



TOWN OF LINCOLN

MASSACHUSETTS

PO BOX 6353, 16 LINCOLN ROAD, LINCOLN, MA 01773-6353

(781) 259-2600 / Fax (781) 259-1677

AUGUST 2009

LAND USE PERMITTING GUIDE

The following guide book is intended to provide residents and land developers with a document to help guide them through Lincoln's land use permitting process. Lincoln's zoning and land use regulations often require applicants to see multiple boards and commissions in order to get their project permitted. This guide identifies the boards and commissions that applicants need to see as well as providing explanation of the "typical" process for such boards and commissions.

This guide book is not intended to cover every situation that occurs, but rather to provide guidance on a majority of applications. If your project does not seem to fit the guidelines herein, applicants should consult Mark Whitehead, the Town Planner (781-259-2684) for guidance. Similarly, if the project appears to need to go to multiple boards or commissions, the applicant should consult with Mark, who can determine the permitting requirements and can advise on the best order of scheduling.

Individual boards, commissions, and departments may have their own application forms and guidelines that are not shown in this guide book. Applicants are urged to meet with staff for the relevant boards and commissions ahead of the filing deadlines to assure that all submission requirements have been met. Most application forms are located on the individual Board or Commission pages of the Town's website, www.lincolntown.org.

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PERMITTING OVERVIEW

BUILDING DEPARTMENT

259-2613; Town Offices, 2nd floor
Earl Midgley, Building Inspector
Elaine Carroll, Administrative Asst.
permits,
Russ Dixon, Plumbing Inspector
Robert Norton, Electrical Inspector

Office hours: Monday-Friday 8:00-4:30
Building Department issues Building Permits for all structures,
Certificate of Occupancy or compliance, Plumbing/ Gas
permits,
Electrical Permits and wood stove inspections.

BOARD OF HEALTH

259-2613; Town Offices, 2nd floor
Elaine Carroll, Administrative Asst.
Staff review provided by Concord/
Lincoln Health Division 141 Keyes
Road, Concord 978-318-3275

Meets the first Wednesday of every month or as needed
Office hours: Monday-Friday 8:00-4:30
Board of Health reviews plans and issues inspection
permits for septic systems; issues certificates of compliance;
issues permits for restaurants, swimming pools, camps, etc.

ZONING BOARD OF APPEALS

259-2610; Town Offices, 2nd floor,
Dorothy Blakeley, Administrative Asst

Meets Thursdays as posted.
Office hours: Monday-Thursday 9:00 – 2:00
Zoning Board of Appeals holds hearings to decide on appeals from the
decision of the Building Inspector, on relief from the strict
interpretation of the Zoning Bylaw, and to grant or continue special
permits as set forth in the Zoning Bylaw.

PLANNING BOARD

259-2610; Town Offices, 2nd floor
Mark Whitehead, Town Planner
Catherine Perry, Administrative Asst.

Meets the second and fourth Tuesday of every month at 7:30 pm.
Office hours: Monday – Friday 8:30-4:30
Planning Board is responsible for the subdivision of land
and for the recommendation of changes to the Zoning Bylaw and
Zoning Map. The Board also reviews commercial and residential site
plans as set forth in the Bylaw, and issues permits for signs and
approval for certain fences. The Planning Board is the special permit
granting authority for cluster developments, overlay zones, restaurants,
and wireless communications facilities. The Board provides written
recommendations to the Board of Appeals on accessory apartments and
specific uses in the residential and business zones.

CONSERVATION COMMISSION

259-2612; Town Offices, 2nd floor
Tom Gumbart, Conservation Director
Angela Kearney, Conservation Planner
Anna Wilkins, Land Manager
Jane Layton, Ranger

Meets the first and third Wednesday of every month at 7:30 pm.
Office hours: Monday-Friday 8:30-4:30; call for an appointment.
The Conservation Commission represents the Town's natural
resource interests in land use planning. This includes open
space acquisition, management of conservation land, and
enforcement of the MA Wetlands Protection Act and the local
Wetlands Protection Bylaw. Any project within 100 feet of wetlands
or 200 feet of perennial streams requires permission and oversight by
the Commission.

**HISTORIC DISTRICT COMMISSION
HISTORICAL COMMISSION**
259-2613; Town Offices, 2nd floor
Elaine Carroll, Administrative Asst.

