

Town of Andover
Massachusetts



Getting Started: A Guide for doing Business in Andover

*A consolidated roadmap to help you start your business in the **Town of Andover***

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Disclaimer: The text provided in this guide is for information purposes only. It may not include all necessary regulatory requirements or steps involved to open a business. You must contact Federal, State and local departments to ensure regulatory compliance.

Introduction

We warmly welcome your interest in opening a business in the Town of Andover!

Our goal is to make Andover the most attractive place to work and live in America. Working together with you and your colleagues will help us reach that goal.

The purpose of this **Getting Started in Business Guide** is to provide you with a user-friendly roadmap to get you from today until you open your door for business. This is not to imply that the process doesn't require a lot of preparation—because it does. However, we have tried to streamline this process, show you which way to turn, and hopefully answer many of your questions before you have to ask.

All of the “touch points” in the Town will lead you back to the process we are about to describe here. There will be certain Town officials with whom you must interact, and we will provide you with the appropriate steps to follow along with the necessary contact information.

The main body of this guide will walk you through the approval process itself. In the Appendix, we have included some additional worksheets that might be required depending on your specific application.

Please be sure to let us know if you encounter any significant difficulties.

Thank you again for your interest in the Town of Andover

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I. GETTING STARTED

Do you want to open a **business**? Do you have a viable **idea**? READ THIS!

1. **Preparation** is the key: **Write a BUSINESS PLAN!**

- A business plan involves researching the industry and market trends, potential customers, competition, pricing, marketing, and revenue projections and expenses for three years.
- A business plan demonstrates a need to change the service based upon competition research, alter the pricing, add products or add an online component.
- According to the US Bureau of Labor Statistics, 33% of businesses fail in the first two years. Most did not have a business plan. WRITE A PLAN to SUCCEED.

2. Have **Industry Experience**.

- It is important to have worked in the business, know the business and know its customers and competition. If you don't know the industry, spend some time working in it first.

3. Know and understand your **Target Clientele**.

- Your business should meet client needs with the goods and services offered.
- Research and understand the market of your target clients.
- Understand what customers *want*, how much they will *pay*, what *products* they prefer.

4. Create a **Financial Plan**.

- It takes *time* to build a successful business. It takes time to create a customer base, generate customer-to-customer referrals, and create long-term loyalty.
- Prepare a financial plan that will cover home and living expenses for up to a year.

5. Obtain **Capital**.

- Determine how you will fund the business (investment team, commercial loan, self, etc). Check personal credit and credit score prior to seeking capital.

6. Hire **Professionals**.

- Gather a team of professional advisors such as an accountant, lawyer, web designer, etc.
- You will need to spend the money to ensure your business is prepared for success!

7. Find **Customers**.

- Attend networking events, find professionals who can refer business to you, spread the word, marketing, etc.
- For every new customer your business gets, you may lose another through attrition. You must constantly seek new customers.

8. Join a **Professional Group**.

- Look into joining the local Chamber of Commerce, a retailers association, a professional group to keep you informed, interactive and up-to-date on the latest information.

9. Expect the **Unexpected**.

- It is emotional to own a business: joy, frustration, pride, freedom, etc.
- Do not take it personally. Customers will cancel, staff will leave, there will be returns, etc.
- It is not an ordinary 9 to 5 job, but potentially the best job in the world. Good luck!

GETTING STARTED – PART 2

The Town of Andover is committed to your success and we are here to assist you as you work through the licensing and permitting. We encourage you to ask as many questions as needed as you move forward.

- Research:** Do your homework, see previous page! Hours spent at the start will help you save time and money in the long run.
- Federal Tax or Employee Identification Number (EIN):** For tax purposes, you need to define your business structure and obtain identification numbers from the Internal Revenue Service for your business and staff. For more information, see page 7.
- Legal Structure:** Whether incorporating or forming a limited partnership, the MA Corporations Division requires an excise tax and filing fee. Sole proprietors do not require registration, but you should conduct a name check with the MA Secretary of the Commonwealth. For more information, see page 8.
- State Taxes:** You must receive a Sales Tax Vendor Number from Massachusetts Department of Revenue (DOR). This should be done after you have applied for your federal tax or EIN. For more information, see page 8.
- Business Certificate:** Most business owners will need a Business Certificate from the Town Clerk. This certificate allows you to open a commercial bank account and helps prevent others from using your business name. For more information, see page 10.
- Zoning:** Consult the Town of Andover Zoning Bylaw and the Building Division to make sure that your business/property meets the zoning requirements for the site. For more information, see page 25.
- Restaurants:** If you want to open a restaurant, you will need to comply with state and local health regulations. For more information, see page 32
- Signage:** If your business needs a sign, you will need to apply for a Building Permit. Depending where your business is located, you may also need a review from the Design Review Board. This process may take up to 2 months, so inquire early. For more information, see page 24.

Checklist for Starting a Business

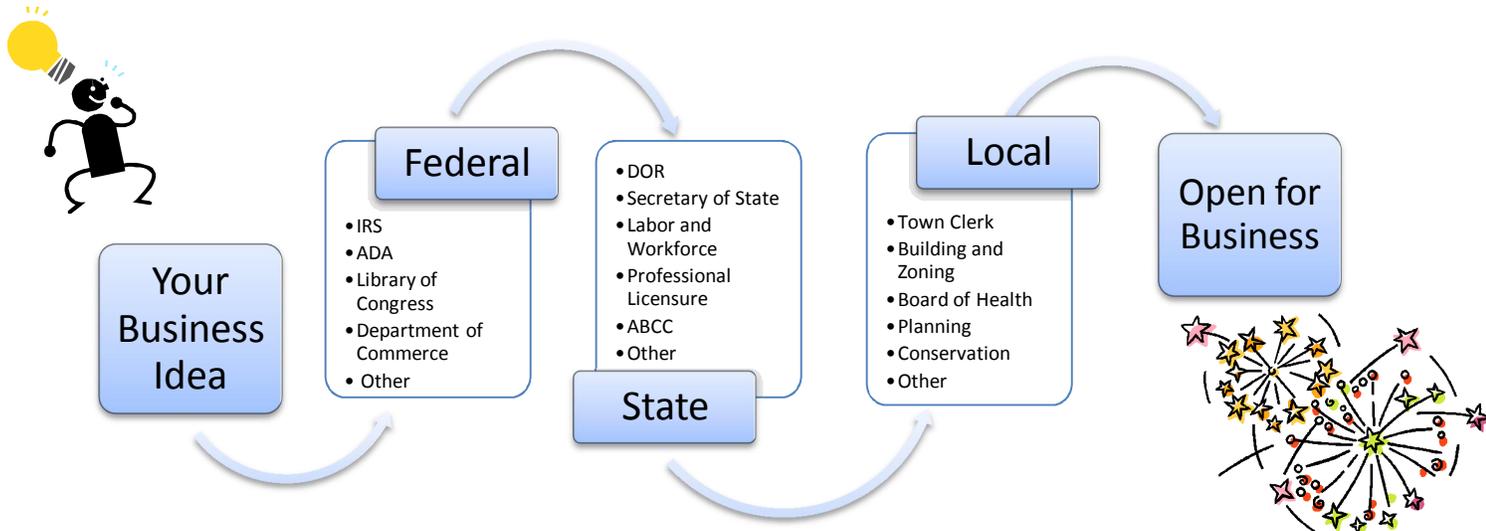
Carefully ask yourself these questions. Spend some time analyzing your reasons for starting a business.

Yes	No	
___	___	I am a self starter.
___	___	I like to do a professional job.
___	___	I am able to make decisions quickly and confidently.
___	___	I am a good planner.
___	___	I pay close attention to details.
___	___	I am an energetic worker.
___	___	I know my business will require me to work long hours, many days a week and some holidays.
___	___	I value information.
___	___	I can take advice from others.
___	___	I am adaptable and can change direction if it is required.
___	___	My family supports my decision to start a business.
___	___	I know it is likely my business will not show a profit right away.
___	___	I have sufficient financial reserves to cover my business (and family) needs for one year.
___	___	I have determined that there is enough demand for my product in the community to support the business.
___	___	I have studied my competitors' strengths and weaknesses and know how to make my product or service different or better.
___	___	I have sought advice about record keeping, taxes, legal matters, and insurance from qualified professionals.
___	___	I understand the risks of opening a business.
___	___	I am aware of the personal and business tax implications of starting my own business.

TIP: Understanding the risks of business and reducing them through careful planning improves the chances of success.

This guide is the basic information you need to start your business in Andover.

II. Requirements



1.) Requirements of the Federal Government

Internal Revenue Service (IRS) <http://www.irs.gov>

A business must have a Federal taxpayer identification number so that the IRS can process its tax returns. There are two kinds of taxpayer identification numbers: a Social Security Number (SSN) and an Employer Identification Number (EIN). All corporations and partnerships must obtain a federal EIN by completing the IRS Form SS-4. Regardless of the form of ownership, any new business that has employees, has a Keogh plan or files employment, excise information or alcohol, tobacco, or firearms returns must obtain an EIN. The application must be filed with the IRS *early* enough to receive the EIN by the time a return or statement is filed or a tax deposit is made. A business can apply by telephone or via the internet to get an EIN immediately. If applying by mail, file Form SS-4 at least 4 to 5 weeks before an EIN is received. For more information: Internal Revenue Services, JFK Federal Building, 25 New Sudbury Street, Boston, MA 02203 Phone (617) 316-2850

U.S. Department of Commerce
<http://www.uspto.gov/>

Trademark and patent registration are done through the Department of Commerce. A trademark which can be a word, name, symbol, or logo, is used to identify a particular good or service and to differentiate it from those sold by other people. Trademarks can be registered at both the federal and state level. Patent registration allows exclusive right to make, sell, or use an invention which is new and useful. For more information: Department of Commerce, Patent and Trademark Office, GIS Division, Crystal Plaza 3, Room 2C02, PO Box 1450 Alexandria, VA 22313-1450

Americans with Disabilities Act (ADA) www.ada.gov

The ADA is a Federal civil rights law that prohibits discrimination against people with disabilities in everyday activities, such as buying an item at the store, enjoying a meal at a local restaurant, or exercising at a health club. Businesses that serve the public must modify policies and practices that discriminate against people with disabilities, comply with accessible design standards when constructing or altering facilities, remove barriers in existing facilities where readily achievable, and provide auxiliary aides and services when needed to ensure effective communication.

Library of Congress <http://www.copyright.gov/>

Copyrights lend protection for one's creative work. Literary works, computer programs, and sound recordings are examples of work that can be protected by copyright from unauthorized copying, distribution, performance and display. Federal law does not require the formalities of notice or registration to establish copyrights; however, it is still advisable to apply a copyright notice and to register a copy right for each piece of work. For more information: Copyright Office – Register, Library of Congress 101 Independence Avenue, S.E. Washington, DC 20559 Phone: (202) 707-3000

TIP: It is imperative to research your business idea and the industry thoroughly in order to confirm if additional Federal Agencies are required to be consulted.

2.) Requirements of the Commonwealth of Massachusetts

☐ Massachusetts Department of Revenue (DOR)

<http://www.mass.gov/dor>

Register to collect “trustee taxes” by filing a Massachusetts Trustee Tax Application or Original Registration (Form TA-1) with the Massachusetts Department of Revenue. Trustee taxes include payroll tax, sales tax, room occupancy excise tax, and withholdings for pension plans, annuities, and retirement distribution. Those collecting a sales or use tax will receive a Sales and Use Tax Registration Certificate to be displayed at a conspicuous location on the business premises. The Department of Revenue advises on the various tax forms required and how to file them.

☐ Secretary of the Commonwealth (SEC) Corporations

Division <http://www.sec.state.ma.us/cor>

Different forms of business ownership require different types of state authorization. A corporation is required to file Articles of Organization with the Secretary of the Commonwealth’s Corporation Division. The SEC also issues Certificates of Limited Partnership and Limited Liability Company.

☐ MA Executive Office of Labor and Workforce

Development (EOLWD) <http://www.detma.org/>

File an Employer’s Status Report with the Massachusetts EOLWD if one or more persons are employed for 13 weeks or more in one calendar year or in the employee payroll totals \$1,500 or more within one calendar quarter. This information is used by EOLWD to administer the State’s unemployment insurance program.

☐ Massachusetts Alcoholic Beverages Control

Commission (ABCC) www.mass.gov/abcc/

The ABCC is the sole agency in Massachusetts responsible for directly licensing or permitting specific participants in the alcoholic beverages industry in Massachusetts. All manufacturers of alcoholic beverages, all wholesalers and importers, all out-of-state suppliers of alcoholic beverages, all brokers, all salesman, all warehouses, all planes, trains, ships and most every motor vehicle transporting alcoholic beverages in Massachusetts require direct licensing from the ABCC. Phone: (617) 727-3040

☐ Massachusetts Office of Business Development

(MOBD) www.state.ma.us/mobd/

The MOBD is helpful for its local guidance to business development, resources and financial options as well as statewide and local data that may be useful to a new or expanding business.

☐ Massachusetts Department of Industrial Accidents

<http://www.mass.gov/lwd/workers-compensation/dia/>

In accordance with the State’s Worker’s Compensation Law, if a business has one or more part-time or full-time employees, obtain Worker’s Compensation Insurance from any casualty insurance company.

☐ Massachusetts Architectural Access Board (AAB)

<http://www.mass.gov/aab>

This state agency developed regulations designed to make buildings accessible to, functional and safe for use by persons with disabilities. The regulations are included into the building code making them enforceable by all local and state building inspectors.

☐ Massachusetts Division of Professional Licensure

(DPL) www.mass.gov/dpl/home.htm

DPL serves as the Commonwealth’s source for regulatory jurisdiction over 40 different trades and professions. It is responsible for licensing and regulating the activities of over 330,000 individuals, corporations and partnership to protect the public health, safety and welfare by licensing qualified individuals who provide services to consumers and by fair and consistent enforcement of the statutes and regulations of the boards of registration.

Additional Small Business Resources:

Business and Economy

www.mass.gov/portal/business/

Department of Economic Development

www.mass.gov/hed/

Merrimack Valley Chamber of Commerce

www.merrimackvalleychamber.com

The Donahue Institute, University of Massachusetts

www.donahue.umassp.edu

Retailers Association of Massachusetts (RAM)

www.retailersma.org

Alliance for Economic Development (MAED)

www.massecon.com

State Office of Minority and Women Business Assistance

(SOMWBA) www.state.ma.us/somwba/

Center for Women and Enterprise

www.cweboston.org

Andover Business Center Association (ABCA)

www.andoverbusinesses.org

3.) Requirements of the Town of Andover

I want to open my business in Andover! Where do I start?

To help you as you go through the process, ask yourself the questions outlined on the following pages to help determine which Town department you will need contact.



Many tasks that are required when opening a business *overlap*. During your research, you should consider all of the outstanding issues, requirements and steps. Create a schedule or timeline to help you keep your business plan on track. *Generic Example:*

Task	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Idea Development	█												
Business Plan		█											
Financing			█	█	█				█				
Site Selection		█											
Lease Negotiations			█	█	█	█							
Permitting				█	█	█	█	█	█				
Construction						█		█	█	█	█		
Licenses				█						█			
Sign-offs, Approvals				█	█	█		█			█		
Open													★

NOTE: Depending on the business (retail, service, restaurant, etc.) and location, the timeline can vary greatly.

