

WESTFORD BUSINESS PERMITTING GUIDE



A Guide to Assist You in Starting, Buying, or Growing Your Business!



REVISED AS OF FEBRUARY 20, 2019

Jodi Ross
Town Manager
Town of Westford, Massachusetts

KEY CONTACTS

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Town Planner / Planning Board /

Zoning Board of Appeals

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Additional Department Contacts are Located in

Appendix C of this Document

See Appendix F for information on Federal and State Permits

Town Hall

55 Main Street

Westford, MA 01886

Town Office Hours

Monday through Friday

8:00 a.m. to 4:00 p.m.



**TOWN OF WESTFORD
OFFICE OF THE TOWN MANAGER**

TOWN HALL
55 Main Street
WESTFORD, MA 01886
Telephone (978) 692-5501 Fax (978) 399-2557

WELCOME FROM THE TOWN MANAGER

Dear Entrepreneur:

Preparing for the start-up, purchase, or growth of a business generally presents the potential business owner with challenges along the way. The town of Westford has created this Business Permitting Guide to help you navigate the sometimes complex process of applying for and obtaining the required permits to get your business opened and operating. Our staff hopes to make this process as simple as possible for you, so that you may focus on the important aspects of growing your business.



Westford is a very unique community for many reasons: our engaged citizenry, our extensive conservation land, our excellent school system, to name a few - all of which contribute to an exceptional quality of life for our residents. These attributes, coupled with our proximity to Boston, have resulted in numerous international companies locating along Route 110. We have been successful in attracting a diverse mix of both small and large companies, and most have developed their facilities in a manner that is consistent with the character of our community. Route 40 is an area of town that still reflects the quarrying industry that was a foundation of our town's early development, and also is home to the Massachusetts Institute of Technology Haystack Observatory. Westford has five historic "villages" in different parts of town, each representing additional areas for commerce. No matter how small or large your business may be, we are interested in exploring your desire to join our growing community, and we look forward to helping you achieve your dreams of business ownership in Westford, Massachusetts.

As Town Manager, I welcome your interest in our town, and hope this Guide helps you as you move forward with your business endeavors in the town of Westford. Should you have any questions or need assistance maneuvering through the permitting process, please feel free to contact our Town Planner at 978-692-5524. Also, please visit our website at www.westfordma.gov for up-to-date information on our town.

I wish you much success in developing your business in Westford.

Sincerely,

Jodi Ross
Town Manager

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INTRODUCTION

Whether you are starting your own business, purchasing one, opening a franchise, or expanding an existing business, one of your first steps is to review this Guide and to obtain the necessary local approvals, permits and licenses for your business. This process can be quite simple or more complex, depending on the type of business, the proposed location, and other factors. The purpose of this Guide is to make the process as simple and easy as possible. Westford wants your business. To assist the applicant the Town of Westford will make every effort possible to incorporate the following in this process:

- Face to face meetings with permitting staff.
- Clear instructions.
- Timely responses.
- Written staff memoranda provided in advance of permitting board meetings.
- Written decisions informing the applicant of any determinations or various board actions affecting the proposals.
- Consistency of information during the process.

This Guide will outline the steps necessary to obtain the various licenses, permits, and approvals you will need along with the costs of each, the estimated time for approval, and whether or not a town department, board, or commission requires an approval or a permit. We have attempted to provide a “fast track” approach so you will not have to wait unnecessarily for such approvals or permitting. We understand that the old adage that time is money is accurate when going into business. We hope this Guide will answer most of the questions you might have by providing simple flow charts along with explanations of what you may need for compliance. Our town officials stand ready to assist you in any way possible, whether it is just to answer a simple question, or help you address a problem. The Guide will explain each step you need to follow and identify each department you need to contact during the process.

If you have a problem or situation that seems to be holding up this process, check with someone in the town planning office, as they are there to ensure permitting coordination among the various local authorities. Westford wants to make your path to a successful business as painless as possible.

Where to Start

We recommend that you begin with either a Pre-Application Meeting with town staff or, for more complex projects, a meeting with the Westford Technical Review group. To arrange a Pre-Application Meeting or to get on the schedule for the next Technical Review group meeting, contact the Westford Town Planner at 978-692-5524.

Pre-Application Meeting

A preliminary Pre-Application Meeting may be arranged with the Town Planner, and will assist you in identifying permits that will be required and steps involved in obtaining them.

Technical Review

For projects involving permits from multiple town departments, meeting with the Westford Technical Review group is highly recommended for guidance in the initial stages of your process. Under the coordination of the Town Planner, the Technical Review group, including a representative from the Economic Development Committee, meets regularly each month to coordinate the various Town Departments on permitting and inspection/enforcement issues, and public construction projects. This process affords an excellent opportunity for potential business applicants where multi-departmental permits may be required. The guidance from this group could save potential applicants considerable time navigating through the permitting process.

Potential Permitting Timeframe

Please see Appendix A for the approximate time required to obtain the most common permits required for businesses.

Important Information Regarding this Permitting Guide

This Permitting Guide is for informational purposes only and does not carry legal authority. The information contained in this guide is subject to change and may not be complete or fully up to date. Please refer to the applicable bylaws and regulations for specific technical and procedural requirements. In most cases, you will need professional help in such areas as land surveys, engineering, and law. In addition, this guide addresses local approvals and procedures only, many land use developments also require state and/or federal permits, which are discussed in Appendix F.

The Application

In order to get started, we need to know a bit about the business you want to open or expand in Westford. This will not only help the various town departments follow up on your applications, etc., but will provide a path for you to obtain the necessary licenses, permits and approvals. First, you need to answer some general questions to provide some background information, and then answer a few other questions that will help us direct you to the proper departments or boards. We have divided this section into the various methods to start your business. These questions, for the most part, are answered Yes or No. This will help to determine what your next step will be, and will also provide the information for us to move you through the process as quickly and easily as possible. In addition, on the Applicant Information Form at the end of this Guide, please provide your name, address, daytime telephone, your email address or your business email address and the business's current web site, if available. Also, please provide the name of the business and the owner of the property or property management company, unless you are also the property owner.

General Questions

1. Are you a sole proprietor, LLC, S or C corporation?
2. Is your business name different from your name or your corporation's true name?
3. Will your business sell alcoholic beverages?
4. Will your business offer entertainment in any form?
5. Will your business involve tattoos, tanning, body art, or piercing of any kind?
6. Will your business be offering or selling meals of any kind or be involved in food preparation?
7. Will your business involve chemicals, solvents, etc., such as a dry cleaner?
8. Will your business involve medical, dental, or related laboratory services of any kind?

Starting Your Business in Westford

- A. If you are buying an existing business:
 1. What is the name of the business and where is it located?
 2. What type of business is it?
 3. Is it a franchise?
 4. Who is the lessor?
 5. Are you planning any exterior alterations? i.e. parking, vegetation, regrading, etc.?
 6. Will you be working within 100 feet of wetlands or in a riverfront area?
 7. Will you be changing or altering any signage?
 8. Do you have a tentative closing date for the sale?
 9. Will you be changing or altering the existing business?

