

TOWN OF BELMONT

**OPENING A NEW BUSINESS –
PERMITS & PROCEDURES**

The following information package has been designed to make the process of opening a new business as efficient and timely as possible. This document conveniently includes all of the tasks that must be completed in order to open your business. Failure to complete a required task can have significant consequences, financial or otherwise. Please note that each department has their own permit/license procedures. As a result, the entire process can involve up to six (6) months. Town Offices are open Monday through Friday from 8:00 a.m. to 4:00 p.m. A checklist for all permits is attached for your convenience. Additional information, some applications and replies to Frequently Asked Questions (FAQ's) can be obtained at the town's website, www.town.belmont-ma.gov

PLEASE read this entire document carefully to obtain a complete understanding of the process. Do not hesitate to ask questions of each department as they arise. Proceeding forward with unanswered questions will result in unnecessary aggravation, a failure to meet timing deadlines and possible financial consequences.

STEP 1 –DETERMINE APPLICABLE PERMITTING PROCESS

1A. Contact or visit a Building Inspector, (617-993-2664) within the Office of Community Development (OCD), to determine if your proposed business is allowed “by-right” or requires action by either the Zoning Board of Appeals or the Planning Board prior to the issuance of a Building Permit. If it is determined that your business is allowed “by right”, proceed directly to **STEP 2**.

_____Obtain Zoning Status for Your Business*

1B. If your proposal requires action by the Zoning Board of Appeals and/or the Planning Board, contact Planning Coordinator Jeffrey Wheeler in OCD, to discuss the intended use of the space you would like to build, purchase or rent. He can be reached at 617-993-2666 or at jwheeler@belmont-ma.gov. Appointments can be scheduled with any OCD secretary.

*Many of the buildings in Belmont are “pre-existing, non-conforming” as defined by Massachusetts General Laws (MGL), Chapter 40A, Section 6 and approval by the Zoning Board of Appeals is usually necessary prior to opening a new business in such buildings. Depending on the scale of the proposal, an application for Design and Site Plan Review may also need to be filed with the Planning Board. The Planning Coordinator and/or the Building Commissioner, Glenn R. Clancy, P.E. will make this determination.

To begin the Zoning Board of Appeals/Planning Board process, a formal application submittal and public hearing is required. The Planning Coordinator will provide you with an information package explaining the process. All information should be read carefully - you should determine at this point if you will need legal/architectural and/or engineering assistance to proceed with the project.

_____ Date of Appointment with Planning Coordinator

_____ Next Available Zoning Board of Appeals Public Hearing Date

_____ Next Available Planning Board Public Hearing Date

STEP 2 – JOINT PLAN REVIEW MEETING

2A. If your business involves the sale of food, an appointment for a joint meeting must be made with staff from OCD and the Health Department. Call 617-993-2666 during regular business hours and OCD staff will arrange this meeting. This meeting must occur even if you do not have to appear before the Zoning Board of Appeals. At this joint meeting, you will be asked to describe your business, the physical layout of the facility and the kinds of products that you will sell. A sketch plan of the proposed, interior layout of the building - including all fixed equipment and movable furniture is needed for this meeting. A site plan illustrating basic exterior improvements (parking, landscaping, walkways, etc.) is also required. (At this stage of the process, these plans **DO NOT** have to be professionally drawn, but need to be clear enough for staff to understand the proposal.)

Subsequent follow-up meetings may be necessary depending on the complexity of the issues that are raised during this meeting. The Zoning Board of Appeals **will not take action** on an application until both the Building Commissioner and the Director of Health are satisfied with your plan.

_____ Date of Joint Plan Review Meeting

2B. Based upon the results of this meeting, applications for permits required by OCD and the Health Department will be provided to you.

_____ Received Health Department Application Packet

_____ Received Office of Community Development Application Packet

If you do **NOT** require action from either the Zoning Board of Appeals (ZBA) or the Planning Board, please proceed to **STEP 4**.

STEP 3 – ZONING BOARD OF APPEALS/PLANNING BOARD

If Zoning Board of Appeals and/or Planning Board action is required, the applicable application(s) should be completed and returned to the Planning Coordinator. **This should be done as soon as possible.** The ZBA meets the first Monday of every month and the Planning Board meets the last Tuesday of every month. If you require action from both boards, a joint public hearing will be held, usually occurring at the regularly scheduled Zoning Board of Appeals meeting. **Please note**, meeting agendas can be full and the application may not be considered for a few months. Therefore, check with OCD to confirm the deadline for application submittals and possible meeting dates. **Your attendance is required at the public hearing.**

_____ Date Packet Due to Planning Coordinator

_____ Date of Zoning Board of Appeals Public Hearing (if applicable)

_____ Date of Planning Board Public Hearing (if applicable)

_____ Last date for Planning Board Decision (if applicable)

_____ Last date for Zoning Board of Appeals Decision (if applicable)

STEP 4 – OTHER APPLICABLE PERMITS

Appropriate applications for permits must be submitted to the departments listed below. Please contact each department directly to determine what permits are required. This process can begin after the ZBA/PB grants approval. Each department has a separate process and application documents for each permit that is required.