Meets jointly the first Tuesday of the month as needed.
Office Hours: Monday-Friday 8:00-4:30
The Historic District Commission was established to protect and preserve historic buildings and places located in the four historic districts in town, and it holds hearings when changes are proposed for these properties. A map and list of homes within the district(s) are available from the Building Department. The Lincoln Historical Commission reviews applications for demolition on any properties in town outside of the historic districts (or any future neighborhood conservation districts). A list of houses currently included in the MHC's inventory of historically or architecturally significant building is available in the Building Department.

PUBLIC SAFETY (POLICE & FIRE)
259-8113; Public Safety Building,
169 Lincoln Road
Kevin Mooney, Police Chief
Art Cotoni, Fire Chief
Catherine Dubeshter, Administrative Asst.

Service hours: 24 hours, 7 days a week
The Fire Department is responsible for administration of the following safety regulations: installation or alteration of oil burning equipment; installation or alteration of propane equipment; removal of underground storage tank; smoke detector compliance; installation or alteration of fire alarm systems; installation and location of water hydrants.

WATER DEPARTMENT
259-8997
77 Sandy Pond Road – Office
80 Sandy Pond Road – Treatment Plant
Gregory Woods, Superintendent

Office hours: Monday-Friday 7:30-3:30
Responsible for water connection permits.
See Building Department for applications and payment.

BOARD OF SELECTMEN
259-2600; Town Offices, 1st floor
Timothy Higgins, Town Administrator
Anita Scheipers, Asst. Town Admin.
Debra Parkhurst, Admin. Assistant

Meets on Monday nights
Office Hours: Monday-Friday 8:30-4:30
The Board of Selectmen issue permits for new curb cuts, grants of location for utilities and common victuallers' licenses.

TOWN CLERK'S OFFICE
259-2607, Town Offices, 1st floor
Susan Brooks, Town Clerk

Office Hours: Monday-Friday 8:30 – 4:30
The Town Clerk serves as the chief election official, recording officer, registrar of vital statistics, and public information officer. The Town Clerk issues raffle permits, dog licenses, marriage licenses, fuel storage permits, burial permits, birth, death and marriage certificates.

**HIGHWAYS/ PUBLIC WORKS
DEPARTMENT**
259-8999, 30 Lewis Street
Chris Bibbo, Superintendent
Carol Withycombe, Admin. Assistant

Office Hours: Monday-Friday 7:30 – 3:30
The Highway Superintendent issues permits for trenches on all land except state land. Applications are available from the Highway Department or the Building Department.

QUESTIONS TO ASK YOURSELF FOR LAND USE PERMITTING

If you answer “yes” to any of the following questions, you may need a permit from the Board or Commission listed above the question.

Planning Board

1) Does the calculated gross floor area of my proposed project plus existing structure(s) exceed 4000 sqft or 8% of my lot area, whichever is greater?

Section 23 of the Zoning Bylaw defines calculated gross floor area. If your proposed project exceeds these numbers, you will need Site Plan review from the Planning Board under Zoning Bylaw Sections 6.0 and 17.7.

2) Does the calculated gross floor area of my proposed project plus existing structure(s) exceed 6500 sqft?

If your proposed project exceeds this number, you will need Site Plan review from the Planning Board under Zoning Bylaw Sections 6.0 and 17.7.

3) Am I proposing to tear down an existing structure or structures to reconstruct a residence or accessory structure?

Tearing down existing structures may create a vacant lot under the Zoning Bylaw Section 6.0, and if so your proposed project will require Site Plan review under Section 17.7.

4) Is my proposed project on a Scenic Road?

If your proposed project is on a Scenic Road and affects stonewalls or trees within the Right Of Way of the street, it will require ScenicRoad review from the Planning Board under Article XVII of the General Bylaws. This can be done concurrently with Site Plan review.

5) Is my proposed project a non-residential or multi-family development?

If your proposed project is a non-residential or multi-family development you will need Site Plan review under Section 17.1-17.6 of the Zoning Bylaw. Some projects of this nature require Special Permits, which can be done concurrently with Site Plan review.

Conservation Commission

1) Is my proposed work area within 100 feet of a wetland or within 200 feet of a perennial stream?

If your proposed work falls within these areas, you will be required to file an application with the Conservation Commission under Lincoln’s Wetlands Protection Bylaw (Article XVIII of the General Bylaws) and the Massachusetts Wetlands Protection Act.

Historical Commission/Historic District Commission

- 1) Is my proposed project in a Historic District?

