

TOWN OF AGAWAM

Permitting Guidebook

TOWN OF AGAWAM PERMITTING GUIDEBOOK

Last updated:
October 2008

TABLE OF CONTENTS

	<u>Page</u>
Introduction	2
The People: <i>Departments and Boards</i>	
Health Department	3
Building Department	5
Office of Planning & Community Development	8
Zoning Board of Appeals	12
Conservation Commission	14
Town Council	16
Town Clerk	18
Department of Public Works	20
Fire Department	22
Police Department	25
Contact List for Staff Liaisons	26
The Permits:	
Permit Matrix	28
The Process:	
Federal Permits	32
State Permits	33
Project Review and Approval Process	34
Project Review and Approval Process	
1-4 Family Dwelling	35
Project Review and Approval Process	
5+ Family Dwelling	36
Project Review and Approval Process	
Commercial/Industrial	37
Subdivision Approval Process	38
Special Permit Process	39
Variance Process	40

INTRODUCTION

The purpose of this guidebook is to summarize for you the various staff persons, departments and boards involved with the development process in the Town of Agawam. The development process requires a number of permits, approvals and licenses be obtained for nearly every development project. If at any time, before and during your application process you may have questions, please do not hesitate to contact the appropriate staff person.

We hope this guidebook is a valuable tool for anyone pursuing residential, commercial or industrial development. For more detailed information, please contact the appropriate staff person.

Disclaimer: The General Ordinance, Zoning Ordinance, and Subdivision Rules and Regulations of the Town of Agawam, as applicable, take precedence over any information contained within this guidebook in any conflict between them.

HEALTH DEPARTMENT

Department:	Health Department Town Hall 36 Main Street
Staff Liaison:	Randall White, <i>Director</i> (413) 786-0400 Ext 208 E-mail: health@agawam.ma.us
Office Hours:	8:30 am- 4:30 pm, Monday - Friday
Board/Commission/Committee:	Board of Health
Meeting Schedule:	Meetings scheduled as needed.
Members:	F. William Euliano, Chair Debra Sanchez
Description of Board/ Commission/Committee:	The mission of the Board of Health is to educate, promote, improve, and protect the health and well being of the citizens of Agawam, while contributing to building a healthy community and environment in which to live.
Permits Issued:	Mobile Food Unit Disposal Works Construction Swimming Pools Retail Food Establishment Milk Pasteurization Food Service Establishment Funeral Director Hotel/Motel/Trailers Recreational camps Temporary Food Establishment Percolation test Septic Installers Burial Catering Body Art Tanning Bottled Water Transportation of refuse
Process for Obtaining Permit(s):	Applications available at Department of health during regular business hours.
Advertising Requirements:	Not applicable
Time Frame for Public Hearing:	Not applicable
Time Frame for Decision:	Dependent on permit type.
Fee Schedule:	See table on following page.
Applicable Local, State, and Federal Statutes:	MGL Chapter 94 Sec 65H, MGL Chapter 114, Sec 45, Massachusetts Sanitation Code Article 5 and 10, MGL Chapter 111, Sec 122

HEALTH DEPARTMENT FEE SCHEDULE
(Check with department for recent fee amendments)

Permit/ Service	Fee
Body Art- Technicians / Establishments	\$ 50.00
Burial Permit	\$ 15.00
Bottled Water	\$100.00
Catering Establishment	\$ 50.00
Church Food Permit	No charge
Disposal Works Construction	\$100.00
Food Service Establishment	\$ 50.00 less than 80 seats \$ 100.00 More then 80 seats
Funeral Director	\$ 50.00
Hotel/Motel	\$ 50.00
Mobile Food Service	\$ 50.00
Pasteurization of Milk	\$ 25.00
Percolation Test (April 1- June 16 th)	\$100.00 new / \$ 60.00 repair
Recreational Camp	\$ 50.00
Retail Food Establishment	\$ 50.00 Less than 2,500 sq ft \$ 100.00 Greater 2,500 sq ft
Sewage Disposal Installer	\$ 50.00
Six Flags New England Food permit	\$50.00-\$100.00 per concession, based on total sq ft
Semi -Public Swimming Pool	\$ 50.00
Special Food Service	\$ 50.00
Tanning Facilities	\$ 50.00
Temporary Food Service	\$ 25.00
Trailers	\$ 50.00
Transportation of garbage/effluent/rubbish	\$ 50.00

BUILDING DEPARTMENT

Department:	Inspection Services Department Public Works & Municipal Annex 1000 Suffield Street	
Staff Liaison:	Barbara Brizzolari, <i>Principal Clerk</i> Linda Cusson <i>Administrative Assistant</i> (413) 821-0632	
Office hours, Main Office:	8:30 am- 4:30 pm, Monday -Friday	
Inspectors/Contact information/ Individual office hours	Dominic Urbinati, Building Inspector (413) 821-0634 Robert Maloni, Plumbing Inspector (413) 821-0636 Richard Bosini, Electrical Inspector, (413) 821-0635 John Stone, Code Enforcement Officer, (413) 821-0633	
Permits Issued:	Building Permits Demolition Permits Electrical Permits Certificate of Occupancy	Gas Permits Sign Permits Plumbing Permits
Process for Obtaining Permit(s):	Applicant must file one set of building plans and completed application. Applications can be obtained in the Building Department during regular business hours. <u>Application must include:</u> Legal description, Plot Plan, Cost of project, Site Plan (Drawn to 1"=8') that includes: curb cuts, adjacent streets, parking layout and driveways, existing structures and proposed new structures or additions (including dimensions), and setbacks from property lines. <u>Building Plans must include:</u> Dimensional floor plan showing exits, door and window sizes, window types and interior partition layout, Foundation plan, Ridge layout, Ceiling and floor joist layout, and Beam size and supports.	
Advertising Requirements:	Not applicable	
Time Frame for Public Hearing:	Not applicable	
Time Frame for Decision:	Once the application has been submitted, the Building Permit will be issued within 30 days. During this period the Building Department will be responsible for verifying the information contained in the application (see next page for details).	
Fee Schedule:	See table on following page.	
Applicable Local, State and Federal Statutes:	Massachusetts Building Code 780 C.M.R. 7 th Edition, Massachusetts Electrical Code 527 C.M.R 1200. Massachusetts Plumbing Code 248 C.M.R 1200.	

BUILDING DEPARTMENT FEE SCHEDULE

Permit/ Service	Fee
Residential Building Permits	
Single & Two-Family Dwellings: New Construction	\$ 400.00
Single & Two-Family Dwellings : Alterations, additions, repairs	\$ 75.00
Access building under 200 sq ft	\$ 30.00
Pool- above ground	\$ 30.00
Pool- above ground with deck	\$ 50.00
Pool- in-ground	\$ 75.00
Residential Electrical Permit	
New construction	\$ 100.00 Plus \$ 30.00 for service
Renovations, additions	\$ 60.00
Pool above & in-ground	\$ 30.00 above ground, \$ 60.00 in ground
Service change/temporary service	\$ 30.00
Permits requiring 1 inspection	\$ 30.00
Residential Plumbing/Gas Fitting Permit	
Gas-New construction	\$ 55.00
Plumbing- New construction	\$100.00
Gas- Renovations, additions	\$ 30.00
Plumbing- Renovations, additions	\$ 60.00
Permits requiring 1 inspection	\$ 30.00
Commercial Building Permits	
New Construction	Minimum \$ 300.00
Business	\$ 0.40 /sq ft
Multifamily Residential	\$ 0.30/sq ft
Alterations and repairs	Minimum \$ 200.00
Business	\$ 0.30 /sq ft
Multifamily Residential	\$ 0.25 /sq ft (Min \$ 150.00)
Commercial Electrical Permit New construction & additions	Minimum \$ 200.00
Alterations & repairs	Minimum \$ 100.00
Service change	\$ 30.00 200 amps, \$ 75.00 over 200 amps
Permits requiring 1 inspection	\$ 30.00
Commercial Plumbing/Gas Fitting Permit	
Gas-New construction, additions, alterations	\$ 55.00
Gas- Replacement and repairs	\$ 55.00
Plumbing- New construction	Minimum \$ 200.00 includes 1 fixture, \$5.00 each additional fixture.
Plumbing- Replacement and repairs	Minimum \$ 100.00 includes 1 fixture, \$5.00 each additional fixture.
Permits requiring 1 inspection	\$ 30.00

Application and Plan Review

Once the required application has been submitted, the statutes require that the Building Permit be issued within 30 days (usually takes 5-10 days).

The Inspector of Buildings and/or a Designee Reviews the Following:

1. Submitted plans for compliance with the Building Code for light and ventilation, exiting, minimum room size, stairway construction, maximum spans for structural members, smoke detectors, etc.
2. Use and Site Plan for compliance with Zoning Ordinance, including required setbacks, yards, lot size, maximum heights, parking spaces, minimum required open space, location and occupation of rear yard area for accessory buildings, etc.
3. Flood Plain Map to determine if development permit for location of improvements within the flood plain is required. If so, an Application for such permit may be filed by the applicant with the Board of Appeals on furnished forms.
4. Legal description.
5. Calculates fees based on White Form returned from other departments.

The Building Permit is issued when the Building Department:

1. Completes its review.
2. Receives the applicant's "White Form" from the Department of Public Works, confirming that all other applicable Town permits and approvals have been obtained.
3. Receives required fees from applicant.