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|---|--|
| 4A. Office of Community Development: | Building Permit, Inspection List
Sign Permit (if applicable) (617-993-2664)
Plumbing/Gas Permit (John MacDonald, 617-993-2662) |
| 4B. Health Department: | Plan Review Checklist. Additional permits/licenses for specific types of businesses may be required (Donna Moultrup, 617-993-2720) |
| 4C. Light Department: | Electrical Permit (Jim Salmon, 617-993-2818) |
| 4D. Fire Department: | Fire Detection/Protection Permit (Captain John Pizzi, 617-993-2210) |

_____ Identified Other Applicable Permit(s)

_____ Submitted Applicable Permit(s)

_____Received Applicable Permit(s)

4E. - Inspections: During construction, there are multiple inspections required. Most of these are detailed on your Building Permit and the applicable Inspector must initial this Permit. However, **it is your responsibility to call for all appropriate inspections.**

STEP 5 BUSINESS CERTIFICATE

If this is a **new business** in Town, you may be required to apply for a Business Certificate (pursuant to Massachusetts General Laws, Chapter 110, Section 5) in person, at the Town Clerk's Office. The Town Clerk is located within the Town Hall and can be reached at 617-993-2600 during regular business hours. The Business Certificate application (if required) can be filed after a Building Permit has been issued. A Business Certificate can be issued immediately when the application is filed.

_____Applied for Business Certificate at the Town Clerk's Office

_____Received Business Certificate from Town Clerk

If no food is to be served or if a license to sell beer and wine is **NOT** being sought, please proceed directly to **STEP 7**

STEP 6 BOARD OF SELECTMEN PERMITS

6A – Common Victualer's License

If you are opening a restaurant that will have customer seating, an application for a Common Victualer's license must be obtained and filed with the Town Clerk's office. Even though the application is filed at the Town Clerk's office, the Board of Selectmen is the permit granting authority for this license. If you were required to go to the ZBA or Planning Board, you should apply for this License while waiting for the decision to be filed. The Board of Selectmen will approve the license provided that the establishment meets the conditions detailed in Massachusetts General Laws, Chapter 140, Section 6 Licenses and that the Health Department, Fire Department, and Building Commissioner have no unresolved issues as a result of the procedures defined in the previous Steps in this document.

This application should be filed approximately two (2) to four (4) weeks prior to the planned opening of the establishment. The Town Clerk will forward it to the Selectmen's office. The Board of Selectmen usually act on the applications during a regularly scheduled meeting (Monday evenings) two (2) to three (3) weeks after receipt of such. You are required to attend

this meeting and can contact the Office of the Board of Selectmen at 617-993-2610 to obtain the exact date and time the application will be discussed.

_____ Date Received Packet for Common Victualer's License

_____ Date filed Application for Common Victualer's License

_____ Date of Board of Selectmen meeting to discuss the Application

_____ Date of Common Victualer's License Approval

6B. Beer & Wine License

If you are opening a restaurant and would like to serve beer and wine, a beer and wine license from the Board of Selectmen is required (provided one is available). The Town is authorized to issue up to eight licenses to serve beer and wine in sit-down restaurants (39 seat minimum). If you were required to go to the ZBA or Planning Board, you should apply for this license while waiting for the decision to be filed. A beer and wine license application and information package can be obtained from the Office of the Board of Selectmen in Town Hall or on the Town's website at www.belmont-ma.gov This application should be filed a minimum of four (4) months prior to the planned opening of the establishment. Please contact the Office of the Board of Selectmen at 617-993-2610 prior to completing the application to determine whether any beer and wine licenses are available and to obtain assistance with the application process.

_____ Date Received Packet for Beer and Wine License

_____ Date of Massachusetts Alcoholic Beverage Commission review of the Application.
(Typically, the Commission reviews the application prior to formal submission.
This may require an additional meeting if a major issue(s) is identified.)

_____ Date filed Application for Beer and Wine License with Selectmen's Office

_____ Dates within which certified notice of hearing is transmitted to abutters

_____ Date of Board of Selectmen public hearing to discuss the Application

_____ Date of Belmont Alcoholic Beverage Commission public hearing to review the Application

_____ Date of Beer and Wine License Approval by Board of Selectmen

STEP 7 CERTIFICATE OF OCCUPANCY

Once construction is complete and the local Building Inspectors have made the appropriate final inspections, an application for a Certificate of Occupancy (CO) can be filed with OCD. This Certificate of Occupancy is required even if no building permits were needed.

In general, a CO will be issued when all of the departments listed on the CO determine that your business meets the standards and/or regulations established by that department. If the business involves food, a final inspection by the Health Department is required and is usually completed 12-24 hours prior to the opening of the establishment.