Many different types of licenses and permits are issued through the **Town Clerk’s Office**, either by the Town Clerk under statutory authority or as Licensing Agent for the Board of Selectmen. The following are types of licenses or permits commonly requested for new and existing businesses in Andover. The information provided is not intended as an exhaustive list of requirements. For further information please contact the **Town Clerk’s Office Monday through Friday 8:30 a.m. to 4:30 p.m.** and see the Board of Selectmen’s Licensing Policies which can be found on line at <http://andoverma.gov/selectmen/policies.pdf>

Town Clerk	Yes	No	Not Sure
Does the title of your business differ from your name or from a corporate name?			
Does your business involve the sale of alcoholic beverages (including on-premises or off-premises consumption)?			
Is your business a restaurant or involve the cooking, serving or preparation of food (common victualler)?			
Is your business a hotel, inn, lodging house, or bed and breakfast?			
Will your business have entertainment (such as playing music on a radio or having live music performed on site)?			
Is your business providing services as a street vendor, hawker, peddler or sidewalk stand?			
Will your business have an outdoor café or any outdoor seating?			
Does your business involve providing services as an auto-dealer?			
Does your business involve the storage of inflammables?			
Does your business involve a vehicles(s) for hire (a taxi or limousine service)?			
If you answered “yes” to any of the above questions, you need to obtain a License or Certificate through the Town Clerk’s Office, either by the Town Clerk under statutory authority or as Licensing Agent for the Board of Selectmen. If you answered “not sure”, you should consult with the Town Clerk’s Office.			

☆ **BUSINESS CERTIFICATE:**

- Issued by the Town Clerk under authority of MGL Chapter 110 Section 5
- Sometimes referred to as a “D/B/A” certificate
- Any person, partnership, LLC, corporation or other legal entity which is doing business in Andover must apply for a Business Certificate
- The applicant must provide an approved and signed **Zoning Verification for Business Certification Form** from the Building Inspector to the effect that the business location is zoned appropriately
- Fees: \$30.00 for the Business Certificate paid at the Town Clerk’s Office. Checks should be made payable to the “Town of Andover”
- The Business Certificate is good for four years and then may be renewed for periods of four years
- The application is a simple one page form which must be signed before a Notary Public by all of the principals of the business. Notaries are available in the Town Clerk’s office. Applications can usually be processed and issued at the counter without delay.
 - Note: the application requires the disclosure of the tax identification number of the business. Sole proprietors may use their social security numbers, but this is not recommended because the application is a public document. We recommend you obtain a Federal tax identification number for the business *before* applying for a Business Certificate.

ALCOHOL LICENSES:

*There are different types of liquor licenses: on-premise consumption of alcoholic beverages or “pouring” licenses, and licenses for the sale of alcoholic beverages not to be consumed on the premises. There are **four of these licenses available in Andover**, each with different quotas available: **A.** all alcohol pouring licenses, **B.** wine and malt only pouring licenses, **C.** all alcohol package store licenses, and **D.** wine and malt only package store licenses. Others include a Farmer-winery License and a One Day Special License. Interested parties should contact the Town Clerk for information on the type and number of available licenses.*

A. and B. All Alcohol and Wine & Malt only “Pouring” Licenses:

- Issued by the Selectmen after a public hearing under authority of MGL Chapter 138 Section 12
- Require newspaper notice and notice to abutters prior to hearing
- Require approval by ABCC following local approval
- Application process is comprehensive and takes three to six months for completion
 - For new construction a building permit is required before the Selectmen will approve
 - The most common reason for rejection of application is that application is not complete
 - Recommend applicant make appointment with Town Clerk’s Office before submission

C. and D. All Alcohol and Wine & Malt only “Package Store” Licenses:

- Issued by the Selectmen after a public hearing under authority of MGL Chapter 138 Section 15
- Require newspaper notice and notice to abutters prior to hearing
- Require approval by ABCC following local approval
- Application process is comprehensive and takes three to six months for completion
 - For new construction a building permit is required before the Selectmen will approve
 - The most common reason for rejection of application is that application is not complete
 - Recommend applicant make appointment with Town Clerk’s Office before submission

Farmer-winery License:

- Special license for agricultural events issued under the authority of MGL Chapter 138 section 15F
- Requires hearing before the Board of Selectmen
- Does not require newspaper notice or notice to abutters
- Only available to operators of Farmer-Wineries licensed under Section 19B or similar statute
- Requires pre-approval from the department of agricultural resources
- Permits sale of wine at agricultural events such as farmer’s markets
- May be granted for an agricultural event which takes place on multiple dates/times during a single year

One Day Special Licenses:

- All Alcohol One Day Special Licenses may only be granted to non-profits
- Wine and Malt One Day Special Licenses may be granted to any qualified applicant
 - Often used in conjunction with business promotions, customer appreciation or similar events
- The only alcohol licenses which may be issued by the Town Clerk without hearing before the Board of Selectmen – no formal hearing is required
- Alcohol must be purchased from a licensed wholesaler

The Board of Selectmen’s **Alcoholic Beverage License Policy** is included in the **Selectmen’s Policy Guidelines** available on line at <http://andoverma.gov/selectmen/policies.pdf>. Application packages for the various types of licenses may be obtained from the Town Clerk’s Office.

MISCELLANEOUS OTHER BUSIENSS RELATED LICENSES:

The following is a list of other common licenses required by businesses. The Town Clerk’s office has a full list of all licenses that are needed to run and operate a business in Andover.

AMUSEMENT AND LIVE ENTERTAINMENT LICENSES:

- Issued by the Board of Selectmen under authority of MGL Chapter 140 Section 183A
- Applies to entertainment provided by Inn-holders, Common Victuallers and other businesses licensed under Chapters 138 and 140 of the General Laws
- Regulates dancing by patrons, dancing by entertainers, performers, recorded or live music, the use of an amplification system, theatrical exhibitions, plays or moving picture shows, floor shows of any kind, light shows of any description, or any dynamic audio or visual show, whether live or recorded
- Annual License fee depends on the type of amusement/entertainment, runs \$85 to \$600

AUTOMOBILE SALES – NEW, USED AND JUNK DEALERS:

- Issued by the Board of Selectmen under authority of MGL Chapter 140 Sections 58 & 59
- Three Classes: Class 1 - New Car Dealers, Class 2 – Used Car Dealers, Class 3 – Junk Car Dealers
- Class 3 License requires a Public Hearing with notice to abutters
- Application/renewal fee \$100

COMMON VICTUALLER LICENSES:

- Issued by the Board of Selectmen under authority of MGL Chapter 140 Section 2
- Required for food service establishments with sit down dining
- Board of Health approval is required before issuance
- Application/renewal fee \$75

LODGING HOUSES:

- Issued by the Board of Selectmen under authority of MGL Chapter 140 Section 233
- Application/renewal fee \$50

PAWNBROKER/SECOND HAND DEALER LICENSES:

- Issued by the Board of Selectmen under authority of MGL Chapter 140 Section 70 and Andover Code of Bylaws Article XII Section 40
- Hearing before the Board is required
- Requires approval from Chief of Police
- CORI check of applicant
- Annual license period expiring on May 1st
- Application/renewal fee \$50

OUTDOOR DINING LICENSES on Public Property:

(Note: licenses issued by the Board of Selectmen are for outdoor dining on public property. Note: Outdoor dining on private property requires a special permit from the Zoning Board of Appeals, see page 26 for information.

- Issued by Board of Selectmen under authority of Article XI Section 9 of the Town Bylaws
- April 1 to October 31
- Fee: \$125 subject to annual application
- Hearing before the Board of Selectmen is required
- Subject to review by the Board of Health, Public Safety Officer, Building Inspector, Fire Prevention, and Design Review depending on location
- Plan, minimum insurance requirements and licensing agreement apply
- If alcohol is to be served the liquor license for the main premises will have to be amended to include the outdoor service area (Requires notice, public hearing, Board of Selectmen and ABCC approval)

STORAGE OF INFLAMMABLES:

- Issued by the Board of Selectmen under authority of MGL Chapter 148 Section 13
- Public Hearing required with newspaper notice and notice to abutters
- New application fee is \$100; annual renewal fees depend on quantities of inflammables stored on premises
- Note: under MGL Chapter 148 Section 14 gasoline in a motor vehicle which is parked in a building or structure is stored for purposes of licensing under section 13. Therefore garages must be licensed, except for private garages where three or fewer vehicles are kept

TAXI/LIVERY LICENSES:

- Issued by Board of Selectmen under authority of MGL Chapter 40 Section 22 and Andover Code of Bylaws Article XI Section 1.
- Requires hearing before the Board of Selectmen
- Initial application fee is \$100 plus \$50 per licensed vehicle renewable annually
- Each vehicle is subject to inspection by Andover Police Department before being permitted
- CORI check required for all licensees
- Zoning Clearance Letter from to Building Inspector required

OTHER MUNICIPAL LICENSES AND PERMITS:

(Note: Licensing/permitting in Andover may be limited or restricted in some cases)

- | | |
|---|------------------------------------|
| ○ Auctions | MGL Chapter 100 Section 1, et seq. |
| ○ Automatic Amusement Devices | MGL Chapter 140 Section 177A |
| ○ Automobile Grave Yards | MGL Chapter 140 Section 54A |
| ○ Billiards, Pool, Sippio Table, Bowling Alley | MGL Chapter 140 Section 177 |
| ○ Boarding and Lodging Houses | MGL Chapter 140 Section 23 |
| ○ Clubs, Associations Dispensing Food or Beverages to Members | MGL Chapter 140 Section 21E |
| ○ Coffee and Tea Houses | MGL Chapter 140 Section 47 |
| ○ Common Day of Rest, Holidays | |
| ○ Entertainment & Certain Work | MGL Chapter 136 Section 4, 7 & 15 |
| ○ Dancing Schools | MGL Chapter 140 Section 185H |
| ○ Dog Kennels | MGL Chapter 140 Section 137A |
| ○ Fortune Tellers | MGL Chapter 140 Section 185I |
| ○ Hawkers, (Transient Vendors) | MGL Chapter 101 Section 5, 7 |
| ○ Parking Lots | MGL Chapter 148 Section 56 |
| ○ Sales of Articles for Charitable Purpose | MGL Chapter 101 Section 33 |
| ○ Soft Drinks | MGL Chapter 140 Section 21A, 21B |
| ○ Theatrical Events, Public Exhibition | MGL Chapter 140 Section 181 |

Common Questions:

Can a liquor license be transferred? Yes, however the former owner of the premises is still liable for the operation of the premises until a new liquor license is issued.

When is a liquor license denied? The most common reasons a liquor license application is denied:

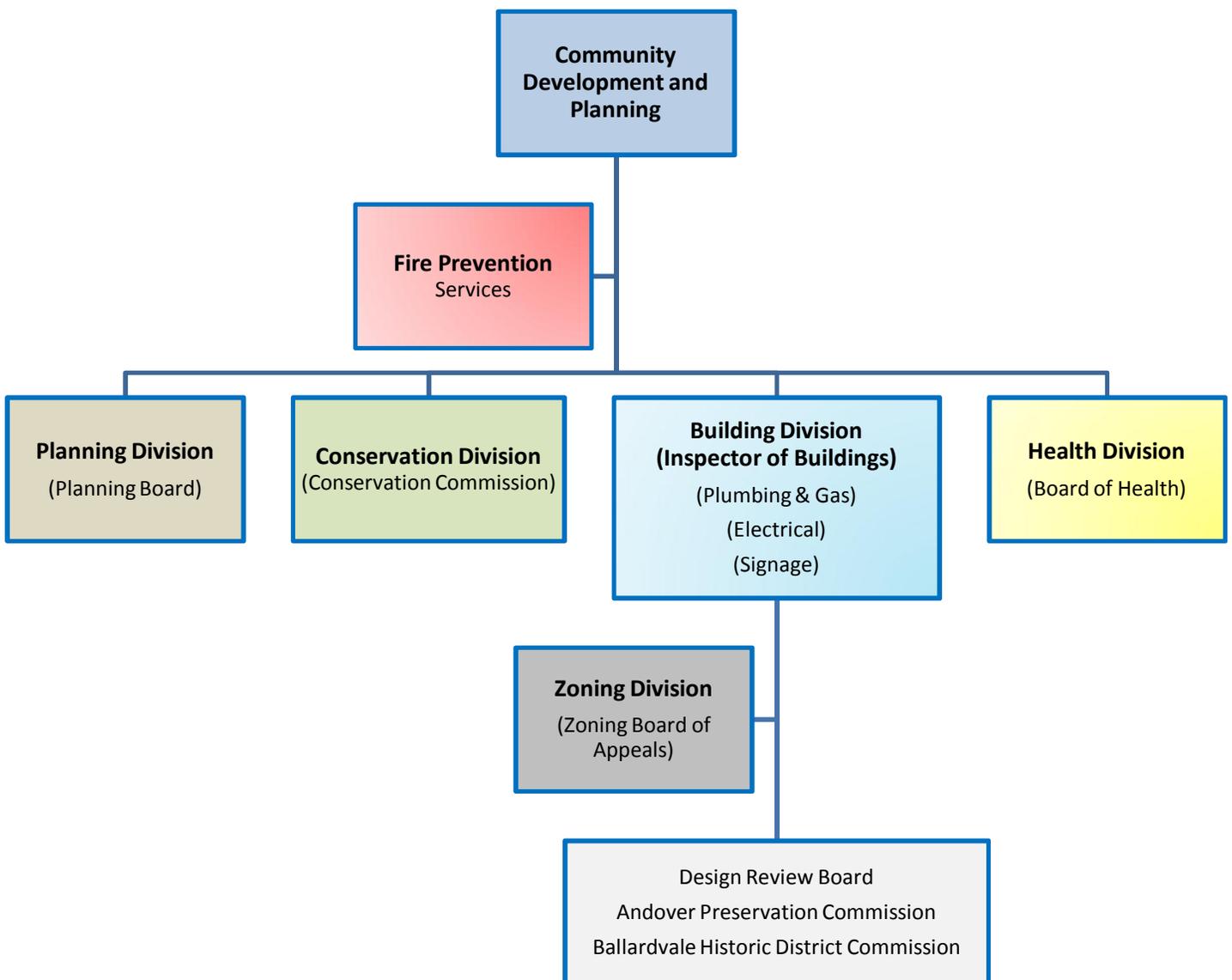
- Taxes are owed. Any tax delinquency must be resolved with DOR before ABCC approval.
- The manager is not a citizen.
- The directors are not citizens.
- The Quota is full. There are no licenses remaining at the time to give.
- Incomplete forms, incomplete supplemental information or non-payment of fee.

Can I get a special liquor license for an event in my store? Yes, you can obtain a one-day liquor license for an event, such as a wine-tasting, in your store. A Special Alcoholic Beverage License is required for any activity at which alcoholic beverages are served.

Do I really need an Entertainment License to play a radio in my restaurant? Yes, the Town Clerk may provide you with more details. The Board of Selectmen may issue a License.

The **Department of Community Development and Planning (CD&P)** is responsible for a wide range of activities and responsibilities (permitting, safety regulation, public health, land use planning, affordable housing, transportation, historic preservation, wetland protection and open space conservation). This is the Department that many new businesses will interact with during business start up and/or construction.

**The Community Development and Planning Office is open to the public:
Monday through Friday between 8 a.m. and 3 p.m.**



Many different types of licenses and permits are issued through Community Development and Planning. The following are types of licenses or permits commonly requested for new and existing businesses in Andover. The information provided is not intended as an exhaustive list of requirements. For further information please contact the **Community Development and Planning Office Monday through Friday 8:00 a.m. to 3:00 p.m.**

Planning Division	Yes	No	Not Sure
Will your project include a new building?			
Will your project include a renovation of an existing building?			
Will your project include moving into a space and is different from the previous use?			
Is your project located in the Mixed Use or General Business District?			
If you answered “yes” or “not sure” to any of these, you may need to have the plans for your project approved by the Planning Board. See Page 20 for more information. Planning Division (978) 623-8310 Note: There are certain uses that require a special permit from the Planning Board.			