- B. If you are starting or opening a home-based business:
1. Are you planning on an exterior sign?
 2. Will you be hiring employees?
 3. Will you be having clients or customers coming to your home-based office?
 4. What will the business be doing?
 5. What is the tentative or current space in approximate square footage?
 6. Do you have a tentative opening date or, if already opened, when did you begin operations?
- C. If you are starting or opening a new business in rented or leased space:
1. What will the business be doing?
 2. How much space will you be utilizing?
 3. Have you rented the space yet?
 4. What interior and exterior renovations are anticipated?
 5. Is the business a franchise?
 6. What will be your signage requirements, if any?
 7. Is there an existing business in the space you will be utilizing?
 8. Is your business the same as what's in there now or will you be doing something different?
 9. Do you have a tentative opening date or when did you begin operations?
- D. If you are starting or opening a new business in new or planned construction owned by you or others:
1. What will the business be doing?
 2. Do you or the others have a building permit from the town?
 3. How much space will you be utilizing?
 4. Have you rented the space yet if you don't own it?
 5. Is the business a franchise?
 6. What will be your signage requirements, if any?
 7. Do you have a tentative opening date or, if already opened, when did you begin operations?
 8. Does the development site include, or is it located within the buffer zones of, regulated environmental resources such as wetlands, vernal pools, streams or water bodies?
 9. Is the development site located within area designated as Estimated or Priority Habitat by the Massachusetts Natural Heritage and Endangered Species Office? (An online map viewer is available at <https://www.mass.gov/service-details/regulatory-maps-priority-estimated-habitats>).
- E. If you own an existing business and are moving it to a new location in Westford:
1. What is the business doing now?
 2. Is the location in existing, new or planned construction?
 3. How much space will you be utilizing?
 4. Do you have a tentative moving date or when do you plan on resuming operations?
 5. Have you rented the space yet?
 6. Is the business a franchise?
 7. What will be your signage requirements, if any?
 8. Is there an existing business in the space you will be utilizing?

Some businesses, such as those involving the products and services mentioned under “General Questions” above, require a separate permit. Fees often vary based on type of business, size, usage, products served, etc. These permits are issued by the appropriate department, board or commission and are independent of the other licenses, permits and approvals. The Town Planner can assist you in identifying the relevant permit granting authority. A list of these and the fees are in Appendix D at the end of this Permitting Guide.

GETTING STARTED

The Town of Westford is committed to your success and we are here to help you get started and assist you as you work through your licensing and permitting. We encourage you to ask as many questions as needed as you make your way through the process. Your **initial point-of-contact** for business development is the Town Planner located in Town Hall at (978) 692-5524. Once your objectives are understood, you may be referred to other departments for information regarding permit requirements specific to your business.

To help get you started, here are a few specific things every business owner should consider:

Building Permit – If you will be undertaking any construction or modifications of an existing building, you will likely require a Building Permit from the Building Department.

Business Certificate – Most business owners need a Business Certificate, or Doing Business As (d/b/a) from the Town Clerk. This certificate allows you to open a commercial bank account and helps prevent others from using your business name.

General Bylaws – The General Bylaws include requirements relevant to some types of businesses, such as the sale of alcoholic beverages; food establishments; development projects including earth removal; hazardous materials storage; plumbing standards; farming; transient merchants; and fees.

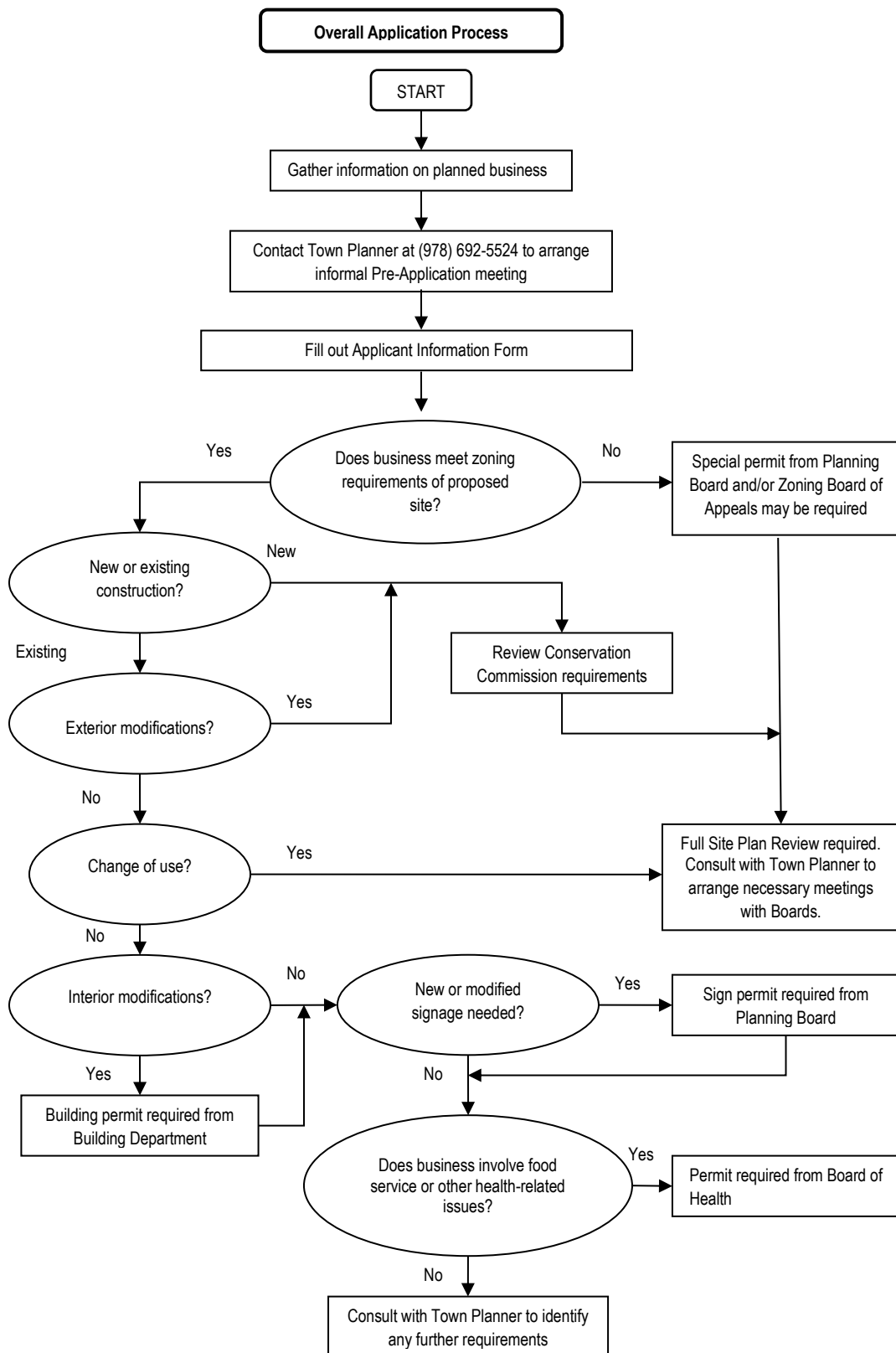
Handicapped Accessibility Requirements – If you are starting or operating any business in Westford, you will need to consider the needs of the disabled (blind, deaf, mobility impaired, etc.). The Building Department can provide you with free advice/consultation regarding compliance with the American Disabilities Act and the Regulations of the Massachusetts Architectural Access Board, and help you support the disabled consumer or employee.

Home Based Businesses – If you are running a business out of your home that involves seeing clients and/or the general public, has any display of a sign, and/or utilizes employees, you are required to obtain a Special Permit from the Zoning Board of Appeals, a sign permit from the Planning Board, and you will need to talk to the Building Inspector to determine any handicapped accessibility requirements.