If your project falls within a Historic District, you will be required to file an application with the Historic District Commission for most exterior alterations of a building or other man-made structures visible from a “public way” or for the demolition of a building or structure within the district.

- 2) Am I proposing to tear down 25 percent or more of an existing building or structure?

Outside of the Historic Districts, if you are proposing to tear down 25 percent or more (by total volume or total roof structure) of a building or structure anywhere in Lincoln, you will need to file an application for a demolition permit with the Historical Commission, which is the permit granting authority under the demolition delay bylaw Article XXI of the General Bylaws.

Board of Health

- 1) Is my existing septic system insufficient for the proposed number of rooms in my project under Title 5 Septic requirements?

If you are adding rooms or reconstructing your house, you need to check with the Board of Health agent in the Concord Health Department to determine the septic needs for your project. The Concord Health Dept is under contract to the Town of Lincoln to provide such services.

Zoning Board of Appeals

- 1) Is my lot non-conforming to current zoning requirements (such as 120 feet of frontage, 80,000 sqft of lot area, 250 feet from sideline to sideline through the principle structure)?

If your lot or structure is non-conforming to the current zoning requirements, you will be required to file an application for a special permit or variance for your project with the Zoning Board of Appeals.

- 2) Is my proposed project or existing structure within the current 50 foot setback requirement?

If your existing or proposed structure is non-conforming with the setback requirements, even though your lot is conforming, you will need to file an application for a special permit or variance for your project with the Zoning Board of Appeals.

Please check with the appropriate Boards or Commissions regarding your permitting needs. If you are not sure whether your project needs such review, please check with Mark Whitehead, Town Planner for advice on how to proceed. See the following guidance documents for typical permitting applications.

PLANNING BOARD

The Lincoln Planning Board is responsible for certain land use permitting under the Lincoln Zoning Bylaw and the Rules and Regulations Governing the Subdivision of Land and the Laying Out of Ways. No site alteration or site development work including, but not limited to, removal of vegetation, soil excavation or grading shall occur prior to Planning Board approval as required under the Zoning Bylaw. The Planning Board is responsible for the following permitting:

- Subdivision of Land: Approval Not Required divisions, and Subdivision of land into development lots.
- Site Plan Review: Development review of proposed structures on vacant or undeveloped lots, and proposed additions creating a total “calculated Gross Floor Area” exceeding 4000 sqft or 8% of the lot area and all cases exceeding 6500 sqft.
- Special Permits: Wireless Communication Facilities, Cluster Subdivisions, Restaurants, North Lincoln Overlay District, and South Lincoln Overlay District,
- Fence Plan Approval: Review of fences within 20 feet of a lot line which borders a public way, private way used by the public, path or trail open to the public or any publicly owned property where the fence exceeds 3 ½ feet in height. Fences of any height in these locations require a permit from the Building Inspector.
- Sign permits: All signs that are not described in Sections 16.2, 16.3 or 16.4 of the Zoning Bylaw.
- Scenic Roads: Review of any work on a Scenic Road that impacts stone walls or trees within the Right Of Way of the street.

Typical Process:

- Applicants meet with Town Planner to discuss project and requirements prior to submission of application materials.
- A preliminary meeting may be scheduled with the Board; in certain cases this is mandatory. It can provide guidance on bylaw constraints, application materials and process.
- Town Planner (through the Town Clerk’s office in the case of Special Permits) receives application materials and reviews for completeness prior to scheduling public hearing. Deadlines for complete application and materials are four weeks prior to hearing date. Legal ads need to be submitted to Lincoln Journal by the Planning Office almost four weeks in advance of hearing date to meet statutory and newspaper printing requirements.
- Public hearings are scheduled for first or third Tuesday of month (please check summer and holiday schedules). Application forms are available on the Planning Board page of the website.
- Public hearings are generally held in the Donaldson Room in the Town Offices.
- Typically a public hearing is completed in one or two meetings with decisions usually made at the end of the public hearing. Applicants and/or consultants are required to attend public hearings. The Planning Board may decide a site walk is needed and agree on a date for such site walk with the applicant.