Conservation Division	Yes	No	Not Sure
Will your project require any construction or alteration of land within 100 feet of a wetland?			
Will your project take place in a waterway or resource area?			
Will your project take place within 200 feet of a river?			
If you answered “yes” or “not sure” to any of these, you many need to submit a Request for Determination of Applicability. Please see Page 19 for more information. Conservation Division (978) 623-8311			

Building Division	Yes	No	Not Sure
Will your project involve construction, alteration, repair, or demolition?			
Will your project include the installation of a fence(s) that is higher than 6 feet?			
Will your project include a sign (flat, projecting, freestanding, A-frame)?			
Will your project include staging or a tent?			
Is your project located in the Ballardvale Historic District?			
Will your project include the renovation of building on the Town’s Register of Historic Buildings?			
Will your project include the construction of a retaining wall(s)?			
Will your project change the use of any space within a building?			
Will you be working on any electrical, plumbing or gas systems?			
Will your project include “ordinary repairs” which includes the following: Cutting away of any part of a wall, partition or portion thereof? Removal or cutting of any structural beam, column or other support? Removal or change of any required means of egress? Rearrangements of parts of a structure affecting the egress requirements? Addition, alteration, replacement, relocation of any standpipe, water supply, mechanical system, fire protection, or other work affecting the public health or safety?			
If you answered “yes” to any of these questions, you NEED to obtain a building permit from the Building Department. If you answered “not sure” to any of these questions, you should consult with the Building Department in order to determine whether you will need to obtain a building permit for your project. DO NOT use your own judgment in determining whether you will need a building permit. Staff in the Building Division can easily determine whether you need a permit. Please see Page 22 for more information. Building Division (978) 623-8301			

The **Andover Zoning Bylaw** provides the regulations and allowed uses within each zoning districts, as well as criteria for those districts. Certain land uses are not permissible in some areas and other uses may require a “special permit” by either the Zoning Board of Appeals or Planning Board. If you do not meet all of the requirements of the Andover Zoning Bylaw, you may be able to obtain a “variance” from the Zoning Board of Appeals.

Zoning Board of Appeals	Yes	No	Not Sure
Is your business allowed in your proposed location by the Andover Zoning Bylaw?			
Does your proposed business meet all the requirements of the Andover Zoning Bylaw?			
If you answered “no” or “not sure” to either of these questions, you should consult with the Building Division at (978) 623-8301. All businesses must fill out a <u>Zoning Verification for Business Certification Form</u> available from the Building or Zoning Division.			
Does your business involve a philanthropic or charitable institution?			
Is your business a convenience store?			
Is your business a self-service or dry-cleaning operation?			
Is your business a restaurant that is considered “fast-food”?			
Does your business involve motor vehicles sales, repairs, washing or storage?			
Will your business have seasonal placement of tables and chairs or outdoor dining on private property?			
Is your business a wireless communication or amateur radio facility?			
Does your business require operating out of a residence?			
If you answered “yes” to any of these questions, you will need to obtain a special permit from the Zoning Board of Appeals. If you answered “not sure” to any of these questions, you should consult with the Building Division in order to determine whether you will need to apply for a special permit. Please see page 25 for more information. Zoning Division: 978-623-8315			

Design Review Board	Yes	No	Not Sure
Will your project include the construction of a new building in the General Business or Mixed Use District?			
Will your project include an exterior renovation of a building in the General Business or Mixed Use District?			
Will your business have a sign or awning in the General Business or Mixed Use District?			
Will your business have outdoor seating in the General Business or Mixed Use District?			
If you answered “yes” to any of these questions, then you may need to attend a Design Review Board meeting for a review. If you answered “Not Sure”, then you should speak with the Building Division to determine if a review is necessary. Please see Page 27 for more information. Building Division (978) 623-8301			

Preservation Commission or Ballardvale Historic District	Yes	No	Not Sure
Is your business located in the Ballardvale Historic District?			
Will your project include construction of any kind in a National Historic District?			
Does your business require the exterior renovation of a building in a town documented historic building?			
If you answered “yes” to any of these questions, then you may need to go through a Preservation review and approval process. If you answered “Not Sure”, then you should speak with the Building Division to determine if a review is necessary. Please see Page 28 for more information. Building Division (978) 623-8301			

Weights & Measures	Yes	No	Not Sure
Does your business involve the selling of gasoline or oil?			
Will you be selling any product by weight or volume?			
Is your business using any type of meter to offer a service (taxi, livery, fabric)?			
Will you offer food that will be sold by weight (salad bar, self serve foods)?			
Will you be charging for your services based on weight or volume (laundry, solid waste, metals, pharmaceuticals, truck scales)?			
Will you be selling cord wood?			
If you answered “yes” to any of these questions, then you will need to have a device tested and sealed by a Sealer of Weights & Measures. If you answered “Not Sure”, then you should have a conversation with a Weights & Measures Official. The Town of Andover uses the State Division of Standards: 617-721-9856			

Fire Prevention	Yes	No	Not Sure
Will your project include flammables or combustible liquids, gasses or solid storage?			
Will your project include rubbish containers (over 6 cubic yards – dumpsters)?			
Will your project include new construction or resale of residential property?			
Will your project include an oil burner or LP Gas installation?			
Will your project include cutting or welding?			
Will your project include commercial fire alarm or sprinkler system installations or alterations?			
Will your project include licensing of a camp, clinic or a liquor license?			
Will your project include any paint, oil or other contaminant storage?			
If you answered “yes” to any of these questions, you will need to obtain a permit from the Fire Prevention office. If you answered “not sure” to any of these questions, you should consult with the Fire Prevention Officer in order to determine whether you will need to obtain a permit for your project. DO NOT use your own judgment in determining whether you will need a permit. The Fire Prevention Officer can easily determine whether you need a permit. Please see Page 31 for more information. Fire Prevention: (978) 623-8343/8307			

Board of Health	Yes	No	Not Sure
Is your business a food establishment, or involve the sale of food?			
Does your business involve frozen desserts such as yogurt or ice cream?			
Does your business include tanning devices?			
Does your business involve body art (tattoos or piercing)?			
Does your business provide funeral or burial services?			
Does your business involve a public or semi-public swimming pool or spray park?			
Does your business involve transporting, sorting, or treating garbage, trash, wastewater, or other hazardous or special waste?			
Does your business involve a recreational camp for children (if you use the word “Camp” in the title, it does)?			
Does your business involve stabling horses for others?			
Does your business involve the operation of a motel, hotel, or bed and breakfast?			
Will you be selling tobacco products?			
If you answered “yes” to any of these questions, then you will need certain permits from the Board of Health. If you answered “Not Sure”, then you should speak with a Health Inspector to determine if permits might be required. Please see Page 32 for more information. Health Division: 978-623-8295			

Now that you have completed the Questionnaire, Check the Departments you need to contact:

Division	Contact Yes or No?	If two or more are checked, you may request an informal inter-departmental review (“informal IDR”). An informal IDR is an efficient way to have multiple divisions and boards present at a meeting to discuss your project/business. This is an opportunity to ask questions, get answers and prepare for an accurate permitting timeline. TIP: For a Food Service Business, the best way to request an Informal IDR is to reach out to the Health Division.
Planning Division		
Conservation Division		
Building Division		
Zoning Division		
Design Review Board		
Preservation Commission or Ballardvale Historic District		
Weights and Measures		
Fire Prevention		
Health Division		

Community Development and Planning Contact information and Hours of Operation

Planning Division, open to the public: Monday – Friday 8:00 a.m. – 3 p.m.
 Paul Materazzo, Director (978) 623-8310

Conservation Division, open to the public: Monday – Friday 8:00 a.m. – 3 p.m.
 Robert Douglas, Administrator (978) 623-8311

Building Division, office hours: Monday – Friday, 8:00 a.m. – 3 p.m. The Inspector of Buildings is available 8 a.m. to 10 a.m. or by appointment
 Christopher Clemente, Inspector of Buildings (978) 623-8301

Zoning Division, open to the public: Monday – Friday 8:00 a.m. – 3 p.m.
 Barbara Burke, Secretary (978) 623-8315

Fire Prevention, office hours: Tuesday – Friday, 8:30 a.m. – 10:30 a.m. or by appointment
 Todd Pomerleau, Fire Prevention (978) 623-8343

Health Division, open to the public: Monday – Friday 8:00 a.m. – 3 p.m.
 Thomas Carbone, Director (978) 623-8295

The next section outlines each Division and includes overview information as well as common Questions and Answers.

III. Community Development and Planning Requirements by Division

Documents you may need to consult when working with the Community Development and Planning Department:

Andover Zoning Bylaw:

Controls the use of land in a community and is a legal document. Every Massachusetts community has a Zoning Bylaw (sometimes called a Zoning Ordinance).

Examples include:

Uses allowed in certain areas of the town or city

Where buildings can be located

Dimensions such as lot size and building heights

Parking requirements

<http://www.ecode360.com/AN1471>

Andover Health Department Plan Review Package:

Outlines the Town of Andover Food Service review procedures and requirements.

<http://www.andoverma.gov/>

Building Division Applications and Forms:

<http://andoverma.gov/building/>

Disclaimer: The text provided in this guide is for information purposes only. It may not include all necessary regulatory requirements or steps involved to open a business. You must contact Federal, State and local departments to ensure regulatory compliance

The Andover **Planning Board**, comprised of five members and an associate member, is responsible for long range community and master planning, implementation of the Subdivision Control Act in conformance with the Town of Andover’s Subdivision Rules and Regulations, and the issuance of special permits for Major Non-Residential Projects, Cluster Developments, Planned Unit Developments, Reduction in Parking in the General Business District and Site Plan Review to name the most common.

What is a “Special Permit”?

Certain uses are only allowed in certain zoning districts of Andover if a Special Permit is granted. In some instances, the Zoning Board of Appeals may grant a special permit.

What is a “Site Plan Review”?

Uses that are allowed by right in a zoning district may still need a review for safety, circulation and infrastructure purposes.

How do I know if my project requires Site Plan Review or a Special Permit?

Site Plan Review is required for all non-residential new construction under 10,000 square feet and a Special Permit is required for all non-residential new construction over 10,000 square feet *or* projects that require more than 40% of the building to be renovated. All of the information with regards to Site Plan Review AND Special Permits is outlined in the *Andover Zoning Bylaw*. For such projects, no Building Permit can be issued until the Planning Board grants approval of the project. Applicants are encouraged to schedule a meeting with the Planning Staff prior to submitting and application.

What does the Planning Board review during a Site Plan Review or a Special Permit process?

Some review items:

- Parking and loading
- Traffic and pedestrian circulation
- Access to and from the site
- External lighting
- Impacts on the natural environments
- Landscaping and vegetative screening
- Waste disposal and utilities
- Neighborhood character and social structures
- Social, economic, or community needs which are served by the proposal
- Drainage and water systems



How do I submit a project for Site Plan review or Special Permit review?

- 1) Consult with Planning Staff. The Planning Staff can talk with you about the requirements and provide you with the necessary application. It can also be found on the Town’s website at www.andoverma.gov/planning
- 2) Application. You will need to submit a complete application along with an application fee. A public meeting or hearing will be scheduled within 65 days from the date you submit your application. You will be responsible for the cost of advertising in the local paper for a public hearing.
- 3) Public meeting or hearing. The Planning Board meets two times per month and you will be given a date and time to attend a Planning Board meeting. You should be prepared to present your project and answer questions about your project.
- 4) The Planning Board will either continue your project to allow for more information, approve your project subject to certain conditions or deny your project if the requirements or other criteria are not adequately met.

Note: For additional information on Site Plan Review, Special Permits or permits required by the Planning Board, visit the **Planning Division** Monday through Friday, 8 a.m. to 3 p.m.

The **Conservation Commission**, authorized by town meeting vote in 1960, administers the Massachusetts Wetlands Protection Act. The Commission is assisted by full-time conservation agents (that comprise the Conservation Division within CD&P), and consists of seven members appointed by the Town Manager and serving staggered three-year terms. In addition to reviewing development plans affecting wetland areas, the Commission works to acquire, maintain, and manage Andover's Conservation Land and water resources.

What are wetlands, floodplains and riverfronts?

Wetlands include the familiar ponds, lakes, rivers and streams. They also include areas where the land surface and groundwater meet for a sufficient period of time to create the saturated soil conditions that support wetlands vegetation. These areas include marshes, wet meadows, swamps, bogs, and vernal pools.

Floodplains are areas bordering bodies of water, water courses that flood following storms, and isolated areas that hold surface water or experience high groundwater levels.

Riverfront areas border rivers and perennial streams and extend, in regulatory terms, 200 feet from the mean annual high water elevation

What activities are subject to the Wetlands Protection Act?

Under the Act, no one may remove, fill, dredge or alter any wetland, floodplain, bank, pond, lake, stream, river or land within 200 feet of a river or perennial stream without a permit from the Natural Resources Commission. This requirement also applies to activities within the buffer zone of wetland, which is defined as the area within 100 feet of rivers, streams, lakes, ponds and bordering vegetated wetlands. Land subject to flooding, riverfront areas, and isolated wetlands do not have legal buffer zones under the Act.

How are boundaries of wetlands and floodplains identified?

The Wetlands Protection Act and the regulation issued by the Massachusetts Department of Environmental Protection establish the science-based legal definitions used to identify and delineate wetlands and floodplains. Rivers, streams, lakes and ponds are easy to identify and are generally found on town maps. Bordering land subject to flooding is identified according to the boundaries of the 100 year floodplain as identified by the Federal Emergency Management Agency.

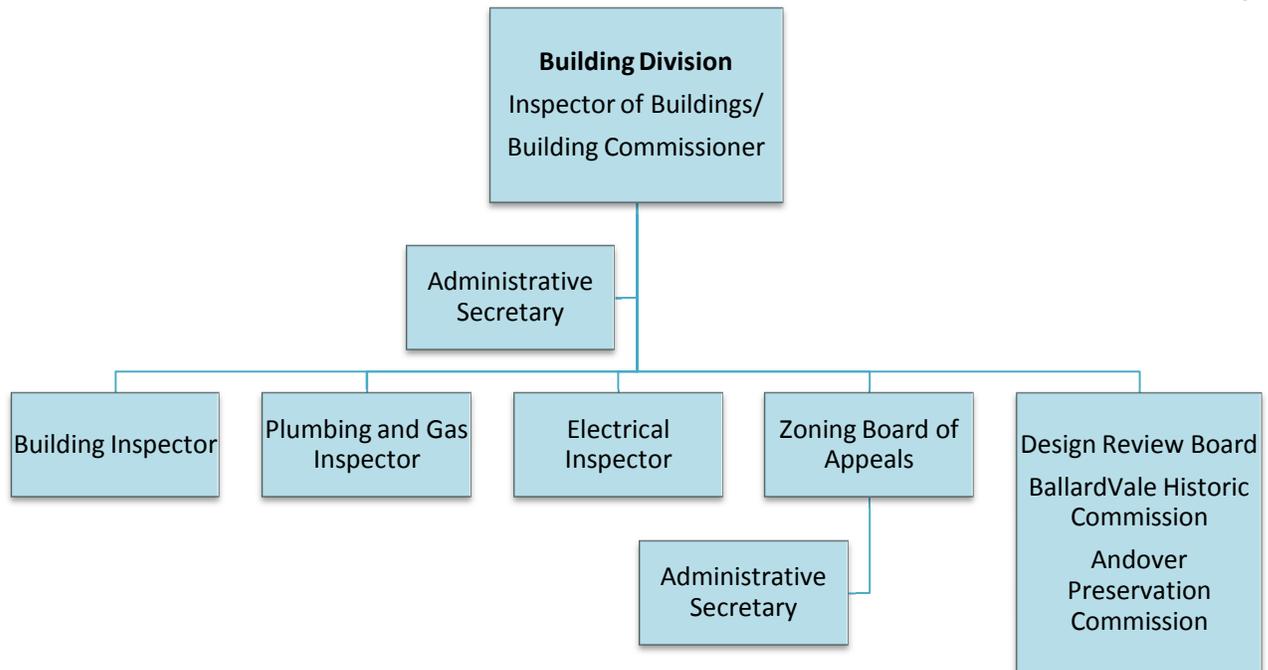
The Conservation Division has maps that show the approximate location of wetland boundaries throughout the town. However, such maps can only be used as guidance. On the ground field delineations are required of permit applications. The assistance of a wetlands consultant is often required to identify and delineate wetlands and flood plains.

