



Permitting and Development Guidebook

User's Guide to the Permitting and Development in Great Barrington

**The Project
The People
The Permits
The Process**

2023

Introduction

Great Barrington is a small town of roughly 7,100 people, nestled in the Berkshires of Western Massachusetts. The Town offers a thriving downtown, the unique village of Housatonic, historic sites and neighborhoods, and beautiful scenery. Maintaining this quality of life and ensuring the health and safety of all of our residents is a top priority of the Town; thus we take very seriously our duty to enforce building, environmental regulations, historic, and zoning.

This booklet provides you, the Applicant, with a “how to” roadmap to guide you through the permitting, construction, and land development process. You may be a homeowner looking to build a new house or simply add a deck. You may be a developer looking to build a commercial building. Your project may require crossing over a wetlands resource area. Whatever the **Project**, this Guidebook will help you. This Guidebook introduces you to the **People** who are here to assist you identify and obtain any **Permits** you might need. Finally, this guides you through the **Process** to follow to obtain those permits. It explains the roles of the Town’s various departments and boards, their roles, the types of permits they issue, and how they all interact.

This Guidebook provides you with the information you need to proceed with a “typical” application. This is not intended to cover every situation that occurs. If your project is more complex, requires multiple permits from a different boards, please call the Building Inspector or Town Planner for guidance. The Town has tried to make this Guidebook as complete and as up to date as possible. However, please note that required permits and timelines sometimes change. Thus we suggest you always call the appropriate Town staff person. *We can help you make sense of the process.*

Whether you are a homeowner, developer, or someone looking to relocate to our wonderful Town, we hope this Guidebook saves you time, money, and headaches.

The Project

Most construction projects—whether for houses, garages, commercial buildings, or even driveways, require some type of permit. It’s likely you will at least need a building permit. If you are a business or a home occupation, you might need a sign permit. If the use is permitted only by a special permit in your zoning district, then you will need a special permit. If you are near a wetland or river, you might need a permit from the Conservation Commission. Some or all of these instances, and perhaps others, may apply to you.

The more research you do in the planning stage, the easier it will be to meet all requirements in a timely, efficient, and cost effective manner. Do your homework first. This will greatly increase the likelihood that your project and design are approved, and reduce your risk of having to make significant and expensive changes later on.

The information in this section and in the Appendix can help you determine what permits you will need. If you have any questions, call us! The best place to start is usually the Building Inspector or Town Planner. You can also use the [free GIS maps](#) online on the Assessor’s web page to find your property and investigate its characteristics.

As soon as you know the location and approximate size of your project, and the use(s) to which it will be put, seek advice from the Town’s professional staff. Again, the best place to start is usually the Building Inspector. We can tell you if your project seems feasible and what changes might be needed. We will also explain which permits you are likely to need, roughly how long it will take to get them, and whether public hearings will be required.

The People

You will most likely be working with the following Departments (staff) and Town Boards (elected or appointed officials) in order to obtain your permits:

Building Department

Matthew Kollmer
 Building Commissioner
 Town Hall, 334 Main St
 Phone: (413) 528-1619, x 2600
 Email: mkollmer@townofgb.org
 Office Hours: Mon-Fri 8:30am-12 noon or by appointment

This is the gateway for all applicants, and it is the First Department You Should Contact if you are building or developing! The Building Inspector enforces the Town of Great Barrington Zoning Bylaw, the Great Barrington Town Code (general regulations, including signs), and the Massachusetts State Building Code. This office also issues building, electrical, plumbing, and gas permits, conducts inspections, and issues Certificates of Occupancy. This office also issues sign permits. Finally, the Building Inspector or Town Planner can help you determine whether there are already variances or special permits that apply to a property.

Planning Department

Christopher Rembold
 Assistant Town Manager / Director of Planning and Community Development
 Town Hall, 334 Main Street
 Phone: (413) 528-1619, x 2401
 Email: crembold@townofgb.org
 Office Hours: Mon – Thurs, 8:30am-4:00pm.
 Friday by appt. only.