- Draft written decisions are prepared for Planning Board review by the Town Planner and are typically signed at the next scheduled Planning Board meeting.
- With the exception of sign permits and fence plan approval, the signed decision is filed with the Town Clerk's Office the next business day, and a copy is sent to the applicant. The Town Clerk's Office is required to record and hold the decision for a 20 day appeal period. After the 20 day period the applicant picks up the original with the Town Clerk's certification that the 20 days have passed without appeal.
- The applicant takes the certified original to the South Middlesex Registry of Deeds for recording.
- Applicant applies for building permit. No building permit shall be issued without evidence that the decision has been recorded.
- Typical timeline from start of process to building permit issuance is three months. This process may take longer for complex or sensitive cases or if changes are needed to insure compliance with the Zoning Bylaw.

For more information: Mark Whitehead at 781-259-2684; whiteheadm@lincolntown.org
 Catherine Perry at 781-259-2610; perryc@lincolntown.org

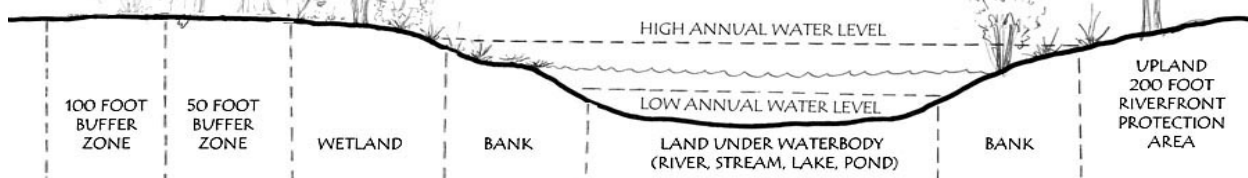
CONSERVATION COMMISSION

Activities that will remove, fill, dredge, or alter ponds, wetlands or buffer zone, are prohibited without first obtaining a permit from the Conservation Commission. Regulated activities include, but are not limited to:

- Building Construction
- Vegetation Removal
- Grading or Excavation
- Depositing Yard Waste
- Septic System Installation
- Discharging Stormwater

Regulated resource areas include wetlands and ponds, and their associated buffer zone, which extends 100' beyond these protected areas. In addition, riverfront is a regulated resource area that extends 200' out from perennial streams of any size.

The Town's bylaw provides greater protection than State law. The inner 50' of the wetland buffer zone is a no-disturb area. Isolated areas of flooding, including vernal pools, are protected and so are water bodies themselves. In addition, our Watershed Protection Bylaw protects activities within the Flint's Pond Watershed.



Following is a brief outline of the typical process, timeline for filing and brief descriptions of frequently used permit applications. Each project is unique and we welcome you to visit us in the Conservation Office to discuss the details of your project.

Typical process:

- Visit the Conservation Office to review maps & discuss the project.
- Determine with Conservation Staff if your project will occur within a resource area.
- Work with a professional to complete the required application.
- Contact the Conservation Office to arrange a site visit.
- Attend public hearing(s) to review your plan with the Conservation Commission.
- Receive approval/denial from Conservation Commission.
- Record Order of Conditions prior to commencement of work.
- Proceed with work, obeying Conditions of the permit.
- Upon completion of work, submit a Request for Certificate of Compliance.
- You are ultimately responsible for what happens on your property.

Typical timeline:

- Submit appropriate permit application to Conservation Office.
- Allow a minimum of 14 days for staff to publish required legal ad in the Lincoln Journal.
- Con Com will hold a public hearing within 21 days of receiving the application.
- Con Com will issue a decision within 21 days from the close of the public hearing.
- There is a 10 day appeal period from the date of issuance of the order for the applicant, abutter, or a ten person resident group. Documentation to demonstrate previous participation is required.

Frequently Used Permit Applications: (forms and instructions can be found on the Conservation page of the Town Website – www.lincolntown.org)

Request for Determination of Applicability (RDA): used for small projects typically located outside wetlands, where the applicant requests the Conservation Commission to determine if the Massachusetts Wetlands Protection Act or the Town Wetlands Protection Bylaw is applicable to the proposed work activity. This submission shall be made on the form (WPA Form 1) according to instructions required by State regulation 310 CMR 10.05 (3)(a)(b). A public meeting on requests under both Town and State regulations shall be held at the same time. The Conservation Commission will issue a positive or negative Determination of Applicability. A positive determination means the applicant must submit a Notice of Intent and a negative determination means the applicant may proceed with work following conditions placed by the Commission.