How can I get more information?

Contact the **Conservation Division**, if you would like to find out whether a protected resource area is located on a specific property and/or whether an activity is subject to regulation. The text of the Wetlands Protection Act (G.L. C. 131, s.40) and the regulations (310 CMR 10.00) can be viewed at the Conservation Division office or on the Department of Environmental Protection Web site at <http://www.magnet.state.ma.us/dep/>

Note: For additional information on Notice of Intent, Determination of Applicability or permits required by the Conservation Commission, visit the **Conservation Division** Monday through Friday, 8 a.m. to 3 p.m.

The **Building Division** is responsible for building and zoning issues, conducting inspections and enforcement actions on construction projects, and maintaining public properties within its charge. These regulations and inspections insure that building construction and improvements are done in accordance with the building code and protect public safety.



The **Building Division** is responsible for:

- Signing the **Zoning Verification for Business Certification Form** for a new business
- Collecting all Building, Plumbing, Gas and Electrical Permit Applications
- Collecting the Design Review Board, Ballardvale Historic District Commission and Preservation Commission Applications
- Reviewing all plans and application packages, grants or denies permit requests
- Conducting all required inspections pertaining to building permits
- Sign permits
- Enforcing compliance with Building Codes
- Granting Certificates of Inspection and/or Certificates of Occupancy
- Zoning Enforcement

Zoning Enforcement is an important function to the Building Division. This ensures compliance with the Town of Andover’s Zoning Bylaw. The Inspector of Buildings (also known as the Building Commissioner) acts as the Zoning Enforcement Officer and interprets and determines the allowable uses for the various properties based on the Zoning Bylaw and Building Code. The Building Division works with the Zoning Division with regards to compliance, variances and special permits.

The Building Division is open 8 a.m. to 3 p.m. Note: The **Inspector of Buildings** holds office hours **Monday through Friday between 8 a.m. and 10 a.m.**, and by appointment. Forms: <https://andoverma.gov/building/>

What is the Building Code?

The Building Code is a legal document that regulates the construction and alteration of buildings. A variety of regulations, including light, ventilation, and structural loads are typically included in the Building Code, which protects the public health and welfare by reducing potential construction hazards.

www.mass.gov/bbrs/NEWCODE.HTM

Who can request a Building Permit?

A Building Permit is issued to architects, engineers or licensed contractors. They are licensed for work on commercial property. These professionals are responsible for supervising critical aspects of the construction.

When is a Building Permit NOT required?

A Building Permit is not required for the following:

- One story detached accessory building used as a tool or storage shed, playhouse or similar use if the floor area does not exceed 120 square feet;
- Fences 6 feet high or shorter;
- Retaining walls which, in the opinion of a building official, are not a threat to the public safety, health or welfare;
- Ordinary repairs as defined the Massachusetts Building Code. Ordinary repairs DO NOT include removing any wall, partition or portion thereof, removal or cutting of any beam, column or other load-bearing support, removal or change of any required means of egress, or rearrangements of parts of a structure affecting egress requirements. Nor shall ordinary repairs include additional to, alterations of, or replacement or relocation of any standpipe, water supply, mechanic system, fire protection system, energy conservation system or other work affecting public health or general safety.

What is the process to install a sign?

Applications for all sign permits (flat, projecting, A-frame, etc) are processed through the Building Division. The process for obtaining a permit varies depending on where you are located in the Town. Your first step will be to check with the staff at the Building Division to confirm whether you require a Design Review Board recommendation (see Pages 24 and 27 for more information).

TIP: Whether you are opening a new business or renovating current space, after the construction work is complete, a **Certificate of Occupancy** is required from the Building Division to occupy a building or the space.

STEPS involved when applying for a Building Permit:

- 1.) **Consult with the Building Division:** Applications for a Building Permit can be obtained in the Building Division. It is suggested that you consult with the Building Division staff when picking up your application to determine what you will need to submit and the other departments that will need to sign off.
- 2.) **Application Package Submission:** The application package must be accompanied by the necessary required documents in addition to a complete set of working drawings with all required stamps of approval. See the **Building Permit Checklist** in the Appendix.
The plans are to be drawn to scale showing exactly what is to be built and compliance with the State Building Code. You will need to pay a fee based on the type and total cost of the project.
- 3.) **Plan Review:** The Building Division will review your application for compliance (plumbing, wiring, handicap access, zoning and building). If a project requires Planning Board or ZBA approval, a building permit cannot be issued by the Building Division until approval of the project.
- 4.) **Approval of the Project:** The Building Code requires that action be taken on a Building Permit application within 30 days of the filing date. If necessary, a written list of corrections will be given to the applicant. If approved, a Building Permit will be issued.
- 5.) **Periodic Review and Inspection:** The following inspections and filings are required throughout a building project (some pertain to new construction only):
 - Excavation inspection before any concrete is placed
 - Reinforcing inspection if reinforcing required
 - Certified "As-Built" survey when foundation is in place (or as otherwise directed by the office)
 - Foundation inspection with waterproofing in place and walls braced on 1st deck installed (no backfill to be placed until after the foundation is approved and braced)
 - Rough electrical, plumbing, and gas inspections signed off
 - Fireplace (before completing chimney and after)
 - Rough framing with all fire stopping in place, prior insulation
 - Insulation inspections, after all framing corrections are done and signed off
 - Final electrical, plumbing and gas sign off (the Electrical Inspector and Plumbing and Gas Inspector are involved)
NOTE: There may be additional Electrical or Gas Permits required depending on the work involved.
 - Smoke detector, oil burner and tank sign off
 - Final building inspections and sign-offs
 - Completed job form to be submitted to the Division after all Divisions and Inspectors have signed off
 - Certificate of Occupancy

Signs - Overview

No sign shall be installed, erected, enlarged, redesigned or structurally altered without a sign permit issued by the Inspector of Buildings

Types of Signs that are regulated in Andover and require a Sign Building Permit:

Attached Sign: A sign that is either attached parallel to the facade of a building, facing in the same direction as the facade, or displayed on the fixed canopy or awning of a building.

Freestanding Sign: A sign that is supported by its own structure and is not attached to a building or other structure.

Double-sided Sign: A freestanding or projecting sign having two parallel opposite faces separated by a distance of not more than 12 inches. A sign with two opposite faces that are not parallel shall be considered a double-sided sign if the two faces are joined to each other, or to a common support structure, at one end, and the angle of separation between the two faces does not exceed 30°.

Temporary Sign: A non-permanent sign that is displayed for a limited duration. Temporary signs may be exterior (displayed on the exterior or outside of a structure) or interior (attached or displayed from the inside of a structure, viewed from the outside through a window or other opening).

Portable or Removable Sign: A temporary sign of any shape or configuration that is self-supporting and not permanently fixed or mounted to the ground or to another structure (A-frame, H-sign, T-sign).

Internally Illuminated Sign: A sign that is illuminated by a light source internal to the sign. Signs having a light source that forms the exterior surface of the sign or all or part of the design elements, shall be considered to be internally illuminated. Internally illuminated signs ARE **NOT** allowed in the General Business or Mixed Use Districts.

Projecting Sign: A sign mounted perpendicular to the building facade.

TIP:

The Zoning Bylaw contains a list of Prohibited Signs and Devices as well as regulations pertaining to Real Estate Signs and Directional Signs.

The **Zoning Board of Appeals (ZBA)** has the authority to grant “special permits” for specific uses and “variances” or waivers to the Zoning Bylaw for certain hardships and conditions, while protecting and preserving the general purpose and intent of the Zoning Bylaw.

The Zoning Division (the Department that works directly with the Zoning Board of Appeals) works within the Building Division. The Inspector of Buildings is the Zoning Enforcement Officer.

What is “Zoning”?

Zoning is the way a community regulates the use of land. Zoning regulations allow a community to control where different uses occur and is the predominant developmental control in the United States. Zoning groups land uses according to their compatibility and to separate them to protect the public interest - *health, safety and general well being* of the community.

Where do I start?

Complete the appropriate Form depending on if the 1.) Business is home-based or 2.) Business is based outside the home.

- For a business based inside of your home (either under Customary Home Occupation or for a Professional Home Office defined in Section 10 of the Zoning Bylaw) you will fill out a form called the Home Occupation Affidavit.
- For a business based outside the home you will fill out a form called the Zoning Verification For Business Certification form to determine whether your proposed business is allowed by zoning.

If you are proposing an addition, alteration or new construction you must determine if it meets the requirements outlined in the Andover Zoning Bylaw. If it does not, the Inspector of Buildings will issue you a “Letter of Denial” and you can then apply to the Zoning Board of Appeals for a Variance.

What if I need a “Variance”?

A Variance is a waiver of certain requirements, typically dimensional requirements, of a zoning bylaw. A Variance can only be granted by the ZBA if the request satisfies certain conditions: soil, shape or topography of the land, and involves substantial hardship. Relief may be granted if there is no substantial detriment to the public good and without nullifying the intent and purpose of the zoning bylaw. You must apply to the Zoning Board of Appeals using applications available through the Zoning Division.

What if I need a “Special Permit”?

In some instances, certain uses are only allowed if a Special Permit is granted. Information with regards to which uses require a Special Permit are outlined in the *Andover Zoning Bylaw*. You must apply to the Zoning Board of Appeals using applications available through the Zoning Division.

Some business uses that require a Special Permit in *some* zoning districts by the ZBA may include:

- Outdoor Dining on Private Property (all)
- Philanthropic or charitable institution
- Personal service establishment (IA district only)
- Restaurant, sit-down (when located in the LS, MU, IA and ID districts)
- Restaurant, fast-food (GB, IG)
- Business, professional or administrative office (LS, OP districts)

NOTE: All applications are available through the Zoning Division and each application has an associated Fee.

How long does the process take?

It takes approximately a *minimum* of 3 months from the time an application is filed with the ZBA to the end of the statutory appeal period. M.G.L. Ch. 40A allows the ZBA 100 days from the date of filing a petition for a variance and 90 days from the close of the public hearing for a special permit to file a written decision with the Town Clerk.

When does the appeal period start/finish?

The appeal period starts when the *written* decision is filed with the Town Clerk’s office. It does *not* start after the vote on the night of the hearing or at the deliberation meeting after site views.

If I need relief from other Town Boards, can I file simultaneously with my zoning application?

Yes, you may file with multiple Boards simultaneously. However, you must obtain the necessary relief from *all* Boards and all conditions must be met in order to complete the project.

What are the allowed uses in any given zoning district?

The allowed uses for all zoning districts are found in the **Zoning Bylaw, Appendix A, Table 1, Section 3.1.3 (Table of Use Regulations)**. Generally, any use not specifically listed in the Table is not an allowed use and would require a petition for a variance from the Zoning Board.

How long is a variance / special permit valid?

A variance is *valid* for 1 year and a special permit for 2 years from the date the written decision is filed with the Town Clerk. Once exercised, the variance or special permit does not expire unless otherwise specified or another change is proposed. An extension may be granted once, upon application to the ZBA.

Process to obtain a Zoning Verification for Business Certification

The applicant completes the appropriate form depending on whether the business is to be home-based or based outside the home.

The Zoning Administrative Secretary date stamps the application and verifies that the application was received

The Inspector of Buildings / Zoning Enforcement Officer reviews the application for compliance with the Zoning Bylaw, Article VIII, Section 4.1.2 (Table of Use Regulations)

Withdrawal

The Administrative Secretary requests that the applicant submit the withdrawal in writing and files the application along with the withdrawal.
NO FURTHER ACTION IS REQUIRED.

Approval

The Administrative Secretary prepares an approval letter for the applicant to submit to the **Town Clerk** for the **Business Certificate**

Denial

The Administrative Secretary prepares a Letter of Denial for the applicant.

The applicant may appeal the Inspector’s denial to the ZBA. They must then follow the procedure to apply either as a Party Aggrieved and/or seek appropriate zoning relief.

Several Boards and Commissions interact directly with the Building Division:
Design Review Board, Preservation Commission and the BallardVale Historic District Commission.
Each has their own mission and approval process. The Building Division will refer your project to the appropriate board/commission if it is relevant.

Design Review Board

The purpose of the **Design Review Board (DRB)** is to advise the Town of Andover regarding applications for new construction, exterior alterations, outdoor seating on public property in the General Business and Mixed Use District and signage larger than four square feet in General Business and Mixed Use Districts, and to review all new municipal structures, including signage.

When does a business sign need DRB review?

If your **sign** is larger than four square feet and is located in the General Business or Mixed Use District then it will need a DRB review. Section 5.2 of the Zoning Bylaw outlines the requirements for all signs.

What is the process of DRB sign review?

Once a determination is made that the sign(s) must be reviewed, an application titled Design Review Board application is filled out. Along with the application, you will submit

Required submission materials for signs (5 original copies):

- A sign plan, including dimensions, lettering (font and dimensions), brackets, lighting, etc. Samples of finished materials and colors may be brought to the meeting.
- Image/Graphic Depiction of building with sign shown in place on building at final size.
- Site Plan required for free standing signs.
- Other information such as photographs may be required to demonstrate design attributes being addressed.

The DRB will review the application at its next monthly meeting. It will provide a recommendation to the Inspector of Buildings.

How long does it take to obtain a sign permit?

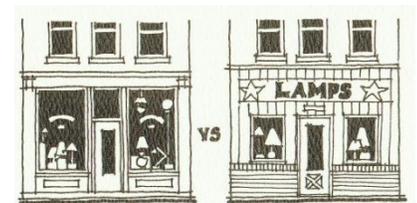
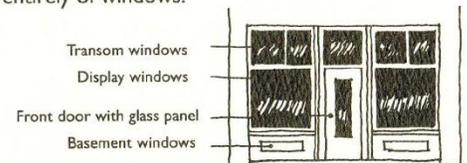
It can take anywhere from 3 weeks to 2 months to obtain a sign permit depending on how complete your application may be and when you submit it. The DRB meets monthly, *typically* the second Wednesday of each month.

What is the review process for exterior building improvements or new construction?

All major development projects in the General Business or Mixed Use District require a review(s) by the DRB. Usually this is part of the Special Permit process of the Planning Board or the Zoning Board of Appeals. The process can happen concurrently with the Planning Board or Zoning Board of Appeals process, however the applicant should file with the Planning Board or Zoning Board prior to going to the DRB.

The Storefront Windows

The traditional storefront was composed almost entirely of windows.