Application Tips:

- All dimensions on plot plans must be measured from legal property lines (marked by property pins.) Measurements based on sidewalks or curbs are not acceptable.
- Site and building plans must be true construction drawings, and include all proposed structures and/or additions (including outdoor structures, such as decks.)

OFFICE OF PLANNING & COMMUNITY DEVELOPMENT

Department:	Office of Planning & Community Development Town Hall 36 Main Street
Public Liaison:	Deborah Dachos, <i>Director</i> (413) 786-0400 ext 283 Email: planning@agawam.ma.us
Office Hours:	8:30 am – 4:30 pm Monday – Friday
Board/Commission/Committee:	Planning Board
Meeting Schedule:	1 st & 3 rd Thursday of each month at the Agawam Public Library 750 Cooper Street.
Members:	Travis Ward- Chairman Violet Baldwin Mark Paleologopoulos Michael Morassi Elaine Awand
Description of Board:	The Agawam Planning Board was established in accordance with M.G.L. Chapter 41 and is governed by MGL Chapter 41, 40a, and the Agawam Zoning Ordinance & Subdivision Rules & Regulations.
Permits Issued:	Subdivision Preliminary Subdivision Definitive Site plan review ANR Review
Process for Obtaining Permit(s):	The Planning Department procedure for plan submission can be obtained from the office. Applicants are required to schedule a Pre-Application Meeting prior to submittal of site plan reviews. For Site Plan Review apply at Inspection Services Department.
Advertising Requirements:	The Applicant must pay for publishing the Public Hearing notice.
Time Frame for Public Hearing:	Please refer to the plan submission procedure.
Time Frame for Decision:	Decisions are filed within 21 days for ANR's, 45 days for Preliminary Subdivision Review, and 90 days for Definitive Subdivision Review after the date of application submission. Extensions may be requested by the applicant.

Appeal Process: Any person aggrieved by the decision of the Board or by their failure to take final action concerning such a plan within the required time, may appeal to the county superior court or land court. This appeal must be recorded with the Town Clerk within 20 days of the decision in question.

Fee Schedule: See table below.

Applicable Local, State and Federal Statutes: M.G.L. Chapters 40A & 41
Agawam Zoning Ordinance, Subdivision Rules & Regulations

OFFICE OF PLANNING & COMMUNITY DEVELOPMENT FEE SCHEDULE
(Check with department for recent fee amendments)

Permit	Fee
Subdivision Review	
Approval Not Required Plans (ANRs)	\$ 50.00 + \$20.00/per lot
Preliminary	\$250.00 + \$25.00/per lot
Definitive	\$500.00 + \$75.00/per lot
Site Plan Review	No charge

Multi-Department Team Meeting

To assist applicants with the complex procedures and considerations involved in larger construction projects, the Town of Agawam has Multi-Department Team Meetings. These meetings bring together representatives from different Town departments to guide, advise, and troubleshoot potential problems before the permitting process is substantially underway.

Projects requiring Multi-Department Team Meetings include all commercial and industrial projects, as well as proposed residential projects of five (5) or more family dwellings.

Applicants must request and schedule a Team Meeting by contacting the Office of Planning and Community Development. Team meetings are held the second and fourth Tuesday of the month at 1:00 p.m. at the Department of Public Works Annex 1000 Suffield Street. Plan submission guidelines can be obtained from the Office of Planning and Community Development.

OFFICE OF PLANNING & COMMUNITY DEVELOPMENT (continued)

Permit Process:

Plans Not Requiring Approval (ANR) – Form A: The applicant must submit two original and three copies of the proposed plans to record to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. A notice stating the date of the submission and accompanying copy of the application shall be filed by delivery or registered mail with the Town Clerk. A copy of the Form A, that must accompany the filing, can be obtained from the Agawam Planning Office. The plan shall be:

1. At a scale no smaller than 1"=40' and shall show all existing structures and their relationship to the proposed property lines.
2. Of such sheet size and layout so as to conform to the regulations of the Registry of Deeds.
3. Enclosed by a block space, 3 1/2" wide by 4" high, adjacent to the right on the bottom margin, available for endorsement of the Planning Board.

If the Board determines that the plan does not require approval, it shall at a public meeting and within 21 days of submission endorse on the plan the words "Planning Board Approval under Subdivision Control Law Not Required." Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its actions. Any plan so endorsed shall be recorded with the Registry of Deeds within six months. Failure to do so will negate the action of the Board.

Preliminary Subdivision Approval (Form B)-

All Preliminary Subdivision plans must conform to the requirements set forth in Agawam's Subdivision Rules and regulations, Chapter 159 with exception of the following: 9 full sets of plans, application forms and environmental studies shall be submitted to the Office of Planning and Community Development. The plans will be placed on a Planning Board agenda based upon the length of time anticipated for review as follows:

Type of Review	Utilities/Drainage Issues***	Traffic Issues	Approximate Review Times*
Prelim. Subdivision	Minor-Significant	Minor-Significant	1-2 Weeks

* Review times based on typical plans. Incomplete or inadequate designs may require additional review times.

** Times based on initial review.

*** Submittal of stormwater calculations in digital HydroCAD format to the Agawam Engineering Department will greatly help in reducing review times.

If the application is deemed incomplete, the Board may vote to reject the plan and take no further action until it is resubmitted in an amended form. In such case, the filing fee will be returned. The Planning Board will notify abutters of the proposed project and have the submission available for review at the Town Hall. Within 45 days after submission, the Board shall approve, approve with amendments, or disapprove the plan. The Town Clerk will be notified of the Board's decision and the applicant will be apprised by certified mail.

Definitive Subdivision Approval (Form C)

All Definitive Subdivision Plans must conform to the requirements set forth in Agawam's Subdivision Rules and Regulations, Chapter 159 with exception of the following: 9 full sets of plans, application forms and environmental studies shall be submitted to the Office of Planning and Community Development. The plans will be placed on a Planning Board agenda based upon the length of time anticipated for review as follows:

OFFICE OF PLANNING & COMMUNITY DEVELOPMENT (continued)

Type of Review	Utilities/Drainage Issues***	Traffic Issues	Approximate Review Times**
Definitive Plan	Minor	Minor	1-3 Weeks
Definitive Plan	Minor-Significant	Minor-Significant	2-4 Weeks
Definitive Plan	Significant	Significant	3-4+ Weeks

* Review times based on typical plans. Incomplete or inadequate designs may require additional review times.

** Times based on initial review.

*** Submittal of stormwater calculations in digital HydroCAD format to the Agawam Engineering Department will greatly help in reducing review times.

The Planning Board will hold a public hearing prior to the approval of the plans. Public notice must be given at least 14 prior to the hearing date. A copy of the notice will be mailed to the applicant and abutters.

The Board will approve, approve with modifications, or disapprove the plan, file their decision with the Town Clerk, and notify the applicant by registered mail.

If after 20 days, no appeal has been filed, final approval is granted. The applicant must then furnish the Board with 2 full original sets of plans. One full set shall be recorded with the Town and one full set shall be recorded at the Registry of Deeds or Land Court. Recorded information must be provided to the Planning Office. Final endorsement requires that the applicant file a performance guarantee in the form of a covenant or bond and all necessary easements be filed.

Site Plan

All Site Plan submissions must conform to the requirements set forth in Agawam's Zoning Ordinance, Sec. 180-13 through Sec. 180-16. 10 full sets of the complete plans and Form D (application form) must be submitted to the Inspection Services Department located at 1000 Suffield Street. The plans are reviewed to determine conformance with zoning requirements and forwarded to the Office of Planning and Community Development. The Community Development Department will distribute the plans to the following Departments for review: Police, Fire, Engineering and ADA committee. Review of a Site Plan will vary based upon complexity. The approximate review times are as follows:

Type of Review	Utilities/Drainage Issues***	Traffic Issues	Approximate Review Times**
Site Plan	None	None	1 Weeks
Site Plan	Minor	Minor	1-2 Weeks
Site Plan	Significant	Significant	2+ Weeks

* Review times based on typical plans. Incomplete or inadequate designs may require additional review times.

** Times based on initial review.

*** Submittal of stormwater calculations in digital HydroCAD format to the Agawam Engineering Department will greatly help in reducing review times.

ZONING BOARD OF APPEALS

Board/Commission/Committee:	Zoning Board of Appeals Inspection Services- Office of Planning and Community Development 36 Main Street
Staff Liaison:	Jennifer Bonfiglio, <i>Senior Clerk</i> (413) 786-0400 ext 253 Email: ZBA@agawam.ma.us
Office hours, Main Office:	9:00 am- 3:00 pm, Monday, Wednesday, Friday
Meeting Schedule:	Zoning Board of Appeals meets the 2 nd and 4 th Monday of each month at 6:30 pm in the Agawam Public Library (Pierce conference room) located at 750 Copper Street.
Members:	Doreen Prouty, Committee Chairperson James Marmo, Vice Chairperson Joseph Conte, Clerk Gary Suffriti, Alternate Member Larry Hoague, Alternate Member
Description of Board/ Commission/Committee:	The Zoning Board of Appeals is a quasi-judicial administrative board that interprets and enforces the Zoning Bylaws of the Town of Agawam and hears and decides zoning related matters pursuant to MGL c. 40A. The Board is made up of 3 members and 2 alternates who are appointed by the City Council for a term of 3 years.
Permits Issued:	Variance Special Permits
Process for Obtaining Permit(s):	Submit application to Building Department, applications can be obtained at the Building Department in the Public Works & Municipal Annex building during business hours.
Advertising Requirements:	Notice of these hearings must be published 14 days before the hearing and all owners of property within 300 feet must be notified.
Time Frame for Public Hearing:	After the application is submitted, the Board of Appeals will set a hearing date, not less than 14 days after the publication of the legal advertisement. The applicant or his duly authorized agent must be present at the public hearing.
Time Frame for Decision:	Variance decisions are filed with the Town Clerk within 100 days (90 days for Special Permit) after the date of filing the application.