Notice of Intent (NOI): typically used to permit large projects such as house construction, major additions, or a new septic system that involve significant excavation and/or alteration of existing grades, soils and vegetation within a jurisdictional wetland area. The Notice shall be submitted on the form (WPA Form 3) according to instructions required by State regulation 310 CMR 10.05(4). A public hearing under both Town and State regulations shall be held at the same

time. The Conservation Commission will approve or deny the project through the issuance of an Order of Conditions (OOC) that regulates how the project shall be conducted in order to protect resource areas. The OOC must be recorded at the Registry of Deeds prior to commencement of work. A Certificate of Compliance (COC) is the document an applicant or property owner receives from the Conservation Commission once all the work permitted under an OOC has been satisfactorily completed. When the OOC specifies, the applicant must also submit an As-Built plan and an engineer's certification that the work was completed in compliance with the OOC.

Abbreviated Notice of Resource Area Delineation (ANRAD): allows an applicant to confirm the delineation of a Bordering Vegetated Wetland (BVW) or other wetland resource areas. This is helpful in understanding resource area boundaries for future site planning. Other applications may be more suitable for your specific project and can be found on the DEP website.

For more information: Tom Gumbart at 781-259-2612; gumbart@lincolntown.org
Angela Kearney at 781-259-2612; kearneya@lincolntown.org

HISTORIC DISTRICT COMMISSION **LINCOLN HISTORICAL COMMISSION**

Historic District Commission:

This Commission is responsible for administering the Historic Districts in the Town of Lincoln, which includes approvals for all exterior alterations to buildings and structures visible from a public way, and any demolitions within the district.

Lincoln Historical Commission:

This Commission is responsible for community-wide preservation issues and for proposing additional properties that could be added to the local Historic Districts or recommended to the National Register of Historic Places. This Commission also oversees the Demolition Delay Bylaw. The Demolition Delay Bylaw requires the Historical Commission to make a determination if any building in town (except for Historic Districts; buildings in the Historic District fall under the review of the Historic District Commission) is historically, architecturally or culturally significant. If the Commission makes such a finding, the proposed demolition can be delayed up to 12 months while the Commission and the applicants work out a preservation plan in which the applicant looks for ways to preserve the building either through new ownership or other plans. If the Commission finds the building is not historically significant, the applicant may proceed with the demolition provided all other applicable permits are received.

Typical process:

- Visit the Building Inspector's office to discuss project needs with Elaine Carroll
- Elaine and the Building Inspector receive application materials and review for

- completeness.
- Legal ads need to be submitted to the *Lincoln Journal* three weeks prior to the hearing date.
 - Hearings are held the first Tuesday of the month at 7:30 PM in the Building Dept office, unless otherwise posted.
 - Applicant and/or consultants are required to attend the hearings.

Historic District:

- The Historic District Commission reviews plans; if they are approved, it issues a Certificate of Appropriateness or other applicable certificate.
- The applicant must then receive a building permit or demolition permit from the Building Inspector prior to starting the project.

Demolition Delay:

- The Historical Commission initially determines whether the building is historically, architecturally or culturally significant or not significant.
- If significant, the applicant must provide plans and other materials for a second hearing, and the Commission determines whether the existing building or structure is “best preserved” (leading to a 12-month delay), or it reaches an agreement with the applicant.
- If deemed “not significant” or if the Commission does not determine that the existing building or structure is “best preserved,” the applicant must then receive a demolition permit from the Building Inspector prior to starting the project.

For more information: Elaine Carroll at 781-259-2613; carrolle@lincolntown.org

BOARD OF HEALTH

The Board of Health is responsible for a variety of issues related to water protection, solid and hazardous waste disposal, communicable diseases, and public health hazards in the environment. The Board is charged with overseeing the septic system program; enforcing the State Sanitary Code for food establishments; summer camps, swimming pools, beaches, private water wells, overseeing mosquito control programs; supporting mental health services for Lincoln residents through Eliot Community Human Services; organizing a flu vaccination clinic each autumn and works closely with the Town appointed dog officer.

The staff consists of a Health Administrator and Inspectors working out of the Board of Health in Concord through a contract arrangement and a three member Lincoln Board of Health and an Administrative Assistant in the Lincoln Town Offices to answer questions and direct calls to the appropriate personnel. All licensing and inspections are done through the Concord Office and all permanent records are kept in the Building Department files in the Lincoln Town Offices.