The Planning Department guides residential and commercial development proposals through the permitting processes outlined in the Zoning Bylaw. It coordinates multi-departmental reviews of projects (see Development Review Team, below), coordinates any and all Special Permits and Site Plan Review applications, and assists the all of the Town's regulatory Boards by summarizing proposals and drafting Findings of Fact. The Planning Department also evaluates proposals for their consistency with the Town's Master Plan, and, with the Town Manager, coordinates economic development.

Assessor's Office

Ross Vivori
 Principal Assessor
 Town Hall, 334 Main Street
 Phone: (413) 528-1619, x 2300
 Email: rvivori@townofgb.org
 Office Hours: Mon – Fri, 8:30am-4:00pm

Among its many functions, the Assessor's Office maintains all tax (parcel) maps and tax records, including owner's names and addresses, and generates the Abutters Lists required for public hearings.

Selectboard

Administrative Assistant
 Town Hall, 334 Main Street
 Phone: (413) 528-1619 x 2900
 Meetings: 2nd and 4th Monday, 7:00pm

The Selectboard is an elected five member board and is the official governing body of the Town of Great Barrington. The Selectboard are the primary policy and goal-setting body for the Town. The Selectboard issue licenses and permits for weekday and Sunday entertainment (events), for alcohol sales, for auctions, for automobile sales, and are the Granting Authority for most Special Permits.

Conservation Commission / Conservation Agent

Shepley W. Evans
 Conservation Agent
 Town Hall, 334 Main Street
 Phone: (413) 528-1619 x 2801
 Email: conservation@townofgb.org
 Office Hours: Mon, Tues, Wed, Fri 1:00pm-3:30pm.
 Please call for an appointment.
 Meetings: 4th Wednesday, 6:30pm

Do Not Bypass This Step! The Conservation Commission administers the Massachusetts Wetlands Protection Act, Massachusetts Rivers Protection Act, and the Massachusetts Scenic Mountains Act. The "Cons. Comm." can tell you if your project falls within its jurisdiction and advise you on obtaining any needed local, state, and federal permits. Conservation impacts are not always apparent; however any work within 100 feet of a wetland or 200 feet of a stream or river requires the review of the Cons. Comm.

Department of Public Works

Joe Aberdale
 Superintendent of Public Works
 Town Hall, 334 Main Street
 Phone: (413) 528- 1619 x 5, then 1
 Email: jaberdale@townofgb.org
 Office Hours: Mon – Fri, 8:30am-4:00pm

DPW includes Highway, Wastewater, Parks and Cemetery Divisions. Call the DPW on questions regarding new driveways and access roads, locations of underground utility lines such as sewers, and the removal of public shade trees. You must contact the DPW if you intend to connect to municipal sanitary sewer or to the stormwater drainage system. The four DPW divisions are Highways, Public Buildings, Cemeteries/Parks, and Sewer.

For connections to public water supply, contact either the Great Barrington Fire District (413-528-0133) or the Housatonic Water Works (413-528-1780).