Legal Structure – Whether incorporating or forming a limited partnership, the Massachusetts Corporations Division requires an excise tax and filing fee. Sole proprietors do not require registration, but you should conduct a name check with the Massachusetts Secretary of the Commonwealth.

Signage – If your business needs a sign, you will need to apply for a Sign Permit from the Westford Planning Board if your project also requires Site Plan Approval or, if your business is locating in an existing space, from the Board of Selectmen. The Building Department cannot issue a Sign Permit prior to review by the appropriate Board. Start to finish, this process **can take up to 3 months** if a Special Permit is required, so inquire early to ensure that you can get your sign installed by the time of your opening.

Zoning Bylaws – Consult the Town Planner to make sure that your business/property meets the zoning requirements for the site. You may need a permit from the Planning Board and/or the Zoning Board of Appeals.



LICENSING AND PERMITTING STEPS

This section describes the steps for basic permitting and licensing.

Town of Westford Town Clerk

The Town Clerk's Office is responsible for issuing "**Business Certificates**" to small businesses categorized as DBAs (Doing Business As). If you are an S Corp or a C Corp no business certificate is necessary. If you require a **Common Victualler and/or Alcohol license**, please discuss this requirement with the Town Clerk. Should you need to contact the Town Clerk's office, you can find the appropriate contact listed in Appendix C at the end of this Permitting Guide, and the Town Clerk's webpage is located here: <https://westfordma.gov/255/Town-Clerk>. Fees for the appropriate business certificate can be found in Appendix D at the end of this Permitting Guide.

Director of Land Use Management

The Director of Land Use Management (DLUM) supervises the Town Planner and has responsibility for oversight of the Westford Conservation, Building, Planning and Zoning Departments. The DLUM's webpage is located here: <https://westfordma.gov/291/Land-Use-Management>, and additional contact information is listed in Appendix C.

Town Planner

Anyone interested in establishing a small business in the Town of Westford should initially contact the Town Planner for guidance. The Town Planner provides primary staff support to the Planning Board and the Board of Appeals. The Town Planner's webpage is located here: <https://westfordma.gov/291/Land-Use-Management>, and additional contact information is listed in Appendix C.

The Planning Board evaluates a variety of development proposals intended to enhance community planning goals. The various permits and approvals granted by the Planning Board that apply to small business would include site plan approval, signage, petitions for zoning changes, some special permits, and parcel/lot divisions and subdivisions. If a site plan is required (generally, for new construction, a building that requires exterior modifications, and/or has a business change of use), a review will include adequacy of parking, access to and from the site, external lighting, landscaping, fire protection, drainage systems and architectural design. The Zoning Bylaw provides that the Planning Board will make a decision regarding your site plan within sixty days from filing except upon extension of this timeline by mutual agreement. Contact information for the Planning Board is located in Appendix C, and a schedule of meeting dates and deadlines can be found [here](#).

Several factors have a bearing on the type of permits required. The Town Planner will assist you through a pre-application process intended to determine what permits you will need for your business. At the end of this Permitting Guide is an informational form which will assist the Town Planner in making sure you fill out the proper applications, and acquaint you with whatever permit fees are applicable to your particular project. An approximate timeline will be discussed, which will allow you to make decisions on sequencing of multiple approvals, if necessary, and when you might expect to be in operation in the Town of Westford.

Once your business objectives are understood initially, the Town Planner will refer you to the appropriate department or departments with direct oversight of relevant permitting processes. Upon request, an informal meeting may be scheduled with those Town Departments that would be involved in your application.

Planning Board Process

Do any of the following apply to your project?

- a. Does project divide land into lots or parcels?
- b. Does project require construction of new streets?
- c. Will project include a building of more than 5,000 sq ft of non-residential construction?
- d. Will new signage be required?
- e. Will there be construction within 100 feet of wetlands or flood hazard area or within 200 feet of a river?
- f. Does the project include a wireless communication facility?
- g. Will the project require any approvals from the Zoning Board of Appeals?
- h. Will the project require a special permit under the zoning bylaw?
- i. If leasing existing property will there be a change of use?

Consult with the Town Planner who will be your point of contact in the Planning Board process.

Town of Westford Building Department

The Building Department is responsible for building issues, conducting inspections on construction projects, and zoning enforcement actions. These regulations and inspections insure that building construction and improvements are done in accordance with the Massachusetts building code and protect the public safety.

The Building Department processes all Building, Plumbing, Electric, and Gas Permit applications, reviews all plans and application packages for compliance with applicable standards, and grants or denies permit requests. Further, it conducts all required inspections pertaining to building permits and grants Certificates of Inspection and/or Certificates of Occupancy.

All building permit applications must be filed online at <https://permits.westfordma.gov/>

This online system offers efficiency and transparency, as applicants are notified via email when permits are issued, and applicants can check the status of their pending permit application online.

If you are considering opening a small business in the Town of Westford, and are developing, building, or re-fitting a facility, it will require a permit from the Building Department.

As soon as the decision is made to undertake a project and the parameters of the project have been formulated (e.g. size, location), an appointment should be made with the Building Department. The Building Commissioner will verify the correct zoning category to insure the project is allowed in that zone. The Applicant will then be instructed on the permitting procedure.

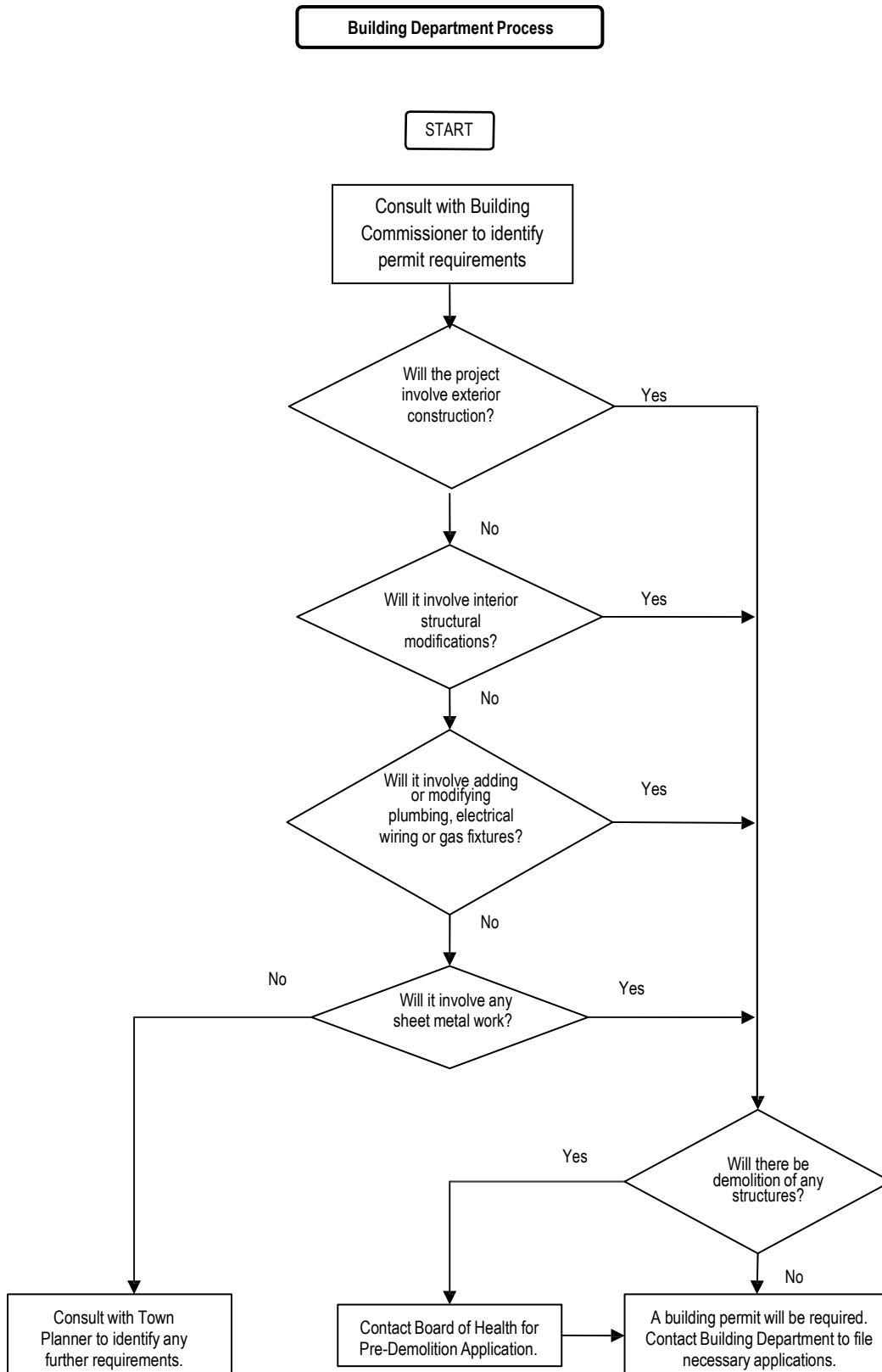
To assist applicants with the permitting process, the Building Department website has step-by-step instructions for various construction and renovations projects on the left side of this webpage: <https://westfordma.gov/173/Building-Permit-Application-Checklists>.