Typical Process:

- Septic Program
 - Homeowner hires a septic system Designer to coordinate project.
 - Soil tests are scheduled and witnessed by BoH Staff.
 - Designer submits engineered plans for review
 - Plans are approved or cited for technical deficiencies
 - Homeowner hires a septic system installer to construct the system.
 - Installer proceeds with work and coordinates required inspections.
 - As-built construction record is prepared by Designer when work is complete.
 - A Certificate of Compliance is issued when “As-Built” plan and required documents are submitted.
- Building Reviews
 - All additions/renovations must be reviewed prior to issuance of a building permit.
 - Floor plans must be submitted for review. Septic plans will be reviewed to determine if proposed construction will have any impact on the system.
 - Plan is approved unless system is found to be deficient. Further documentation may be requested to maintain compliance. The system may require an upgrade or replacement.

Hazardous Waste Facility - The Town is a member of the Hazardous Waste Facility located in Lexington, which has eight collection dates a year starting in April. All Lincoln residents must pre-register with the Lincoln Board of Health before attending one of these collection dates.

For more information: Elaine Carroll at 781-259-2614; carrolle@lincolntown.org
 Town of Concord Staff, 978-318-3275; ssosnicki@concordma.gov

ZONING BOARD OF APPEALS

The Lincoln Zoning Board of Appeals is responsible for certain land use permitting under the Zoning Bylaw. The Zoning Board issues decisions on special permits, variances and appeals of decisions by the Building Inspector. The Zoning Board is responsible for the following permits:

Special Permits:

- Construction or reconstruction involving change or alteration of non-conforming single-family residences or accessory structures, or of conforming or non-conforming structures on non-conforming lots. If an applicant wishes to tear down and replace a house in a non-conforming situation, the ZBA generally requires the applicant to “reconstruct” the house using a substantial part of the existing structure if possible.
- Change or substantial extension of non-conforming uses.
- Special permits to construct or maintain accessory apartments in residential districts zoned for single-family dwellings.
- Certain uses in the residential zones such as hospitals, town uses, country clubs, commercial greenhouses, commercial breeding of animals, private radio towers, museum and home-based businesses under certain conditions.

- Certain uses in the B-2 zone such as service stations, professional offices, craft workshops, rental equipment, barbershops, dry cleaning, light manufacturing and offices for general building, maintenance, landscaping, electrical and similar contractors.
- Other Special Permits, as provided in the Zoning By-Law.

Variances: Variances may be granted owing to circumstances relating to the soil conditions, shape, or topography of land or structures and especially affecting such land or structures but not generally affecting the zoning district in which they are located, where a literal enforcement of the provisions of the bylaw would involve substantial hardship.

Typical Process:

- Applicants meet with Town Planner to discuss project and requirements prior to submission of application materials.
- The Administrative Assistant to the Zoning Board receives application and all supporting materials and reviews applications for completeness prior to scheduling public hearings. Legal ads need to be submitted to Lincoln Journal by the Zoning Board office three weeks in advance of hearing date to meet statutory and newspaper printing requirements.
- Public hearings are always scheduled on Thursdays, usually once a month, and the meetings are held either in the Donaldson Room or in the Lower Level Conference Room in the Town Offices (please check with the Zoning Board's Administrative Assistant).
- Applicants and/or consultants are required to attend public hearings. The Zoning Board may decide a site walk is needed and agree on a date for such site walk with the applicant. In most cases, the Board requires only one or two meetings to reach a decision to approve or disapprove an application.
- Draft written decisions are prepared for Zoning Board review by a member of the Board. A vote to approve a draft special permit decision must be taken within 90 days of the public hearing and a vote to approve a draft variance decision must be taken within 75 days after the application, unless the applicant agrees to extend the time period.
- The signed decision is filed with Town Clerk's Office and a copy is sent to the applicant. The Town Clerk's Office is required to hold the decision for 20 day appeal period. After the 20 day period the applicant may obtain the original opinion, stamped with the Town Clerk's certification that the 20 days have passed without appeal.
- The applicant must then take the certified original to the South Middlesex Registry of Deeds for recording. No building permits shall be issued without evidence that the decision has been recorded.
- In uncomplicated cases, the timeline from start of process to building permit issuance is three to four months. This process may take longer for complex or sensitive cases or if changes are needed to insure compliance with the Zoning Bylaw.