Required submission materials for new buildings and exterior alterations (5 copies each):

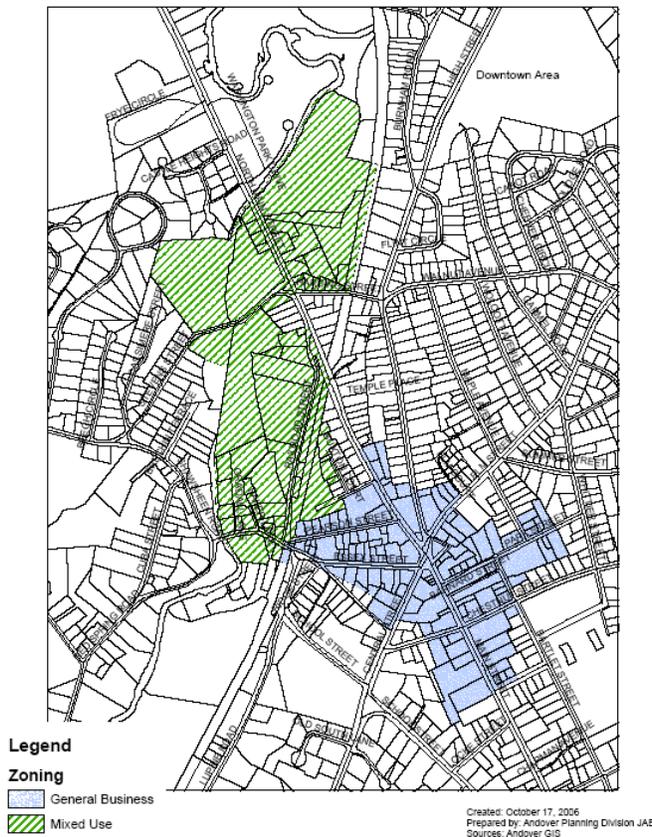
- A conceptual Landscape Plan, Site Plan and Parking Plan scale of 1" = 20' (or 1" = 10' for a small project).
- Building elevations rendered at a minimum scale of 1/8" = 1'-0", showing configuration, details, and site/building conditions, including images of contiguous properties on each side and all facades facing a public way.
- Plans showing footprint and relationships of structures, including relationship to structures on contiguous lots.
- A window schedule.
- A lighting plan including photometric and fixture specifications.
- A full lot and building section, including relationship of building height and street width.
- Other plans, sections, elevations and detailed drawings as may be required to adequately illustrate design attributes.

What is the review process for outdoor seating permits?

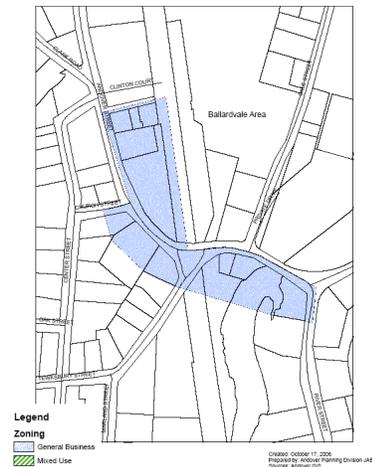
The applicant will have to present his/her application to the DRB. The applicant will provide the design of the tables/chairs, chain or fencing around the outdoor seating and the accessories such as planters or lighting.

Areas of Andover Subject to Design Review

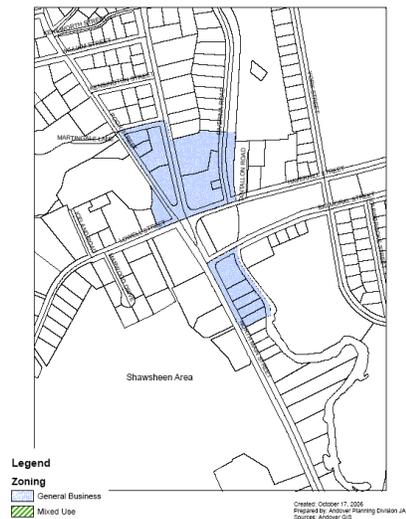
**Downtown Andover General Business District
 and Mixed Use District**



Ballardvale General Business District



Shawsheen General Business District



Andover Preservation Commission and the Ballardvale Historic District Commission

<http://www.mhl.org/historicpreservation/bhdc.htm>

Andover Preservation Commission

The **Andover Preservation Commission** advises the Town concerning the preservation of its historic and architectural resources. Through historic preservation ordinances, the Commission has authority over changes to historic properties that would irreparably alter or destroy their character. The Commission meets monthly on the second Tuesday of the month.

◆ **Architectural Review**

The Commission reviews proposed exterior changes to historically significant buildings in Andover. Review is triggered when a building permit is sought for a property that has been researched and listed on the Massachusetts Historical Commission historic building inventory. In a collaborative process, Commissioners discuss the proposed changes with the property owners and make recommendations that encourage preservation of the building's defining features and historic integrity.

◆ **Demolition Delay Ordinance**

Imposition of a demolition delay allows owners of historically significant properties to explore alternatives to demolition. Review is triggered when a demolition permit is sought for a property that has been listed on the Massachusetts Historical Commission building inventory. The Commission determines if the building or building portion to be demolished is historically significant and if it should be preserved. If the building is preferably preserved, a demolition delay of up to 12 months can be imposed, during which time the property owner and Commission members work together to seek alternatives.

◆ **Dimensional Special Permit / Historic Preservation**

The Dimensional Special Permit / Historic Preservation zoning bylaw allows for special subdivision of a property to accommodate relocation and/or rehabilitation of an historically significant building. Since the bylaw was established in 2003, it has ensured the survival of threatened buildings, including the oldest house in Andover.

BallardVale Historic District Commission (BVHDC)

The **BallardVale Historic District** was established by the Town of Andover in 1995 with the intent to preserve the significant, distinctive architecture and rich character left to us by the 19th and 20th century residents of BallardVale. It is administered by a Commission that reviews all proposed exterior changes to buildings located in the district.

Local Historic Districts in Massachusetts

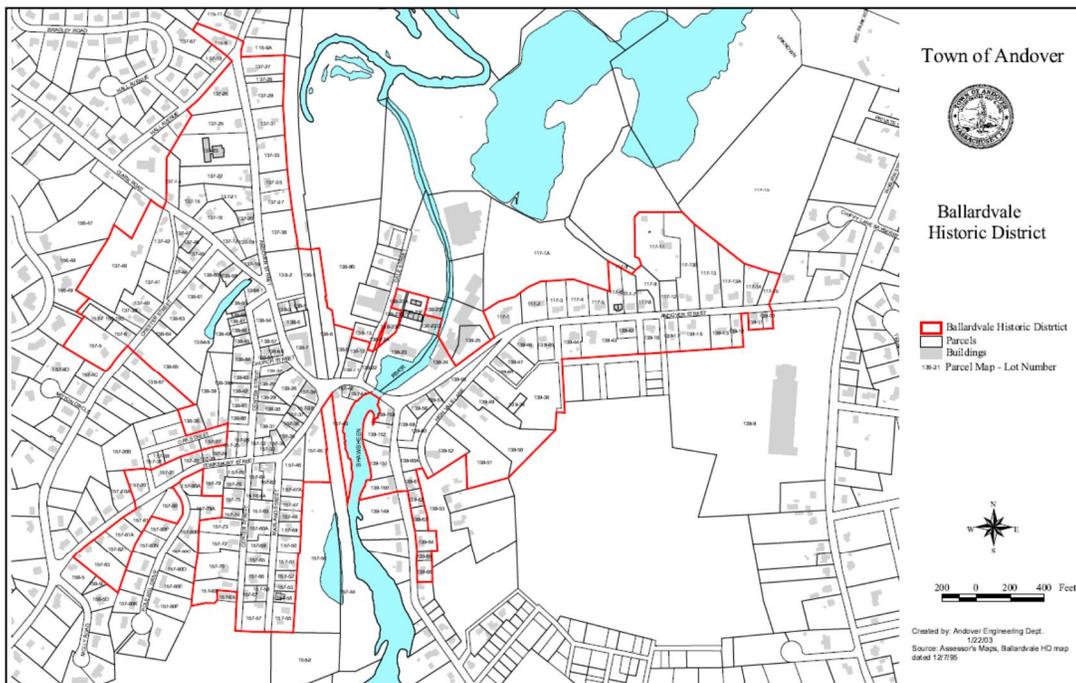
Local Historic Districts have three major purposes as stated in Chapter 40C of the Massachusetts General Laws.

- To preserve and protect the distinctive characteristics of the buildings and places significant to the history of the Commonwealth's cities and towns.
 - To maintain and improve the settings of those buildings and places.
 - To encourage compatibility with existing buildings when new buildings are planned within the district.
- Historic District Commissions do not prevent changes from occurring, nor do they prevent new construction. Their purpose is to ensure that changes and additions are harmonious, and to prevent changes that might detract from the aesthetic and historic values of the district. The commission does not halt growth, but allows for careful consideration of change. A local historic district is not meant to be burdensome to property owners, but is established to administer change and enhance the value of the district.

The Commission, under a specific set of regulations and guidelines, deals with exterior architectural changes. The Commission is required by law to review the appropriateness of most exterior design changes, additions, new construction and demolition.

The Application/Review Process

- Any owner/resident within the district contemplating work on any part of his/her property that is “visible from a public way” should notify the BVHDC by filing an application for changes to be made. “Work” should be interpreted to include alterations, rebuilding, new construction, restoration, removal, demolition or changes in exterior composition. “Building” refers to a combination of materials forming a shelter for persons, animals or property. The BVHDC guidelines include, but are not limited to, architectural style, general arrangement and setting, building materials, style of windows, doors, lights, signs and other exterior fixtures.
- No building or demolition permit may be granted for exterior work in the district without a certificate from the BVHDC. The BVHDC recommends that applications for a certificate be submitted 60–90 days prior to the commencement of any project. Applications can be obtained online or from the Department of Community Development and Planning on the lower level of Town Hall (36 Bartlet St). Completed applications should include the accompanying documentation noted on the application checklist.
- BVHDC decisions are guided by the BallardVale Historic District By-Law, Massachusetts General Laws — Chapter 40 C, Review Guidelines of BVHDC, and the Rules, Regulations and Procedures of BVHDC. Copies of all these documents are available for review at the Department of Community Development and Planning at Town Hall, Memorial Hall Library (in the Ballardvale file in reference) and at the Andover Historical Society.
- Completed applications should be returned to the Department of Community Development and Planning a minimum of 14 days prior to the regularly scheduled meeting of the BVHDC (generally the first Wednesday of every month).



The **Fire Prevention Office** is responsible for Code Enforcement, Public Fire Education, Inspections, Planning and Permitting. Both the Massachusetts Fire Code (527 CMR) and the Massachusetts Building Code (780 CMR) have requirements for fire department permitting and inspections. Most building permit applications may require review by the fire department, based on the scope of work and may require permits for fire protection systems, storage, alterations to existing fire protection systems (fire alarm systems and fire sprinkler systems). For a full list of permits and fees, see the town's website www.andoverps.net/fire and Massachusetts Department of Fire Services www.mass.gov/dfs

It is recommended that you or your design professional consult with the Fire Prevention Officer to determine if permits are necessary. The most common type of permits and certificates are:

- Flammables or Combustible liquids, gasses, or solid storage
- Rubbish containers (over 6 cubic yards – dumpsters)
- Certificate of Compliance inspections (New Construction or Resale of residential property)
- Oil Burner or LB Gas Installations
- Cutting and Welding operations
- Commercial Fire Alarm or Fire Sprinkler Systems installations or alterations
- Smoke Detector Compliance
- Special Suppression systems
- Licensing Inspections (Camp, Clinic, and DPH)
- Liquor License Inspections
- Plan Review
- Fire Reports

The mission of the Andover Board of Health is to promote and protect the public health including the physical, mental, emotional and social wellness of all the people.

The Health Division is responsible for ensuring the protection of the public and environmental health. The inspectional staff supervises the inspection and public health education programs in matters dealing with the State Sanitary Code and the State Environmental Code, including complaint investigation, wastewater disposal, food safety, swimming pool operations, recreational camp programs, and many other services.

The Health Division issues numerous operating permits that vary in cost and renewal terms. Among the businesses that we interact with are:

- Body Piercing/Body Art Establishments
- Caterers
- Food Service Establishments
- Retail Food Operations
- Life Sciences
- Mobile Food Vendors
- Recreational Camps for Children
- Tanning Establishments
- Temporary Food Vendors
- Tobacco Retailers
- Swimming Pool Operators (athletic complexes, apartments, hotels, etc.)

The Health Division also is involved in various construction and development operations, including:

- Septic Systems
- Dumpsters
- Sewer Connections
- Commercial Pools
- Food Service Plan Reviews
- Private Water Supplies
- Solid Waste/Noisome Trade Site Assignments

What is the process for opening a restaurant or other food service establishment?

Once you have your business plan developed, and a potential location, contact us to arrange an Interdepartmental Review (IDR) to discuss the project. We will gather as many of the regulatory agents as possible to answer questions, and provide some basic guidance going forward. This IDR is designed to be informal, but to help troubleshoot any obstacles you might face. The Health Division will give you a copy of the **Andover Health Department Plan Review Package**. See Flow Chart on Page 34 for more information.

What is required for me to have food during an open house, or during a kick-off event?

Many businesses host open houses, or occasionally provide snacks for their patrons. Allowing fresh fruit or cheese platters prepared at licensed restaurants does not require a permit from the Board of Health. If alcohol is to be served, it is assumed that more substantial food options will be served, and either a temporary food permit or a catering registration must be filed with the Board of Health. When a permit is required, a Certified Food Handler must be designated.

What is required to run a camp for children during the summer?

If you use the word “**Camp**” in your title, then state regulations require that you be licensed by the Board of Health as a camp. There are exceptions to the licensing requirements, so you should consult the State Sanitary Code for details. Contact the Health Division at least six months prior to the summer you want to operate your camp.

What is required to have outdoor dining at my restaurant?

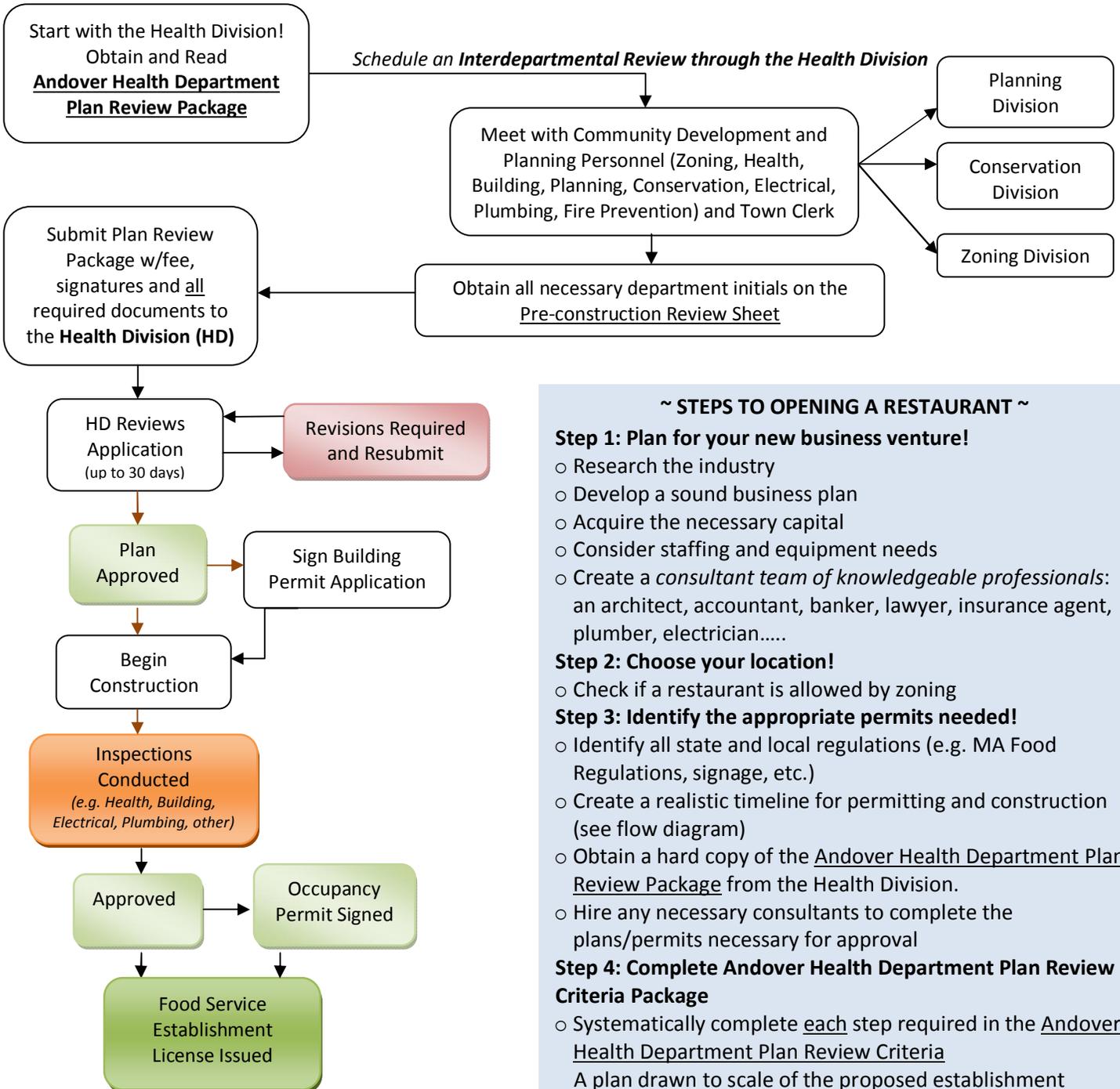
If the area for outdoor dining is on private property, you need to obtain a special permit from the ZBA. See page 25. If the area for outdoor dining is on public property, you will need to obtain approval from the Board of Selectmen, see page 12 for more information. Outdoor dining is only allowed April 1st through October 31st. Please apply at least three months prior to the date you would like to begin outdoor dining.