The Building Department can be reached at 978-692-5527, their webpage is <https://westfordma.gov/168/Building-Department>, and additional contact information is listed on [Appendix C](#) at the end of this Permitting Guide.

The various major permits issued by the Building Department include Building, Plumbing, Gas, Electrical, and Sheet Metal, Curb Cut/Driveway, Tent, Wood Stove, and Demolition.

All permits from the Building Department require the applicant to pay a permit fee. Fees for the appropriate permits can be found on [Appendix D](#) at the end of this Permitting Guide.

The timeline for obtaining a permit from the Building Department, if no public hearings are necessary, is up to 30 days after all other processes are completed.



Town of Westford Health Department / Board of Health

Depending on what type of business you are opening, you may need to obtain a permit from the Board of Health. The Board of Health is responsible for protecting the public health of the community by adopting relevant local health regulations and by carrying out preventative programs. The Board oversees the activities of the Director of Environmental Services, the Director of Health Care Services, and has responsibility for enforcing the State health, sanitary and environmental codes. The Board is made up of five elected Board members who serve for three-year terms. Generally the Board of Health meets once per month on the second Monday at 6:00 PM (unless holidays, workload or schedule conflicts require additional and/or different meeting dates) in the upstairs Meeting Room at Town Hall located at 55 Main Street.

Contact information for the Health Department/Board of Health is listed in Appendix C at the end of this Permitting Guide, and their webpage is located here: <https://westfordma.gov/215/Health-Department>.

The various major permits issued by the Board of Health include food service establishments, subsurface sewage disposal systems, lot testing, swimming pools, water systems, wells, septage haulers, tobacco licenses, tanning facilities, farmers market, temporary food permits for events, and body art establishments. All permits from the Board of Health require the applicant to pay a fee for the permit. Fees for the appropriate permits can be found on Appendix D at the end of this Permitting Guide.

The typical timeline for obtaining a permit from the Board of Health is approximately 45 days. If the permit includes a variance, then a public hearing would be required which could add up to an additional 30 days to the permitting process.

All Board of Health permit applications may be filed online at <https://permits.westfordma.gov/>

This online system offers efficiency and transparency, as applicants are notified via email when permits are issued, and applicants can check the status of their pending permit application online.

Board of Health Process

Do any of the following apply to your project?

- a. Is the business a food establishment involving manufacture or sale of food?
- b. Does it involve selling tobacco?
- c. Does it involve storing, processing, using or transporting hazardous or offensive materials?
- d. Does it involve tanning services or body art including tattoos?
- e. Does it involve a public or semi-public swimming pool?
- f. Does it provide funeral or burial services?
- g. Does it involve a recreation or day camp?
- h. Will it be providing hair dying or nail services?
- i. Does the project involve removal of exterior paint?
- j. Will it require a septic system or well installation?

If you answered "yes" to any of these questions, a permit from the Board of Health is required. Contact Board of Health staff at (978) 682-5509 for information.

If you answered "no" to all of these questions, consult with Town Planner to identify any further requirements.

Town of Westford Water Department

The Westford Water Department is charged, by the town, with providing safe, high quality, uninterrupted water at a reasonable pressure, to meet the health and fire protection needs of that portion of the town served by the public water system service while meeting various state and federal requirements.

While the Water Department does not issue permits, it typically has approval responsibility for projects as they relate to water issues. The Department generally receives a copy of the Site Plan from the Planning Board and is asked to review and comment on the plan. If the projected water usage rate is greater than 5,000 gallons per day, a System Impact Study is required. This study is conducted by an outside engineering firm contracted by the Water Department and is paid by the applicant.