Design Advisory Committee	
Building Commissioner Town Hall, 334 Main Street Phone: (413) 528-1619, x. 2600 mkollmer@townofgb.org Meetings: at call of the Chair	All new structures, alterations or additions to existing structures in the Downtown B district or Village Center Overlay District which affect the exterior architectural appearance of a building are subject to review by the DAC. The DAC provides design recommendations to the applicant prior to the issuance of a building permit or special permit.
Development Review Team	
Christopher Rembold Assistant Town Manager / Director of Planning and Community Development Town Hall, 334 Main Street Phone: (413) 528-1619, x 2400 Email: crembold@townofgb.org The DRT usually meets every other Tues. morning. Call in advance to be on the agenda.	Once you have your ideas and plans roughed out, you can often avoid delays and costly changes by scheduling an informal review with the DRT. The amount of detail you need for your plan varies according to the permits you require, but in general at least a rough building and site layout, including parking and relationship to adjacent buildings, is an appropriate start. Applicants are encouraged to schedule a meeting with the DRT prior to, and hopefully well in advance of, submitting applications to the Town Boards for special permits, subdivisions, etc. We will guide you through the application process, and flag potential issues prior to you preparing detailed plans.
Fire Department	
Scott Turner, Fire Chief Fire Station, 37 State Road Phone: (413) 528-0788 (office) Emergency: 911 Email: sturner@townofgb.org Office Hours: By appointment, Mon – Fri, 8:00am-4:00pm.	The Fire Dept. is the local enforcement and permitting agency for the Regulations of the Massachusetts Board of Fire Prevention, as noted by 527 CMR 1. Responsibilities include reviewing plans submitting to the Building Department for access and fire protection systems, issuing storage and process permits for hazardous materials, witnessed acceptance testing of fire protection systems, and conducts period safety inspections of required occupancies.
Health Agent / Board of Health	
Rebecca Jurczyk Health Agent 334 Main Street, Town Hall Phone: (413) 528-1619 x 2700 Cell: (413) 717-2010 Email: rjurczyk@townofgb.org Office Hours: Mon 8:30am-4:30pm. Tues 8:30am-11:30am. Fri 10:00am-12:00pm Meetings: 1 st Thursday, 6:30pm	The Board of Health enforces State and local health and some environmental codes. This includes permits for septic systems, wells, demolition, food establishments, lodging, swimming pools, camps, special events and various licenses.
Historic District Commission	
c/o Chris Rembold Town Hall, 334 Main Street Phone: (413) 528-1619 x 2400 Email: crembold@townofgb.org Meetings: 3 rd Monday or call of Chairman	No building or structure in a Historic District may be constructed, altered, or demolished in a way that affects the exterior features, unless a certificate is obtained from the HDC. See Chap 113 of the Town Bylaws for district boundaries and regulations.
Parks Commission	
Carolyn Wichmann, Secretary Town Hall, 334 Main Street Phone: 413-528-1619 x 2601 Email: cwichmann@townofgb.org Meetings: 2 nd Monday, 5:00, Mason Library	The Parks Commissioners administer the Town parks, ball fields, and beaches, including recreational programs. Use of Town parks and beaches for events requires permission of the Parks Commissioners.
Planning Board	
Christopher Rembold Assistant Town Manager / Director of Planning and Community Development Town Hall, 334 Main Street Phone: (413) 528-1619, x 2400 Email: crembold@townofgb.org Office Hours: Mon – Thurs, 8:30am-4:00pm. Friday by appt.	The Planning Board is an elected five member board, whose responsibilities are outlined by Mass. General Law and include but are not limited to the following: Approving subdivisions and ANR plans; Serving as Site Plan Review authority; Serving as a special permit granting authority and recommending Board on all other special permits; Drafting zoning amendments for Town approval and holding public hearings on zoning amendments; Approving common driveways; and, Adopting a master plan for the town.

Pl Bd. meetings: 2nd and 4th Thursday, 6:00pm.

Agenda items must be submitted 1 week before

Police Department

Paul E. Storti
Chief of Police
Police Station, 465 South Main Street (at Maple Ave)
Phone: (413) 528-0306 (office)
Emergency: 911
Email: pstorti@townofgb.org
Office Hours: Mon – Fri, 8:30am-4:00pm

The Police Department is responsible for safeguarding the life and safety of the public. In terms of permitting and development, the Police Department must approve temporary road closures and any traffic detours and police details for traffic safety. These issues often arise when structures are demolished, large cranes, dumpsters, etc. are placed in a sidewalk or roadway, or trees in or near a roadway are removed.