Appeal Process:	After a decision is written, signed and filed with the Town Clerk, there is a 20-day appeal period. An appeal must be filed with the Town Clerk.
Fee Schedule:	Applicant submits 3 copies of: complete application, plans, and 9 sets of the certified copy of deed of ownership to the Zoning Officer (Inspector of Buildings) along with an application fee of \$250.00.
Applicable Local, State and Federal Statutes:	Town of Agawam Zoning Bylaws MGL Chapter 40A Section 10
Application Tips:	All documents submitted in application for a variance or special permit must be submitted in triplicate. Businesses applying for special permits must provide 19 copies of the site plan.

CONSERVATION COMMISSION

Board/Commission/Committee:	Conservation Commission Town Hall 36 Main Street	
Public Liaison:	Henry A. Kozloski, <i>Chairman</i> (413) 786-0400 Ext. 245	
Office Hours:	8:30 am – 4:30 pm, Monday - Friday	
Meeting Schedule:	The Commission meets the 2 nd and 4 th Thursday of the month.	
Members:	Henry A. Kozloski, Chairman Steven Douglas Jill Messick Mark Sotichack	Sheryl Becker Fred Harpin Magda Galitsos
Description of Commission:	The Commission's mission is to protect wetlands and resources in Agawam through acquisition, management, education, and regulations: to act as a liaison between the public and other governmental agencies in protecting our natural resources and to become an environmental /educational resource for citizens, groups, organizations, and local, State and Federal agencies.	
Permits Issued:	Request for Determination of Applicability Notice of Intent Certificates of Compliance	
Process for Obtaining Permit(s):	<p><u>Determination of Applicability:</u> File a request with sufficient information to enable the Conservation Commission to find and view the area and determine whether the proposed work will alter an area subject to protection under the Wetlands Protection Act. Within 21 days, commission will issue a determination at a public meeting.</p> <p><u>Notice of Intent:</u> Upon a positive determination, work may not proceed until such determination is reversed or until a Notice of Intent has been filed, a final order has been issued and recorded, and all administrative appeal periods have elapsed. The applicant is required to apply for all applicable permits prior to filing. The commission will make a determination either that the proposed work is not significant to the interests identified in the Wetland Protection Act, or that it is significant to one or more of these interests. In the latter case, the Conservation Commission will issue an Order of Conditions. This order will impose conditions on the work to be done or prohibit it all together.</p>	

Advertising Requirements:	Legal notice must be published at least seven business days prior to a hearing.
Time Frame for Public Hearing:	Within 21 days of the receipt of the submission, a public hearing is held for Notice of Intent.
Time Frame for Decision:	Determination of Applicability decisions within 30 days of request. Notice of Intent decision within 21 days after the close of the public hearing.
Appeal Process:	Appeals may be filed with the State Department of Environmental Protections.
Fee Schedule:	Determination of Applicability Fee \$ 25.00. Notice of Intent Fee minimum \$55.00.
Applicable Local, State and Federal Statutes:	M.G.L. Chapter 131, Section 40; Massachusetts Wetlands Protection Act & Rivers Protection Act

TOWN COUNCIL

Board/Commission/Committee:	Council Office Town Hall 36 Main Street
Public Liaison:	Barbara Bard, <i>Administrative Assistant</i> (413) 786-0400 ext 233 Email: bbard@agawam.ma.us
Office Hours:	9:00 am- 3:00 pm, Monday – Friday
Meeting Schedule:	1 st and 3 rd Monday of the month; with only one meeting in July and August.
Members:	Gina M. Letellier, President Cecilia P. Calabrese, VP Robert M. Young Jill S. Messick Dennis J. Perry Robert E. Rossi George Bitzas Paul C. Cavallo Joseph Mineo Donald M. Rheault Jill P. Simpson
Description of Board/Commission/Committee:	The Town Council consists of eleven members, elected at large by the voters and is the legislative branch of the town government.
Permits Issued:	Zone Change
Process for Obtaining Permit(s):	Petition can be obtained and submitted through the Building Department during normal business hours. (See next page for process details)
Advertising Requirements:	Town Council must advertise twice. First notice shall not be less than 14 days prior to public hearing.
Time Frame for Public Hearing:	Within 65 days from the request from Town Council.
Time Frame for Decision:	Within 90 days of the public hearing.
Appeal Process:	Within 20 days after decision is filed.
Fee Schedule:	Zone Change fee \$500.00.
Applicable Local, State and Federal Statutes:	MGL Chapters 40A Section 5

TOWN COUNCIL (continued)

Permit Process:

The applicant must first present his plans to the Building and Zoning Department who will review them for compliance to regulations. The applicant must accurately submit all data called for:

1. Applicant must file petition to the Town Council stating present zone and proposed zone (Apply through Building Dept.)
2. General Location of land must be included in petition.
3. Legal description of property must be included.
4. All petitions shall be accompanied by plans of the land (38 copies). Such plans shall be drawn to scale 1"=80', shall show the North arrow as well as the actual dimension, radii, and angles.
5. A fee of \$500.00 for each petition shall be submitted, a portion of which will pay for legal advertising.
6. All above conditions must be satisfied before the petition will be accepted for processing.

The applicant will be notified of the date, time and place of the public hearing to be held on his or her petition. The applicant or his duly authorized agent should be present at the public hearing.

The applicant must be aware that certain statutory time limits must be complied with. The following is a general resume of zone change procedures:

1. The application will be presented to the Town Council for processing. The Council shall within 14 days of receipt submit to the Planning Board for review.
2. The Town Council must request the Planning Board to give notice, hold a public hearing and give recommendations to the Council within 65 days of the first notice from the Council.
3. The Planning board must advertise twice. The first publishing of the legal advertisement shall be not less than 14 days prior to the date of the public hearing.
4. The Town Council cannot act on a petition until the Planning Board had made recommendations or 21 days have elapsed since the Planning Board public hearing.
5. Upon receiving recommendations of the Planning Board or 21 days having elapsed after the public hearing, the Town Council may proceed to take action on the petition.
6. The Town Council must act within 90 days of the public hearing. Failure to act shall require the Town Council to re-advertise for a new public hearing before action can be taken.

Application Tips:

- Applicants must have a registered architect, engineer, or land surveyor certify all plans of land submitted to the Building Department prior to submission.

TOWN CLERK'S OFFICE

Department:	Clerk's Office Town Hall 36 Main Street	
Staff Liaison:	Richard Theroux, <i>Town Clerk</i> (413) 786-0400 ext 215 Email:	
Office Hours:	8:30 am to 4:30 pm, Monday - Friday	
Board/Commission/Committee:	Not applicable	
Permits Issued:	Business Certificates Marriage License Birth Certificates Amusement Car Dealers License Trapping	Hunting License Fishing License Raffle/Bizarre permits Auctioneer Junk Dealers License Gas Storage Permit
Process for Obtaining Permit(s):	Applications are available at Clerk's Office during normal business hours.	
Advertising Requirements:	Not applicable.	
Time Frame for Public Hearing:	Please provide information	
Time Frame for Decision:	Please provide information	
Appeal Process:	Please provide information	
Fee Schedule:	See table on following page.	
Applicable Local, State and Federal Statutes:	MGL Chapters 138 & 140	

TOWN CLERK PERMIT FEE SCHEDULE
(Check with department for recent fee amendments)

Permit/ License	Fee
Amusement -Weekly	\$ 35.00
Auctioneer License	\$15.00
Automatic Amusement	\$ 40.00 /each
Birth Certificate	\$ 5.00
Business License	\$17.00
Car Dealer Class 1-2	\$100.00
Copy of Certificate/License	\$ 5.00
Death Certificate	\$ 5.00
Fishing License	\$ 28.50 Adult
Hunting License	\$ 28.50 Adult
Junk Dealer's License	\$ 20.00
Marriage License	\$15.00
Raffle/Bizarre Permit	\$10.00
Gas Storage Permit	\$ 52.50
Sporting License (Hunting & Fishing)	\$46.00 Adult
Trapping Permit	\$ 28.50

DEPARTMENT OF PUBLIC WORKS

Department:	Department of Public Works Public Works & Municipal Annex 1000 Suffield Street
Staff Liaisons:	John Stone, <i>Superintendent</i> (413) 821-0623 Michael Chase, <i>Town Engineer</i> (413) 821-0625 Christopher Golba <i>Deputy Superintendent Water & Sewer</i> (413)821-0627 Michael Piccin <i>Deputy Superintendent Highway & Grounds</i> <i>Maintenance</i> (413) 821-0626 Email: dpw@agawam.ma.us
Office Hours:	8:30 am- 4:30 pm, Monday- Friday
Board/Commission/Committee:	Not applicable
Meeting Schedule:	Not applicable
Description of Board/ Commission/Committee:	Not applicable
Permits Issued:	Driveway/Curb Cuts* Yard & Waste Disposal Pass Sewer Connection** Water Meters Water Connection Road Opening Drain Layers License StormWater** Back Flow Prevention Device Permit
Process for Obtaining Permit(s):	Applications may be obtained at DPW offices during regular business hours. ** Applications and standards available online at: http://agawam.ma.us/filestorage/80/78/168/Stormwater_Permits_FINAL.pdf http://agawam.ma.us/filestorage/80/78/132/res_com_sewer_connection_app.pdf *Applications available online at http://agawam.ma.us/content/80/78/130/default.aspx
Advertising Requirements:	Not applicable
Time Frame for Public Hearing:	Not applicable
Time Frame for Decision:	Not applicable
Fee Schedule:	See table on following page.
Applicable Local, State and Federal Statutes:	M.G.L. Chapter 84