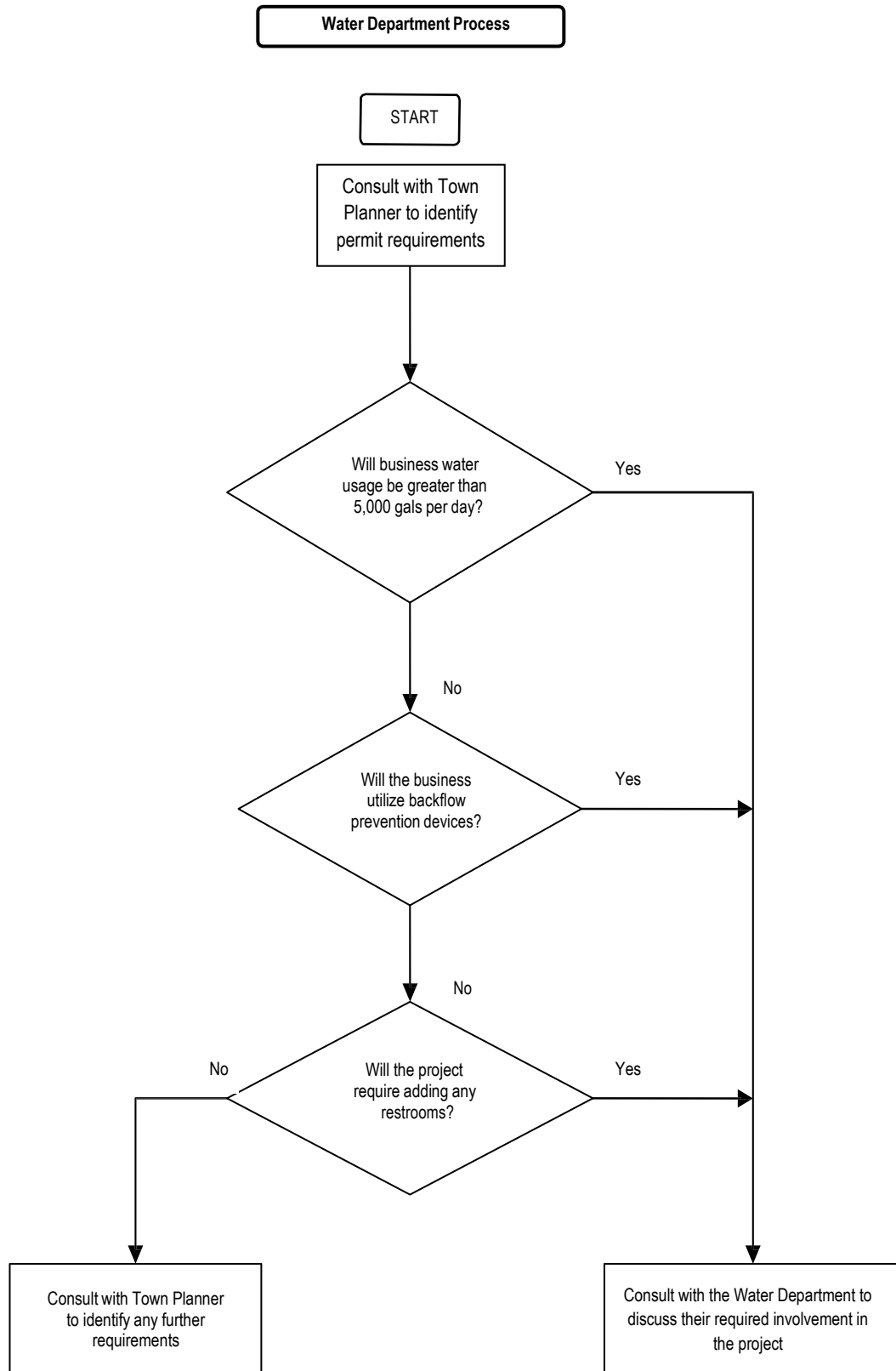
If and when appropriate during construction, inspectors visit the site. At completion they also inspect to make sure all regulations have been met and to give final approval. The inspection cost is at an hourly rate and is paid for by the applicant. Fees for the appropriate inspections can be found on Appendix D at the end of this Permitting Guide.

All backflow prevention devices are tested twice a year by the Water Department, except for double check valves, which are tested once a year. The cost of the test is paid by the business owner. Fees for the appropriate testing can be found on Appendix D at the end of this Permitting Guide.

Water Commissioner meetings are regularly held on the first and third Wednesday of each month. To present an issue to the Commissioners at a meeting you need to have a time scheduled on the agenda.

Should you need to contact the Water Department, you can find the appropriate contact listed on Appendix C at the end of this Permitting Guide. Their webpage is located here: <https://www.westfordma.gov/271/Water-Department>.

The typical timeline for approval of water-related site plans is 1-2 weeks following receipt of a hydrology report.



Town of Westford Conservation Commission

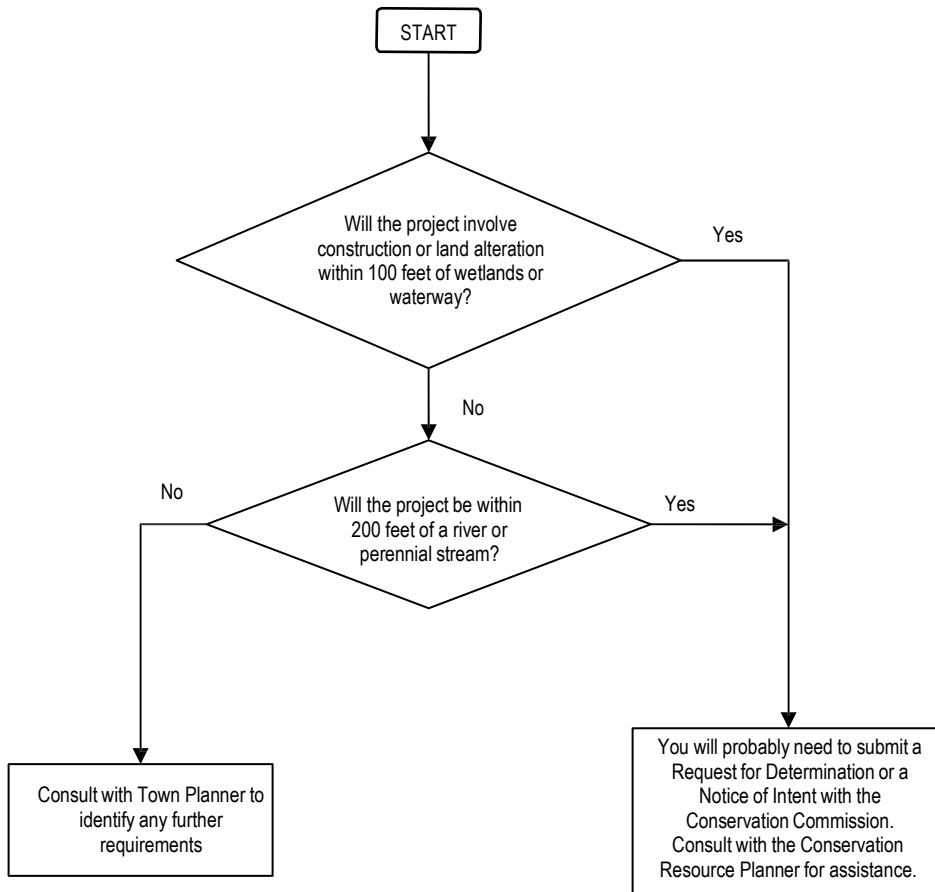
The Conservation Commission has the responsibility to administer and enforce the Massachusetts Wetlands Protection Act and local non-zoning wetlands bylaw. The Commission has jurisdiction relative to areas that contain rivers, streams, floodplain, wet meadows, bogs, vernal pools, or bordering vegetated wetlands, and on land that is within 100 feet of any such wetland resource. Projects within 200 feet of a river or stream are also subject to permitting. Wetland jurisdiction extends across property lines.

The Conservation Resource Planner for the Town of Westford will help you evaluate whether or not your project falls within the Commission's jurisdiction. Applicants seeking official confirmation as to whether they fall under the above guidelines must file a Request for Determination of Applicability application with the Commission. If you intend to build a structure, install drainage, alter the landscape or terrain, or do any type of work in a wetland, or within 100 feet of a wetlands or 200 feet of a river, the applicant is required to file for a permit with the Commission. Either a Request for a Determination of Applicability or a Notice of Intent application will be required. Both types of applications require a public hearing before the Conservation Commission.

The application process is generally completed within four to six weeks, with more complex projects taking longer. The fee schedules for the appropriate permits required are available at [Appendix D](#) at the end of the permitting guide.

An overview of the filing procedures can be found here: <https://westfordma.gov/1081/Overview-of-Filing-Procedures>, and additional information about wetland area permitting can be found here: <https://westfordma.gov/1042/Wetlands-and-Permitting>.

Conservation Commission Process



Town of Westford Engineering Department

The Engineering Department serves as an in-house consultant to the town permitting boards which primarily includes the Planning Board, Zoning Board of Appeals, and Conservation Commission. The Department does not directly oversee the Permitting process, but its review and comments on project applications informs the Boards' decisions.

Stormwater management is a primary focus of the Engineering Department, as well as handling the Commonwealth of Massachusetts interfacing with highway/road construction and any changes with the roadway system in the Town of Westford. Street approvals, as well as review of any changes on land over an acre, ordinarily are reviewed by the Engineering Department.