Hot Tips!

- **Do not sign a lease before you do your homework!** Make sure that what you want to do can be done within the space. If you do sign a lease, make it contingent upon getting all necessary permits to open.
- The Restaurant Process requires the Health Division to be involved from the beginning!
- **Even taking over an existing business does not automatically mean that any existing permits and licenses will be given to you.** Most are not transferable, so consult with municipal offices before making a commitment.
- **We want you to succeed!** Municipal staff have many years’ experience in seeing businesses open and close. You don’t have to take our advice, but think about it; we often know what makes or breaks businesses.
- **Research regulations** related to food service. Two mentioned in this document are:
<http://www.mass.gov/eohhs/provider/guidance-business/food-safety/retail-food/massachusetts-retail-food-regulations-fact-sheet.html>

<http://www.mass.gov/eohhs/docs/dph/regs/105cmr590.pdf>

Health Division – Flow Chart for Food Service - Restaurants



~ STEPS TO OPENING A RESTAURANT ~

Step 1: Plan for your new business venture!

- Research the industry
- Develop a sound business plan
- Acquire the necessary capital
- Consider staffing and equipment needs
- Create a *consultant team of knowledgeable professionals*: an architect, accountant, banker, lawyer, insurance agent, plumber, electrician.....

Step 2: Choose your location!

- Check if a restaurant is allowed by zoning

Step 3: Identify the appropriate permits needed!

- Identify all state and local regulations (e.g. MA Food Regulations, signage, etc.)
- Create a realistic timeline for permitting and construction (see flow diagram)
- Obtain a hard copy of the Andover Health Department Plan Review Package from the Health Division.
- Hire any necessary consultants to complete the plans/permits necessary for approval

Step 4: Complete Andover Health Department Plan Review Criteria Package

- Systematically complete each step required in the Andover Health Department Plan Review Criteria
A plan drawn to scale of the proposed establishment layout, equipment and grease trap specifications, and proposed menu are a few items required
- Typically there is *more than one permit needed*, the Interdepartmental Review will help to outline other permits that may be needed. This will depend on location, size, construction, etc.

Health Division – Checklist for Food Service – Restaurant

Health Division

- Schedule a walkthrough of the establishment with a Health Inspector (call or visit the Health Division) to see what needs to be done to address space needs and any non-compliance of the Food Code for the establishment (even if it is an existing restaurant!).
- Complete the Andover Health Department Plan Review Package and submit it with the review fee.
- Hire a professional to help prepare a floor plan and details/specifications (“cut sheets”) for all equipment that will be brought/replaced/installed into the establishment.
- Prepare a justification letter regarding the External Grease Trap (Andover has specific regulations regarding External Grease Traps).
- A review of sewer, electrical and plumbing plans will be required.
- Complete and submit Operating Permit Application with fee (this is based on the number of seats).

Zoning Board of Appeals

- Verify that food service (restaurant, sit-down or fast-food) is allowed in the zoning district.
- Verify any decision on the property and apply for necessary permits or variances.
- Verify any change of use procedures.

Planning Division

- Based on the zoning district, a reduction in parking requirements may be required.
- A site plan review may be needed based on the size of the restaurant or previous use of space.

Building Division

- Apply for building permit and have all necessary signatures on the application from other departments.
- Submit plans and pay associated fees.
- Signage permits are required and need Design Review Board review prior to issuance of a Sign Building Permit.
- Schedule a walk through with the plumbing inspector and contractor. Licensed plumber is required to pull any plumbing permits.
- Schedule a walk through with the electrical inspector and contractor. Licensed electrician is required to pull any electrical permits.

Town Clerk/Selectman

- A Liquor License or Common Victualler license may be needed.
- Obtain a Business Certificate.

The Health Division reviews and grants numerous permits. Below is a list of many of the common permits that a new business will request. Check a box next to each permit that may be needed for your business. Consult with the Health Division for additional information for each type of permit or license.

<u>Food establishments licenses</u>	
<input type="checkbox"/>	Caterer
<input type="checkbox"/>	Food service establishment license (50 seats or less)
<input type="checkbox"/>	Food service establishment license (51-199 seats)
<input type="checkbox"/>	Food service establishment license (200 seats & over)
<input type="checkbox"/>	Manufacturer of frozen dessert and ice cream permit
<input type="checkbox"/>	Mobile food service
<input type="checkbox"/>	Temporary mobile food service license (1-3 days)
<input type="checkbox"/>	Temporary food service
<input type="checkbox"/>	Residential kitchen permit
<input type="checkbox"/>	Retail food sale license
<input type="checkbox"/>	Retail food service plan review
<input type="checkbox"/>	Retail food sale (supermarket license)
<u>Miscellaneous licenses & permits</u>	
<input type="checkbox"/>	Asbestos removal permit
<input type="checkbox"/>	Body art, piercing, tattooing establishment permit
<input type="checkbox"/>	Body art, piercing, tattooing practitioner licenses
<input type="checkbox"/>	Funeral directors license
<input type="checkbox"/>	Recreational camp permit (includes summer camp)
<input type="checkbox"/>	Dumpster permit (yearly)
<input type="checkbox"/>	Dumpster permit (temporary 30 days)
<input type="checkbox"/>	Garbage & transportation removal permit
<input type="checkbox"/>	Sun tanning license
<input type="checkbox"/>	Retail sale of tobacco products license
<u>Construction licenses and permits</u>	
<input type="checkbox"/>	Sanitary sewer application fee
<input type="checkbox"/>	Sanitary sewer use permit
<input type="checkbox"/>	Building sewer installation permit
<input type="checkbox"/>	Building sewer installation permit (repair)
<input type="checkbox"/>	Drain layers license
<input type="checkbox"/>	Disposal works application fee
<input type="checkbox"/>	Disposal works construction permit
<input type="checkbox"/>	Disposal works installation permit
<input type="checkbox"/>	Disposal works repair application
<input type="checkbox"/>	Disposal works installation permit (repair)
<input type="checkbox"/>	Disposal works installers license
<input type="checkbox"/>	Well water system installation permit
<input type="checkbox"/>	Well water system pump installation permit

V. ADDITIONAL INFORMATION

Question and Answer

How do I get a tax identification number?

For a federal tax identification number, please contact the Internal Revenue Service for Form SS4. This form is available through their website at www.irs.gov/pub/irs-pdf/fss4.pdf

Who should I contact about trash collection and/or recycling?

The Department of Public Works is the municipal contact for both trash collection and recycling (978) 623-8350. Most businesses pay a private operator to perform curbside collection.

Who should I contact to have my water service or sewer turned on or connected?

The Department of Public Works is the municipal contact for both water and sewer service (978) 623-8350.

Who should I contact regarding the taxes on my property?

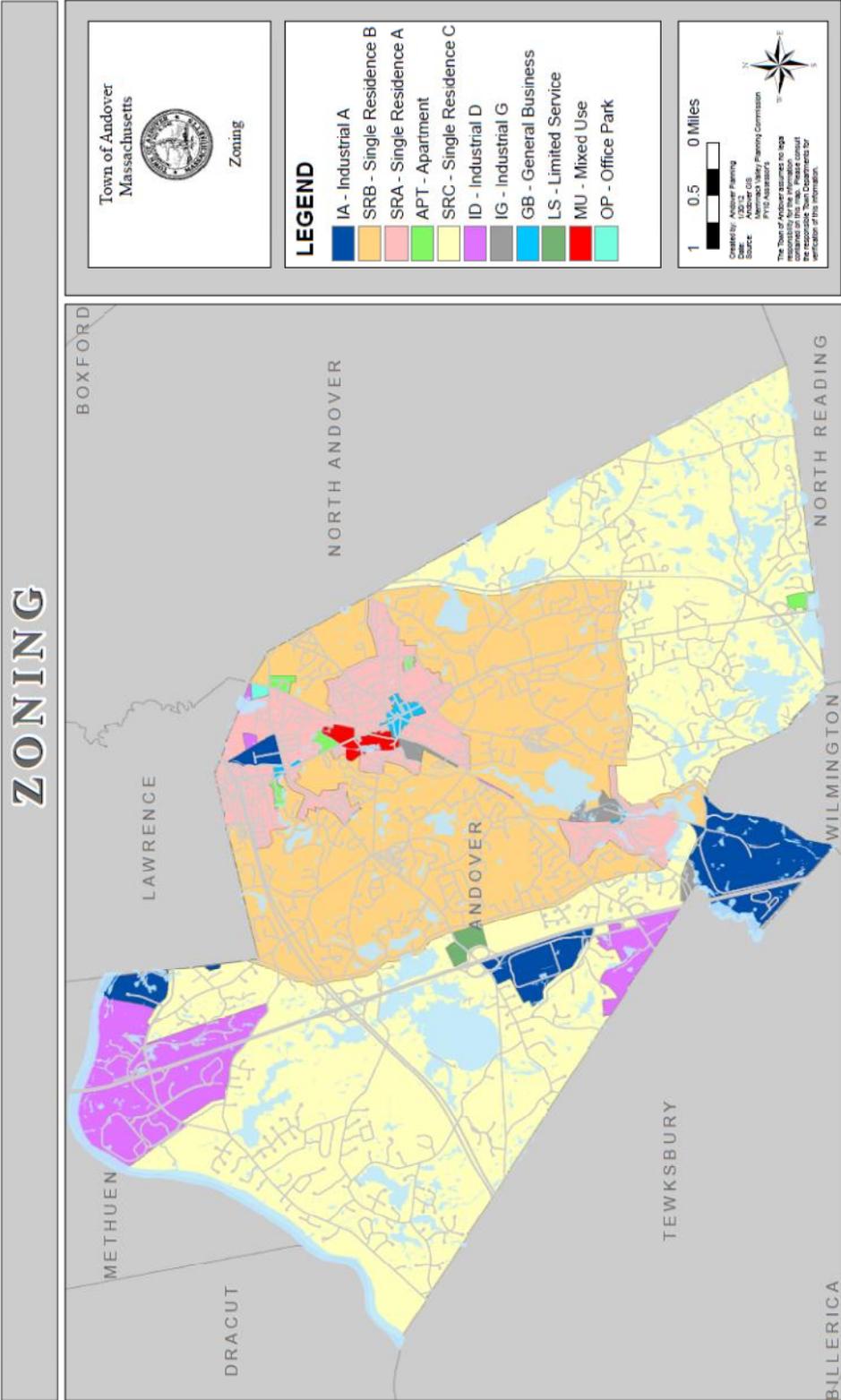
If you need information regarding the assessment of your property you should contact the Town Assessor's Office (978) 623-8266.

If you need information regarding your tax bill or the payment status of your account, you should contact the Treasurer's Office (978) 623-8248.

Who should I contact if my business involves the use of vehicles as transportation for compensation?

The Massachusetts Department of Telecommunication and Energy, Transportation Division regulates vehicles used in a business such as town companies and household movers (617) 305-3559.

APPENDIX A - Zoning Map



APPENDIX B - Common Applications and Forms



TOWN OF ANDOVER

Massachusetts
Zoning Division
(978) 623-8315
36 Bartlet Street
www.andoverma.gov
zoning@andoverma.gov

Date received: _____
(Office use only)

ZONING VERIFICATION FOR BUSINESS CERTIFICATION

\$25 fee will be collected upon filing application

- 1. Name of Applicant: _____
2. Business Address: _____
3. Assessor's Map # _____ Town Lot # _____ Subdivision # _____
4. Zoning District (circle one) LS MU OP GB IG IA ID Other _____
5. Business Name: _____
6. Type of Business: _____
7. Describe in detail the business type and how it is operated. This must be completed before the application can be processed: _____

NOTE: Any change in the business (i.e. business name, ownership, location, nature of business) requires a new Business Certificate & Zoning Verification from the Town.

- 8. Signature: _____ Date: _____
9. Phone #: _____

(Office use only)

Approved / Denied Date: _____ Permit #: B _____ - _____

Inspector's Signature: _____



TOWN OF ANDOVER

Massachusetts
Zoning Division
(978) 623-8315
36 Bartlet Street
www.andoverma.gov
zoning@andoverma.gov

Date received: _____
(Office use only)

D/B/A "HOME OCCUPATION AFFIDAVIT"

\$25.00 fee is due upon application

1. Name of Applicant(s): _____
2. Street Address: _____
3. Name of Property Owner(s): _____
4. Owner's Address: _____
5. Assessor's Map: _____ Town Lot # _____ Subdivision Lot # _____
6. Zoning District: (Circle One) **SRA** **SRB** **SRC** **APT** **Other:** _____
7. Business Name: _____
8. Type of Business: _____

(Please use the reverse side of this application to describe in detail the Home Occupation and how it is operated)

This description must be completed before the application can be processed.

