVERS

## Business & Permitting Guide



*Department of Land Use and Community Services*

*2020*

# Welcome to Danvers!

We recognize that the municipal process can sometimes seem quite complex, especially if it is your first time opening a business or if you are trying to navigate the permitting and licensing process on your own. The goal of this guide is to provide an easy to use resource that enables future and current property owners to better understand the various permits offered by the town.

## Getting Started

Every business or new commercial development needs approvals and/or permits in order to legally operate in town. The permits you will need depend on the scope of your project. The larger and more complex the project, the more permits will likely be required; however, most businesses will just need the permits/approvals found in this guide. To help you get started, here are a few specific things every business owner should consider:

**Zoning and Approvals** — Each zoning district in Danvers has specific regulations relative to building use, height, size, and location. It will be necessary for you to understand what uses are allowed in which zones and the applicable associating permitting processes needed for approval. For more information see [page 3](#)

**Building Permits** — Before you are allowed to do any interior or exterior construction, demolition, remodeling, alterations, or renovations to your property, you will need to receive a Building Permit. To understand what activities require a building permit and how to apply for one, see [page 7](#)

**Licenses and Certificates**— Some businesses may be required to obtain additional permits such as a Liquor License or a Common Victualler License. Information on licenses can be found on [page 8](#)

**Contacts and Meeting Times**— Knowing which department to contact for the right information is key to an easy permitting process. The standing meeting times, office hours, and contact information for all relative permitting boards can be found on [page 11](#)

# Zoning and Approvals

Zoning regulates the use of property to balance private property rights with the Town’s obligation to protect the public health, safety, and welfare of its residents. To understand what uses are allowed in which locations, consult the [Danvers Zoning Bylaw](#) or make an appointment to meet with a staff member from the Land Use & Community Services Department. Certain proposed uses, developments, or projects may require a **Special Permit, Site Plan Approval** , a **Wetlands Permit**, or a **Stormwater Permit** prior to starting business or construction.

Process	This Applies If..
<p align="center"><b>Special Permit (Planning Board)</b></p>	<p>Your business requires a special permit from the Planning Board in your zoning district, as regulated by the Danvers Zoning Bylaw Tables of Allowable Uses (Table-1).</p>
<p align="center"><b>Special Permit (Zoning Board of Appeals)</b></p>	<p>Your business requires a special permit from the Zoning Board of Appeals in your zoning district, as regulated by the Danvers Zoning Bylaw Table of Allowable Uses (Table-1). This requirement in Danvers is limited to a few types of business.</p>
<p align="center"><b>Site Plan Review</b></p>	<p>You propose to:</p> <ol style="list-style-type: none"> <li>1. construct, remove, or reconstruct your building* .</li> <li>2. Enlarge your building by 500+ square feet</li> <li>3. Change the current use of your building.</li> </ol>
<p align="center"><b>Wetlands &amp; Stormwater</b></p>	<p>You’re proposing construction and your business is :</p> <ol style="list-style-type: none"> <li>1. Within 200’ of a perennial stream/river</li> <li>2. Within 100’ of a wetland resource area</li> <li>3. Subject to Site Plan Review or altering up to 1 acre or 50% of the lot, whatever is more.</li> </ol>

\* Single-family homes, two-family homes , and structures accessory thereto are not subject to Site Plan Approval.

# Zoning and Approvals

## Special Permits

### What is a Special Permit?

Special Permits are required for uses that are generally perceived to have the greatest potential to negatively impact the community and therefore require the highest level of zoning review. Special Permits require abutter notification, legal advertisements, and a detailed examination of the proposed project at a public hearing conducted by the Planning Board or Zoning Board of Appeals. Special Permits are discretionary and may be denied.

### Who needs to get a Special Permit?

Some Special Permits are required to allow commercial or residential development in a certain area of town designed in accordance with the Zoning Bylaw, while others are required when changes to pre-existing, non-conforming business properties are made. To find out if your business needs a special permit, reference the Zoning Bylaw Table of Allowable Uses (Table 1).

### Who approves a Special Permit?

Depending on the location of your business and the proposed use, either the Planning Board (PB) or the Zoning Board of Appeals (ZBA) will review your application. Consult the Zoning Bylaw Table of Allowable Uses (Table 1) to determine which board has jurisdiction for your business. Uses designated “SP(PB)” are reviewed by the Planning Board and uses designated “SP(ZBA)” are reviewed by the Zoning Board of Appeals.