Town Clerk

Jennifer Messina
Town Clerk
Town Hall, 334 Main Street
Phone: (413) 528-1619, x 2100
Email: jmessina@townofgb.org
Office Hours: Mon – Fri, 8:30am-4:00pm

The Town Clerk is the official record of all applications and decisions for all subdivisions, special permits and variances. It is the Clerk's time stamp that starts the clock that tolls the official review period for special permits and variances. All businesses operating in Great Barrington must register with the Town Clerk. In addition, marriage licenses, dog licenses, raffle permits, & copies of Town Bylaws and regulations, may all be obtained from the Town Clerk.

Town Manager's Office

Mark Pruhenski
Town Manager
Town Hall, 334 Main Street
Phone: (413) 528-1619, x 2900
Email: mpruhenski@townofgb.org
Office Hours: Mon – Fri, 8:30am-4:00pm

The Town Manager is the Chief Administrative Officer of the Town and oversees all town staff. This office coordinates permits for a variety of licenses required by local and State regulations, including but not limited to weekday and Sunday entertainment licenses, and liquor licenses.

Zoning Board of Appeals

Christopher Rembold
Town Hall, 334 Main Street
Phone: (413) 528-1619, x 2401
Email: crembold@townofgb.org
Meetings: At the call of the Chairman

The Zoning Board of Appeals (ZBA) is an elected five member board, with two alternate members. The ZBA has the power to hear and decide appeals by persons who have been unable to obtain a permit or enforcement action in accordance with Great Barrington's Zoning Bylaw and related zoning provisions of Massachusetts law. The ZBA has the power to decide on applications for variances from the Bylaw and applications for special permits under the "grandfather" provisions of the Bylaw. It is the authority for "40B" Comprehensive Permits.

The Permits

The charts in this section summarize the permits that are needed for specific projects. Remember, these permits are required in order to protect for your health and safety and the health and safety of your neighborhood. Never work without a permit if you need one. If officials discover that you have done work without a permit, you will be required to stop the work and dismantle or reverse the work, all at your own expense. If you are wondering whether or not you need a permit, please call and ask us.

How do I know if a permit or review is needed?

A good rule of thumb is that any work that builds a new structure or alters walls or roofs requires a building permit. Also, garages, sheds, fences, decks, and swimming pools require building permits. Sometimes, depending on the project site and characteristics, other permits might be needed. Your best course of action is to ask first—the Building Inspector can help you determine exactly which permits apply to you.

You probably need a building permit if you plan to . . .

- Change the footprint of your house and/or dig any foundation
- Move a wall
- Alter the roofline
- Create a new door or window opening
- Replace an electric stove with a natural-gas model
- Move a sink
- Install new electrical wiring

- Build a garage, barn, shed, or deck
- Install a fence or swimming pool

What if I want to construct a new home or new business?

New construction sometimes requires one or more permits, depending on the size, location, and proposed use of the structure. Your first step should be to consult the Building Inspector. The Building Inspector will discuss with you the property improvements you propose, and what the typical permit requirements are. The Building Inspector will inform you of other regulations, like environmental regulations, wetlands, etc. that might apply to your site. He will also guide you to the Zoning Bylaw, which specifies minimum lot area, setbacks for front, rear, and side yards, and permitted uses in specific districts.

How do I know what laws apply to my project?

Call the Building Inspector or Town Planner for help in determining the various laws and regulations that govern your project and your site.

What is Zoning?

All property in Great Barrington is classified into a zoning district. These districts are located on the official Zoning Map, which can be found in the Zoning Bylaw, on the town website, or on the [free online interactive maps](#). These districts define the uses that are allowed in that district by right or by special permit (see Section 3 of the Bylaw). Each district also has specific regulations for lot frontage, building height, and yard setbacks (see Section 4). Specific regulations for parking (see Section 6), various commercial uses (see Section 7), and residential uses (see Section 8) further guide development. There are also several “overlay” districts that stipulate additional development controls in some areas of town such as floodplains, downtown, and the Housatonic mills (see Section 9).

What is the difference between the Zoning Code and the Building Code?

Zoning regulations are established by the Town. Zoning determines the types of structures and uses that are allowed in each zoning district. No matter where your property is located in town, it is subject to some type of zoning.