For more information: contact Dorothy Blakeley at 781-259-2610 x141;
blakeleyd@lincolntown.org

TOWN CLERK'S OFFICE

The Town Clerk's Office is the chronicler of record for certain milestones events in the town's civic life (e.g. annual census, local, state and federal elections, etc.) and in the individual lives of its residents (i.e. vital statistics). It is responsible for issuance of Marriage and Dog Licenses, Business Certificates and Raffle Permits and also serves as the Town's Cemetery and Burial Agent.

In respect to the land use permitting agencies, the Town Clerk's principal responsibilities include:

- Validation and maintenance of a permanent index of the date and time of arrival of Special Permit applications to the Board of Appeals and the Planning Board.
- Certification of the authenticity and finality of both Board of Appeals and Planning Board decisions.
- Maintenance of a permanent index of Board of Appeals and Planning Board decisions.
- Maintenance of a library of rules currently in effect for the processing and content of applications to the Board of Appeals and the Planning Board.
- Service of process in any legal action to which the town is a party is made through the Town Clerk's Office.
- The Town Clerk's Office is responsible for the annual registration of Flammable Storage permit holders.

For more information contact Susan Brooks at 781-259-2607; brookss@lincolntown.org.

BUILDING DEPARTMENT

Mission Statement: The Building Department issues permits and schedules inspections for all building, plumbing, gas fitting, and wiring projects in the Town of Lincoln. The Building Department also upholds and enforces the Town's zoning by-laws, oversees custodial services for Town buildings, and is available to meet with citizens, architects, builders, realtors and others interested in building projects. The departmental files contain map and parcel folders for every property in the Town of Lincoln; these files are open to the public.

Hours: Monday through Friday, 8:00 a.m. to 4:30 p.m. (closed for lunch 12:30 –1:00). Building inspections are scheduled Monday through Friday. Plumbing/Gas and Wiring inspections are scheduled for Tuesday and Thursday mornings.

Location: Town Office, 16 Lincoln Road, 2nd Floor

Phone: 781-259-2613 **Fax:** 781-259-1677

E-mail: carrolle@lincolntown.org

Fee Schedules:

- Building Permits: Based on estimated cost of entire job, at \$10 per every \$1,000 of estimated cost, with a \$50 minimum fee. (cont.)
- Plumbing/Gas Permits: Based on estimated cost of job at 2%, with a \$30 minimum fee.
- Wiring Permits: Based on estimated cost of job at 4%, with a \$30 minimum fee.

Building Department:

Building Inspector and Zoning Enforcement Officer: Earl D. Midgley

Wiring Inspector: Robert Norton

Plumbing Inspector: Russell Dixon

Administrative Assistant: Elaine Carroll

BUILDING PERMITS

ALL APPLICATIONS FOR BUILDING PERMITS MUST BE ACCOMPANIED BY A WORKERS' COMPENSATION INSURANCE AFFIDAVIT, CERTIFICATE OF INSURANCE AND THE FEE.

All applications for permits for new construction or large additions must also be accompanied by two stamped architect's plans, energy audit and an extra copy for the Fire Department showing the fire alarm system. The Building Inspector has 30 days in which to issue the permit. If necessary, before a permit can be issued, all sign offs by the Zoning Board of Appeals, Planning Board and Conservation Commission must be obtained, including Registry of Deeds stamps.

- **Wiring Permits:** All applications must be accompanied by the permit fee and a Certificate of Insurance. Permits can be issued immediately.
- **Plumbing and Gas Permits:** All applications must be accompanied by the permit fee and a Certificate of Insurance. Permits can be issued immediately.
- **Fence Permits:** Any fence to be erected within 20 feet of a lot line bordering a public way, private way, or path or trail open to the public requires a fence permit. If the fence exceeds three and one-half feet tall, it also requires fence plan approval from the Planning Board before a permit can be issued.
- **Tent Permits:** All temporary tent permits must be accompanied by a Certificate of Flame Resistance.
- **Wood Stove Permits:** All permits must be accompanied by the permit fee and can be issued immediately. Upon installation, the Fire Department will make an inspection and notify the Building Department of the status so that a Certificate of Approval can be issued.
- **Sign Permits:** Most types of sign require a sign permit from the Planning Board before a Building Department permit can be issued.
- **Roofing Permits:** All permits must be accompanied by the permit fee and can be issued immediately.

WATER DEPARTMENT

77 Sandy Pond Road

The Application for Water Connection Permit:

- No person shall attach any pipe or other appurtenance to a Town of Lincoln water main before a permit for such work has been issued by the Water Commissioners.
- No fewer than two copies of design construction documents prepared by a design professional shall accompany the application for permit. These documents shall be drawn to scale with sufficient clarity and detail to demonstrate compliance with the requirements of the Lincoln Water Department's regulations.
- The Commission may reduce or waive the requirements for design construction documents where the work involved is minor.
- Each application for a permit shall be presented at a Water Commissioners' meeting (usually the 2nd Tuesday of the month) on a form furnished for the purpose. The form may be picked up at 77 Sandy Pond Road pump station Monday – Friday, 7:30 AM – 3:30 PM.
- At the Water Commissioners' meeting only a verbal approval will be given. After the connection fee is paid at the Building Department, bring the receipt back to the Water Department for written approval. The Permit is not considered approved until the written approval is given. No work can be performed prior to receiving written permission.
- It is to the applicant's advantage to contact Water Department personnel for fees and comments prior to the Water Commissioners' meeting.

Design Standards. Design and construction standards for Water connections to Town Water Department System shall comply with all the Water Department's rules and regulations and any special conditions as required by the Water Commissioners.

Service Line Connections. The water main shall be tapped and the water service line installed from the main to the water service valve only by the Town of Lincoln or an authorized contractor approved by the Water Commissioners. The cost of the work is to be borne by the permittee.

Extensions or Additions to the Water Main. Only a contractor approved by the Water Commissioners will do extensions or additions to the water main. The cost of the work is to be borne by the permittee.

Work Commencing before Permit Issuance. Any person who commences any work on a connection to the Lincoln water system before obtaining the necessary permit as described herein, shall be subject to penalty and/or if in the opinion of the Water Commissioners, such unpermitted work constitutes or may constitute a hazard to the water supply, additional action may be taken against that person, including but not limited to disconnection to the extension or addition, and legal action.

Coordination with other Authorities. The permit issued by the Water Commissioners shall only indicate compliance with these regulations. It does not indicate compliance with the permitting or other approval processes of another authority having jurisdiction over the work, such as zoning or subdivision regulation. It shall be the responsibility of the permittee to insure that all required permits and approvals are obtained.

For more information contact Greg Woods at 781-259-8997; woodsg@lincolntown.org

HIGHWAYS/ PUBLIC WORKS DEPARTMENT

30 Lewis Street

Mission and General Responsibilities

The mission of the Department is to maintain, preserve and protect the infrastructure and resources of the Town. Its responsibilities include construction and maintenance of streets and storm drains, snow and ice control, environmental compliance, recycling coordination, operation of the Transfer Station, traffic and parking control, cemetery maintenance, park and recreation maintenance, and roadside path maintenance and construction.

The Department may be consulted on projects affecting town roads including land in the right of way.

Trench Permits

The Superintendent has responsibility for issuing permits for trenches on all land except for land controlled by the state. Under MGL ch. 82A s.1, permits are required for trenches that are more than three feet deep and less than fifteen feet wide at the bottom, with a width less than or equal to the depth. The permit fee is \$25.

The permit requirements are designed to protect public safety and include measures to prevent access to unattended trenches. Further information is set out in the Town of Lincoln's Trench Permit Regulations, obtainable from the Department's office at Lewis Street.

PUBLIC SAFETY DEPARTMENT

169 Lincoln Road (at intersection with Codman Road)

Postal address: PO Box 19, Lincoln MA 01773

Mission and general responsibilities

The Department of Public Safety includes the Fire Department and Police Department supported by E-911/ Dispatch. The Department of Public Safety is continually striving to enhance the quality of life in Lincoln by working to create a safe and secure community environment.

Fire safety permitting

The Fire Department is responsible for permitting and inspection of various matters relating to fire safety as listed in the overview on page 4.

BOARD OF SELECTMEN

Grant of Location for utilities

The Board of Selectmen is the permit granting authority for location of electricity or telecommunications lines in a public way, as required by Massachusetts General Laws Ch.166, Sec 22. A public hearing is conducted and abutters are notified.

Public Way Access Permits (Curb Cuts)

The Board of Selectmen is the local authority for review of new, modified, or expanded curb cuts on to a public way that has *not* been previously reviewed as part of a site plan or scenic road review. A copy of the Bylaw is available in the Office of the Selectmen or can be found on the town's website at www.lincolntown.org as Article XI of the General Bylaws. Application forms can be obtained from the Selectmen's office.