DEPARTMENT OF PUBLIC WORKS PERMIT FEE SCHEDULE
(Check with department for recent fee amendments)

Permit/ Service	Fee
As Built Grading Plan Review (required for Occupancy Permit)	No Charge
Back Flow Prevention Device Permit	\$ 45.00
Back Flow Device Testing	\$ 25.00 per test per device
Drain layers License	\$ 5.00 annually
Driveway / Curb Cut Permit	\$ 5.00
Large Town Map	\$ 1.50
Road Opening	\$ 20.00
Recycling Bin	Free 1/houshold
Sanitary Sewer Connection Fee	(effective 1/1/09)
Single family home- (4" main to street)	\$ 1,536.00 Minimum
2-4 family - (6" main to street line)	\$ 1,600 Minimum
Renewals/repairs	\$ 850 + \$30.00/ ft over 10 feet
Sewer Entrance Fee	\$ 807.00 per dwelling / business unit
Plan Copies	\$ 5.00 sheet (24"X36")
Sewer Extension (State Permit)	No Charge for approval of State application
Storm Water Permit	Varies by Area
Water Connection (minimum connection 3/4")	\$ 1,150.00 Minimum
Water meter- Single family	\$315.00 Minimum
Yard Waste Disposal Passes	Free for residents
Zoning Map	\$ 1.50

FIRE DEPARTMENT

Department:	Fire Department (Headquarters) 800 Main Street
Staff Liaison:	Stephen Martin, <i>Fire Chief</i> (413) 821-0612 Business (413) 786-0657 Administration
Office hours:	8:30 am- 4:30 pm, Monday- Friday.
Permits Issued:	Registration of Underground Tanks Gun Powder Permits Fire Reports from Insurance Company Rocket Permits L.P. Gas Permits Power Burner Permits Cutting and Welding Operations Flammable Fluid Permits Transportation of Flammable Fluid/Tank Trucks Home inspections Review Prints/New Home (smoke detectors) Fireworks Smoke Detector Inspection/New Homes/Resale Blasting Permits
Process for Obtaining Permit(s):	Permit applications can be obtained at Fire Headquarters, administration office, or directly from the Massachusetts Department of Fire Service website. www.mass.gov/dfs
Time Frame for Decision:	Not applicable
Appeal Process:	Not applicable
Fee Schedule:	See table on following page.
Applicable Local, State and Federal Statutes:	M.G.L Section 13: 527 C.M.R; Board of Fire Prevention

FIRE DEPARTMENT (continued)

Permit Process: Flammable Liquid, Solid, and Gas Storage:

Massachusetts General Law requires that a permit or license be held for the storage or transportation of explosive or flammable liquids, solids and gases. It is the intent of the legislation to protect the health and safety, and welfare of the general public by ensuring that these potentially dangerous substances are monitored, and held safely.

Permits are required for:

- The storage of all fuel oil up to 10,000 gallons and the installation of all oil burners.
- Storage of liquefied petroleum gases up to 2000 gallons.
- Storage of up to 10,000 gallons of gasoline.
- Storage of Class A fluids (any flammable fluid having a flashpoint over 100° F) up to 10,000 gallons.
- Storage of Class B fluids (any flammable fluids having a flashpoint between 100-187° F) up to 10,000 gallons.
- Storage of Class C fluids (any flammable fluids having a flashpoint over 187° F) up to 10,000 gallons.
- Storage of flammable solids up to 100 pounds.
- Storage of flammable gases not over 10,000 ft³.
- Transportation of all flammable liquids.
- Storage and manufacture of ammunition.

Procedure and Requirements:

Storage of above materials in amounts greater than specified above requires a license. The Licensing and Permitting application procedure follows:

1. Applicant must obtain Certificate of Occupancy form from the Building Department; this form must accompany two copies of the plot plan and be signed and approved by the Inspector of Buildings.
2. Complete Storage Application specifying if application for permit is for private use or for resale, and bring application and plot plans to the Fire Chief or Fire Inspector for approval and signature.
3. Once signed by Fire Chief or Fire Inspector, return application, plot plan copies and Certificate of Occupancy form to Town and Council Clerk's Office.
4. After submission of papers, applicant will be notified by Town and Council Clerk's Office of date of scheduled public hearing for proposed license. (Not required for permit thresholds.)
5. Applicant is responsible for obtaining typed legal advertisement for publication in newspaper from Town and Council Clerk's Office and placing same in newspaper. Applicant is responsible for newspaper fee.

FIRE DEPARTMENT (continued)

6. Applicant is responsible for obtaining list of legal abutters from Assessor's Office and notifying legal abutters of public hearing. Notification of legal abutters is done by clipping legal advertisement from newspaper (applicant purchases a many newspapers as necessary) and sending to legal abutters by registered mail, return receipt requested.
7. The return receipts returned to applicant must be submitted to Council Clerk at public hearing. Applicant is responsible for attending public hearing.
8. Applicant will then be advised by letter of decision of Town Council regarding license approval or disapproval.

FIRE DEPARTMENT PERMIT FEE SCHEDULE

(Check with department for recent fee amendments)

Permit/ Service	Fee
Ammunition Permit	\$10.00
Black Powder	\$10.00
Blasting Permit	\$10.00
Clinic Inspection	\$ 25.00 /annually
Copy of Permit / documents for Underground Storage Tank	\$ 10.00
Day Care Center Inspection	\$ 25.00 /annually
Fire Reports	\$ 5.00
Fireworks	\$10.00
Flammable Fluids	\$10.00
Flammable Gas	\$10.00
Innkeeper's Inspection	\$ 25.00 /quarterly
Movie Theater Inspection	\$ 25.00 /annually
Nursing Home Inspection	\$ 25.00 /quarterly
Oil Burner	\$10.00
Plan Approval	\$ 30.00
Smoke Detector/Carbon Monoxide Certificates	\$30.00 /per unit
Storage LP Propane	\$10.00
Tanker Truck Inspection	\$10.00
Underground Tank Removal / Inspection	\$ 25.00 /per tank

POLICE DEPARTMENT

Department:	Police Department 681 Springfield Street Feeding Hills, MA. 01030	
Staff Liaison:	Robert Campbell, <i>Police Chief</i> (413) 786-4767 (413) 786-4821 Fax	
Office hours:	Records Bureau 8:00 am -12:00 pm / 1:00 pm - 4:00 pm Monday – Friday.	
Permits Issued:	F.I.D. Cards Dog License Accident Report Alarm Permit Tag Sales	Gunsmith License Police Reports License to Carry Machine gun Ammunition
Process for Obtaining Permit(s):	Obtain permit at the Agawam Police Station Records Bureau during regular business hours.	
Fee Schedule:	See table below.	
Applicable Local, State and Federal Statutes:	M.G.L. Chapter 140, Sections 121-136	

POLICE DEPARTMENT PERMIT FEE SCHEDULE

(Check with department for recent fee amendments)

Permit/ Service	Fee
Accident Report	\$ 5.00
Alarm Permits	No Charge
Ammunition	\$100.00
Dealer/Gunsmith (valid 3 years)	\$100.00
Dog License	
Spay/Neutered	\$ 4.00
Intact	\$10.00
License to Carry (valid 6 years)	\$100.00
Firearms Identification card (valid for 6 years)	\$100.00
F.I.D. Restricted Cards (mace) (pepper)	\$ 25.00 1 st Issue / Free on renewal
Machine Gun	\$100.00
Police Reports	\$ 0.50/Page if in person
Police Reports	\$ 1.00/ Page if mailed
Tag Sales	No Charge
Turkey Shoot Permit	\$ 2.00 Day

STAFF LIAISONS

Building Department	Steve Reno	Building Commissioner	(413) 322-5600
	Richard Bosini	Electrical Inspector	(413) 821-0635
	Robert Maloni	Plumbing Inspector	(413) 821-0636
	John C. Stone	Code Enforcement Officer	(413) 821-0633
Clerk's Office	Richard Theroux	Town Clerk	(413) 786-0400 x214
Council Office	Barbara Bard	Council Clerk	(413) 786-0400 x233
Department of Public Works	John Stone	Superintendent	(413) 821-0623
	Michael Chase	Town Engineer	(413) 821-0625
	Christopher Golba	Deputy Superintendent Water & Sewer Division	(413) 821-0627
	Michael Piccin	Deputy Superintendent Highway & Ground Maintenance	(413) 821-0626
Fire Department	Steve Martin	Fire Chief	(413) 821-0612
	James Deming	Fire Inspector	(413) 821-0612
Health Department	Randall White	Director	(413) 821-0400 x208
Mayor's Office	Susan R. Dawson	Mayor	(413) 786-0400
Planning & Conservation	Deborah Dachos	Director	(413) 786-0400 x283
Police Department	Robert Campbell	Police Chief	(413) 821-0609
Zoning Board of Appeals	Jennifer Bonfiglio	Senior Clerk	(413) 786-0400 x253

