

# City of North Adams

## PERMITTING GUIDE

This guide has been developed to aid North Adams residents, builders, businesses and others in navigating the sometimes-intimidating permitting process. There are many different permits, which may be necessary for building and development projects, so the intent of this Permitting Guide is to clarify and explain the process.

Almost any development project you may have in mind will require some type of permit from the City. The larger and more complicated your project, the more permits it will likely require.

### INFORMAL DISCUSSIONS

A good way to begin a building project is to visit the City Hall at 10 Main Street and meet with the various departments that issue permits. Meeting with the staff can point you in the right direction from the beginning. This can save you time, money, and frustration. With staff input you are more likely to prepare a plan, which will be approved, and be approved faster and with fewer changes. Most City staff members are full-time, but to ensure that the person you need to talk to will be available, it is best to call first. Phone numbers for the departments are listed within each section.

**As soon as the location, size and use of your project are determined, you should talk to staff in the Building Inspector's Office.** They will discuss what permits you will need, how long it is likely to take to obtain them, and what hearings you will need to attend. This information will help you plan the time and cost estimates for the project, as well as help you avoid problems and pitfalls.

### **INSPECTOR OF BUILDINGS / ZONING ENFORCEMENT OFFICER 662-3014**

The Inspector of Buildings enforces the state building code, the regulations of the Architectural Access Board, the Zoning Bylaw, and issues building permits. If you are required to obtain a variance from the dimensional controls or a special permit from the Zoning Board of Appeals, the Building Inspector will inform you of that and provide all the information you need to begin that process.

## **COMMUNITY DEVELOPMENT**

**662-3025**

The Office of Community Development, with help from the Building Inspector, reviews all plans filed with the Planning Board, Zoning Board, and Historical Commission, Technical, design and construction elements are all reviewed in this process, and so an informal meeting with the Director will let you know what will be expected from the project.

## **PUBLIC SERVICES – CITY YARD**

**662-3047**

**662-3157**

The City Yard is responsible for the maintenance and upkeep of the city's infrastructure. If your project will need water, sewer, and / or other city provided utilities you will need to meet with a member of Public Services. City provided services have various installation fees, which can range from \$40 to a few hundred.

## **HEALTH DEPARTMENT**

**662-3020**

The Health Department enforces State and local health sanitation and environmental codes. You will need to see the Board of Health if your project will serve food. The Board of Health also issues certificates of occupancy for all residences and enforces Title V sewer requirements.

## **The Boards**

There are several boards and communications that are empowered through the North Adams Revised Ordinances to carry out various administrative and legislative tasks.

## **CONSERVATION COMMISSION**

**Contact the Administrative Officer**

**662-3011**

The Conservation Commission enforces the Wetlands Protection Act. The Administrative Officer is the agent of the Conservation and can tell you if your project is under the jurisdiction of the Conservation Commission and what, if any, permits you will need to obtain. This is a step that is often overlooked; only creating complications later.

## **PLANNING BOARD**

**Contact the Community Development Director**

**662-3025**

The Planning Board generally reviews several different types of permit applications for residential, commercial, and industrial projects that must be recorded in the Registry of Deeds and the City Clerk before a building permit is issued. Informational meetings regarding Planning Board activities and procedures should be arranged with Director of the Community Development by appointment. The Planning Board issues permits under the subdivision control law, North Adams' subdivision regulations, the zoning act, North Adams' zoning ordinances and scenic roads and shade tree laws. The Planning Board develops the North Adams' Master Plan and evaluates development proposals based on the parameters of the City's Community Action Statement. The Planning Board under the Subdivision Control Law, issues approvals for subdivisions of land and ANR (Approval Not Required) lots. The Planning Board is also the special permit granting authority for Site Plan approvals.

## **URBAN RENEWAL AUTHORITY**

The Urban Renewal authority is responsible for any new construction within a UR-District (the south side of Main Street from Curran Highway to Ashland Street, bordered on the south by American Legion Drive, or the heritage State Park and abutting properties – check the Building Zone Map. The Urban Renewal Board meets as necessary.

## **HISTORICAL COMMISSION**

The Historical Commission is responsible for reviewing any construction or alterations to buildings in one of the many historic districts. The Building Inspectors Office can help you determine if your project falls under the historical jurisdiction.

## **TREE COMMISSION & TREE WARDEN**

**Contact the Administrative Officer**

**662-3011**

The Tree Commission and Tree Warden have control over all public shade trees in the city. If you are interested in removing a tree on public property, the Tree Warden will need to review your case, and the Tree Commission will need to hold a public hearing. If you are interested in having a City tree planted near on or near your property, the tree Commission may be able to help you provide an ornamental tree.

## **Other Resources**

### **Assessor's Office**

**662-3012**

The Assessor's Office holds the records of each parcel in the city, which includes the building dimension, taxes on the property, ownership (the deed, mortgage, and liens,) information on utilities and information on any easements. The Assessor's Office is the place to go if you need information (a field card) on a parcel in order to fill out the necessary documents for the different boards.

### **City Clerk**

**662-3015**

The City Clerk receives filing for Variances, and Special Permits for the Zoning Board of Appeals. The City Clerk also keeps and sells copies of the General and Zoning Ordinances, Subdivision Rules and Regulations, and the Zoning Map. All decisions of the Board of Appeals, Planning Board and the Historic District Commission, as well as the minutes of all City boards and committees are on file with the City Clerk. The City Clerk also issues hunting, fishing, and dog licenses, as well as Business Certificates. Some businesses will require a Special Permit from the Board of Appeals for a home occupation, so the Building Inspector should be consulted early in the planning process of establishing a business.