_____ Date Filed Certificate of Occupancy

_____ Date Received Certificate of Occupancy

STEP 8 – PERMIT AND LICENSE RENEWALS

PERMIT AND LICENSE SUMMARY

Many of the permits and licenses that you have obtained during the process of opening your business have expiration dates. These dates are usually written on the front face of the document for your convenience. Reminders will usually be sent from the appropriate department, but please remember that you are responsible for having up-to-date permits required to run your business at all times. Please call the department responsible for the permit if you have questions about the renewal process and when it will be conducted.

Permit/license	Department	Date of Renewal
Special Permit	Zoning Board of Appeals	May be stated in ZBA decision
Certificate of Occupancy	Office of Community Development	No Renewal Required.
Certificate of Inspection	Office of Community Development	Originally issued as a C.O.*
Signs (free-standing)	Office of Community Development	Every 5 years
Common Victualer's	Board of Selectmen	Annual - January 1
Beer and Wine	Board of Selectmen	Annual – (?)
Food Service	Health	Annual - May 31
Milk & Cream	Health	Annual - May 31
Frozen Dessert	Health	Annual - May 31
Tobacco	Health	Annual - July 31
Dumpster	Health	Annual - December 31
Tanning	Health	Annual – September 30
Muscular Therapy	Health	Annual – May 01

* Contact Office of Community Development for applicability

IMPORTANT TELEPHONE NUMBERS

OFFICE OF COMMUNITY DEVELOPMENT

Glenn R. Clancy, P.E., Director	617-993-2650
Building Commissioner	gclancy@belmont-ma.gov
Jeffrey Wheeler, Planning Coordinator	617-993-2666
	jwheeler@belmont-ma.gov

FIRE PREVENTION

Captain John Pizzi	617-993-2210
	jpizzi@belmont-ma.gov

HEALTH DEPARTMENT

Donna Moultrup, Director	617-993-2720
	dmoultrup@belmont-ma.gov

SELECTMEN'S OFFICE

Tom Younger, Town Administrator	617-993-2610
	tyounger@belmont-ma.gov

PLUMBING & GAS

John "Dan" MacDonald – Inspector	617-993-2662
	dmacdonald@belmont-ma.gov

TOWN CLERK

Delores Keefe, Town Clerk	617-993-2600
	dkeefe@belmont-ma.gov
Mary Ellen Barker, Assistant Town Clerk	617-993-2604
	mbarker@belmont-ma.gov

WIRING

Jim Salmon, Electrical Inspector	617-993-2818
	jsalmon@belmont-ma.gov

Opening A New Business – Checklist

The following items need to be completed prior to opening a new business. They must be completed in the order they appear unless otherwise specified in the “*Opening a new Business – Permits & Procedures*” document. **Please note**, this is a compilation of the **steps** as they appear in the “*Opening a new Business – Permits & Procedures*” document. It is strongly recommended that this document be obtained and carefully read.

- STEP 1.** _____ Obtain **Zoning Status** for Your Business
- _____ Date of **Appointment with Planning Coordinator**
- _____ Next Available Zoning Board of Appeals Public Hearing Date
- _____ Next Available Planning Board Public Hearing Date
- STEP 2.** _____ Date of **Joint Plan Review Meeting**
- _____ Received **Health Department Application Packet**
- _____ Received **Office of Community Development Application Packet**
- STEP 3.** _____ Date Packet Due to Planning Coordinator
(if applicable)
- _____ Date of **Zoning Board of Appeals** Public Hearing (if applicable)
- _____ Date of **Planning Board** Public Hearing (if applicable)
- _____ Last date for Planning Board Decision (if applicable)
- _____ Last date for Zoning Board of Appeals Decision (if applicable)
- STEP 4.** _____ Identified **Other Applicable Permit(s)** Building Permit, Sign Permit,
Plumbing/Gas Permit, BOH Plan Review Checklist, Wiring Permit & Fire
Detection/Protection Permit
- _____ Submitted Applicable Permit(s)
- _____ Received Applicable Permit(s)
- STEP 5.** _____ Applied for **Business Certificate** at the Town Clerk’s Office
- _____ Received Business Certificate from Town Clerk

STEP 6. _____ Date Received Packet for **Common Victualer's License**

(if applicable)

_____ Date filed Application for Common Victualer's License

_____ Date of Board of Selectmen public hearing to discuss the Application

_____ Date of Common Victualer's License Approval

STEP 6B. _____ Date Received Packet for **Beer and Wine License**

(if applicable)

_____ Date of Mass. Alcoholic Beverage Commission Application review

_____ Date filed Application filed with Selectmen for Beer and Wine License

_____ Dates within which certified notice of hearing is transmitted to abutters

_____ Date of Board of Selectmen public hearing to discuss the Application

_____ Date of Belmont Alcoholic Beverage Commission public hearing

_____ Date of Beer and Wine License Approval by Board of Selectmen

STEP 7. _____ Date Filed **Certificate of Occupancy**

_____ Date Received Certificate of Occupancy