PERMIT MATRIX

	Town Council	Building Department	Town Clerk	Conservation Commission	Zoning Board of Appeals	Fire	Health Department	Planning Department/Board	Police	Public Works
Accident Report									X	
Alarm Permit		X							X	
Ammunition						X				
Auctioneers' licenses	X	X	X							
Automatic Amusements		X	X							
Back Flow Prevention Device										X
Birth/Death Certificate			X							
Blasting Permits						X				
Body Art Establishment / Technician	X						X			
Bottled Water Manufactured							X			
Building Permits		X								
Burial Permit							X			
Business License		X	X				X			
Car Dealer License Class 1-2			X							
Caterer							X			
Certificate of Occupancy		X								
Church Food Permit							X			
Clinic//Nursing Home/Daycare/Movie Theater Inspection						X				
Curb Cut/Driveway										X
Definitive Subdivision approval								X		X
Determination of Applicability										
Disposal Works Construction Permit							X			
Dog License									X	
Drain Layers Permit										X
Electrical Permits		X								
F.I.D. Cards									X	
Fire Flow Test										X
Fire Reports from Insurance Company						X				

PERMIT MATRIX (continued)

	Town Council	Building Department	Town Clerk	Conservation Commission	Zoning Board of Appeals	Fire	Health Department	Planning Department/Board	Police	Public Works
Fireworks						X				
Fishing License			X							
Flammable Fluid Permits						X				
Food Service							X			
Funeral Director							X			
Gas Permits		X								
Grading Plan Approval (Final)										X
Gas Storage, Initial fee & Annual renewal			X							
Gun Powder Permits		X				X				
Home inspections (all types)						X				
Hotel/Motel							X			
Hunting License			X							
Innkeeper/Lodging House	X					X				
Junk Dealer's License/ Dealer in Secondhand Articles			X							
License to Carry									X	
L.P. Gas Permits		X				X				
Machine Gun									X	
Marriage License			X							
Mobile Food Service							X			
MRVP Housing							X			
Notice of Intent				X						
Oil Burner Permit						X				
Order of Conditions										
Pasteurization of Milk							X			
Percolation Test							X			

PERMIT MATRIX (continued)

	Town Council	Building Department	Town Clerk	Conservation Commission	Zoning Board of Appeals	Fire	Health Department	Planning Department/Board	Police	Public Works
Pistol Permits									X	
Plumbing Permits		X								
Police Reports									X	
Power Burner Permits						X				
Preliminary Subdivision approval								X		X
Raffles/Bizarres			X							
Recreational Camps							X			
Registration of Underground Tanks						X				
Removal of Underground Storage Tanks						X				
Retail Food Service							X			
Review Prints/New Home (smoke detectors)		X				X				
Septic Tank							X			
Sewage Disposal Installer							X			
Sewer Connection										X
Sewer Entrance fee										X
Sign Permit		X								
Site plan approval		X				X		X		
Smoke Detector Inspection/New Homes/Resale						X				
Special Permits		X			X					
Sporting License (Hunting & Fishing)			X							
Street Closing										X
Stormwater Permit										X
Subdivision Approval Not Required (ANR) endorsement								X		

PERMIT MATRIX (continued)

	Town Council	Building Department	Town Clerk	Conservation Commission	Zoning Board of Appeals	Fire	Health Department	Planning Department/Board	Police	Public Works
Swimming Pools		X					X			
Tag Sales									X	
Tanker Truck Inspection						X				
Tanning							X			
Temporary Food Service							X			
Trailers							X			
Transportation of Flammable Fluid/Tank Trucks						X				
Transportation of Garbage							X			
Trapping			X							
Turkey Shoot									X	
Underground Tank Removal / Inspection						X				
Variances		X			X					
Water Meter										X
Water Service Installation On/Off										X
Yard Waste Disposal Passes										X
Zone change	X	X						X		

LIST OF FEDERAL AND STATE PERMITS AND/OR APPROVALS

The following list was adapted from the North Andover Development Guidebook. The list is by no means exhaustive, and if any question exists you are encouraged to seek legal counsel. The majority of small development projects will not have need for any federal or state permits or approvals, but as projects increase in size and complexity, the applicant should be aware of the potential applicability of any one or more of the following:

Federal Permits

1. **National Environmental Policy Act, or "NEPA"** requires the preparation of an environmental impact statement (EIS) to assess the impact of a major federal action, i.e. projects and programs entirely or partly financed, assisted, conducted, regulated or approved by federal agencies, that may have a significant impact on the quality of the human environment. Major federal actions are either defined by statute or determined by agency officials.
2. **Clean Water Act, Section 404 Permit** requires a project involving the discharge of dredged or fill material into waters of the United States (including federally defined wetlands) to obtain a permit from the Army Corps of Engineers. The permit may be a programmatic general permit, an individual permit or an official letter of permission.
3. **Clean Water Act, Water Quality Certification Approval** requires the state to determine whether certain activities meet state water quality standards; if they don't, the Corps of Engineers is prohibited from issuing a Section 404 permit for the activity.
4. **Rivers and Harbors Act of 1899, Section 10 Permit** requires a federal permit from the Army Corps of Engineers for dredging, filling or obstruction of navigable waters; the Section 10 permit is often applied for in conjunction with a Section 404 permit
5. **National Flood Insurance Act and Flood Disaster Protection Act Certification** requires that banks not make, extend or review any loan secured by improved real estate located in an area having flood hazards, and in which flood insurance is available, unless the building securing the loan is covered by flood insurance. This usually requires architectural or engineering review and certification of building plans to the lender.
6. **Clean Air Act Permits or Approvals** may be required directly from the Environmental Protection Agency for certain emissions and hazardous air pollutants from new sources of these regulated air pollutants; most of the federal requirements, however, are incorporated by Massachusetts in its State Implementation Plan, or SIP (see State Clean Air Act).
7. **National Historic Preservation Act Section 106 Review** requires that certain federally assisted, permitted and licensed activities that might have an adverse effect on properties listed with or eligible for listing with, the National Register of Historic Places be reviewed concerning that effect and its consequences; Section 106 review is accomplished by submitting a Project Notification Form to the Historical Commission.
8. **Environmental Protection Agency Stormwater Notices of Intent and/or NPDES Permits** are required for stormwater discharges associated with certain industrial activities. Industrial activity was recently redefined to include "construction activity including clearing, grading, and excavation activities except operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale". The project owner and operator are required to file a Notice of Intent and pollution abatement plan with the Environmental Protection Agency.

State Permits

1. **Massachusetts Environmental Policy Act or 'MEPA'** requires state agencies to evaluate the environmental impact of all projects or activities undertaken by state agencies, and of private projects seeking state funding or permits. An Environmental Notification Form must be **filed** if the project meets one or more of the thresholds specified in the regulations, whereas certain activities automatically require the preparation of an Environmental Impact Report.
2. **Massachusetts Clean Waters Act, Sewer Extension/Connection Permits** are required for the connection of a project to a sewer system unless exempted. There are pretreatment requirements for industrial users, which must be coordinated with the permitting requirements of the Marlborough Westerly Wastewater Treatment Plant.
3. **Massachusetts Clean Waters Act, Surface Water and/or Groundwater Discharge Permits:** Surface Water Discharge Permits, administered jointly by the federal Environmental Protection Agency and the Massachusetts Department of Environmental Protection, are required for point source discharges to U.S. Waters and application should be made simultaneously to both agencies. A permit may also be required for stormwater discharges where runoff is substantially contaminated or if contamination exists because the discharge is located within an industrial area or is associated with industrial activity. If the project is in an unsewered area, a Disposal Works Construction Permit must be obtained from the local board of Health in accordance with Title 5 of the State Environmental Code. If a sewage disposal system with capacity in excess of 15,000 gallons per day will be constructed, a groundwater discharge permit must be obtained.
4. **Waterways, Great Ponds and Tidelands Construction License** must be obtained from the Department of Environmental Protection, Wetlands and Waterways Division, for any construction below the high water line of state waterways, great ponds (ponds over 10 acres in their natural state) and tidelands.
5. **Massachusetts Clean Air Act Approval** must be obtained in writing from the Department of Environmental Protection for the plans, specifications, and proposed operating procedures for the construction, substantial reconstruction or alteration of any stationary source of air pollution, unless specifically exempted. Stationary sources emitting certain pollutant levels must register with DEP as well. Anyone constructing or demolishing a commercial building, or residential building with 20 or more units, must notify DEP at least 10 working days prior to starting work, if it will create emissions that cause or contribute to a condition of air pollution.
6. **Massachusetts Endangered Species Act** prohibits taking or possession of any plant or animal species listed in the federal Endangered Species Act, or the alteration of a significant habitat. A project developer should review the list of endangered species available from the Division of Fisheries and Wildlife, and habitat maps available for inspection at Town Hall from the Conservation Commission.
7. **Hazardous Waste Management Permits** may be required from the federal Environmental Protection Agency or state Department of Environmental Protection if any wastes generated by the project are hazardous, depending on the types of quantities generated; contact the Agawam Fire Department for information.
8. **Massachusetts Historical Commission Approval** must be obtained if a designated historical or archeological landmark will be altered or effected by a project undertaken by a state agency or any private party seeking any state funding, permits or licenses for the project.
9. **State Highway Access Permit** must be obtained in writing from the Massachusetts Highway Department if a project will involve the creation, alteration, expansion or substantial impact upon an opening onto a state highway. This includes property which has access directly onto state highways and property which abuts a state highway layout.