## **The Permits**

The following are the most commonly required permits and approvals issued by permit granting authorities in North Adams. These are only the most common permits; other permits and approvals may be necessary depending on the project.

### **ORDER OF CONDITIONS**

Work in or within 100' of a wetland and / or 200' of a perennial stream requires review by the Conservation Commission under the Wetlands Protection Act and the River Act. Some activities are prohibited and some work requires a setback from the wetlands. If your project is approved, the Conservation Commission will issue an Order of Conditions, allowing the project to proceed.

### **GENERAL ZONING**

The North Adams Zoning Ordinance sets requirements for each of the 16 zoning districts in the City, regulating lot size and coverage, frontage, setbacks, parking and building height. The Board of appeals makes its decision based on neighborhood continuity, adherence to the goals and objectives of the Master Plan and other site-specific issues. The Board of Appeals also grants Special Permits for work within the Floodplain District. If a change in the Zoning Ordinance is required, the Planning Board needs to conduct a public hearing, followed by approval of two-thirds of the members of the City Council and review by the Attorney General's Office.

### **SPECIAL PERMIT**

When a project is determined in the Zoning Ordinance to have complex effects on the existing land use, or the district in which the project is planned is determined to be sensitive to certain type of development or activity, a special permit will be necessary. (Please refer to the Accepted activities within the Zoning Districts matrix). Either the Planning Board or the Zoning Board of Appeals executes the special permit process.

### **SITE PLAN APPROVAL**

The Planning Board reviews commercial and industrial projects under the Site Plan Approval process. The Site Plan Approval process also deals with Special Permits for new construction, additions, change in-use, and signage requirements. The proposal is reviewed by various City departments to evaluate the design and impacts of the proposal on traffic, drainage, parking, etc. Large projects should request section 3D "Site Plan Approval" of the City's Zoning Ordinance for details and requirements.

### **SUBDIVISION APPROVAL**

A project which involves the construction of a subdivision road (a new road) needs to go through the Planning Board's Subdivision Approval process, which generally involves a preliminary and definitive approval stage. If the project does not propose a new street and has the required frontage on an existing public way a Form A, Subdivision Control Law Approval Not Required, is all that is required from the Planning Board.

### **STREET OPENING PERMIT**

When work is proposed involving excavation within a City-owned public way, a permit must be obtained from the City Yard in Public Services. You would need a Street Opening Permit for such things as installation of water or sewer lines or other utilities within a public way which would require excavating in the road,

### **SEWER CONNECTION PERMIT**

If your project will connect to the municipal sewer system, you will need a permit to tie into the system. The City Engineer will tell you what is required of your project to be allowed to hook up and the Public Service Department will issue the permit.

### **STATE AND FEDERAL PERMITS**

Depending in the size and nature of your project, some State and Federal permits may be required. City staff in various departments will be able to give some help, but it is the applicant's responsibility to obtain all necessary permits.

### **BUILDING PERMIT**

A Building Permit is the last permit you need before beginning construction. All other permits need to be in place prior to issuance of a Building Permit.

## **The Licenses**

If you have or are starting a business, you may be required to obtain a license from the City Council. The City Council issues the following licenses:

- 1 Auctioneer's License
- 2 Automatic Amusement License
- 3 Billiards / Pool Table License
- 4 Common Victualler License
- 5 Weekday Entertainment License
- 6 Sunday Entertainment License
- 7 Theatre License
- 8 Class I, II, & Auto Dealer's License
- 9 Various Alcohol Licenses

More complete information on the licenses and requirements is available from the License Board Agent located in the Public Services Department. Please contact them at 662-3047.

## **The Time Frame**

When the design work is complete, you are ready to apply for permits. Many applicants enlist the help of professional engineering and / or legal advice, which is highly recommended. They can help make sure everything is complete and thereby aid in avoiding delays. Times vary considerably depending on the project. The following is a general guide indicating the approximate length of time to obtain permits, from the date the application is received to the date the permit is issued:

- |                           |               |
|---------------------------|---------------|
| 1 Building Permit         | Up to 1 month |
| 2 Special Permit          | 2-3 months    |
| 3 Variance (Zoning)       | 2-3 months    |
| 4 Order of Conditions     | 2 months      |
| 5 Subdivision Approval    | 4-6 months    |
| 6 Site Plan Approval      | 2-4 months    |
| 7 Zoning Ordinance Change | 6 months      |

## The Penalties

The City of North Adams enforces the above, discussed process and required permits through cease and desist orders, a non-criminal disposition ticket, and ultimately the court system. Once a violation has been identified, the project is stopped and a fine is issued. The cost for a violation may range from a written warning to thousands of dollars, and so it is important to consider all phases of a project when applying for appropriate permits.

Chapter 29 of the City Ordinances details all non-criminal disposition fines. Each day a violation occurs is considered subsequent offence, and the maximum penalty can be re-assessed. Listed below are a few permit related penalties:

1	Building Permit	\$50 to \$100
2	Special Permit	Written warning to \$100
3	Variance (Zoning)	Written warning to \$100
4	Subdivision Approval	Written warning to \$100
5	Site Plan Approval	Written warning to \$100
6	Zoning Ordinance Change	Written warning to \$100
7	Licenses	\$50 to \$100
8	Street Opening	\$100 to \$200
9	Sewer Connection	\$300