PUBLIC HEARING PROCEDURE

Some permits and approvals require a public hearing before the permit or approval can be granted. The purpose of the public hearing is to provide citizens, particularly neighbors and abutters, with a forum to comment on your project.

The Permit Granting Authority (i.e. the board or committee granting the permit) will schedule the hearing within a specific timeframe after receiving your application and will place the required notices in the local newspaper, giving the date, time, location, and purpose of the hearing. All public hearing notices are also posted with the Town Clerk.

In most cases, you or your representative must attend the hearing to present the application and state the reason(s) why the permit or approval should be granted. After your presentation, board members will offer their comments and questions. The chairman will solicit comments from the abutters and other members of the public. Any citizen may speak in person, or through an agent or attorney, at any hearing. When all persons wishing to be heard have spoken, you will be given the opportunity to address any issues raised. The chairman will then either close the hearing or continue the hearing until a later date, and the board or commission will take the matter under advisement.

APPENDIX A: PERMITTING TIMEFRAME

Please note that some permits may take up several months to acquire, and the entire permitting process may take up to 6 months. Construction, building modification and most business activities cannot begin until you have the necessary permits. Table 1 below lists the approximate time required to obtain the most common permits required for businesses. The timeframes are approximate and are typically based on state law. Timeframes are based on the date of application submission, though incomplete applications may be denied.

As previously mentioned, a Pre-Application Meeting with town staff or a Technical Review Meeting with town department heads will help you to identify the permits you need and avoid time-consuming delays.

Table 1: Timeframe for Common Permits

Permit and Responsible Board / Department	Standard Timeframe
Planning Board	
Site Plan Review Special Permit Subdivision Plan	3 to 6 Months
Signs requiring Special Permit	Up to 3 Months
Zoning Board of Appeals	
Comprehensive Permit Special Permit Variance	3 to 5 Months
Conservation	
Notice of Intent (NOI) – Wetlands Request for Determination of Applicability (RDA) - Wetlands	2 to 3 Months
Building Inspector	
Building Permit <i>(after all other land development permits are in place)</i> Plumbing, Gas, Electrical & Sheet Metal Permits Certificate of Occupancy Sign Permit <i>(see above for Sign Special Permit)</i>	Up to 1 Month for Permit Review
Board of Health	
Food Service Establishment Permit Supermarket & Farmers Market Permits Tanning, Nail, Hair Dying & Body Art Services Tobacco Sales Hazardous Materials Storage Well Drilling Permit Sewage Disposal & Septic Systems	Approximately 45 Days (Up to 30 additional days if a public hearing is required)
Board of Selectmen	
Alcoholic Beverage, Common Victualler and Other Licenses	4 to 6 Weeks
Town Clerk	
Business Certificate/Doing Business As Form	Same Day
NOTE: SOME OF THESE TIMEFRAMES MAY RUN CONCURRENTLY AND WILL BE EXPEDITED THROUGH THE TOWN PLANNER.	

APPENDIX B: PERMITTING REQUIREMENTS BY BUSINESS TYPE

The type of permits and licenses required to operate a business in Westford will depend on the type of business you plan to operate. Because the required permits and licenses vary by business type, the following pages list permits that will be required for common business types, as well as permits that might be required for those businesses. These sample lists are meant to be used as a reference as you go through the permitting process. They should help you to prepare to meet with municipal staff and board members, and for reference as you move through the process. They are not a substitute for meeting with staff to determine which permits and licenses are required.

OPENING A FOOD ESTABLISHMENT

Permits and licenses you **WILL** need:

- **Business Certificate/Doing Business As Form** from the Town Clerk
- **Food Service Establishment Permit** from the Board of Health
- **Common Victualler's License**, application from the Town Clerk, approval from the Board of Selectmen
- **Sign Permit** from the Building Inspector or Planning Board
- **Occupancy Permit** from the Building Inspector

Permits, licenses and inspections you **MIGHT** need:

- An **Alcoholic Beverage License** will be required if you will be serving or selling alcohol. Applications are obtained from the Town Clerk and approval is required from the Board of Selectmen.
- A **Building Permit** will be required if construction, remodeling or building modifications are involved.
- To ensure that the **zoning** district where your business will be located allows food establishment uses either by-right or by Special Permit, please speak to the Town Planner.
 - If your business is allowed by **Special Permit**, you will need to obtain the permit from the Special Permit Granting Authority (either the Planning Board or the Zoning Board of Appeals). The Town Planner can assist you in determining which board issues the permit.
- A **Site Plan Review** for a change of use may be required if you are moving into a space that was not previously operated as a food establishment.
- An **entertainment license** from the Board of Selectmen may be required if you will be providing entertainment, such as live or recorded music. Applications are obtained from the Town Manager's office.
- Speak to the Building Inspector to ensure that you have adequate **parking**. You may need to submit a **Site Plan** for review to demonstrate that parking requirements are met.
- Check with the **Building Department** regarding any other building, plumbing, electrical and gas permits or inspection that may apply.
- Check with the **Health Department** regarding any other local health ordinances that may apply.

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OPENING A FOOD ESTABLISHMENT - continued

- A **Weights and Measures seal** may be required for weighing and measuring devices (scales, pumps and meters) if you are selling items based on unit of measurement (weight, volume, length or time). The Town of Westford contracts with the Commonwealth of Massachusetts Division of Standards for weights and measures services. More information can be found at www.westfordma.gov/324/Sealer-of-Weights-Measures and additional contact information is provided under “Weights and Measures” in Appendix D: Directory of Departments.

Food Establishment Permit Checklist

Permit, License or Inspection	Required	Received
Business Certificate / Doing Business As Form	☐	☐
Food Service Establishment Permit	☐	☐
Common Victualler's License	☐	☐
Sign Permit	☐	☐
Occupancy Permit	☐	☐
Alcoholic Beverage License	☐	☐
Building Permit	☐	☐
Special Permit	☐	☐
Site Plan Review	☐	☐
Entertainment License	☐	☐
Site Plan Review - Parking	☐	☐
Other Building Department permits or inspections	☐	☐
Other Health Department permits or licenses	☐	☐
Weights and Measures Seal	☐	☐

OPENING A RETAIL STORE

Permits and licenses you **WILL** need:

- **Business Certificate / Doing Business As Certificate** from the Town Clerk
- **Sign Permit** from the Building Inspector or Planning Board
- **Occupancy Permit** from the Building Inspector

Permits and licenses you **MIGHT** need:

- A **Building Permit** will be required if construction, remodeling or building modifications are involved.
- To ensure that the **zoning** district where your business will be located allows retail uses either by-right or by Special Permit, please speak to the Town Planner.
 - If your business is allowed by **Special Permit**, you will need to obtain the permit from the Special Permit Granting Authority (either the Planning Board or the Zoning Board of Appeals). The Town Planner can assist you in determining which board issues the permit.
- A **Site Plan Review** for a change of use may be required if you are moving into a space that was not previously operated as a retail business.
- Speak to the Building Inspector to ensure that you have adequate **parking**. You may need to submit a **Site Plan** for review to demonstrate that parking requirements are met.
- Your business will require a **Retail Food Establishment** permit from the Board of Health if you will be selling food.
- An **Alcoholic Beverage License** will be required from the Board of Selectmen if you will be selling alcohol.
- If your business will be selling any type of tobacco product, you will require a **Tobacco Sales Permit** from the Board of Health.
- A **Weights and Measures seal** may be required for weighing and measuring devices (scales, pumps and meters) if you are selling items based on unit of measurement (weight, volume, length or time). The Town of Westford contracts with the Commonwealth of Massachusetts Division of Standards for weights and measures services. More information can be found at www.westfordma.gov/324/Sealer-of-Weights-Measures and additional contact information is provided under “Weights and Measures” in Appendix D: Directory of Departments.