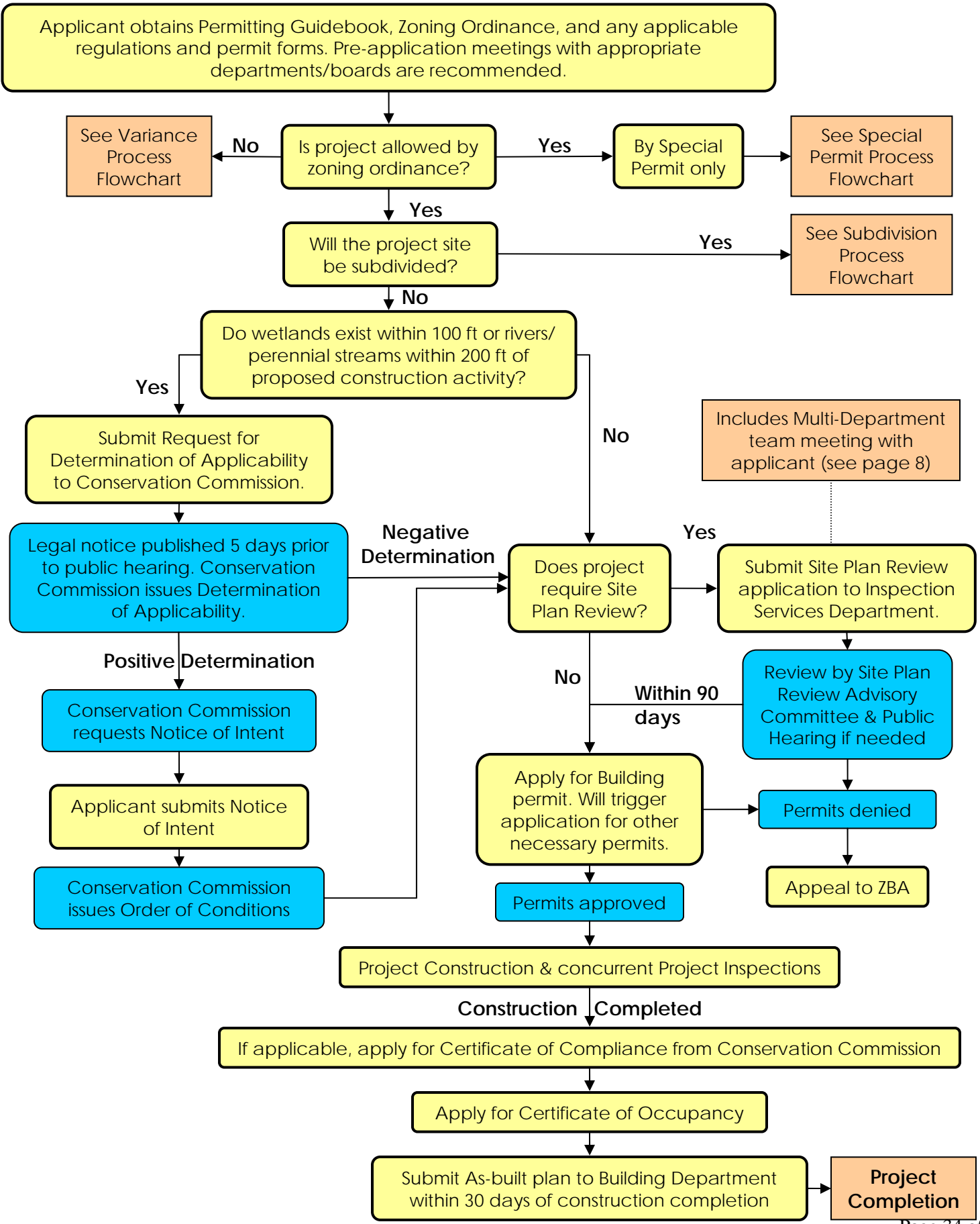
Flowchart Key (All Flowcharts in guide, see following pages)

Rounded Rectangles (Yellow) with Thick Border = Actions/Determinations by Applicant

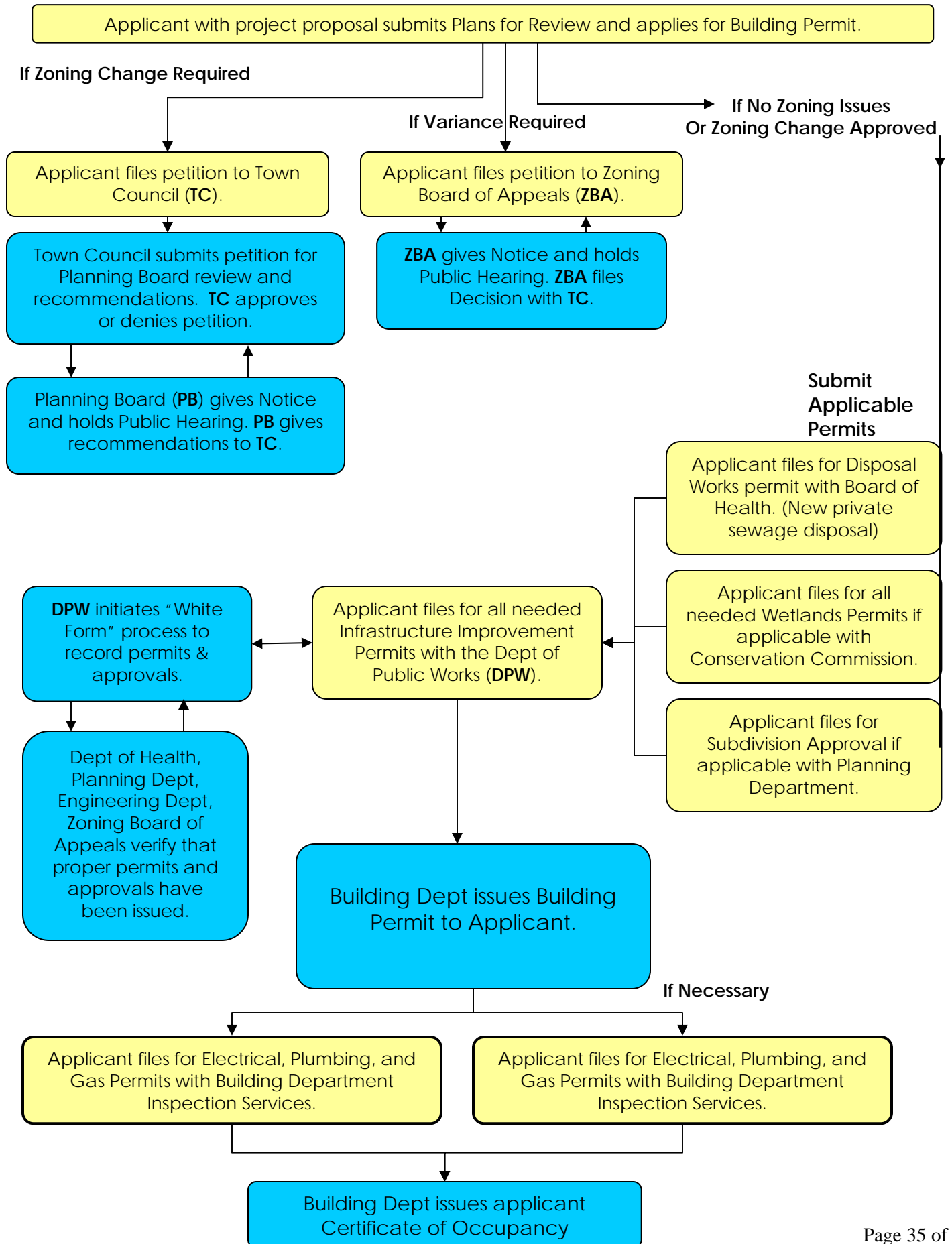
Rounded Rectangles (Blue) with Thin Border = Actions/Determinations by Town

