

HOPKINTON BUSINESS GUIDE

A GUIDE TO PERMITS & LICENSES



TOWN OF HOPKINTON
MASSACHUSETTS

November, 2011

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Welcome to Our Community

Welcome to the Town of Hopkinton. Hopkinton is a culturally and environmentally rich community that works to achieve and maintain a secure, diverse and growing economic base. We believe that the foundation of our community is an economic base that provides employment opportunities for residents of all educational and age levels, produces goods and services, and enhances our quality of life. Our citizens are active in their efforts to enhance the town's character, which includes encouraging a successful business community. Citizens are also particularly interested in enhancing civic, educational, and cultural resources, and preserving our parks and natural environment.

This is an informational guide that is intended to provide information and links to additional resources. The guide does not list all of the permits that a project or business may need, but should include the most common ones. The links and references to additional information and resources will lead applicants to the applicable laws and regulations for specific technical and procedural requirements. Many of the applications, bylaws and information referred to in this Guide are posted on the Town's web site, www.hopkinton.org.

We like to consider Hopkinton a community of choice for many new businesses and entrepreneurs wishing to move, expand, or begin a business venture, and a community in which businesses can grow and expand. Welcome!

Thank you,

*Todd Cestari, Chairman
Board of Selectmen*

*Norman Khumalo,
Town Manager*

Contact Information

The following officials are located in the Town Hall at 18 Main Street:

Town Clerk's Office – 508-497-9710
Ann Click, Town Clerk

Town Manager's Office – 508-497-9700
Norman Khumalo, Town Manager
Geri Holland, Operations Assistant

Department of Land Use, Planning and Permitting – 508-497-9755 (Planning and Zoning), 508-497-9757 (Conservation), 508-497-9745 (Building)
Elaine Lazarus, Director of Land Use, Planning and Permitting
Chuck Kadlik, Director of Municipal Inspections/Zoning Enforcement Officer
Don MacAdam, Conservation Administrator
Cobi Wallace, Permitting Assistant
Anna Rogers, Inspections Assistant
Adina Wright, Finance Assistant

Board of Health – 508-497-9725
Ed Wirtanen, Public Health Administrator
Bryan Besso, Health Agent

The following officials are located outside the Town Hall, as noted below:

Department of Public Works
Administration and Highway - 508-497-9740 – Location: 66 Fruit Street; Mailing address: P.O. Box 209, Hopkinton, MA 01748
John Westerling, Director
Judi Regan, Administrative Manager
Mike Mansir, Highway Manager

Water and Sewer - 508-497-9760 or 9765– Location: 85 Wood Street; Mailing address: P.O. Box 209, Hopkinton, MA 01748
Eric Carty, Water/Sewer Manager

Fire Department – 508-497-2323 or 2325 – 73 Main Street
P. Kenneth Clark, Fire Chief

Police Department – 508-497-3401 – 74 Main Street
Richard Flannery, Police Chief

Permits and Licenses – Business Operations

Many of the permits and licenses which businesses require are of a routine nature, and have automatic and predictable renewal periods and requirements. There are a variety of such permits, which are described below.

It is important to note that licenses and permits will not be issued to those who owe back taxes or fees to the Town.

Alcoholic Beverages

There are several types of licenses which may be issued to sell alcoholic beverages. The most common are Retail off-premises licenses, on-premises licenses and seasonal licenses. Short term and one-day licenses are addressed in the Short Term and Special Events section of this Guide.

There are a limited number of on- and off-premises licenses that can be issued, as alcoholic beverages are regulated by the Commonwealth of Massachusetts and the maximum number is based on the Town's population. Applications may be submitted to the Town if licenses are available. In Hopkinton, there may be a maximum of:

- 14 on-premises all-alcoholic beverage licenses
- 5 on-premises wine and malt licenses
- 3 off premises all-alcoholic beverage licenses
- 5 off-premises wine and malt licenses

Staff in the Town Manager's office at Town Hall will be able to provide information on the number of available licenses at any given time.

The Board of Selectmen is required to hold a public hearing on every alcoholic beverage license application. The Board of Selectmen may only issue a license if the Alcoholic Beverages Control Commission (ABCC), a State agency, approves the license first. The ABCC web site (<http://www.mass.gov/abcc/>) contains specific information about the licenses and regulations and the application forms.

Regardless of when they are issued, all alcoholic beverage licenses expire on December 31st of each year.

Once licensed, licensees must make sure that they remain compliant with all State and local license requirements and restrictions at all times. This includes seeking approval promptly for any alteration of licensed premises. Approval is required from the Board of Selectmen and the ABCC.

The process for obtaining the various types of licenses and the regulations applicable to licensed premises are further explained on the ABCC web site at

<http://www.mass.gov/abcc/licensing.htm>. Staff at the ABCC and the Town Manager's office are available to answer questions.

New Alcoholic Beverage License Process »

1. Obtain Alcoholic Beverage License application packet at the Town Manager's office or obtain application forms at <http://www.mass.gov/abcc/forms.htm>. Applications will only be issued if a license is available, so check to see if any are available first.
2. Complete and return application and all required supplemental information with \$50.00 fee payable to the Town of Hopkinton and a \$200.00 fee payable to the Alcoholic Beverage Control Commission.
3. The license application will be forwarded by the Town Manager's office staff to Town departments, including the Police Department, for review and comment.
4. A public hearing will be scheduled by the Town Manager's office. The hearing will be held within 10 days of its receipt, and no sooner than 10 days after the publication of the notice in the newspaper.
5. The applicant schedules inspections by the Director of Municipal Inspections, Fire Department, and Board of Health.
6. Applicants for new on-premises licenses are required to submit a valid fire safety certification issued by the Director of Municipal Inspections and the Fire Chief.
7. The Board of Selectmen must act on the license request within 30 days of its filing.
8. If the Board of Selectmen grants the license, it must be forwarded to the ABCC within 3 days.
9. The ABCC will review and investigate the license application and must give their full and complete approval.
10. When the ABCC notifies the Board of Selectmen that it has approved the license, the Board must issue the license within 7 days.
11. The Town Manager's office will notify the applicant when the license has been issued.