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OPENING A RETAIL STORE - continued

Retail Store Permit Checklist

Permit, License or Inspection	Required	Received
Business Certificate / Doing Business As Form	☐	☐
Sign Permit	☐	☐
Occupancy Permit	☐	☐
Building Permit	☐	☐
Special Permit	☐	☐
Site Plan Review	☐	☐
Site Plan Review - Parking	☐	☐
Retail Food Establishment	☐	☐
Alcoholic Beverage License	☐	☐
Tobacco Sales Permit	☐	☐
Weights and Measures Seal	☐	☐

OPENING A SERVICE, OFFICE OR HOME BUSINESS

Permits and licenses you **WILL** need:

- **Business Certificate/Doing Business As Certificate** from the Town Clerk
- **Sign Permit** from the Building Inspector or Planning Board
- **Occupancy Permit** from the Building Inspector

Permits and licenses you **MIGHT** need:

- A **Building Permit** will be required if construction, remodeling or building modifications are involved.
- To ensure that the **zoning** district where your business will be located allows your type of service or office business either by-right or by Special Permit, please speak to the Town Planner.
 - If your business is allowed by **Special Permit**, you will need to obtain the permit from the Special Permit Granting Authority (either the Planning Board or the Zoning Board of Appeals). The Town can assist you in determining which board issues the permit.
- A **Site Plan Review** for a change of use may be required if you are moving into a space that was not previously operated as your type of service or office business.
- Speak to the Building Inspector to ensure that you have adequate **parking**. You may need to submit a **Site Plan** for review to demonstrate that parking requirements are met.
- Check with the **Health Department** regarding any other local health ordinances that may apply. Clinical services including cholesterol, diabetes screening, immunizations, and well child clinics all require permits from the Health Department. In addition, business types including but not limited to the following also require a license, permit or certificate of registration from the Board of Health: body art; tanning facilities; and septic hauler businesses.
- A **Weights and Measures seal** may be required for weighing and measuring devices (scales, pumps and meters) if you are selling items based on unit of measurement (weight, volume, length or time). The Town of Westford contracts with the Commonwealth of Massachusetts Division of Standards for weights and measures services. More information can be found at www.westfordma.gov/324/Sealer-of-Weights-Measures and additional contact information is provided under “Weights and Measures” in Appendix D: Directory of Departments.

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OPENING A SERVICE, OFFICE OR HOME BUSINESS - continued

Service or Office Business Permit Checklist

Permit, License or Inspection	Required	Received
Business Certificate / Doing Business As Form	☐	☐
Sign Permit	☐	☐
Occupancy Permit	☐	☐
Building Permit	☐	☐
Special Permit	☐	☐
Site Plan Review	☐	☐
Site Plan Review - Parking	☐	☐
Other Health Department permits or licenses	☐	☐
Weights and Measures Seal	☐	☐

APPENDIX C: DIRECTORY OF PERMITTING DEPARTMENTS

DEPARTMENT	DEPARTMENT HEAD	ADDRESS	PHONE	DEPARTMENT HYPERLINK
Building	Building Commissioner	Town Hall, 55 Main Street	978-692- 5527	https://www.westfordma.gov/168/Building-Department
Conservation	Conservation Resource Planner	Town Hall, 55 Main Street	978-692- 5524	https://www.westfordma.gov/296/Conservation-Commission
Engineering	Town Engineer	Highway Facility, 28 North Street	978-692- 5520	https://www.westfordma.gov/182/Engineering-Department
Fire	Fire Chief	51 Main Street	978-692- 5542	https://www.westfordma.gov/195/Fire-Department
Health	Director	Town Hall, 55 Main Street	978-692- 5509	https://westfordma.gov/215/Health-Department
Highway	Highway Superintendent	Highway Facility, 28 North Street	978-692- 5520	https://westfordma.gov/253/Highway-Department
Permitting	Director of Land Use Management	Town Hall, 55 Main Street	978-692- 5524	https://westfordma.gov/291/Land-Use-Management
Planning Board & Board of Appeals	Town Planner	Town Hall, 55 Main Street	978-692- 5524	https://westfordma.gov/294/Planning-Board https://westfordma.gov/295/Zoning-Board-of-Appeals

Police	Police Chief	53 Main Street	978-692-2161	https://westfordma.gov/304/Police-Department
Town Clerk	Town Clerk	Town Hall, 55 Main Street	978-692-5515	https://westfordma.gov/255/Town-Clerk
Town Manager	Town Manager	Town Hall, 55 Main Street	978-692-5501	https://westfordma.gov/325/Town-Manager
Water	Water Superintendent	60 Forge Village Rd.	978-692-5529	https://westfordma.gov/271/Water-Department
Weight and Measures	Sealer of Weight & Measures	Town Hall, 55 Main Street	978-692-5501	https://westfordma.gov/324/Sealer-of-Weights-Measures

APPENDIX D: PERMITTING FEES

Fee schedules here are current as of the date of this publication. Applications are subject to the fees in effect as of the date of application. Each Department maintains their fee schedules, follow the hyperlink at the top right of each department's fee schedule. Most permit fees are payable at the time of permit issuance and are **not refundable**.

PLANNING BOARD Click here Town Planner/Planning Board for more information.	
PERMIT/APPLICATION TYPE	FEES
Site Plan Review	
Filing fee: Up to 1,000 sq. ft.	\$3,000
1,001-20,000 sq. ft.	\$3000 + \$100 each additional 1,000 sq. ft.
20,001-75,000 sq. ft.	\$4,900 + \$50 each additional 1,000 sq. ft over 20,000
75,001 or more	\$7,650 + \$25 each additional 1,000 sq. ft over 75,000
Site Plan Review - Without Structures	\$1,000 + \$300 each additional 40,000 sq. ft. over 40,000
Special Permits	
Planned Commercial and Planned Industrial developments	\$5,000
Commercial / Industrial Including Signs	\$500
Water Resource Protection District	\$300
Assisted Living Facility	\$600 per unit
Stormwater Management Permit	
Disturbance area greater than 1.0 acre	\$300 - \$1,500
Construction approval and inspection fees	To be determined for each application as applicable

BUILDING DEPARTMENT Click here Town of Westford Building Department for more information.	
PERMIT/APPLICATION TYPE	FEES
Building Permit	
Demolition	\$100
All Commercial	\$15 per \$1,000 of total cost
Building Permit Fee Multiplier	\$15 per \$1,000 of total cost
Minimum Fee	\$50
Stop Work Order	\$100