Rectangles (Orange) = Notes

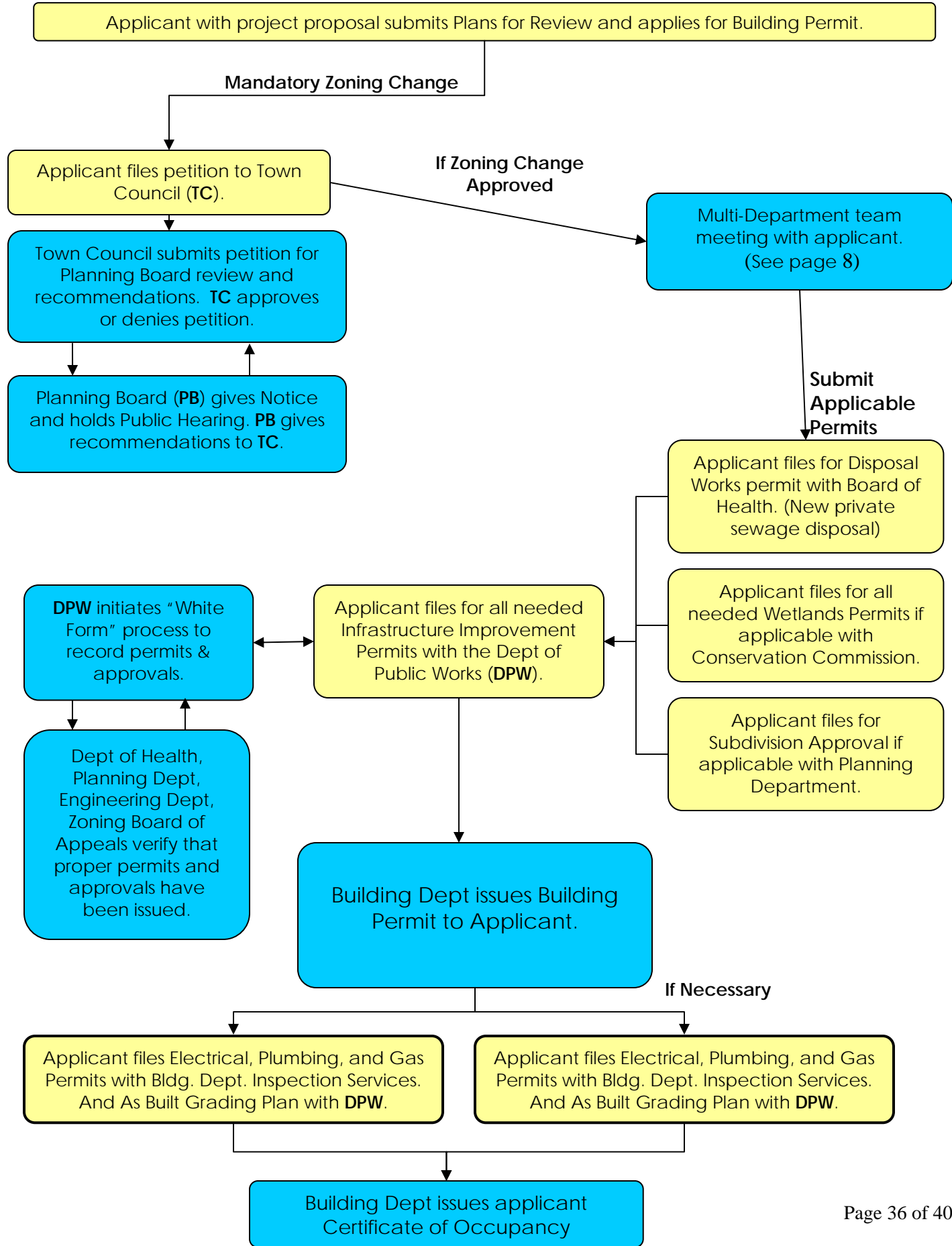
TOWN OF AGAWAM PROJECT REVIEW & APPROVAL PROCESS



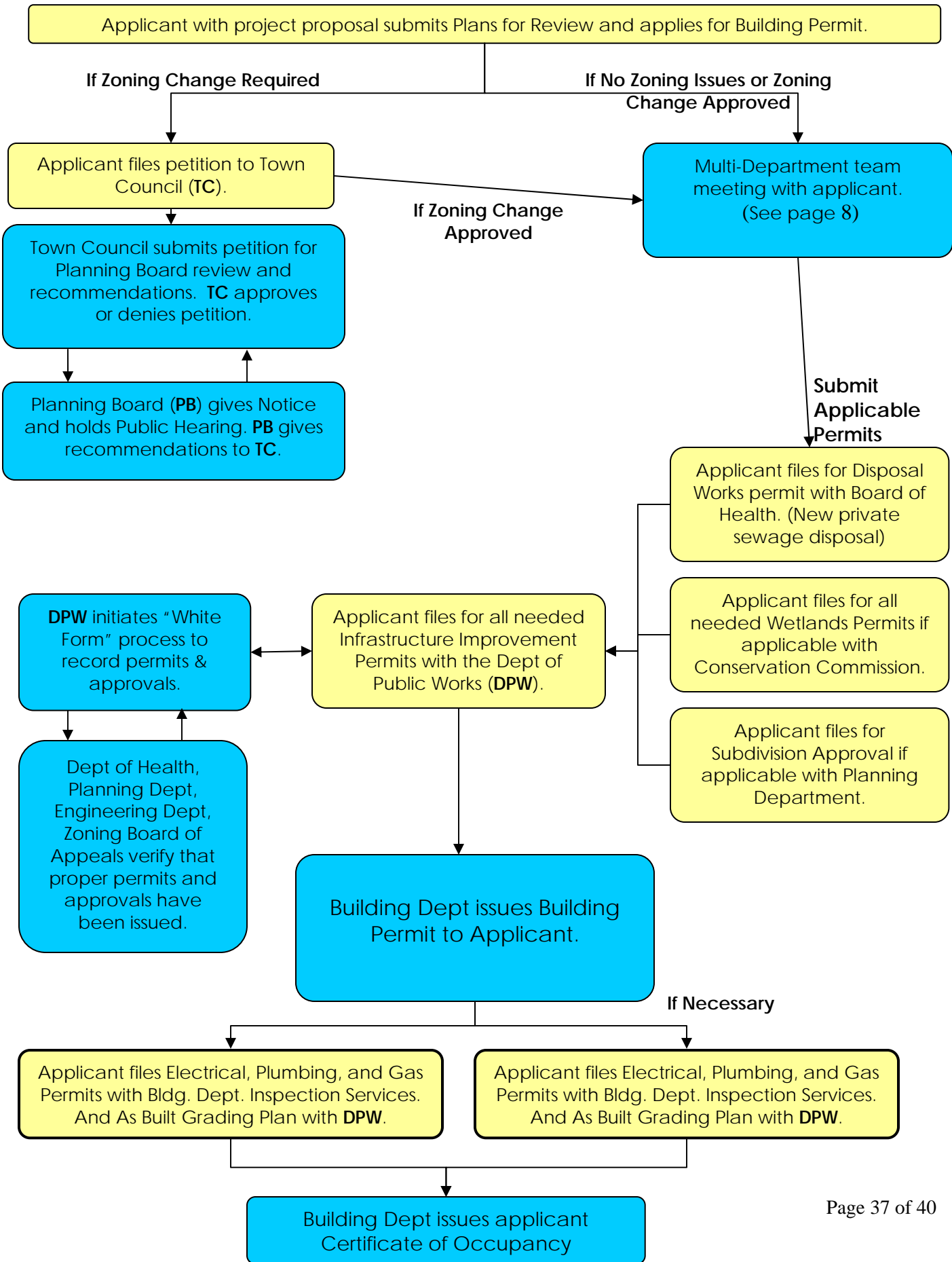
CONSTRUCTION REVIEW & PERMIT PROCESS: 1-4 FAMILY DWELLINGS



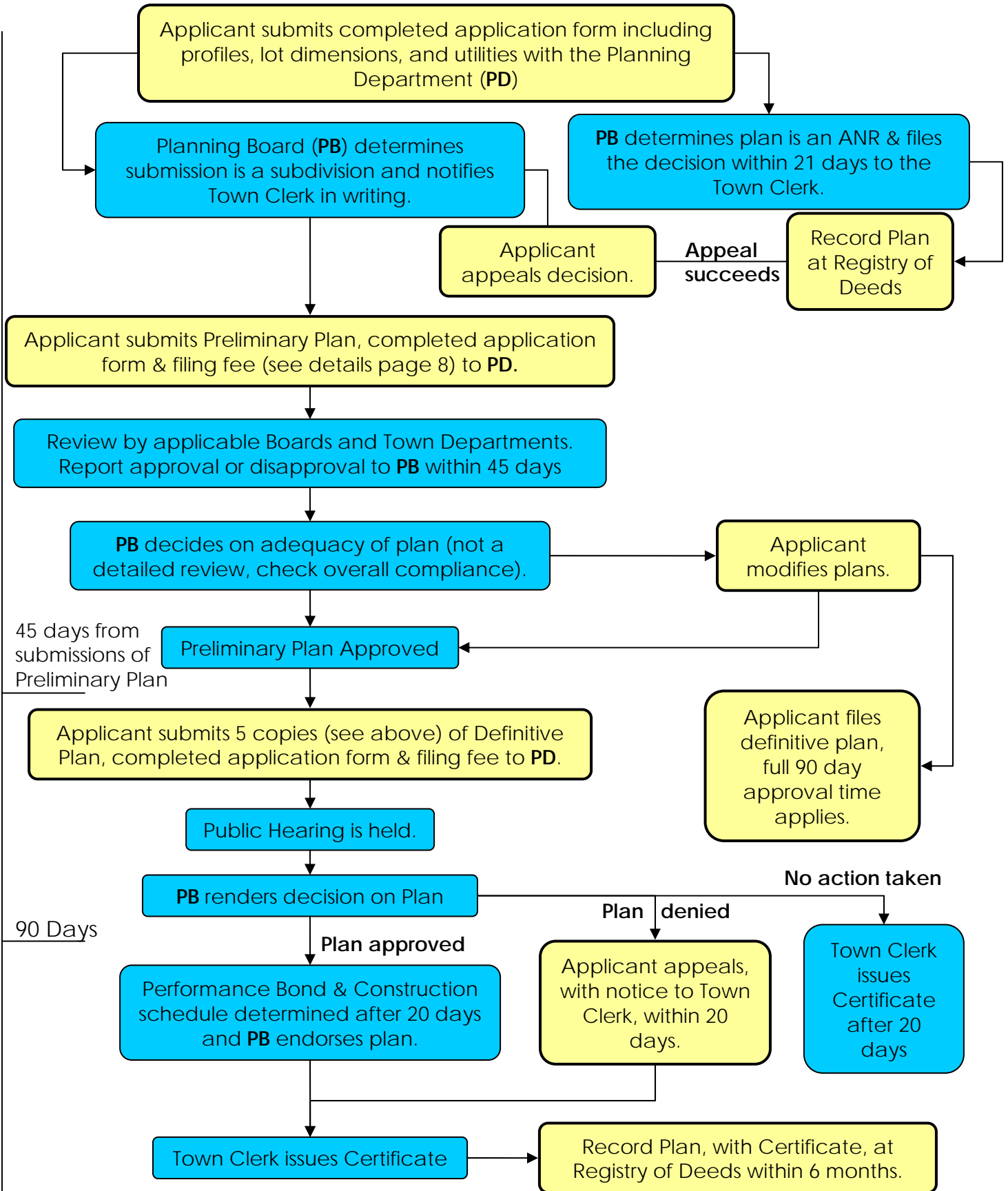
CONSTRUCTION REVIEW & PERMIT PROCESS: 5+ FAMILY DWELLINGS



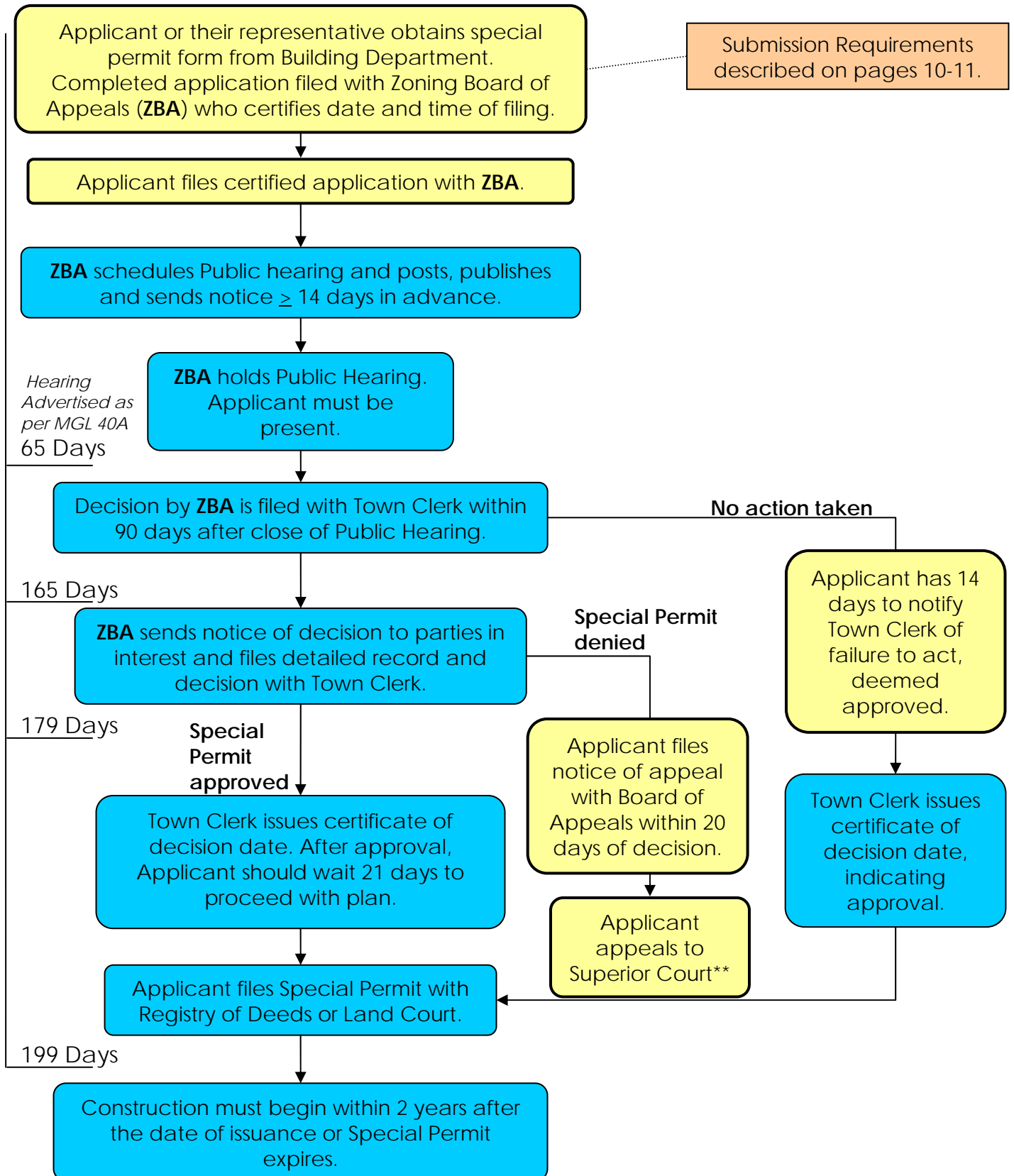
CONSTRUCTION REVIEW & PERMIT PROCESS: COMMERCIAL/INDUSTRIAL



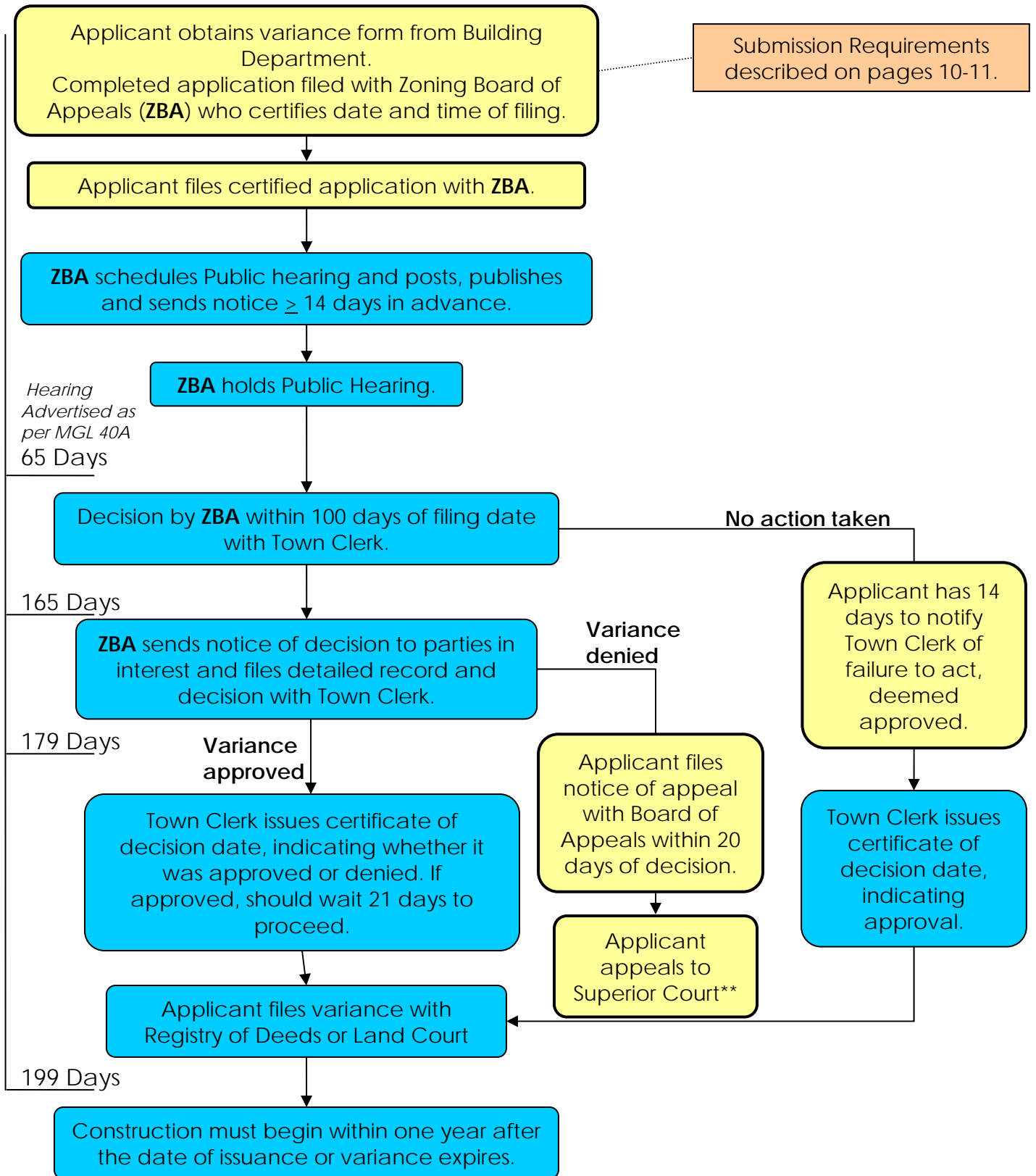
TOWN OF AGAWAM SUBDIVISION APPROVAL PROCESS



TOWN OF AGAWAM SPECIAL PERMIT PROCESS



TOWN OF AGAWAM VARIANCE PROCESS



Submission Requirements described on pages 10-11.

*Variances may only be sought for reasons relating to soil conditions, shape, or topography of a parcel.
 **Two years must elapse after an unfavorable decision has been issued either by the ZBA or the Superior Court, if ZBA decision was appealed, before applicant can request a Variance again, unless the ZBA consents to a repetition as specified in M.G.L. Chapter 40A, Section 16.