The Building Code is established by the Commonwealth of Massachusetts and applies to all structures and buildings, no matter the use or location. The Building Code sets the minimum safety standards to protect the health and safety of the building occupants and neighbors.

What if my proposed structure or use is not allowed by the Zoning Bylaws?

Some uses are not allowed, and others are allowed only with a Special Permit. A Special Permit means that the use is not normally permitted, but the Town will consider allowing it if it meets certain criteria and is judged to be an overall benefit to the Town. Sections 10 and Section 3 of the Zoning Bylaw outline the process and the uses subject to Special Permits. In other cases, when a proposed structure cannot fit properly on a lot, a Variance may be required. Please contact the Building Inspector or Town Planner for more information.

COMMONLY REQUIRED BUILDING, ZONING, & ENVIRONMENTAL PERMITS		
Permit	When Required	Issuing Authority
<u>Building permit</u> This is the last permit you must get before starting construction. All other permits must be in place at this time. The Building Inspector conducts final zoning compliance and reviews building and construction plans for compliance with the Massachusetts Building Code and handicapped access standards.	New construction and alterations. If you are doing work that opens or alters walls in all probability you will be required to apply for a permit. Additionally, construction of sheds, fences, decks, pools all require permits.	Building Inspector
<u>Commercial Kitchen/New Food Establishment</u> Any major renovations or new construction of a commercial kitchen must be reviewed and approved by the Health Department.	An annual Food Establishment permit and preoperational inspection is required prior to opening.	Health Agent
<u>Common Driveway permit</u> If the new driveway will serve more than one dwelling unit (and no more than three units), it requires a permit from the Planning Board. The design is reviewed by the Highway Superintendent, Fire Chief, Conservation Commission, and Planning Board. A common driveway opening onto a State Highway also requires a permit from Massachusetts DOT.	Altering or opening a new shared driveway	Planning Board
<u>Demolition</u> For full demolitions a Board of Health permit is required. COC is issued when receipts of all proper hazardous material removals are submitted to the BOH. Pre-demo inspections may be required and baiting and trapping of rodents may be required.	Full demolitions and construction of any property.	Health Agent, Building Inspector
<u>Design Review</u> New construction, exterior changes, or substantial changes to buildings within the downtown B district and the Village Center Overlay District require design review. This is intended to ensure the design is in keeping with the character of its surroundings.	New construction, changes to exterior of a building within the downtown area	Design Advisory Committee
<u>Dig Safe</u> State laws require anyone who digs to notify utility companies before starting, and for good reason. Dig Safe is a free hotline assisting excavators, contractors and property owners by notifying the utilities before digging. NOTE: GB Sewer and Water must be contacted directly; they do not participate in Dig Safe calls.	Any excavation on public or private property. Excavation includes movement or removal of earth, rock or the materials in the ground, whether for foundations, utility lines, test borings, grading, or any other purpose.	<u>Call</u> 1-888-DIG-SAFE <u>and also call:</u> GB Water 528-0133 GB Sewer 528-0650 Housatonic Water 528-1780
<u>Driveway permit</u> Constructing a new or altering an existing driveway access to a Town road requires a permit from the Selectboard. The design is reviewed by the Highway Superintendent, Fire Chief, Conservation Commission, and Town Planner. Driveways on State Highways require permits from Massachusetts DOT.	Altering or opening a new driveway	Selectboard with advice of Town DPW
<u>Nonconforming Use or Structure</u> If the use of your property or the location and size of your structure does not conform to the Zoning bylaws, any change of use or alteration of the structure may require a special permit from the Zoning Board of Appeals.	Alteration of a nonconforming use or structure	Building Inspector, or Zoning Board of Appeals
<u>Scenic Mountains Act</u> A Notice of Intent (permit application to Conservation Commission) is required when clearing (including logging) and new development in any mapped Scenic Mountain Area.	Land clearing in designated areas. See Conservation Commission webpage	Conservation Agent
<u>Septic systems</u> New septic systems and repairs or replacement of old systems must be done per Mass. Title V regulations, administered by Board of Health to ensure that wastewater does not contribute pathogens or otherwise endanger surface and ground waters, drinking water supplies, wildlife habitat, and surface water.	New septic systems; repairs or replacement of existing septic systems.	Health Agent