Alcoholic Beverage License Renewal Process »

1. The Town receives a renewal packet for each license from the ABCC in the fall.
2. The Fire Department and Director of Municipal Inspections arrange to inspect each licensed premises.
3. The Board of Selectmen will review and approve the renewals at a public meeting prior to December 31.

Business (DBA) Certificate

All businesses require a Business/DBA (i.e. "Doing Business As") Certificate from the Town Clerk unless the business is operating under a person's own name or a corporation. The Certificate must be renewed every 4 years. If there is a discontinuance, withdrawal of partner, retirement or amendment to the Certificate within the 4 year period, the Town Clerk must be notified. Forms are available at the Town Clerk's office and on the Town's web site.

Process »

1. Obtain forms at the Town Clerk's office or at <http://www.hopkinton.org/clerk/forms.htm>
2. Complete and return forms with \$40.00 fee

Entertainment License

Entertainment licenses (year-round and for special events) are required for theatrical exhibitions, public shows, concerts or dances on the premises where an alcoholic beverage license, inn holder license, common victualer license and at any club or restaurant required to be licensed under MGL c. 138 sec. 12 or c. 140 sec. 2, 21A or 21E, and for any exhibition, show or amusement that is not exempt from the entertainment license requirements of MGL c.140 sec. 182 (generally, entertainment held by religious entities at usual places of worship, in school buildings by or for the benefit of the pupils, and at private dwellings are exempt). The licenses are issued by the Board of Selectmen. The Board must act within 45 days of the receipt of a complete application.

In accordance with MGL c. 140 sec. 183A, the Board of Selectmen shall grant the license unless it finds that the license, taken alone or in combination with other licensed activities on the premises, would adversely affect the public health, safety or order, in that the proposed entertainment cannot be conducted in a manner so as to: a) protect employees, patrons and members of the public inside or outside the premises from disruptive conduct, criminal activity, or from health, safety or fire hazards; b) prevent an unreasonable increase in the level of noise in the area caused by the licensed activity or caused by patrons entering or leaving the premises; or c) prevent an unreasonable increase in the number of vehicles to be parked in the area of the premises. Licenses may be issued with conditions.

Applications for Entertainment Licenses are reviewed by the Director of Municipal Inspections who conducts a zoning review. In addition, depending on the capacity of the premises, live entertainment where alcohol is served can trigger a change of use pursuant to the State Building Code from a restaurant to a night club. If that occurs, compliance with the applicable life safety requirements will be needed.

Live commercial entertainment, whether or not paired with alcoholic beverage or other licenses, is not allowed in some zoning districts and is allowed by special permit in other zoning districts. An establishment in a district that allows live commercial entertainment by special permit that wishes to provide live commercial entertainment must apply for a special permit from the Board of Appeals, whether or not the entertainment is a regular feature of the business, sporadic or a one-time event. The procedure for applying for a special permit is contained in the Construction and Development section of this Guide.

Entertainment License (Board of Selectmen) process » Estimated time: 15 to 30 days

1. Obtain an Entertainment license application at the Town Manager's office.
2. Complete and return application and all required supplemental information to the Town Manager's office.
3. The license application will be forwarded by the Town Manager's office staff to town departments for review and comment.
4. The Board of Selectmen will discuss the application at a posted meeting. The Board can grant the license or provide the opportunity to have a hearing. If a hearing will be held, the Board will notify the applicant in writing 7 days prior to the hearing date.
5. If a license is granted without a hearing, the applicant will be notified by the Town Manager's office when it is issued.
6. If a public hearing is held, the applicant should appear and describe the request.
7. Within 30 days following the final date of the opportunity to hold a hearing, the Board of Selectmen may grant the license or deliver a written notice of denial to the applicant.

Food

Businesses which serve and/or sell food require separate licenses and permits from the Board of Selectmen and the Board of Health. The Board of Selectmen issues **Common Victualer licenses** (food sales and service with seating), and the Board of Health issues permits for the operation of retail food establishments (any food sales, including pre-packaged and mobile food trucks). The Board of Health also enforces several Commonwealth of Massachusetts statutes and regulations relative to food safety, food security and consumer protection.

Common Victualer licenses are issued annually and expire on December 31st of each year. Board of Health food service permits are also issued annually and expire on June 30th.

Applications for Common Victualer licenses may be obtained at the Town Manager's office at Town Hall. Board of Health **Food Establishment Permit** applications may be obtained at the Board of Health office in Town Hall and on the Town's web site. Applications for new establishments must be submitted at least 30 days prior to the planned opening date, in order to make sure that it will be in hand on opening day. It is recommended that when new establishments need both the Common Victualer license and the Board of Health permit, that the Board of Health permit be obtained prior to the Common Victualer license, or applied for concurrently.

Common Victualer License Process »

1. Obtain Common Victualer License application at the Town Manager's office.
2. Complete and return application with \$50 fee
3. The license application will be forwarded by Town Manager office staff to Town departments for review and comment.

4. Applicant schedules inspections by the Director of Municipal Inspections, Fire Department, and Board of Health. The inspection must occur prior to issuance of the license.
5. The Town Manager's office will notify the applicant when the license has been approved.

Board of Health Food Establishment Permit Process »

1. Obtain Food Establishment Permit application at the Board of Health office or online at <http://www.hopkinton.org/boh/forms.htm>
2. Consider a pre-application review with Board of Health staff.
3. Complete and return Food Establishment application.
4. Schedule a pre-opening inspection (new establishments only).
5. The Board of Health office will notify the applicant when the permit has been approved.

Renewal applications must be submitted prior to the expiration date.