### How do you apply for a Special Permit?

In order to obtain a Special Permit from either the Planning Board or the Zoning Board of Appeals, the appropriate application needs to be submitted and approved. Please visit the [Planning Board webpage](#) or the [Zoning Board of Appeals webpage](#) to access the appropriate application form. It is recommended that applicants consult with the Department of Land Use and Community Services prior to applying for a Special Permit to determine which Board to apply with.

### How long is the Special Permit approval process?

The entire Special Permit process usually takes about two months but may take longer depending on the complexity of the application and the number of meetings the Board needs to hold to resolve the issues particular to your application.

*See Danvers Zoning Bylaw Section 30 “Special Permits” for all application requirements.*

# Zoning and Approvals

## Site Plan Approval

### **What is Site Plan Approval?**

Uses that are permitted by Site Plan Approval are generally considered to be consistent with the needs of the community but require the review and approval of the Planning Board to make sure that the use and/or its implementation does not negatively impact the neighborhood.

### **What requires Site Plan review?**

If you are constructing a new building or addition, adding parking and/or changing the use of an existing building, your project requires Site Plan Review by the Planning Board. Site Plan Review applies to all new non-residential developments and certain types of redevelopment, including intensifications of a use that increases parking and/or loading.

### **What does the Planning Board review for?**

The Planning Board's role in reviewing proposed site plans is to help ensure that reasonably adequate provisions are made for:

- Traffic circulation and access
- Pedestrian safety and access
- Off-street parking and loading
- Emergency vehicle access
- Storm water drainage
- Water and waste utilities
- Screening, including plantings
- Natural features and vistas
- Exterior lighting
- Consistency with neighborhood
- Visual impact of parking and outdoor storage

### **How do I submit a site plan for approval?**

You can find a [Site Plan Approval Checklist](#) and an [Application for Site Plan Approval](#) on the Town's website.

*See Danvers Zoning Bylaw Section 4, "Site Plan Review" for application requirements.*

# Zoning and Approvals

## Wetlands & Stormwater

If your business is within 200 feet of a river or a perennial stream, or within 100 feet of a wetland resource area, you may need a permit from the Conservation Commission to do any construction or landscaping. There are very few site alterations that are allowed without Conservation Commission approval. The following project types require the necessary permit from the Conservation Commission prior to starting any construction:

- Removing trees
- Clearing vegetation
- Grading or excavating
- Installing new landscaping
- Constructing new structures or additions
- Parking/driveway paving, pulverizing and/or coating
- Any other activity that might alter the buffer or the wetlands themselves

Contact the Department of Land Use & Community Services to see if your property is within Conservation Commission jurisdiction or reference the [Danvers Wetlands Protection Bylaw](#) for more information.

For projects that meet certain thresholds, a **Stormwater Management Permit** will be required. You may also be subject to filing a Stormwater Management Permit if your project is subject to Site Plan Review, or will disturb one acre or more or 50% of the lot, whichever is greater. The Danvers Engineering Division reviews and issues Stormwater Management Permits. More information can be found on the town's website or by referencing the [Danvers Stormwater Management Bylaw and Regulations](#).

## Building Permits

### **When is a building permit required?**

Before you are allowed to do any interior or exterior construction, demolition, remodeling, alterations, or renovations to your property you will need to receive a Building Permit from the Inspectional Services Department. A building permit is needed to make sure that your proposed work complies with the Town of Danvers Zoning Bylaw and the Massachusetts Building and Fire Codes. The specific code requirements will vary depending on your proposed activities/use and business plan.

### **How long does it take to get a building permit?**

If the application is complete and all required approvals have been obtained, no more than 30 days will be required. The nature of the proposed work will affect the length of time required to process the request. In general, a permit for re-roofing or vinyl siding may be issued on the same day or within one day or two. It could take a month to build a large commercial or industrial building. The exact time will vary depending on the number of other permits applied for in the season in which you are applying.

### **What do I do before applying for a Building Permit?**

You should contact Inspectional Services before applying for a building permit to determine whether you need any additional permits or approvals. A stamped architectural drawing/narrative may be required to receive approval.

### **How do I obtain a building permit?**

You can complete and submit the [building permit application](#) online or in person at the Inspectional services office in Town Hall.