COMMONLY REQUIRED BUILDING, ZONING, & ENVIRONMENTAL PERMITS		
Permit	When Required	Issuing Authority
<u>Sewer connection</u> Projects that connect to the Town's system to discharge household wastewater must obtain a permit from the Health Agent and a permit from the DPW, Wastewater Division. These permits ensure that new connections are done properly and increased volumes do not overwhelm the capacity of the system.	New connection to municipal sewer	Health Agent and Dept. of Public Works, Wastewater Division
<u>Sidewalk Cafes and Sidewalk Vendors</u> Any person or business wishing to utilize sidewalks for cafes / outdoor dining or for the placement of merchandise displays for sale must obtain a permit from the Selectboard.	Use of sidewalk for outdoor dining or merchandise displays.	Selectboard
<u>Sign</u> Signs for business and residential purposes are regulated by the Sign Bylaws, Chapter 146 of the Town Code. It is your responsibility to determine how much signage you are permitted, where it can be placed on the property, and so on.	Per the Sign Bylaws, for all commercial, and some residential signs.	Building Inspector
<u>Site Plan Review</u> Most non-residential projects require Site Plan Review by the Planning Board. Your plans will be reviewed for specifics of site and building layout, parking facilities, lighting, landscaping, etc.	Per Zoning Bylaw, depends on use and extent of the work	Planning Board
<u>Special Permit</u> Many uses identified in the zoning ordinance require the issuance of a Special Permit from the prior to the allowance of the use. The Town Planner or Building Inspector will assist you in filing the special permit application.	Per zoning bylaws, depending on use and zone	Selectboard, Planning Board, or Zoning Board of Appeals
<u>Street Closure</u> All requests for temporary or permanent street closures must be approved by the Police and Fire Dept., and approval from the Selectboard. This includes temporary closures for large construction equipment, demolitions, dumpsters, and events.	Any proposed temporary or permanent street or sidewalk closure or obstruction.	Police Department Fire Department Selectboard
<u>Swimming Pools</u> Swimming pools require building permits. Public and semi-public pools also require a permit from the Health Agent.	New swimming pools and renovations. Public and Semi-Public pools are subject to annual or pre-operational inspections and require an annual or seasonal license to operate.	Health Agent Building Inspector
<u>Trench Permit</u> Any new trench (a "trench" is any excavation which is narrow in relation to its length, is 3' or more deep, and deeper than wide)	Any new trench	Health Agent or Building Inspector or Fire Chief
<u>Water Connection</u> New connections or alterations to existing connects to public water supply is subject to the approval of the local water district.	New connections and alterations	GB Fire District Housatonic Water Works
<u>Well Drilling</u> New wells or repairs or replacement of existing wells are subject to Mass. DEP regulations. Well drillers must be certified by the Commonwealth. Also includes geothermal wells / heat pumps.	Any new well or repairs or replacement of an existing well	Health Agent
<u>Wetlands Protection and Rivers Protection</u> Work within 100 feet of a wetland or 200 feet of a river or stream is regulated by the Massachusetts Wetlands Protection Act administered by the Conservation Commission. Some projects are prohibited. Those that are allowed require a permit called an Order of Conditions or a finding of non-impact called a Determination of Applicability.	Development within 100 feet of a wetland Development within 200 feet of a river / stream Development within 500 feet of a public drinking water source	Conservation Commission

The Process

The flowcharts and diagrams that follow illustrate the application and review process for typical permits. These reviews and timelines are governed by local and state laws. Applicants are reminded that several permits may be required for a project. All applicants are encouraged to speak with Town staff before applying for permits. We can help you understand the required forms, the process, and the review criteria.

Call us! We're happy to help!