Miscellaneous Licenses and Permits

Hawkers and Pedlers

The Police Department issues transient vendor/hawkers & pedlers permits for up to one year in duration. Applicants should contact the Hopkinton Police Department at 508-497-3401. Hawkiers and pedlers who sell food are required to obtain a mobile food server permit from the Board of Health.

Innholder License

Innholder licenses are issued by the Board of Selectmen pursuant to MGL c. 140. A letter to the Board is required to initiate the process. Before the license may be issued, the applicant must schedule inspections with the Director of Municipal Inspections and the Fire Department. The license application is also reviewed by the Board of Health and the Police Department. Reports will be filed with the Board of Selectmen. Licenses are issued for one year and expire on December 31st of each year.

Lodging House Permit

Lodging house permits are issued by the Director of Municipal Inspections, and an application submitted to the Land Use Department is required to initiate the process. Permits are required when lodgings are let to 4 or more unrelated individuals in a house.

Swimming Pool Permits

Permits from the Board of Health are required to construct and operate a public or semi-public swimming pool. A permit for Pool Construction may be issued for up to 2 years. A permit for Pool Operation is issued for one year and expires on June 30th or a date determined by the Board. Each permit process is initiated by the submission of an application and fee to the Board of Health. An application to operate a pool must be submitted to the Board of Health at least 15 days prior to expiration of an existing permit, or (re)opening of a pool.

Please see the Board of Health Regulations for Pool Construction Design Criteria and Pool Operation Criteria, posted at <http://www.hopkinton.org/boh/index.htm>.

Practitioner/Specialized Licenses and Permits

With respect to those licenses or permits listed below that are issued by the Board of Health, please consult the Board of Health Regulations at <http://www.hopkinton.org/boh/index.htm> for information specific to each:

- Auctioneer license (Board of Selectmen) – duration: one year; all licenses expire January 1.
- Body Art permit (Board of Health) – duration: one year; all permits expire December 31.
- Camp license (Board of Health) – duration: 3 months maximum.
- Coin Operated Device/Automatic Amusement Device permit (Board of Selectmen) – duration: one year; all permits expire December 31. The automatic amusement devices referred to in this context are commonly called pinball machines.
- Junk Dealer/Second Hand Goods license (Board of Selectmen) – duration: one year; all licenses expire May 1.

Tobacco Product Sales

In order to sell tobacco products, a Permit to Sell Tobacco is required from the Board of Health. The permits may be issued for periods up to one year and expire every June 30. Applications for renewal must be submitted with the required fee to the Board of Health prior to the expiration date. The Board of Health Regulations is posted on the Town's web site at <http://www.hopkinton.org/boh/index.htm> and contains the requirements applicable to permit holders. The application is posted at <http://www.hopkinton.org/boh/forms.htm>.

Permits and Licenses – Construction and Development

Following is a brief summary of some common permits required for construction and development projects.

We suggest that you start by meeting with the Director of Municipal Inspections since he/she must issue a permit for **any** construction, as well as many other land uses. These include new construction, additions, accessory buildings, decks, sheds and docks. The Director of Municipal Inspections is also the Zoning Enforcement Officer, and is the official who can provide an interpretation of the Zoning Bylaw when it is unclear as to whether a particular use or activity is allowed and under what circumstances. The Director of Municipal Inspections is located in the Land Use, Planning and Permitting Department, and this office is also responsible for many of the construction and development related permits and inspections. The Zoning Bylaw is posted online at <http://www.hopkinton.org/clerk/bylaws.htm>.

The Land Use Department will be able to advise you of the regulations that may be applicable to your project, and will provide you with a list of procedures and approvals which must be obtained before a Building Permit can be issued. The Director of Municipal Inspections checks compliance with the State Building Code, height and floor area of all buildings, use of building, number of employees, anticipated seating capacity, number of parking spaces required (where applicable) for the intended use, anticipated hours of operation, and exterior facades of proposed structures, plus additions showing features and types of materials to be used. The Director of Municipal Inspections also performs inspections. The Director of Municipal Inspections enforces the Zoning Bylaw and any special conditions imposed by decisions issued by the Planning Board and the Board of Appeals.

Site Plan Review

Site Plan Review (Zoning Bylaw Article XX) and approval by the Planning Board is required for certain non-residential construction projects. It is not required for residential projects. Non-residential projects that meet the following criteria must apply to the Planning Board for Site Plan Review:

Major Project – Any construction project involving a change in the outside appearance of a building or premises, or change of use, and which includes one or more of the following:

- A. Construction of 1,500 or more square feet of gross floor area, or
- B. An increase in gross floor area by 50% or more which results in gross floor area of at least 1,500 sq. ft., or
- C. Grading or regrading of land to planned elevations and/or removal or disturbance of the existing vegetative cover, over an area of 5,000 sq. ft. or more, or

- D. Construction, enlargement or alteration of a parking area with 25 or more parking spaces.

Minor Project – Any construction project or change of use, not included within the definition of Major Project, which includes one or more of the following:

- A. A change in the outside appearance of a building or premises, visible from a public or private street, requiring a building permit; or
- B. Construction, enlargement or alteration of a parking area containing 5 or more parking spaces.

Site Plan Review is a process where the layout, scale, appearance, safety and environmental impacts of allowed uses are reviewed and regulated. It is not a review of the use itself. If any special permits or variances are required of the Board of Appeals, they must be obtained prior to the Planning Board's approval of the site plan. Applications may be submitted to each Board simultaneously, but the Board of Appeals written decision must be filed before the Planning Board may vote its approval. If any special permits are required of the Planning Board, a simultaneous application to the Planning Board is recommended so that it can consolidate the public hearings.

Site Plans that meet the decision criteria contained in the Zoning Bylaw will be approved.

The "Submission Requirements and Procedures" adopted by the Planning Board describe the application and plan requirements and procedures. It is available at the Land Use Department office and on the Planning Board page of www.hopkinton.org. The application form is also posted on the web site.

Site Plan Approval Process » Estimated time: 20 to 35 days (minor projects); 45 to 80 days (major projects)

1. Review the proposed concept with the Director of Land Use, Planning and Permitting and/or the Director of Municipal Inspections to determine whether site plan review is required and whether it would be considered a minor or major project.
2. Obtain an Application for Site Plan Review, the Submission Requirements and Procedures and the Planning Board Administrative Rules from the Land Use Department, either by visiting or calling, or from www.hopkinton.org.
3. Consider a preliminary informational meeting with the Planning Board prior to formal submission. For larger projects, this is strongly recommended. Schedule the meeting appointment at the Land Use department.
4. If the project is within the boundaries of a Historic District, proceed through the required process with the appropriate Historic District Commission. See page 15.
5. Return the completed application form, the application fee and the required accompanying plans and documentation to the Land Use Dept. Include any Certificates issued by the Historic District Commission if applicable.
6. The Land Use Dept. will schedule the public hearing with the Planning Board and notify the abutters as necessary.

7. The Land Use Dept. will distribute copies of the application and materials to Town departments/boards for review, including the Design Review Board. The Design Review Board will review the application at a public meeting and invite the applicant to attend.
8. The applicant or a representative must appear at the Planning Board public hearing.
9. The Planning Board's decision will be filed with the Town Clerk, and a copy sent to the applicant.

Special Permit Uses

The Zoning Bylaw (available at the Town Clerk's office in Town Hall and at www.hopkinton.org) lists the uses allowed by right and by special permit in each zoning district. The zoning districts are shown on two maps, both of which are posted on the Town Clerk's page of the web site: 1) Zoning Map; and 2) Water Resources Protection Overlay District Map. If a use is contained on the special permit list in zoning district (or overlay district) in which the land is located, then a special permit is required from either the Board of Appeals or the Planning Board before the use can operate in that location. The Zoning Bylaw specifies which Board is responsible for issuing the special permit.

The issuance of special permits is discretionary, but the boards may not be arbitrary. The criteria for issuance of special permits are contained in the Zoning Bylaw. Some must only meet the statutory requirement that the special permit must be in harmony with the general purpose and intent of the Zoning Bylaw. Other special permits must meet additional standards, which are listed in the Bylaw. A 2/3 vote of the Board is required to issue a special permit.

Special Permit Process » Estimated time: 45 to 80 days

1. Review the proposed use with the Director of Land Use, Planning and Permitting, the Director of Municipal Inspections or the Permitting Assistant in the Land Use department.
2. Obtain an Application from the Land Use Department, either by visiting or calling, or from www.hopkinton.org. The Board of Appeals and Planning Board use different application forms.
3. If applying to the Planning Board, consider a preliminary informational meeting with the Board prior to formal submission. Schedule the meeting appointment at the Land Use department.
4. If the project is within the boundaries of a Historic District, proceed through the required process with the appropriate Historic District Commission (see page 15).
5. File the completed application form, the application fee and the required accompanying plans and documentation with the Town Clerk, with the number of copies required by the applicable board to the Land Use department. Include any Certificates issued by the Historic District Commission if applicable.
6. If a Site Plan Approval is also required, a simultaneous application to the Planning Board is recommended.

7. The Land Use Dept. will schedule the public hearing and notify the abutters as necessary. The public hearing must be held within 65 days of the submission of the application.
8. The applicant or a representative must appear at the public hearing. At the conclusion of the hearing, the Board will vote on the application.
9. The decision will be filed with the Town Clerk, and a copy sent to the applicant. A decision must be made 90 days from the close of the public hearing.

Historic District Certificates

There are two Historic Districts in Hopkinton: 1) Hopkinton Center; and 2) Woodville. The boundaries are shown on a map available in the Town Clerk's office and posted on the Town Clerk's page of the Town web site (<http://www.hopkinton.org/clerk/index.htm>). The Hopkinton Historic District Commission reviews projects in the Hopkinton Center Historic District, and the Woodville Historic District reviews projects in the Woodville Historic District. Each entity has a page on the Town web site with additional information and forms.

Any application that involves a change to exterior architectural features that are subject to approval of the Commission will require a Certificate before a building permit, for example, can be issued. Categorically exempt from Commission review are several items listed in the bylaw (Chapter 123), including temporary signs used for a period of not more than 30 days. For a complete list of exemptions in each historic district, see Town Bylaw section 123-6.

The applicable Commission may issue a Certificate of Appropriateness, a Certificate of Nonapplicability or a Certificate of Hardship.

Historic District Certificate Process » Estimated time: 14 to 60 days

1. Obtain an application online at www.hopkinton.org on the page of the applicable Commission or at the Town Clerk's office in Town Hall.
2. File the application and all required documentation and materials with the Town Clerk.
3. Within 14 days, the Commission will determine whether the application involves any exterior architectural features that are subject to its approval. If it does, then the Commission will hold a public hearing unless it determines that the exterior architectural feature involved or its category or color is so insubstantial in its effect on the District that it may be reviewed without public hearing. All applicants will receive a Certificate regardless of whether a public hearing is held.
4. Within 60 days after the filing of an application, the Commission must make a determination on the application, issuing the appropriate Certificate.

Wetlands Resource Area Permits and Approvals

Proposed work or land alteration in or within 100 feet of a wetland or 200 feet of a river (as defined in the Massachusetts Wetland Protection Act (WPA)) is regulated, enforced

and administered by the Hopkinton Conservation Commission. In general, work is prohibited within the wetland itself, and regulated and restricted within the buffer zone. Work that is allowed may require an Order of Conditions from the Conservation Commission to proceed with such work.

The Commission administers the WPA and the Hopkinton Wetlands Protection Bylaw (Chapter 206 of the Bylaws of the Town of Hopkinton). The Commission has adopted Regulations which further describe the permitting procedures. Both the Bylaw and the Regulations are posted on www.hopkinton.org. The Conservation Administrator at Town Hall is available to review preliminary plans and guide applicants through the approval process, and information is posted on the Conservation Commission page of the web site.

Building Permit

A building permit is required for just about every construction project or activity, including most interior and exterior alterations, roofs, window replacement, additions and new structures. The construction must comply with the provisions of the State Building Code. A link to the State Building Code is provided on the Inspectional Services page of www.hopkinton.org. In addition, the Town has adopted the Stretch Energy Code component of the State Building Code, so certain projects will need to comply with the applicable requirements. Applications that include a private water source, sewage disposal system or for a new or renovated food establishment require separate review and approval by the Board of Health.

The estimated processing time after all documents are completed and returned is 20 working days. Once issued, the work authorized by the permit must be commenced within 6 months.

Building Permit Process » Estimated time: 20 working days

1. Review the proposed project or project idea with the Director of Municipal Inspections to determine what, if any, permits/approvals are necessary in addition to a building permit.
2. Obtain an Application to Construct, Repair, Renovate, Demolish a Structure from the Land Use Department, either by visiting or calling, or complete an application online at <https://hopkintonma.fbgov.us/>.
3. Return the completed application form and the application fee to the Land Use Dept. for plan review. If applying online, a signed copy of the application and any required plans will need to be provided on paper. Payments may be made online at www.hopkinton.org (Treasurer/Collector page), but should not be made until the Land Use Department has calculated and provided the fee information to you.
4. The Land Use Dept. will notify the applicant when the permit has been approved and signed and is ready to be picked up and/or if additional information is needed. Online applicants will receive an email.
5. Call the Land Use Department to schedule inspections as construction progresses. The inspection procedure is posted on the Inspectional Services page of the Town web site.

Demolition Permit

A demolition permit is required for the demolition of any structure or swimming pool. The permits are issued by the Director of Municipal Inspections. The demolition of any structure in Hopkinton that is 75 years old or older requires a review by the Hopkinton Historical Commission, which may delay demolition for up to six months (see Chapter 125 of the Bylaws of the Town of Hopkinton). The demolition of a structure in a Historic District also requires a Certificate from the appropriate Historic District Commission. The Town recommends an early consultation with the appropriate Historic District Commission and/or the Historical Commission in such cases, well before a demolition permit application is submitted.

The estimated processing time after all documents are completed and submitted to the Land Use Department is 20 working days. Once issued, the work authorized by the permit must be commenced within 6 months.

Demolition Permit Process » Estimated time: 20 working days

1. Review the proposed demolition with the Director of Municipal Inspections.
2. If the structure is 75 years old or older, review the proposed demolition with the Historical Commission, and begin its approval process if necessary. If the structure is also located in a historic district, review the proposed demolition with the appropriate Historic District Commission, and begin its approval process if necessary (see page 15). It is recommended that these processes occur simultaneously.
3. Obtain an Application to Construct, Repair, Renovate, Demolish a Structure from the Land Use Department, either by visiting or calling, or complete an application online at <https://hopkintonma.fbgov.us/>.
4. Return the completed application form and the application fee to the Land Use Dept. Include any Certificates issued by the Historic District Commission and/or the Historical Commission if applicable. Payments may be made online at www.hopkinton.org (Treasurer/Collector page), but should not be made until the Land Use Department has calculated and provided the fee information to you.
5. The Land Use Dept. will notify the applicant when the permit has been approved and signed and is ready to be picked up and/or if additional information is needed. Online applicants will receive an email.

Plumbing, Gas and Electrical Permits

Plumbing, gasfitting and electrical permits are required for any such work as required by the State Building Code.

The estimated processing time after all documents are completed is 5 working days. Once issued, the work authorized by the permit must be commenced within 6 months.

Plumbing, Gas and Electrical Permit Process » Estimated time: 5 working days

1. Obtain the appropriate Application from the Land Use Department, either by visiting or calling, or complete an application online at <https://hopkintonma.fbgov.us/>.
2. Return the completed application form and the application fee to the Land Use Dept. If applying online, a signed copy of the application will need to be provided. Payments may be made online, but should not be made until the Land Use Department has calculated and provided the fee information to you.
3. The Land Use Dept. will notify the applicant when the permit has been approved and is ready to be picked up and/or if additional information is needed. Online applicants will receive an email.
4. Call the Land Use Department to schedule inspections.

Sign Permits

A sign permit is required in order to erect all permanent signs and some temporary signs, such as banners. The manner of attachment and the structural design must comply with the provisions of the State Building Code, where applicable. A link to the State Building Code is provided on the Inspectional Services page of www.hopkinton.org. In addition, the Town has adopted a provision in the Zoning Bylaw (Article XXVII, Signs) which establishes the sign regulations, including the maximum number and size of signs. The Town does not regulate sign content or illumination.

The estimated processing time after all documents are completed and returned is 20 working days. Once issued, the work authorized by the permit must be commenced within 6 months.

Sign Permit Process » Estimated time: 20 working days

1. Review the proposed sign with the Director of Municipal Inspections.
2. Determine whether the property is in a Historic District. If it is, then a Certificate of Appropriateness must be in hand prior to the issuance of a Sign Permit. Certificates are required for all permanent signs and any temporary sign that will be up for more than 30 days. See page 15 for the Historic District Certificate process.
3. Obtain an Application to Construct, Repair, Renovate, Demolish a Structure from the Land Use Department, either by visiting or calling, or apply online at <https://hopkintonma.fbgov.us/>.
4. Return the completed application form and the application fee to the Land Use Dept., or pay online. Include any Certificates issued by the Historic District Commission if applicable. Online permit applicants will need to provide a signed copy of the application.
5. The Land Use Dept. will notify the applicant when the permit has been approved and is ready to be picked up and/or if additional information is needed. Online applicants will receive an email.

Permit to Open, Occupy or Obstruct a Street

A permit from the Department of Public Works is required in order to open, occupy or obstruct a public way, sometimes called a “road opening permit”. The applicant must comply with the DPW’s policies and requirements with respect to such work, including the posting of a performance bond and paving requirements. The application is posted on the DPW page of www.hopkinton.org, along with the applicable policies and requirements. The application form, fee and the required information must be submitted to the DPW for review. The Director of Public Works, Highway Manager and DPW administrative staff is available to answer questions and provide information to prospective applicants.

Permit Process » Estimated time: 2 to 3 days

1. A complete permit application and the fee are submitted to the DPW at its administrative office.
2. DPW staff will review the location of the proposed work and approve the permit as long as all of the requirements are met.
3. The permit is then reviewed by the Police Department and a decision is made as to whether a police detail is needed for the work. The Police Department will sign off on the permit.
4. The permit is then sent by the DPW to the applicant in the mail.

Trench Safety Permits

A permit from the Department of Public Works is required prior to the excavation of trenches. Trenches may pose a significant health and safety hazard, and the trench work must comply with the applicable statutes in this regard. Permit recipients are responsible for understanding and following the regulations. The application is posted on the DPW page of www.hopkinton.org, along with the applicable policies and requirements. The application form, fee and the required information must be submitted to the DPW for review. The Director of Public Works, Highway Manager and DPW administrative staff is available to answer questions and provide information to prospective applicants.

Permit Process » Estimated time: 1 to 2 days

1. A complete permit application and the fee are submitted to the DPW at its administrative office.
2. The permit reviewed for completeness and signed off.
3. The permit is sent by the DPW to the applicant in the mail.

Driveway Opening Permits

A permit to construct a driveway which enters upon a public way is required from the Department of Public Works. The driveway must comply with the driveway entrance specifications established by the DPW and the provisions of the Driveways Bylaw (Article VII of Chapter 174 of the Bylaws of the Town of Hopkinton). The application is posted on the DPW page of www.hopkinton.org, along with specifications. The application form, fee and the required information must be submitted to the DPW for review. The Director of Public Works, Highway Manager and DPW administrative staff is available to answer questions and provide information to prospective applicants.

Permit Process » Estimated time: 2 to 3 days

1. A complete permit application and the fee are submitted to the DPW at its administrative office.
2. DPW staff will review the location of the proposed driveway and approve the permit as long as all of the requirements are met.
3. The permit is then sent by the DPW to the applicant in the mail.

Stormwater Management Permit

A Stormwater Management Permit may be required for certain construction activities that will result in land disturbance of one acre or more or is part of a common plan for development that will disturb one acre or more, that will disturb more than 10,000 square feet of land that has a 15% or greater slope, or will increase the amount of impervious surface more than 50% of the area of a lot. Information is contained in Chapter 172 of the Bylaws of the Town of Hopkinton, Stormwater Management and Erosion Control, and in the Stormwater Management Regulations adopted by the Planning Board. Both are posted on the Town web site. Together, these documents work to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development. Many development activities are exempt from requiring a Stormwater Management Permit because they are permitted via a Site Plan Review application (see page 12), so applicants should review the list of exemptions contained in the bylaw.

After the filing of a complete application, the Planning Board has up to 60 days to issue a stormwater management permit.

Stormwater Management Permit Process » Estimated time: 45 days

1. Review the proposed activity with the Director of Land Use, Planning and Permitting to determine whether a stormwater management permit is required.
2. Obtain Stormwater Management Permit application and the Stormwater Regulations from the Land Use Department, either by visiting or calling, or from www.hopkinton.org.
3. Return the completed application form, the application fee and the required accompanying plans and documentation to the Land Use Dept.

4. The Land Use Dept. will schedule the public hearing with the Planning Board and notify the abutters as required.
5. The Land Use Dept. will distribute the application and materials to town departments for review.
6. The applicant or a representative must appear at the public hearing.
7. The Planning Board's decision will be filed with the Town Clerk, and a copy sent to the applicant.

Construction Equipment Hours

While a permit or license is not required to operate construction equipment, the use of such equipment is restricted by Town Bylaw (Chapter 141 of the Bylaws of the Town of Hopkinton). Except in an emergency, outdoor construction activity (which includes the use of construction, earthmoving or other such equipment or the delivery to or pick up from a site of such equipment) is restricted to between 7:00 am and 7:00 pm Monday through Friday and between 8:00 am and 4:00 pm on Saturday. No such activity may occur on Sundays or holidays.

Permits and Licenses - Short Term and Special Events

The Town Common is a popular place for special events. The Common is under the jurisdiction of the Parks and Recreation Commission, and all activities proposed to be held on the Common require its approval.

Alcoholic Beverages

There are several types of one-day and short-term licenses that can be issued. Please consult the ABCC web site (<http://www.mass.gov/abcc/>) for information about these licenses. In general, the process is the same as for annual licensing, addressed earlier in this Guide. It is very important that the applications be submitted well in advance of the event. The application for a one day liquor license is available at the Town Manager's office or online at <http://www.hopkinton.org/selectmen/pdf/OneDayLiquorLicenseApplication.pdf>

Boston Marathon

The Town is very proud to host the start of the Boston Marathon every Patriot's Day. Vendors are located on the Town Common, which is under the jurisdiction of the Parks and Recreation Commission. In order to obtain permits for the event, all vendors must contact the Parks and Recreation Commission (508-497-9750). It is only through the Commission that permits for food and other activities on the Common can be obtained.

All temporary food establishments must be inspected and obtain a license from the Board of Health. If not located at the Town Common, then approval of the Hopkinton Marathon Committee is required as well.

Any activities that will be occurring in the roadway on that day are subject to approval of the Boston Athletic Association and require a Parade Permit from the Board of Selectmen.

Signs and banners to be erected for the event must comply with the Town's regulations for signs. See the section of this Guide on Sign Permits for the process, which must be commenced at least one month prior to the event.

Carnival License

Carnival Licenses are issued by the Board of Selectmen. The carnival rides are inspected by the Commonwealth of Massachusetts and Town inspectors. All food vendors at the carnival require an inspection and license from the Board of Health. If road closures are needed, then a Parade Permit is also required from the Board of Selectmen.

Entertainment License

Entertainment licenses are required for special and one-time events for theatrical exhibitions, public shows, concerts or dances on the premises where an alcoholic beverage license, inn holder license, common victualer license and at any club or restaurant required to be licensed under MGL c. 138 sec. 12 or c. 140 sec. 2, 21A or 21E, and for any exhibition, show or amusement that is not exempt from the entertainment license requirements of MGL c.140 sec. 182 (generally, entertainment held by religious entities at usual places of worship, in school buildings by or for the benefit of the pupils, and at private dwellings are exempt). The licenses are issued by the Board of Selectmen. The Board must act within 45 days of the receipt of a complete application.

In accordance with MGL c. 140 sec. 183A, the Board of Selectmen shall grant the license unless it finds that the license, taken alone or in combination with other licensed activities on the premises, would adversely affect the public health, safety or order, in that the proposed entertainment cannot be conducted in a manner so as to: a) protect employees, patrons and members of the public inside or outside the premises from disruptive conduct, criminal activity, or from health, safety or fire hazards; b) prevent an unreasonable increase in the level of noise in the area caused by the licensed activity or caused by patrons entering or leaving the premises; or c) prevent an unreasonable increase in the number of vehicles to be parked in the area of the premises. Licenses may be issued with conditions.

Live commercial entertainment, whether or not paired with alcoholic beverage or other licenses, is not allowed in some zoning districts and is allowed by special permit in other zoning districts. An establishment in a district that allows live commercial entertainment by special permit that wishes to provide live commercial entertainment must apply for a special permit from the Board of Appeals, whether or not the entertainment is a regular feature of the business, sporadic or a one-time event. The procedure for applying for a special permit is contained in the Construction and Development section of this Guide.

Entertainment License process » Estimated time: 15 to 30 days

1. Obtain an Entertainment license application at the Town Manager's office.
2. Complete and return application and all required supplemental information to the Town Manager's office.
3. The license application will be forwarded by the Town Manager's office staff to town departments for review and comment.
4. The Board of Selectmen will discuss the application at a posted meeting. The Board can grant the license or provide the opportunity to have a hearing. If a hearing will be held, the Board will notify the applicant in writing 7 days prior to the hearing date.
5. If a license is granted without a hearing, the applicant will be notified by the Town Manager's office when it is issued.
6. If a public hearing is held, the applicant should appear and describe the request.

7. Within 30 days following the final date of the opportunity to hold a hearing, the Board of Selectmen may grant the license or deliver a written notice of denial to the applicant.

Parade Permit

A Parade Permit is needed in order to use the roads for an event in which the Police Department is involved. Examples of the type of involvement that necessitates a Parade Permit are an escort and/or traffic management for the event. The Board of Selectmen issues Parade Permits.

Parade Permit process » Estimated time: 30 days

1. Obtain a Parade Permit application at the Town Manager's office or at www.hopkinton.org.
2. Complete and return application and all required supplemental information to the Town Manager's office at least one month prior to the event.
3. The application will be forwarded by the Town Manager's office to town departments for review and comment.
4. The Board of Selectmen will discuss the application at a posted meeting.
5. The applicant will be notified by the Town Manager's office when the permit is issued.

Once issued, a \$1,000,000 certificate of insurance naming the Town as additional insured is required, and must be submitted at least two weeks prior to the event.

Temporary Food Establishment Permit

Temporary Food Establishment Permits are issued by the Board of Health for a period of time not to exceed 15 days. Applications may be obtained at the Town Hall and on the Town's web site, and must be submitted no less than 14 days before the event.

Board of Health Temporary Food Establishment Permit Process »

1. Obtain Temporary Food Establishment Permit application at the Board of Health office or online at <http://www.hopkinton.org/boh/forms.htm>
2. Consider a pre-application review with Board of Health staff.
3. Complete and return Temporary Food Establishment Permit application and all required supplemental information and the fee.
4. The Board of Health office will notify the applicant when the permit has been approved.

Online Permit Applications:

<i>Application</i>	<i>Municipal Department or Agency</i>	<i>Online Address</i>
Alcoholic Beverage license application	Board of Selectmen	http://www.mass.gov/abcc/forms.htm
Application for a Certificate	Hopkinton Historic District Commission	http://www.hopkinton.org/historicDistrict/pdf/CertificateApplication_07-08.pdf
Body art permit application	Board of Health	http://www.hopkinton.org/boh/pdf/BodyArtApplication.pdf
Building, demolition and sign permit application (i.e. Application to Construct, Repair, Renovate, Demolish a Structure)	Land Use Department	https://hopkintonma.fbgov.us/
Building Permit Plan Review application	Board of Health	http://www.hopkinton.org/boh/pdf/Building_Application.pdf
Business Certificate Registration (DBA Certificate) application	Town Clerk	http://www.hopkinton.org/clerk/forms/BusCertInfoSht1.pdf
Withdrawal from Business Form	Town Clerk	http://www.hopkinton.org/clerk/forms/BusCertWthdlForm.pdf
Driveway Opening permit application	Dept. of Public Works	http://www.hopkinton.org/dpw/pdf/DrivewayPermitApplication.pdf
Electrical permit application	Land Use Department	https://hopkintonma.fbgov.us/
One day liquor license application	Board of Selectmen	http://www.hopkinton.org/selectmen/pdf/OneDayLiquorLicenseApplication.pdf
Food establishment permit application	Board of Health	http://www.hopkinton.org/boh/pdf/FoodEstablishmentApp.pdf
Temporary Food Establishment permit application	Board of Health	http://www.hopkinton.org/boh/pdf/TempFoodApp.pdf
Gasfitting permit application	Land use Department	https://hopkintonma.fbgov.us/

Open, Occupy or Obstruct a Street (Road Opening) – application	Dept. of Public Works	http://www.hopkinton.org/dpw/pdf/RoadOpeningPermitApplication.pdf
Parade permit application	Board of Selectmen	http://www.hopkinton.org/selectmen/pdf/ParadePermitApplication2011.pdf
Plumbing permit application	Land Use Department	https://hopkintonma.fb.gov.us/
Pool operation application	Board of Health	http://www.hopkinton.org/boh/pdf/SwimmingPoolPermitApp.pdf
Site Plan Review application (Planning Board)	Land Use Department	http://www.hopkinton.org/planning/pdf/sprapplication.pdf
Site/Subdivision Plan Review application (Board of Health)	Board of Health	http://www.hopkinton.org/boh/pdf/Site-subdivisionPlanApp.pdf
Special permit application (Board of Appeals)	Land Use Department	http://www.hopkinton.org/appeals/pdf/UniformApplication-Feb08.pdf
Special permit application (Planning Board)	Land Use Department	http://www.hopkinton.org/planning/pdf/SpecialPermitApplication-PlanningBoard.pdf
Stormwater Management Permit (Planning Board)	Land Use Department	http://www.hopkinton.org/planning/pdf/StormwaterManagementPermitApplication.pdf
Board of Health	Tobacco Product sales application	http://www.hopkinton.org/boh/pdf/TobaccoPermitApp.pdf
Dept. of Public Works	Trench Safety permit application	http://www.hopkinton.org/dpw/pdf/TrenchPermitApplication.pdf

Online References

The Massachusetts General Laws (MGL):

<http://www.mass.gov/legis/laws/mgl/index.htm>

Hopkinton General and Zoning Bylaws: <http://www.hopkinton.org/clerk/bylaws.htm>

Hopkinton Zoning Map: <http://www.hopkinton.org/clerk/pdf/zoning.pdf>

Hopkinton Town Clerk Certificates, Licenses and Fees:

<http://www.hopkinton.org/clerk/licenses.htm>

Online permit applications for Building, Plumbing, Gas and Electrical Permits:

<http://www.hopkinton.org/inspectional/index.htm>

Hopkinton Board of Health: <http://www.hopkinton.org/boh/index.htm>

Hopkinton Board of Health Regulations:

<http://www.hopkinton.org/boh/pdf/BOH-regulations.pdf>

Hopkinton DPW: <http://www.hopkinton.org/dpw/index.htm>

Hopkinton Board of Appeals: <http://www.hopkinton.org/appeals/index.htm>

Hopkinton Planning Board: <http://www.hopkinton.org/planning/index.htm>

Stormwater Regulations:

http://www.hopkinton.org/planning/pdf/StormwaterRegulations_10-20-08.pdf

Downtown Design Guidelines: <http://www.hopkinton.org/drc/pdf/guidelines.pdf>

Hopkinton Design Review Board Design Guidelines:

http://www.hopkinton.org/planning/design_guidelines.htm

Hopkinton Conservation Commission:

<http://www.hopkinton.org/conservation/index.htm>

Hopkinton Historic District Commission:

<http://www.hopkinton.org/historicDistrict/index.htm>

Woodville Historic District Commission: <http://www.hopkinton.org/whdc/index.htm>

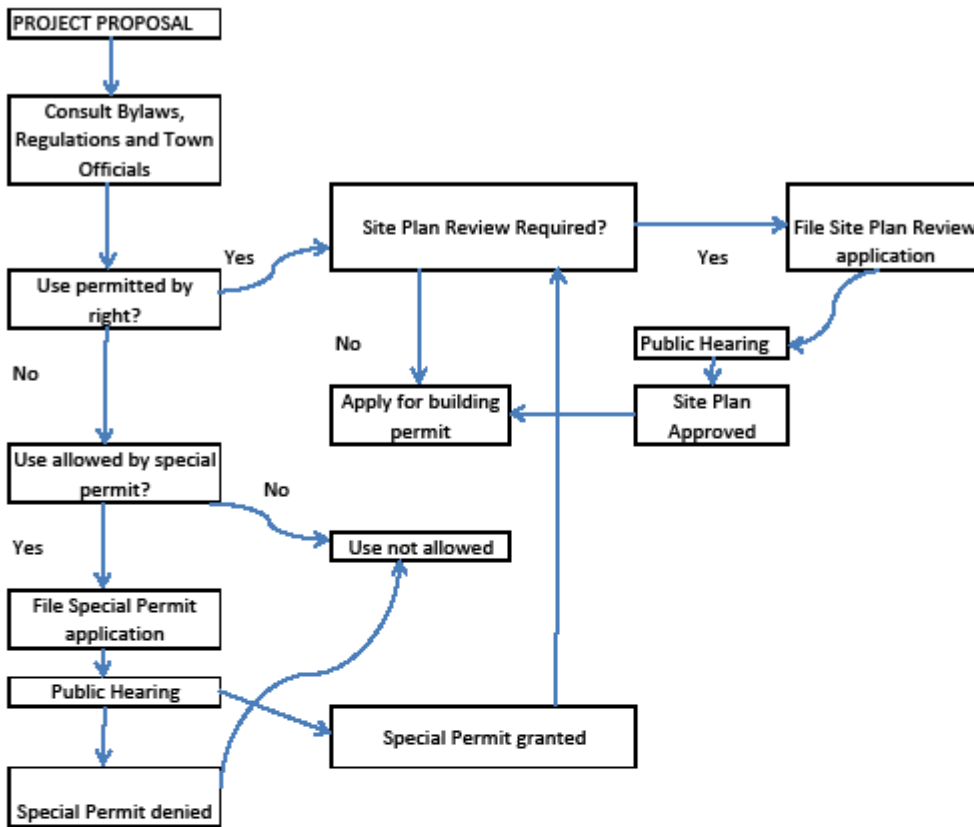
Hopkinton Master Plan:

http://www.hopkinton.org/planning/pdf/Hopkinton_MP_2007.pdf

Hopkinton Chamber of Commerce: <http://www.hopchamber.com/>

Flow Charts

Project Review and Approval



Building and Sign Permit Process in a Historic District