## Signage Permits

As part of the Building Inspector Permits process, the Zoning Bylaws establish specific requirements for signs that include:

- Permitting such signs that will not by their reason, size, location, construction or manner of display, endanger public health, safety and welfare;
- Permitting and regulating signs to complement land use;
- Preserving and enhancing the aesthetic environment;
- Provide standards, guidelines and direction constituting appropriate signage.

An Application Registration Form for a sign can be found at the Department of Inspectional Services at Town Hall or online.



## Certificates & Licenses

### Business Certificate

A **Business Certificate** is a legal document that registers your business in Danvers and identifies who is operating the business. Any person, partnership, or corporation planning to operate a business under any name other than the complete real name of the person, partnership, or corporation conducting the business must file for a business certificate with the Town Clerk.

The primary purpose of a business certificate is to protect consumers and creditors by identifying the names and addresses of the owners of the business.

Business Certificate applications can be found at the Town Clerk's office. There is a \$25 registration fee and the Certificate is valid for four (4) years.

Please provide the following information to complete your Business Certificate:

- A valid picture ID;
- Payment of \$25 (cash or check); and
- A sign off from the Building Inspector Office certifying compliance with local zoning (located at Town Hall).



# Certificates & Licenses

## Liquor Licenses

### Liquor Licenses

The Board of Selectmen is the Local Liquor Licensing Authority, per the regulations of the Alcoholic Beverages Control Commission (ABCC). An applicant for a liquor license must file a complete ABCC [application with the Town Clerk](#) along with the following fees:

- \$200 payable to the Commonwealth of Massachusetts;
- \$75 payable to the Town of Danvers for a filing fee; and
- \$50 payable to the Town of Danvers for advertising costs.

The following documentation also needs to be submitted along with your application:

- Detailed floor plans;
- A written policy describing the intended practice of patron age verifying and monitoring of alcohol consumption on the premises; and
- An ABCC approved Certificate of Insurance.

### How do I apply for a One-Day Liquor License?

A completed application must be submitted to the Town Clerk along with appropriate departmental approvals, alcohol training certification (TIPS) along with a \$1,000,000 liquor liability insurance binder. Once a completed application is accepted, the event manager must appear before the Board of Selectmen.

A completed form is required for the request. All requests are subject to Board of Selectmen approval. The fee for a Wine & Malt One-Day License is \$30, the fee for an All Alcoholic One-Day License is \$50.

# Certificates & Licenses

## Food Licenses

### **Common Victualler License**

Every food establishment must have a Common Victualler License and must file a complete application with the Town Clerk along with a fee of \$100 payable to the Town of Danvers. Visit the Town Clerks webpage for more information on applying for a Common Victualler License.

### **Food Establishment License**

If your business includes preparing or serving food, you will need a Food Establishment License from the Health Department.

All food establishment [applications are available on our permitting website](#). You'll need to follow the link above, register your account, and then choose your application type.

## Contacts and Meeting Times

### **Land Use and Community Services Department**

Contact: David Fields, Director of Planning and Economic Development

Phone: (978) 777-0001 ext. 3099

Email: [dfields@danversma.gov](mailto:dfields@danversma.gov)

<https://www.danversma.gov/departments/planning-human-services/>

Contact for: Planning Board, Conservation Commission and Health Department

### **Inspectional Services Department**

Contact: Rich Maloney, Code Administrator/ Building Inspector

Phone: (978) 777-0001 ext. 3061

Email: [rmaloney@danversma.gov](mailto:rmaloney@danversma.gov)

<https://www.danversma.gov/departments/code-administration>

Contact for: Building Permits and Zoning Board of Appeals

### **Town Clerk's Office**

Contact: Joseph Collins, Administrative Services Director

Phone: (978) 777-0001 ext. 3051

Email: [jcollins@danversma.gov](mailto:jcollins@danversma.gov)

[www.danversma.gov/departments/town-clerk/](http://www.danversma.gov/departments/town-clerk/)

Contact for: Business Certificates and Licenses

### **Engineering Division**

Contact: Stephen King, Director of Engineering

Phone: (978) 777-0001 ext. 3635

Email: [sking@danversma.gov](mailto:sking@danversma.gov)

<https://www.danversma.gov/departments/engineering-division/>

Contact for: Stormwater Management Permit

### **Meeting Times**

Zoning Board of Appeals: 2nd and 4th Monday of the month

Planning Board: 2nd and 4th Tuesday of the month

Conservation Commission: 2nd and 4th Thursday of the month

Board of Selectmen: 1st and 3rd Tuesday of the month