

Preliminary Research & Contacts

Before spending a large amount of time and money developing a project proposal, you should first contact the Building Inspector. The Building Inspector will be able to tell you if your project meets the Town's regulations, what permits are needed, and approximately how long the process will take. The feasibility of your project is largely based upon the Town of Orange Zoning Bylaw, The Town of Orange Sewer Bylaw, the Town of Orange Water Department Regulations, the Massachusetts Wetlands Protection Act, the Rivers Protection Act and the Massachusetts Endangered Species Act. Therefore, it is recommended that you review these documents.

Overview of Development Permits

There are five major categories of development permits:

1. **Zoning:** the Town of Orange Zoning Bylaw is located at Chapter 205 of the code of the Town of Orange. The Priority Development sites are all located within the CARD zoning district in the Town of Orange Zoning Bylaw. This use schedule for the CARD district indicates where particular uses are allowed by right, which are not allowed and which development uses will require a special permit, site plan approval, and/or compliance with performance standards.
2. **Sewer Connections:** The Town of Orange Sewer Regulations are located at Chapter 164 of the code of the Town of Orange. An application form for a sewer connection must be submitted for the development. There must be sufficient surplus in the "sewer use bank" for the development. Check with the Sewer Department. Under the Sewer Regulations, any roof drains must be disconnected.
3. **Water Connections:** The Town of Orange Water Regulations are located at Chapter 364 of the Code of the Town of Orange. An application form for connection to the water system must be submitted for the development to the Water Department. Water connections cannot be made between November 15 and April 1.
4. **Road Opening Permit:** The Town of Orange Road Opening Permit Regulations are located at Chapter 343 of the Code of the Town of Orange. An application form for a road opening must be submitted for the development to the Board of Selectmen.
5. **Wetlands; Rivers Act and Natural Heritage & Endangered Species Act:** Two of the three Priority Development Sites in the Town of Orange abut the Millers River and all three sites are within the Natural Heritage & Endangered Species Program Area. Applications to the Town of Orange Conservation Commission and to Natural Heritage must be submitted for the development.

The Code of the Town of Orange may be found on the Town of Orange website at www.townoforange.org, then go to FYI on the homepage, then click on Town Bylaws.

Zoning:

All the Priority Development Sites are located within the CARD Zoning District in the Town of Orange Zoning Bylaw. The Use Schedule is located at Section 2230 of the Town of Orange Zoning Bylaw. Careful review of this use schedule is necessary to determine permitting requirements for the priority development project. Uses within the schedule are either allowed by right, not allowed or require additional permitting. The additional permitting required may be a special permit and/or site plan review. The Special Permitting and Site Plan Review procedural requirements and criteria are located in the Zoning Bylaw (Chapter 205 of the Code of the Town of Orange) in Sections 5300 and 5400. Other uses may require compliance with the Performance Standards found in the Zoning Bylaw at Section 4600.

Subdivision Approval: If the project proposal involves dividing land into lots or parcels (either residential or commercial) and requires the construction of new street, subdivision approval must be obtained from the Planning Board. If the project does not require new streets, then an endorsement from the Planning Board on an "Approval-Note-Required" (ANR) plan is required. The Subdivision Rules and Regulations may be found in the Code of the Town of Orange at Chapter 210.

Sewer Connections: In order to connect any newly construction or renovated project to the sewer collection system in the Town of Orange, the project will require a sewer connection permit. The full text of the Sewer Regulations may be found in the code of the Town of Orange, Chapter 164. The capacity of the sewer use bank in the Town of Orange must be sufficient for any new connections. Furthermore, any roof drains on older buildings must be disconnected per a DEP Consent Decree. More information may be obtained from the Sewer Department.

Water Connections: In order to connect any newly constructed or renovated project to the water distribution system in the Town of Orange, the project will require a water line connection permit. The full text of the Water Department Regulations may be found in the Code of the Town of Orange, Chapter 364. The current regulations do not allow for water line hook ups between November 15 and April 1. More information may be obtained from the Water Department.

Road Opening Permit: In order to open any town way and work upon same, any newly constructed or renovated project will require a road opening permit for a town way. The full text of the Road Opening Permit regulations can be found in the Code of the Town of Orange, Chapter 343. An application for a road opening should be submitted to the Board of Selectmen.

Board of Health: This agency enforces the state and local health and environmental codes. Permits and certificates issued include those for restaurants, food retailers, other certain retail establishments, swimming pools etc. Board of Health regulations can be found in Part IV of the Code of the Town of Orange.

State and Federal Permit: Depending on the nature of the proposed project, permits from the State or Federal government may be required. Five of the most common are:

- Curb-cut permit from the Massachusetts Highway Department for work affecting a state highway;
- Permit from the U.S. Army Corps of Engineers for work affecting certain wetlands and waterways;
- Certificate of Compliance from the Massachusetts Executive Office of Environmental Affairs for filings under the Massachusetts Environmental Policy Act;

- Storm water (General Construction) permit from the Environmental Protection Agency for work disturbing an acre or more of land, and
- An application for Review must be filed with the Natural Heritage Endangered Species Program for all projects or activities within priority habitat of rare species.

Building Permit: Before starting any construction and after obtaining all necessary permit, the Inspector of Buildings will issue a building permit. Final reviews of zoning, building and construction and handicapped access for local and state compliance are conducted.