To verify conformance with the Zoning Bylaw, please complete the following:

- A. Total number of rooms on the premises: _____
- B. Number of rooms used for business related purposes: _____
- C. Number of non-permanent residents employed: _____
- D. Does this business sell articles which are not produced on the premises? _____
Describe type and volume: _____
- E. Total number of pick-up and delivery trips per week: _____
- F. Average number of customers/clients on the premises per week: _____
- G. Describe location and size of storage & display areas: _____

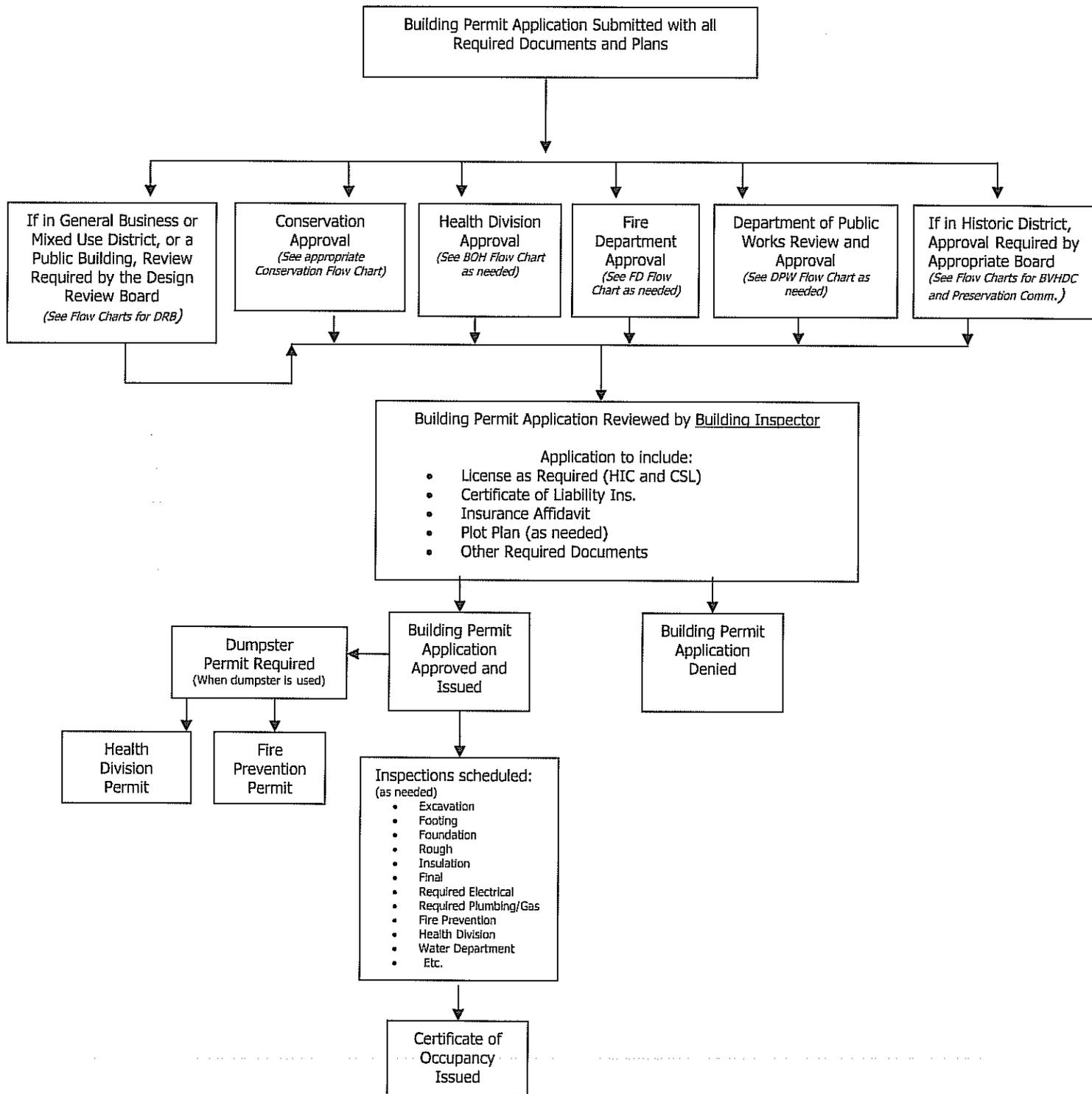
- H. Describe any noise, heat, vibration or other effects discernible at the property line: _____

I hereby acknowledge that I have read Sections 3.1.3.F.3 (Table of Use Regulations) & 10.0 (Definitions) of the Zoning Bylaw, and hereby attest that I shall conduct my Home Occupation in compliance with the Bylaw. I understand that non-compliance with the By-Law will be cause for an immediate CEASE AND DESIST order by the Inspector of Buildings.

I. Applicant's Signature: _____ Date: _____ Phone: _____

Building Division

Building Permit Application Generic





TOWN OF ANDOVER MASSACHUSETTS

Town Offices
36 Bartlet Street
Andover, MA 01810
(978) 623-8300
www.andoverma.gov

IMPORTANT INFORMATION BEFORE YOU APPLY FOR A BUILDING PERMIT

The office staff will be glad to answer any questions you may have with this process
Permit fees are non-refundable once permit is issued

Prior to issuance of a Building Permit, you first have to obtain approval from one or more of the following divisions:

- | | |
|-----------------------------------|---|
| 1) Conservation – 978-623-8311 | 4) Planning – 978-623-8310 |
| 2) Board of Health – 978-623-8295 | 5) Ballardvale Historic District – 978-623-8301 |
| 3) Zoning – 978-623-8315 | 6) Preservation – Demo Delay – 978-623-8301 |

Building Permit Checklist

PLEASE MAKE SURE YOU HAVE THE FOLLOWING:

- 1) Building Permit Application – Completed and Signed
- 2) Insurance Form and Homeowner License Exemption (if applicable) – Completed and Signed
- 3) Certificate of Insurance Liability
- 4) Copy of Contract – Signed by the Homeowner and Contractor
- 5) Copy of Contractors License (HIC and CSL, if applicable)
- 6) Planning Board Release (when applicable) Issued.
- 7) Board of Health Approval and Permit (when applicable) Issued
 - 1st Permit for Foundation
 - 2nd Permit for Framing
 - Title 5 Investigation for Additions & Alterations on Septic

Board of Health Review for all other types of Permits:

- Additions and Alterations on Septic
 - New Food Service Establishments
 - Asbestos Removal Permits
 - Sandblasting Permits
 - Dumpster Permits
- Health Division and Fire Prevention require a permit*

- 8) Fire Prevention Review – 978-623-8307 or 978-623-8343
- 9) Engineering Design: When applicable.....
- 10) Two Sets of Plans - All Drawings Stamped and Signed – (original signature)
NOTE: All plans/drawings submitted are NOT to be larger than 2' x 3'
- 11) Conservation Approval when applicable
- 12) HERS Rating Certificate (from registered HERS rater) required for all new single family dwellings, prescriptive report of HERS Certificate for all additions and alterations.

INSTRUCTIONS FOR FILING AN APPLICATION FOR BUILDING PERMIT

(One & Two Family Dwellings, Additions, Porches & Decks)

NOTE: Building Permits will be issued to the property owner and his authorized agent who, if a contractor, must be licensed by The Commonwealth of Massachusetts.

The following information **MUST** be shown on the documents (drawings) submitted with the Building Permit Application

- 1) **Certified Plot Plan IS REQUIRED** (excluding interior remodel, siding, or roofing permits.)
- 2) **Foundations:**
 - 2.1 Size Spacing and Depth of Footing and Foundation Walls.
 - 2.2 Size and Spacing of all Sono Tubes.
 - 2.3 Size and Spacing of Reinforcing if Required or Provided.
 - 2.4 Thickness of all Floor Slabs on Grade.
- 3) **Frame:**
 - 3.1 Size Spacing and all Spans for all Major Beams including connections between beams and columns.

NOTE: *All structural Steel Framing Members (Beams & Columns) must be engineered by an Architect or Structural Engineer licensed by the Commonwealth of Massachusetts.*
 - 3.2 Size, Spacing & Spans for all floor and ceiling joists.
 - 3.3 Size & Spacing for all wall studs.
 - 3.4 Size, Spacing & Spans for all roof rafters and collar ties.
 - 3.5 Size of all structural plywood or boards (sheathing, floors, roof decking)
- 4) **Finishes**
 - 4.1 Exterior Finishes (walls, roofs)
 - 4.2 Interior Finishes (floors, walls, ceilings)
- 5) **Specialties:**
 - 5.1 Electrical permit must be filed by a contractor with a current valid license within 5 days of the start of the work.
 - 5.2 Plumbing and Gas permits must be filed by a contractor with a current valid license prior to the start of the work.
 - 5.3 Location of the Fire Detection System Components (Smoke Detectors)

NOTE: *The Andover Fire Department Review is required for all new single and two family dwellings; also for all additions when new bedrooms are added to an existing structure.*
 - 5.4 Dumpsters require a permit from Fire Prevention and Health Division
 - 5.5 Details for all fireplaces, wood burning stoves, etc.

PLANS MUST BE IN COMPLIANCE WITH THE STATE BUILDING CODE AND SUBMITTED TO THE BUILDING DEPARTMENT FOR PRIOR APPROVAL BEFORE CHANGES ARE MADE.

BUILDING DIVISION
INSPECTION SCHEDULE
(Effective 10-14-1997)
(For one & two family homes)

- 1) Excavation
- 2) Footing and/or foundations (prior to backfill and installation of any perimeter drains) with damp proofing in place.
- 3) Rough Electric wiring, Plumbing and Gas
- 4) Rough Frame
- 5) Chimney Throat
- 6) Insulation Inspection
- 7) Finals (all required departments)

NOTES

- 1) Building Permit Cards and Approved Plans Must Be On Site and Accessible for Inspections. The Inspectors will sign the building card at the time of the inspection.
- 2) A minimum of 24-hour notice is required when requesting an inspection. Inspections cannot be requested by voice mail.
- 3) A Balancing Report is required at the time of the issuance of the Occupancy Permit for all Commercial forced HVAC systems.
- 4) A Re-Inspection Fee will be charged after initial inspection (**all trades**).
- 5) New Homes: after the foundation is poured and inspected, the Building Permit Card, a Certified Foundation Plan and a Building Permit Application is required to be taken to the Building Division in order to obtain the Structural Permit.

	Planning Board Release	Zoning Review	Board of Health Review (Sewer)	Board of Health Review (Septic System, Title V)	Conservation Commission Review	Fire Department Review (Fire Prevention)	Preservation Commission Review (Historic Structure)	Historic District Commission Review (Ballardvale)	Design Advisory Review	Electrical work Review	Plumbing and Gas Work Review	Building Permit
New Single Family Dwelling	●	●	●	●	●	●	●			●	●	●
Raze Existing/Build New Residence		●		●	●	●	●	●		●	●	●
Additions and Alterations		●		●	●	●	●	●		●	●	●
Decks/Patios		●		●	●		●	●				●
Detached Garage		●		●	●		●	●		●		●
Storage Sheds/ Gazebo		●					●					●
Swimming Pool		●	●	●	●					●		●
Sports/Tennis Court		●			●					●		●
Retaining Wall		●			●							●
Tent (with Food Service and Cooking)				●		●				●	●	●
Tent (No Food Service or Cooking)										●		●
Signs		●			●		●	●	●	●		●
Dumpster			●	●		●						
Fence (up to six feet high)							●					
Fence (over six feet high)							●					●
Awnings		●					●					●
Kitchen Cabinets											●	●
Chimneys		●					●					●
Roofing							●					●
Siding							●					●
Window Replacement							●	●				●
Partial Demolition of Structure							●	●				●
Mobile Home												●
Wood Burning Stove												●
Import and Export of Earth Materials	●	●			●		●					●

Please note that dumpsters require a permit from the Health Division and Fire Prevention

PERMIT NO _____ APPLICATION FOR PERMIT TO BUILD – ANDOVER, MA

INSTRUCTIONS

PLANS MUST BE FILED AND APPROVED BY BUILDING DEPARTMENT
 ALL CONSTRUCTION MUST CONFORM TO MASSACHUSETTS STATE BUILDING CODE

****SITE INFORMATION****		****CONSTRUCTION INFORMATION****	
MAP NO:	LOT NO:	SUBDIV. LOT NO:	ZONING:
SITE ADDRESS:		RESIDENTIAL <input type="checkbox"/> COMMERCIAL / INDUSTRIAL <input type="checkbox"/> PUBLIC BLDG. <input type="checkbox"/> ACCESSORY <input type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> DEMOLITION <input type="checkbox"/> OTHER <input type="checkbox"/>	
PROJECT NAME / LOCATION:			
****APPLICANT'S INFORMATION****			
OWNERS NAME:			
OWNER ADDRESS:		TELEPHONE:	
ARCHITECT'S NAME:		TELEPHONE:	
ARCHITECT'S ADDRESS:		TELEPHONE:	
BUILDER'S NAME:		TELEPHONE:	
ADDRESS:		TELEPHONE:	
CITY / TOWN:		TELEPHONE:	
STRUCTURAL ENGINEER'S NAME:		TELEPHONE:	
STRUCTURAL ENGINEER'S ADDRESS:		TELEPHONE:	
DATE FILED		SIGNATURE OF OWNER OR AUTHORIZED AGENT	
CONTRACTOR'S REGISTRATION NUMBER		SUPERVISOR'S LICENSE NUMBER	
BOARD OF HEALTH – AUTHORIZED SIGNATURE		DATE	
FIRE PREVENTION – AUTHORIZED SIGNATURE		DATE	
PLANNING BOARD – AUTHORIZED SIGNATURE		DATE	
PERMIT GRANTED BY:			
INSPECTOR'S SIGNATURE		DATE	
ESTIMATED BLDG. COST – (VALUATION):		CHIMNEY PERMIT: YES NO (Please Circle One)	
NUMBER OF DWELLING UNITS:		NUMBER OF BUILDINGS:	
SQ. FT. _____ OCCUPANCY TYPE: _____ CONSTRUCTION TYPE: _____		(From State Building Code)	
****WATER CONNECTION INFORMATION****			
NUMBER OF UNITS – SINGLE FAMILY / MULTI-FAMILY:			
COMMERCIAL SERVICE SIZE: 5/8 <input type="checkbox"/> 1" <input type="checkbox"/> 1.5" <input type="checkbox"/> 2" <input type="checkbox"/> 3" <input type="checkbox"/>			
If Over 3" Service – enter number of gallons per day:			
****MISCELLANEOUS PERMIT INFORMATION****			
TENTS, CARNIVALS, ETC. (# OF UNITS):			
GRAVEL REMOVAL (CU YARDS):		MOVE STRUCTURE (GFA):	
RAZE STRUCTURE (GFA):		BOARD OF APPEALS DECISION NUMBER:	
ELECTRIC PERMIT NUMBER:		BOARD OF HEALTH PERMIT NUMBER:	
BALLARDALE HISTORIC DISTRICT: YES NO		DEMOLITION DELAY BY-LAW: YES NO	
STOP WORK ORDER: YES NO		REINSPECTION: YES NO	
PERMIT FEE: _____		CK#: _____	



The Commonwealth of Massachusetts
Board of Building Regulations and Standards
Massachusetts State Building Code, 780 CMR, 7th edition

Building Permit Application

FOR
MUNICIPALITY
USE
Revised
August, 2012

This Section For Official Use Only

Building Permit Number: _____

Date Applied: _____

Signature: _____

Building Inspector

Date

SECTION 1: SITE INFORMATION

Residential Commercial Other Description: _____

1.1 Property Address:

1.2 Assessors Map & Parcel Numbers

1.1a Is this an accepted street? yes _____ no _____

Map Number _____

Parcel Number _____

1.3 Zoning Information:

1.4 Property Dimensions:

Zoning District _____

Proposed Use _____

Lot Area (sq ft) _____

Frontage (ft) _____

1.5 Building Setbacks (ft)

Front Yard

Side Yards

Rear Yard

Required

Provided

Required

Provided

Required

Provided

1.6 Water Supply: (M.G.L. c. 40, § 54)

Public Private

Commercial- Service Size _____

1.7 Flood Zone Information:

Zone: _____ Outside Flood Zone?
Check if yes

1.8 Sewage Disposal System:

Municipal On site disposal system

SECTION 2: PROPERTY OWNERSHIP¹

2.1 Owner¹ of Record:

Name (Print) _____

Address for Service: _____

Signature _____

Telephone _____

E-Mail Address _____

SECTION 3: DESCRIPTION OF PROPOSED WORK² (check all that apply)

New Construction

Existing Building

Owner-Occupied

Repairs(s)

Alteration(s)

Addition

Demolition

Accessory Bldg.