Occupancy Permits	\$100
Permit renewal (older than 6 mos with no inspection)	\$50
Sheet Metal	\$15 per \$1,00 of total cost
Plumbing Permit	
Commercial Permits (Commercial job permit fees shall be at the discretion of the Plumbing Inspector, i.e. over 10,000 sq. ft.)	\$250 (up to 10 fixtures), +\$25 (each additional fixture)
Gas Permit	
Commercial Permits (Commercial job permit fees shall be at the discretion of the Gas Inspector, i.e. over 10,000 sq. ft.)	\$250 (2 inspections), +\$55 (each additional inspection)
Electrical Permit	
Commercial Permits (Large Commercial job permit fees shall be at the discretion of the Electrical Inspector)	1% of cost of electrical job
Commercial Permits (per inspection) (Additions & Renovations & Tenant Fit-ups)	\$80
Commercial Permits (Service Change) - 600 amp	\$240
Commercial Permits (Service Change) - 800 amp	\$400
Commercial Permits (Service Change) - 1000 amp	\$800
Commercial Permits (Service Change) - 1200 amp	\$1,000
Commercial Permits (Service Change) - 1600 amp	\$1,200
Commercial Permits (Service Change) - 2000 amp	\$1,400

BOARD OF HEALTH		Click here Town of Westford Board of Health for more information.
PERMIT/APPLICATION TYPE	FEES	
Body Art Establishment		
Establishment Plan Review	\$500	
License (annual)	\$500	
Practitioners License (annual)	\$300	
Camp Grounds		
Family and Existing Recreational (annual)	\$200	
New Recreational Camps	\$250	
Food Service/Retail Food Permit (Time/Control for Safety Foods = TCS)		
Catering License (annual)	\$150	
Farmer's Market, First Year Non-TCS (Per Season)	\$65	
Farmer's Market, First Year TCS Foods (Per Season)	\$80	
Farmer's Market, Repeat Vendors Non-TCS (Per Season)	\$45	
Farmer's Market, Repeat Vendors TCS Foods (Per Season)	\$65	
Food Service Establishment / Restaurant / 0 - 50 seats (annual)	\$225	
Food Service Establishment / Restaurant / 51 - 200 seats (annual)	\$275	

Food Service Establishment / Restaurant / 201 -300 seats (annual)	\$350
Food Service Establishment / Restaurant / 300+ seats (annual)	\$400
Food Service Establishment Plan Review (Existing)	\$155
Food Service Establishment Plan Review (New/Expanded)	\$215
Food Service Establishment Plan Review (New/Expanded Retail)	\$200
Frozen Dessert Manufacturer (annual)	\$200
Frozen Dessert- Soft Serve Only (annual)	\$50
Haz. Analysis Critical Control Point (HACCP) Inspection	\$75
Milk and Cream (annual)	\$35
Mobile Food Service (annual)	\$150
Retail Food Establishment Non-TCS (Annual)	\$160
Retail Food Establishment TCS Foods (Annual)	\$200
Supermarket (Annual)	\$400
Seasonal Food Service (Per Season)	\$150
Temporary Food Service Non-TCS (14 Day Max)	\$30
Temporary Food Service TCS Foods (14 Day Max)	\$50
Recreational Waters (Public & Semi-Public)	
Bathing Beach (annual)	\$190
Pool Plan Review	\$125
Swimming Pool, Year Round (annual)	\$175
Swimming Pool, Seasonal	\$150
Special Purpose Pool (Annual or Seasonal)	\$125
Wading Pool (Annual or Seasonal)	\$100
Animals	
Piggery	\$75
Stabling Horses	\$65
Beaver Kill	\$50
Beaver Dam Breaching	\$75
Miscellaneous (Annual as Noted)	
Tobacco Sales (annual)	\$150
Garbage, Offal or Refuse Removal/Transportation	\$50
Motels	\$100
Tanning Establishment License (annual)	\$100
Septage/Sewage Hauler License (annual)	\$125
Hazardous Materials Storage	
Hazardous Materials Plan Review	\$150
Commercial - More than 50 gallons Inspection	\$150
Underground Storage Tank Only - Commercial	\$75

TOWN CLERK		Click here Town of Westford Town Clerk for more information.
<i>PERMIT/APPLICATION TYPE</i>	<i>FEES</i>	
Business Certificate	\$30	

BOARD OF SELECTMEN		
<i>PERMIT/APPLICATION TYPE</i>	<i>FEES</i>	
All Alcohol Package Store	\$2000	
Wine & Malt Package Store	\$1500	
All Alcohol Common Victualler	\$2500	
Wine & Malt Common Victualler	\$1500	
All Alcohol Club	\$1500	
Inn Holder, All Alcohol	\$5000	
One Day license	\$25	
Inn Holder	\$25	
Common Victualler	\$25	
Automatic Amusement	\$50	
Class II Used Car	\$100	
Class III Junk Car	\$100	
BoS License Application fee	\$50	

APPENDIX E: STANDARD BOARD/COMMITTEE MEETING TIMES

Board Committee	Day of the Month	Time	Location
Board of Health	2nd Monday	6:00PM	Town Hall
Conservation Commission	2nd & 4th Wednesday	7:30PM	Town Hall
Planning Board	1st & 3rd Monday	7:30PM	Town Hall
Water Commission	Varies	5:30PM	Water Department 60 Forge Village Road
Zoning Board of Appeals	3rd Wednesday	7:00PM	Town Hall
Board of Selectmen	2nd and 4th Tuesday	7:30PM	Town Hall

Please note that specific meeting dates and locations may vary from the standard times and locations above due to holidays, Board members' availability, the occasional need for special meetings etc. The Town Clerk's office maintains an up-to-date calendar of public meetings, online at www.westfordma.gov.

APPENDIX F: FEDERAL AND STATE PERMITS AND APPROVALS

Many development projects require state and/or federal permits to be approved prior to construction. The following list of federal and state permits was developed in conjunction with the Permitting Guide. The list is by no means exhaustive, and if there are any questions, you are encouraged to seek legal counsel. Westford Town staff can also help you to identify federal and state requirements for your project and help you contact the appropriate agency, but it is your responsibility to ensure compliance with these requirements. The majority of small development projects will not need any federal or state permits or approvals. Larger and more complex projects require the applicant to be conscious of the applicability following federal and state permits.

FEDERAL PERMITS

1. **National Environmental Policy Act (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.
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 financial institutions 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 (EPA) 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 is required to file a Notice of Intent and pollution abatement plan with the Environmental Protection Agency.

STATE PERMITS

1. **Massachusetts Environmental Policy Act (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 typically pretreatment requirements for industrial users, which must be coordinated with the permitting and requirements of the relevant 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 Town 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.

Copies of the state codes, applications and instructions can be obtained from the Statehouse Bookstore or from the individual permit granting department.

Statehouse Bookstore
Statehouse Room 116
Boston, MA 02133
617-727-2834
www.sec.state.ma.us/spr/sprcat/catidx.htm



APPLICANT INFORMATION FORM

**Please fill out as completely as possible, checking all boxes that apply.
Return completed form to the Town Planner**

Business Name:

Contact Information:

Name:

Title:

Address:

Phone:

Fax:

Email:

Business Website:

Type of Business:

☐ Home Based

☐ Industrial

☐ Professional Services

☐ Franchise

☐ Retail

☐ Manufacturing

☐ Food Establishment

☐ Other: Brief Description:

☐ Wholesale

☐ Health Services

☐ Restaurants

On-Site Storage of Chemicals or Hazardous Materials?

☐ Yes

☐ No

If Yes, Provide Brief Description:

Proposed Location:

Address (if known):

New Construction?

☐

Existing Building?

☐

Own?

☐

Leasing?

☐

Previously Used As:

Change of Use?

☐

Building Renovations Planned?

☐

Interior?

☐

Exterior?

☐

New Signage Required?

☐

Additional Relevant Information: