

# TOWN OF SUTTON



# DEVELOPMENT HANDBOOK



# *Welcome!*

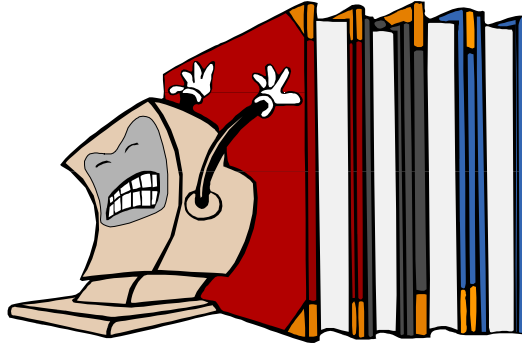
*We welcome you to our community and thank you for taking an interest in our Town. Sutton has much to offer.*

*As an historic community located near the junction of Interstate 90 and Route 146 we offer an ideal location for both business and residences. We are a bedroom community for major metropolitan areas such as Worcester, Providence and Boston. Many well-established and respected businesses are located in Sutton. We also feature an excellent school system and close access to dozens of colleges and universities. Our citizens take great pride in a sense of history and the small town ambiance of the different villages of Sutton. Therefore, we work very hard to maintain a balance between residential and business interests.*

*To facilitate business development as part of the Blackstone Valley Economic Target Area (ETA), we have established several Economic Opportunity Areas (EOA), and are always open to additional locations.*

*Please take a look at the enclosed materials and should you have any further questions or want more information, please contact the Town Administrator at (508) 865-8720 or the Planning Director at (508) 865-8729.*

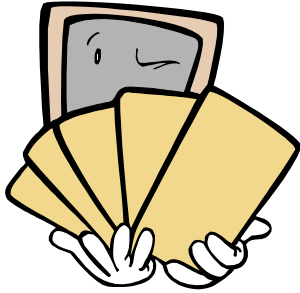
*We look forward to hearing from you soon!*



## **PURPOSE**

The purpose of this handbook is to provide general guidelines for various types of development in the Town of Sutton. These guidelines are meant to be general, and in all cases the applicant is encouraged to review the applicable Town Bylaws and/or State Law as well as to contact the applicable departments.

# GENERAL INFORMATION

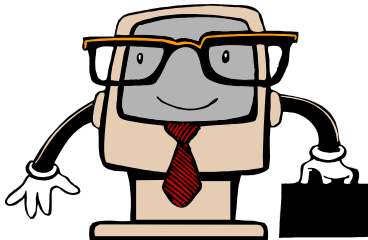


## **Finding a Parcel:**

For most project proponents or prospective home owners, the first step in the development process is finding the appropriate parcel for their project. To begin this process both the Assessor's office and the Planning office can be helpful.

The Assessor's office contains the tax maps for the entire town. A proponent can page through these maps to find parcels which may be of the appropriate size and the Assessors can determine if they are already developed, and if not, can provide the name and address of property owners the proponent can contact regarding the property. Assessors Office: (508) 865-8722

The Planning office is an invaluable source for complete information on specific parcels. The Planning office keeps records of vacant land within specific zoning districts as well as information regarding vacant space in existing buildings. Planning Office: (508) 865-8729



## **First Contacts:**

The Planning office is usually the first stop in the development process. The Planning office provides information on the various approval procedures, what steps to follow and who to contact.



**Fees:**

For general information from any department the only fee a proponent incurs are copying cost or costs for regulations and maps. Specific fees for different procedures can be explained by a representative of each department.

**Other contacts:**

Should you wish to speak to a specific department, a listing of development related town departments and boards along with their office hours are available in the appendix.

**Miscellaneous Notes:**

- For any type of development, if you are required to remove earth from your site, you must contact the Earth Removal Board who will either guide you through the permitting process or issue you an exemption from the process as applicable.
- There are 19 Scenic Roadways in the Town of Sutton, as listed below. If you propose development along any of these roadways that may involve the alteration or removal of trees and/or stone walls along the roadway, you must first go through a process with the Planning Board to ensure the integrity if the scenic roadway is maintained.

Boston Road  
Eight Lots Road  
Rich Road  
Buttonwood Ave.  
Douglas Road  
Burbank Road  
Hutchinson Road

Century Farm Road  
Town Farm Road  
Manchaug Road  
Hartness Road  
Waters Road  
Sibley Road

Lincoln Road  
Mendon Road  
Purgatory Road  
Central Turnpike  
West Sutton Road  
Stone School Road



## **SINGLE FAMILY:**

This type of activity is permitted in the Residential-Rural (R-1), Residential-Suburban (R-2) and Village (V) districts, and requires the following:

- 1) Septic System Design Approval from the Board of Health **or**, if Town sewer is available, a sewer connection permit from the Sewer Commissioners;
- 2) Water Quantity and Quality testing by an independent lab **or**, if public water is available, a water connection permit and meter installation application from the applicable water district;
- 3) Wetlands Determination from the Conservation Commission if there is any possibility that wetlands are on the building lot;
- 4) Driveway Permit from the Building Commissioner;
- 5) Building Permit from the Building Commissioner. This permit requires a sign off by the Board of Health, Board of Assessors, Tax Collector, Conservation Commission, Planning Board, and Water & Sewer Commission, if applicable;
- 6) Occupancy Permit from the Building Commissioner. This permit requires a sign off by the Plumbing Inspector, Wire Inspector, Board of Health, Fire Chief, and gas inspector when applicable;

## **MULTI-FAMILY:**

### **Multi-family Dwelling**

These guidelines are for new construction of Multi-Family Housing (not to exceed four units). This type of activity is permitted in the Residential-Suburban (R-2) and Village (V) districts and requires the following:

- 1) A Special Permit from the Zoning Board of Appeals;
- 2) Septic System Design Approval from the Board of Health **or**, if Town sewer is available, a sewer connection permit from the Sewer Commissioners;
- 3) Water Quality and Quantity testing by an independent lab **or**, if public water is available, a water connection permit and meter installation application from the applicable water district;
- 4) Wetlands Determination from the Conservation Commission if there is any possibility that wetlands are on the building lot;
- 5) Building Permit from the Building Commissioner for each individual unit. This permit requires a sign off by the Board of Health, Board of Assessors, Tax Collector, Conservation Commission, Planning Board, and Water & Sewer Commission, if applicable;

- 6) Driveway Permit from the Building Commissioner;
- 7) Occupancy Permit from the Building Commissioner - This permit requires a sign off by the Plumbing Inspector, Wire Inspector, Board of Health, Fire Chief, and Water & Sewer Commission, and Gas Inspector if applicable;

### **Multiple Dwelling Project**

These guidelines are for new construction of Multiple Dwelling Projects. This type of activity is permitted in the Residential-Rural (R-1), Residential-Suburban (R-2) under the Limited Density Residential Development Bylaw and in all districts under the Continued Care Retirement Community Bylaw and requires the following:

- 1) A Special Permit from the Planning Board;
- 2) Site Plan Review Approval from the Planning Board in accordance with Section IV. D. of the Sutton Zoning Bylaws;
- 3) Septic System Design Approval from the Board of Health **or**, if Town sewer is available, a sewer connection permit from the Sewer Commissioners;
- 4) Water Quality and Quantity testing by an independent lab **or**, if public water is available, a water connection permit and meter installation application from the applicable water district;
- 5) Wetlands Determination from the Conservation Commission if there is any possibility that wetlands are on the building lot;
- 6) Driveway Permit from the Building Commissioner;
- 7) Building Permit from the Building Commissioner for each individual unit. This permit requires a sign off by the Board of Health, Board of Assessors, Tax Collector, Conservation Commission, Planning Board, and Water & Sewer Commission, if applicable;
- 8) Occupancy Permit from the Building Commissioner - This permit requires a sign off by the Plumbing Inspector, Wire Inspector, Board of Health, Fire Chief, and Gas Inspector if applicable. This also requires a Certificate of Compliance;

### **Open Space Residential Development**

Open Space Residential Development is the preferred form of residential development in the Town of Sutton for residential developments in the Residential-Rural(R-1) district and Residential-Suburban (R-2) district. The Planning Board may grant a permit for such Development for any parcel or contiguous parcels totaling at least (5) acres. A pre-application meeting between the Planning Director and the applicant is strongly encouraged. The following is required:

- 1) Subdivision Approval from the Planning Board which complies with Section IV.K. of the Zoning Bylaws;
- 2) Septic System Design Approval from the Board of Health **or**, if Town sewer is available, a sewer connection permit from the Sewer Commissioners;

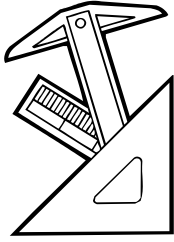
- 3) Water Quality and Quantity testing by an independent lab **or**, if public water is available, a water connection permit and meter installation application from the applicable water district;
- 4) Wetlands Determination from the Conservation Commission if there is any possibility that wetlands are on the building lot;
- 5) Driveway Permit from the Building Commissioner;
- 6) Building Permit from the Building Commissioner for each individual unit. This permit requires a sign off by the Board of Health, Board of Assessors, Tax Collector, Conservation Commission, Planning Board, and Water & Sewer Commission, if applicable;
- 7) Occupancy Permit from the Building Commissioner - This permit requires a sign off by the Plumbing Inspector, Wire Inspector, Board of Health, Fire Chief, Gas Inspector and Certificate of Compliance from the Conservation Commission if applicable;

### **Traditional Neighborhood Development**

Traditional Neighborhood Development is an alternative form of residential development in the Town of Sutton for new residential developments in the Residential-Suburban (R-2) and Village (V) districts. This bylaw seeks to maintain the Town's traditional character and land use pattern in which small villages contrast with open land, and to create a buffer of new, complementary residential development between the historic village centers and the remainder of the Town. The bylaw will also facilitate the construction and maintenance of public works, and preserve small-scale neighborhood open space areas for recreational use. The following is required:

- 1) A Special Permit from the Planning Board;
- 2) Septic System Design Approval from the Board of Health **or**, if Town sewer is available, a sewer connection permit from the Sewer Commissioners;
- 3) Water Quality and Quantity testing by an independent lab **or**, if public water is available, a water connection permit and meter installation application from the applicable water district;
- 4) Wetlands Determination from the Conservation Commission if there is any possibility that wetlands are on the building lot;
- 5) Driveway Permit from the Building Commissioner;
- 6) Building Permit from the Building Commissioner for each individual unit. This permit requires a sign off by the Board of Health, Board of Assessors, Tax Collector, Conservation Commission, Planning Board, and Water & Sewer Commission, if applicable;
- 7) Occupancy Permit from the Building Commissioner - This permit requires a sign off by the Plumbing Inspector, Wire Inspector, Board of Health, Fire Chief, Gas Inspector and Certificate of Compliance from the Conservation Commission if applicable.





## **SUBDIVISIONS:**

A subdivision is the division of a tract of land. There are two types of subdivisions: 1) An Approval Not Required Subdivision, which is the division of land on an existing adequate roadway, and 2) A Subdivision which creates new roadway to service the proposed lots on the roadway.

### **Approval Not Required Subdivisions**

This type of construction requires a sign off by the Planning Board in open meeting stating that the division of land does not constitute a full subdivision, that is, that the roadways shown on the plan are on the Official Town Road Map and/or are adequate to provide safe vehicular access.

### **ANR Plan Approval Procedure:**

ANR plans must be prepared as follows:

- 1) ANR plans, must be prepared by a registered land surveyor. The plans must also be stamped by a registered engineer, if they involve engineering design.
- 2) The plan must include a locus, indicating the relation of the parcel to neighboring roads.
- 3) The entire parcel from which lots are being subdivided should be shown on the plan.
- 4) Owners of all abutting property according to the most recent tax list should be clearly indicated.
- 5) Compliance with other content requirements as detailed in the Zoning Bylaw and/or the Subdivision Rules and Regulations

ANR plans must be submitted to the Planning Office a week in advance of a regularly scheduled Planning Board meeting. The Planning staff will review the plans and indicate if any information appears to be missing. A representative must be present on the evening the plans are to be signed. Plans are usually approved on the night they are presented. However, should the Board be unfamiliar with the road in question or should there be other questions, the Board may elect to hold the plan for up to the statutory 21 days prior to endorsing a plan. A majority of the Board is required to approve an ANR Plan.

## **Subdivision Required**

This type of construction requires Definitive Subdivision Approval from the Planning Board. The proponent may also seek preliminary approval from the Board prior to submission of the Definitive plan, but this is not required.

## **Subdivision Approval Procedure:**

The Town of Sutton follows Massachusetts General Laws, Chapter 41 that sets out procedures for subdivision approval in Massachusetts. In addition, the Town has adopted the Subdivision Rules and Regulations for the Town of Sutton, which also governs subdivision within Sutton. The following is general procedure for subdivision approval. For a more detailed explanation both State and Town regulations should be obtained.

Preliminary and Definitive Subdivision plans must be prepared within their respective disciplines, by a registered land surveyor, civil engineer, and landscape architect.

### **STEP 1**

The first and most important step in subdivision approval is to obtain a copy of the Zoning Bylaws, Subdivision Rules and Regulations, and the Zoning Map. These items can be obtained in the office of the Town Clerk. Any additional questions you may have after reviewing the regulations can be directed to the Planning Board at a regular meeting or the Planning Office during normal office hours. Town Clerk: (508) 865-8725

### **STEP 2**

**Preliminary Plan:** A preliminary plan is optional for residential subdivisions. Non-residential subdivisions require a preliminary plan.

The applicant must submit 10 copies of the plan, fees and an application to the Board in open meeting. To schedule meetings with the Planning Board, please contact the Planning Director in the Planning Office during normal office hours.

Approval or disapproval by the Planning Board and Board of Health is required within 45 days. There is no appeal for a preliminary plan under Mass General Law.

### **STEP 3**

**Definitive Plan:** A definitive plan must follow within 7 months after a preliminary plan to be considered under the same bylaws as the preliminary.

The applicant should contact the Conservation Commission when they first apply to the Planning Board. This body acts separately from the Planning Board to approve a definitive plan.

The applicant must submit 10 copies of the plan, fees and an application to the Planning Board in open meeting. Any costs related to the review of the plan that are not covered by filing fees must be paid in full by the applicant prior to the Board endorsing their approval on the definitive plan.

If a preliminary plan has been approved: The Planning Board has 90 days to hold a public hearing, vote by a majority of the full membership of the Board, and file a decision with the Town Clerk. Agreed extensions must be filed with the Town Clerk.

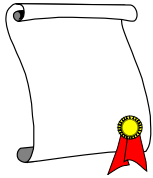
If a preliminary plan has **not** been approved: The Planning Board has 135 days to hold a hearing, vote by a majority of the full membership of the Board, and file a decision with the Town Clerk. Again, agreed extensions must be filed with the Town Clerk.

The Planning office will arrange to advertise for the public hearing and notify abutters, which is part of the approval process. The applicant is responsible for paying for the advertisement as well as the cost of notifying abutters to the property, via certified mail, per an abutter's list supplied by the Assessors office.

The Board of Health has 45 days to report in writing to the Planning Board approval or disapproval of a definitive plan. The Board of Health's comments must be incorporated into the final approval or disapproval.

Approval of a definitive plan requires a majority of the full membership of the Board. Only those present at the public hearings may vote on the plan. Approval may be made with conditions, exceptions or waivers.

All definitive plans are subject to a 20 day statutory appeal period, following which the Planning Board will endorse the approved plans. Prior to endorsing the plans, a performance guarantee, in a form satisfactory to the Board, shall be posted to ensure the completion of public improvements (as per M.G.L., Chapter 41 § 81U).



## **SPECIAL PERMITS**

The Town of Sutton has a Special Permit procedure separate from Site Plan Approval. Special Permits approve the use of property for a specific purpose or in a certain manner as specifically stated in the Zoning and General Bylaws. In most cases the Zoning Board of Appeals is the Special Permit Granting Authority (SPGA). However, where specifically noted, the Planning Board is the SPGA. Special Permits are granted per Chapter 40A, Section 9 of Mass General Law as well as in accordance with Section IV and V of the Zoning Bylaws.

### **STEP 1**

The first and most important step in applying for a Special Permit is to obtain a copy of the Sutton Zoning Bylaws and Zoning Map or the General Bylaws and a copy of the applicable sections of Mass General Law. After reading the text, questions can be directed to the Planning Director, Zoning Board of Appeals or Planning Board.

### **STEP 2**

The applicant must file an application with the appropriate Board along with applicable plans and the filing fee in accordance with the specific provisions stated in the bylaw and General Law. A copy of the application will be placed on file with the Town Clerk. The Board has 65 days to hold a public hearing.

### **STEP 3**

This Board will notify the applicant if additional information is needed and will arrange to advertise for the public hearing as well as notify abutters via certified mail per an abutter's list supplied by the Assessors office.

### **STEP 4**

After the public hearing is closed, the Board has 90 days in which to make a decision. An extension may be granted to this review period upon written agreement by the applicant and the Board. This agreement must be filed with the Town Clerk.

A 2/3 vote of the full Board is required. Only those present at the public hearings may vote on the project. Approval may be made with specific conditions, which must be specifically enumerated.

## **STEP 5**

Upon approval the Board has 14 days to place this Notice of Decision on file with the Town Clerk. The approval is subject to the statutory 20 day appeal period. At the conclusion of the 20 days the applicant may pick up the original in the Town Clerk's office and file it with the Worcester County Registry of Deeds. A copy of the recorded decision must be returned to the applicable Board before the Building Permit will be released. If the permit is received from the Zoning Board of Appeals, their staff will record the approved original permit.



## **SITE PLAN REVIEW:**

The Town of Sutton has implemented Site Plan Review for all commercial, industrial and multi-family residential projects. Site Plan Review in the Town of Sutton falls under the specific regulations set forth in Section IV. D. of the Sutton Zoning Bylaws. The following is general procedure for Site Plan Review. For a more detailed explanation the Zoning Bylaws should be consulted.

Site Plans are to be prepared, within their respective disciplines, by a registered engineer land surveyor, architect, landscape architect, horticulturist or arborist.

## **STEP 1**

The first and most important step in Site Plan Review is to obtain a copy of the Sutton Zoning Bylaws and Zoning Map. These items can be obtained in the Office of the Town Clerk. Any additional questions you may have after reading the text can be addressed to the Planning Board at a regular meeting or to the Planning Director during normal office hours.

The applicant is encouraged to meet with the Planning Director to work out initial details in the Site Plan. The applicant is then encouraged to bring a preliminary plan to the Planning Board at one of their regular meetings to discuss informally. This process is very useful in working out costly problems before the final plan/public hearing stage. This procedure is also expedient when only revisions to an existing structure are proposed, in which case, the applicant can request a waiver of formal Site Plan Review before going to the expense of a final plan and public hearing.

## **STEP 2**

The applicant should file with Conservation Commission prior to the Planning filing if activities will be within 100' of a resource area or 200' of a perennial stream or river. The Planning Director will arrange an in house departmental meeting prior to formal filing if the proponent wishes.

## **STEP 3**

The applicant must submit an application, fees and the Site Plan to the Board in open meeting. The Board may have determined at a preliminary meeting that additional materials were required (i.e., drainage calculations, environmental impact statement, etc.). These must also be submitted with the initial application to be complete and for the approval period to begin. The Planning office will schedule a public hearing as soon as the application is considered complete.

## **STEP 4**

Unless waived, the Board will hold a public hearing. The Planning Office will arrange to advertise for the public hearing and notification to abutters. The applicant is responsible for paying for the advertisement as well as the cost of notifying the abutters to the property, via certified mail, per an abutters list supplied by the Assessors Office.

## **STEP 5**

After the public hearing is closed, the Board will make a decision within 30 days. An extension may be granted to this review period upon written agreement by the applicant and the Board. This agreement must be filed in the office of the Town Clerk.

A majority vote of the full Board is required for approval (3 of current 5 member board). Only those present at the public hearings may vote on the project. Approval may be made with specific conditions, exceptions or waivers, set forth by the Board, which must be specifically enumerated.

## **STEP 6**

Upon approval of the Site Plan the Board has 14 days to place this Notice of Decision on file with the Town Clerk. The approval is subject to appeal. At the conclusion of the 20 days the applicant may pick up the original in the Town Clerk's office. Substantial construction must begin under the Site Plan Approval within one year, or the approval will be deemed null and void. An extension to this period may be granted, with good cause, at the Board's discretion.

## **STEP 7**

As with other new construction, the applicant must receive all applicable State and Local licenses and permits to receive and Occupancy Permit from the Building Commissioner (the Building

Commissioner will make it clear what specific permits and licenses are required based on the nature of the work and the location of the project).

Prior to granting of the Occupancy Permit the applicant must provide the Planning Board and Building Commissioner with an As-Built Site Plan, showing the site in its completed condition. Prior to issuing the Occupancy Permit the Building Commissioner may also require a construction control or professional architecture or engineering services per 780 CMR 116. If at any time during construction the applicant foresees a major change in the plan, they may contact the Planning office and schedule a meeting for a Site Plan Revision to amend the approved plan.

## **WAIVERS**

In certain cases where the nature of proposed construction is projected to have minimal effect on an area, the Planning Board, when requested on the appropriate form, may waive formal Site Plan Review.

## **JOINT HEARINGS**

Joint hearings may be held if more than one approval is required. Every effort will be made to hold the various hearings concurrently to save both time and dollars.



## **ECONOMIC INCENTIVES**

Through a partnership with the Massachusetts Office of Business Development (MOBD), the Town participates in the State Economic Incentive and Tax Increment Financing Programs.

The purpose of this program is to eliminate blighted areas and to foster quality, long term job creation.

For certain types of business development in certain area, the Town may be able to work with a proponent to have their new business designated as a Certified Project. This designation makes a business eligible for State and local tax incentives.

The Town Administrator or Planning Director can provide more information on this program or a proponent can contact MOBD directly at (508) 792-7506.

## Appendix A

### Development Departments

Planning Department (508) 865-8729

Monday – Thursday: 8:00am-4:00pm

Friday: 9:00am-12:00pm

Town Administrator/Board of Selectmen (508) 865-8720

Monday – Thursday: 8:00am-4:00pm & Tuesday 6:30pm-8:30pm

Friday: 9:00am-12:00pm

Earth Removal (508) 865-8732

Monday – Thursday: 8:00am-4:00pm & Tuesday 6:30pm-8:30pm

Friday: 9:00am-12:00pm

Conservation Commission (508) 865-8728

Monday – Thursday: 8:00am-4:00pm & Tuesday 6:30pm-8:30pm

Friday: 9:00am-12:00pm

Board of Health (508) 865-8724

Monday – Thursday: 8:00am-4:00pm & Tuesday 6:30pm-8:30pm

Friday: 9:00am-12:00pm

Building Department (508) 865-8723

Monday – Thursday: 8:00am-4:00pm & Tuesday 6:30pm-8:30pm

Friday: 9:00am-12:00pm

Highway Department (508) 865-8743

Monday – Friday: 8:00am-4:00pm

Sewer Department (508) 234-1207

Monday – Friday: 8:00am-4:00pm

Fire Department (508) 865-8737

Police Department (508) 865-8747