Number of Units _____

Other Specify: _____

Brief Description of Proposed Work: _____

SECTION 4: ESTIMATED CONSTRUCTION COSTS

Item	Estimated Costs: (Labor and Materials)	Official Use Only
1. Building	\$ _____	1. Building Permit Fee: \$ _____ 2. Indicate how fee is determined: <input type="checkbox"/> Standard City/Town Application Fee <input type="checkbox"/> Total Project Cost ³ (Item 6) x multiplier _____ x 3. Other Fees: \$ _____ List: _____
2. Electrical	\$ _____	
3. Plumbing	\$ _____	
4. Mechanical (HVAC)	\$ _____	
5. Mechanical (Fire Suppression)	\$ _____	
6. Total Project Cost:	\$ _____	Total All Fees: \$ _____ Check No. _____ Check Amount: _____ Cash Amount: _____

SECTION 5: CONSTRUCTION SERVICES

5.1 Licensed Construction Supervisor (CSL)

Name of CSL- Holder

Address

Signature

Telephone

E-mail Address

License Number _____ Expiration Date _____

List CSL Type (see below) _____

Type	Description
U	Unrestricted (up to 35,000 Cu. Ft.)
R	Restricted 1&2 Family Dwelling
M	Masonry Only
RC	Residential Roofing Covering
WS	Residential Window and Siding
SF	Residential Solid Fuel Burning Appliance Installation
D	Residential Demolition

5.2 Registered Home Improvement Contractor (HIC)

HIC Company Name or HIC Registrant Name

Address

Signature Telephone _____

E-mail Address

Registration Number

Expiration Date

SECTION 6: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152. § 25C(6))

Workers Compensation Insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the building permit.

Signed Affidavit Attached? Yes No

SECTION 7a: OWNER AUTHORIZATION TO BE COMPLETED WHEN OWNER'S AGENT OR CONTRACTOR APPLIES FOR BUILDING PERMIT

I, _____, as Owner of the subject property hereby authorize _____ to act on my behalf, in all matters relative to work authorized by this building permit application.

Signature of Owner Date _____

SECTION 7b: OWNER¹ OR AUTHORIZED AGENT DECLARATION

I, _____, as Owner or Authorized Agent hereby declare that the statements and information on the foregoing application are true and accurate, to the best of my knowledge and behalf.

Signature of Owner or Authorized Agent Date _____
(Signed under the pains and penalties of perjury)

NOTES:

1. An Owner who obtains a building permit to do his/her own work, or an owner who hires an unregistered contractor (not registered in the Home Improvement Contractor (HIC) Program), will **not** have access to the arbitration program or guaranty fund under M.G.L. c. 142A. Other important information on the HIC Program and Construction Supervisor Licensing (CSL) can be found in 780 CMR Regulations 110.R6 and 110.R5, respectively.

2. When substantial work is planned, provide the information below:

Total floors area (Sq. Ft.) _____	(including garage, finished basement/attics, decks or porch)
Gross living area (Sq. Ft.) _____	Habitable room count _____
Number of fireplaces _____	Number of bedrooms _____
Number of bathrooms _____	Number of half/baths _____
Type of heating system _____	Number of decks/ porches _____
Type of cooling system _____	Enclosed _____ Open _____

The Commonwealth of Massachusetts
Board of Building Regulations and Standards
Massachusetts State Building Code, 7th Edition

Building Permit Application To Construct, Repair, Renovate Or Demolish a
One- or Two- Family Dwelling

SECTION 8: ADDITIONAL APPROVALS

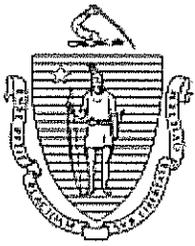
1. Ballardvale Historic District Commission: _____ Date: _____
Comments: _____ Application # (s) _____
2. Board of Health: _____ Date: _____
Comments: _____
3. Conservation Commission: _____ Date: _____
Comments: _____ Application # (s) _____
4. Design Review Board: _____ Date: _____
Comments: _____ Application # (s) _____
5. Electrical Permit Number: _____ Date: _____
Comments: _____
6. Fire Prevention: _____ Date: _____
Comments: _____
7. Planning Board _____ Date: _____
Lot Release: Yes No Decision # (s): _____
8. Preservation Commission: _____ Date: _____
Comments: _____ Application # (s) _____
9. Zoning Board of Appeals: _____ Date: _____
Comments: _____ Application # (s) _____

SECTION 9: CHECKLIST

- Plans Submitted Yes No
- Stamped Plans Yes No
- Plans Waived Yes No
- Certified Plot Plan Yes No
- Dumpster Required Yes No
- Fire Dept. Permit Yes No
- Health Div. Permit Yes No

If no, how will debris be disposed of? _____

- Certificate of Liability Insurance filed with the Town Clerk's Office for a sign projecting over a public right-of-way in the amount of \$2,000,000 Yes No



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers
Applicant Information **Please Print Legibly**

Name (Business/Organization/Individual): _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- | | |
|--|---|
| <p>1. <input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]</p> <p>3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.] †</p> | <p>4. <input type="checkbox"/> I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡</p> <p>5. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]</p> |
|--|---|

Type of project (required):

6. New construction
7. Remodeling
8. Demolition
9. Building addition
10. Electrical repairs or additions
11. Plumbing repairs or additions
12. Roof repairs
13. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: _____

Policy # or Self-ins. Lic. #: _____ Expiration Date: _____

Job Site Address: _____ City/State/Zip: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date). Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector

6. Other _____

Contact Person: _____ Phone #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "**every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required.**" Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply sub-contractor(s) name(s), address(es) and phone number(s) along with their certificate(s) of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary) and under "Job Site Address" the applicant should write "all locations in _____(city or town)." A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

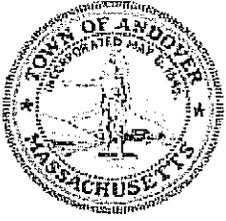
The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111

Tel. # 617-727-4900 ext 406 or 1-877-MASSAFE

Fax # 617-727-7749

www.mass.gov/dia



DESIGN REVIEW BOARD (DRB) APPLICATION

**PLEASE REVIEW 2009 Version Town of Andover Zoning By-Law, Article VIII,
Section 5.2 for SIGN REGULATIONS and DESIGN GUIDELINES**

TOWN OF ANDOVER MASSACHUSETTS

Town Offices
36 Bartlet Street
Andover, MA 01810
Tel. No. (978) 623-8300
Fax (978) 623-8320
www.andoverma.gov

FOR OFFICE USE ONLY

File Number: _____	Approved by DRB (Date): _____
Zoning District: _____	Not Approved (Date): _____
Date Filed: _____	Comments: _____
Hearing Date: _____	_____

- 1) Business Name _____
- 2) Business Owner _____ Tel. No. _____
- 3) Site Address _____
- 4) Building Owner _____ Tel. No. _____
- 5) Applicant (If Not Business Owner) _____ Tel. No. _____
- 6) Total Number of Signs _____
- 7) Attachments required with Application: original & 5 copies (*Incomplete applications will not be reviewed*)
 - a) Photographs of Building
 - b) Material Sample(s)
 - c) Color Sample(s)
 - d) Site or Plot Plan (required for all freestanding signs)
 - e) Graphic Depiction of Proposed Sign(s) Including Dimensions
 - f) Graphic Depiction of Proposed Sign(s) at Proposed Location(s) to Scale
 - g) Other, Specify: _____

NOTE: Town of Andover Zoning By-Law, Article VIII, Section 9.6.3 Mandatory Review states: "... the DRB shall review all applications for building permits, special permits or variances for proposals located in areas zoned for General Business and Mixed Use if involving new construction, exterior alteration or a sign larger than four (4) square feet." No Building Permits for Signs in the General Business and Mixed Use Districts will be issued without the appropriate DRB Review. A Building Permit is required prior to installation of any sign.

Municipal projects shall be reviewed by DRB prior to issuance of a Building Permit.

IMPORTANT: This form must be completed before the Design Review Board can consider the application. Six (6) sets (original & 5 copies) of this form, along with supporting documents (in color where required), must be filed with the Inspector of Buildings in the Department of Community Development and Planning at the Town Offices, 36 Bartlet Street, Andover, MA 01810.

No Sign Application will be reviewed without the Business Owner or his Authorized Agent present at the DRB review.
You will be notified of the time, date and location of the meeting.

Signature of Applicant _____ Date _____

Mailing Address _____

E-Mail Address _____

Tel. No. _____ Fax No. _____

**TOWN OF ANDOVER
PRESERVATION COMMISSION APPLICATION**

For office use only:

Case number: _____ **Date filed:** _____
Public Hearing required: Yes ___ **No** ___ **Public Hearing date:** _____
Building preferably preserved: Yes ___ **No** ___ **Length of delay imposed** _____
Date application sent to Commission: _____
Decision of Preservation Commission: _____

APPLICANT INFORMATION:

Site Address: _____
Town Map _____ **Town Lot** _____

Nature of Proposed Work: **Demolition** ___ **Exterior Repairs/Alterations** ___
Moving a building ___ **Other** _____

Description of Proposed Project: _____

Name of Applicant: _____

Mailing Address: _____

Daytime Telephone: _____

Property Owner:

Name: _____

Address: _____

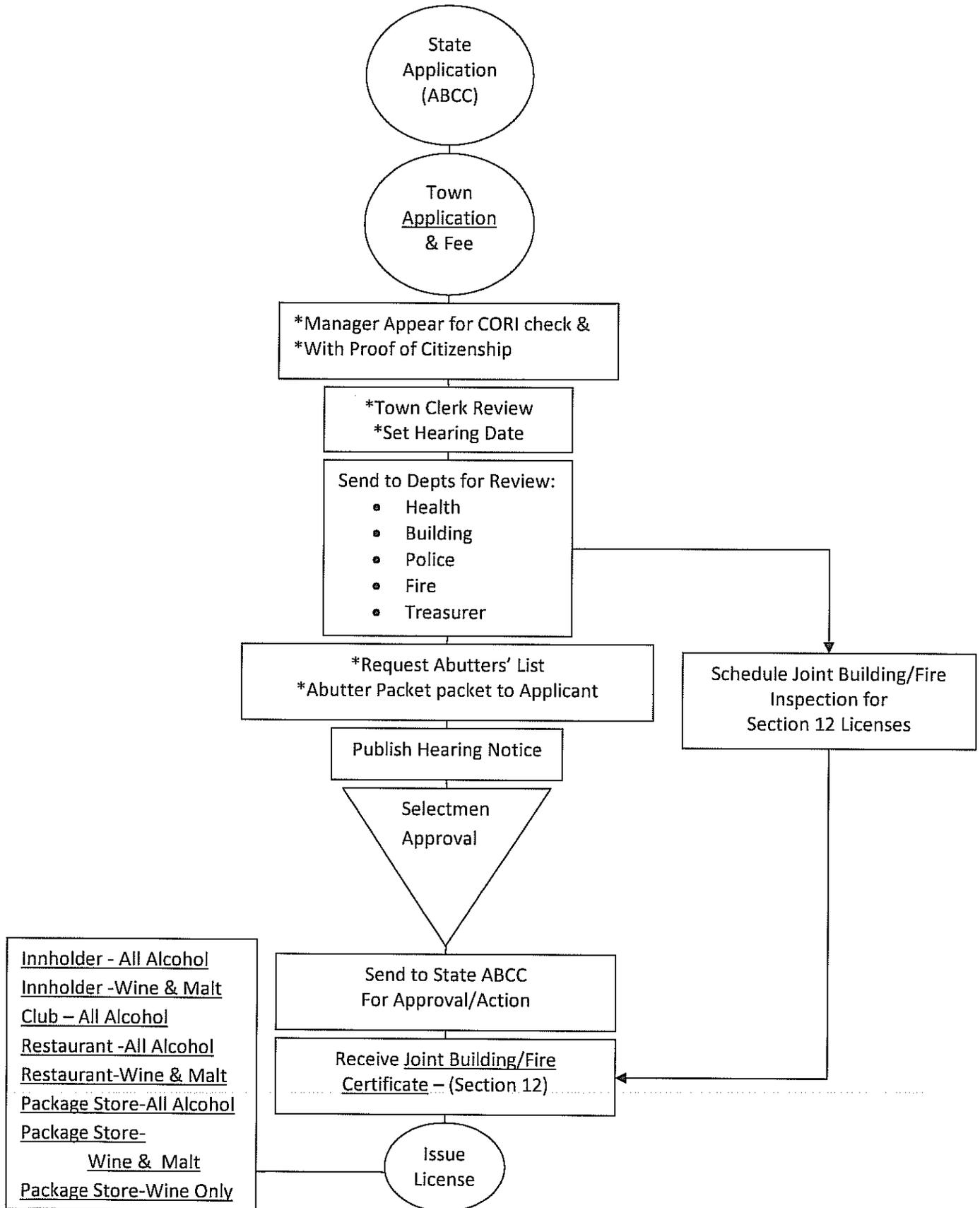
Telephone: _____ **Email:** _____

Fax #: _____

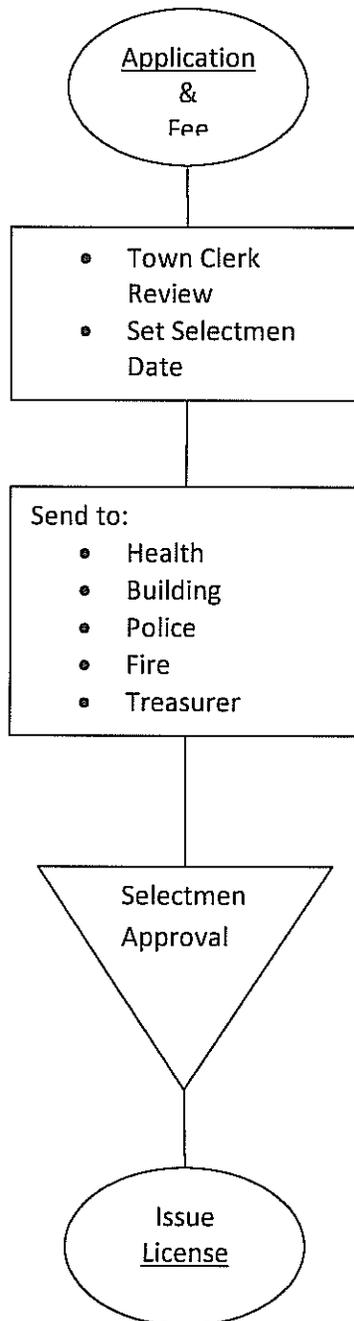
Date: _____ **Signature of Applicant::** _____

Please note that should a public hearing be required the applicant will be asked to submit an advertising fee in the amount of \$70.00 (checks made payable to: Town of Andover)

TOWN CLERK'S OFFICE
Liquor License –NEW APPLICATION
Work Flow



TOWN CLERK'S OFFICE
Common Victualler License
Work Flow



LICENSE
ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF THE TOWN OF ANDOVER, MASSACHUSETTS
HERBY GRANTS A

COMMON VICTUALLER

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

TO Bertucci's Restaurant Corp. d/b/a Bertucci's Brick Oven Ristorante

90 Main Street

Michael Schwerin

Manager

on the following described premises

One story building 2,600 sq. ft. Building has a front entrance and a rear exit and an outside patio that serves 20.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31st 2011 unless earlier suspended, cancelled or revoked.

In testimony whereof, the undersigned have hereunto affixed their official signatures this 3rd day of December, 2010

The Hours during which Alcoholic Beverages may be sold are from:

11:00 a.m. to 1:00 a.m.

Sundays, 12:00 p.m. to 1:00 a.m.

Occupancy: 37

Licensing Board of Andover

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSTION WHERE I

LICENSE
ALCOHOLIC BEVERAGES
THE LICENSING BOARD OF THE TOWN OF ANDOVER, MASSACHUSETTS
HERBY GRANTS A

COMMON VICTUALLER

License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

TO 99 Restaurants of Boston LLC d/b/a Ninety Nine Restaurant

464 Lowell Street

Brigid K. Terpko Manager

on the following described premises

One story frame building, 1958 sq. ft, with storage basement, public entry in front of building. Emergency exits at the rear and center of the building.

*This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31st **2011** unless earlier suspended, cancelled or revoked.*

In testimony whereof, the undersigned have hereunto affixed their official signatures
this **3rd** day of **December, 2010**

The Hours during which Alcoholic Beverages may be sold are from:

11:00 a.m. to 1:00 a.m.

Sundays, 12:00 p.m. to 1:00 a.m.

Occupancy: 116

Licensing Board of Andover

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSTION WHERE I