



Town of Clinton | August 2022



Opening Your Business in Clinton

A HOW-TO-GUIDE



WELCOME TO CLINTON

Congratulations! As you stand ready to begin your new enterprise, the Town of Clinton offers this simple-to-use Guidebook to help you navigate the local permitting and licensing that comes with starting a new business. In it, you will find descriptions of common processes, helpful hints, and contact information for people and organizations who are here to assist you. Online users can access relevant forms, documents, web pages and contact information by clicking on hyperlinks!

We hope that you will find your place here in Clinton, our wonderful community. Please take the time to learn about our town. Walk around the area where you are thinking of placing your business. Talk with people, and don't hesitate to contact the individuals listed in this Guide for advice or assistance. We believe your success may enrich the entire community.

| | |
|---|---|
| <p>CONTACT INFORMATION Clinton Town Hall, 242 Church Street, Clinton, MA 01510 Monday through Friday, 8am to 4pm</p> | |
| <p>Community & Economic Development Office Phil Duffy, Director 978-365-4113 clintonma.gov/189/Community-Economic-Development</p> | |
| <p>Building Department James Salmon, Building Inspector 978-365-4128 clintonma.gov/179/Building-Department</p> | <p>Planning Board Ryan Rouillard, Permitting Clerk 978-365-4127 clintonma.gov/212/Planning-Board</p> |
| <p>Board of Health Alice Dzciczek, Office Administrator 978-365-4116 clintonma.gov/176/Public-Health-Department</p> | <p>Board of Selectmen Joyce Corbosiero, Executive Assistant 978-365-4120 clintonma.gov/205/Board-of-Selectmen</p> |
| <p>Clerk's Office Holly Sargent, Town Clerk 978-365-4119 clintonma.gov/181/Clerks-Office</p> | <p>Zoning Board of Appeals Ryan Rouillard, Permitting Clerk 978-365-4127 clintonma.gov/215/Zoning-Board-of-Appeals</p> |



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ARE YOU OPENING A PERSONAL SERVICE BUSINESS?

If you are opening a **Personal Service Business**, you will need the following:

- ✓ A **Business Certificate** from the office of the **Town Clerk**.

Additionally, you may need to investigate different permits, licenses, and approval processes:

- *What type of personal service is your business providing?*
Check with **Community & Economic Development** if you need state or local licensing.
- *Are you doing any interior remodeling of your new space?*
If so, check with the **Building Department** about obtaining a **Building Permit**.
- *Will you be putting up a sign?*
If so, you will need a **Sign Permit** from the **Building Department**.*
- *Are you opening in an area zoned Business-Retail or Commercial?*
- *Is your structure under 1,000 square feet?*
- *Are you keeping the current parking capacity?*

You likely do not need a **Special Permit** or **Site Plan Review**.*

*You will not need a Sign Permit if it is unlit and less than one square foot.

*For more information about what requires a Special Permit or Site Plan Review, see pages 10-11.



ARE YOU OPENING A RETAIL BUSINESS?

If you are opening a **Retail Business**, you will need the following:

- ✓ A **Business Certificate** from the office of the **Town Clerk**.

Additionally, you may need to investigate different permits, licenses, and approval processes:

- *Are you doing any interior remodeling of your new space?*

If so, check with the **Building Department** about obtaining a **Building Permit**.

- *Do you plan on selling tobacco products?*

If so, check with the **Public Health Department** about obtaining a **Retail Sales Tobacco Permit**.

- *Will you be selling alcohol?*

If so, check with the **Board Of Selectmen** about obtaining a **Liquor License** as it relates to retail sales.

- *Will you be putting up a sign?*

If so, you will need a **Sign Permit** from the **Building Department**.

- *Are you opening in an area zoned Business-Retail or Commercial?*

- *Is your structure under 1,000 square feet?*

- *Are you keeping the current parking capacity?*

You likely do not need a **Special Permit** or **Site Plan Review**.



ARE YOU OPENING A RESTAURANT?

If you are opening a Restaurant, you will need the following:

- ✓ A **Business Certificate** from the office of the **Town Clerk**.
- ✓ A **Common Victualler License** from the **Board Of Selectmen**.
- ✓ A **Food Establishment Permit** from the **Public Health Department**.

Additionally, you may need to investigate different permits, licenses, and approval processes:

- *Are you doing any interior remodeling of your new space?*
If so, check with the **Building Department** about obtaining a **Building, Electrical, Gas,** or **Plumbing Permit**.
- *Will you be serving alcohol?*
If so, you will need a **Liquor License** from the **Board Of Selectman**.
- *Will you be putting up a sign?*
If so, you will need a **Sign Permit** from the **Building Department**.
- *Will you have an increased need for parking?*
If so, you may* need to get **Site Plan Approval** from the **Planning Board**.

*In areas zoned for Business-Retail, you may not be required to expand parking capacity for your restaurant.



HOW TO OBTAIN...A BUSINESS CERTIFICATE

Anyone interested in opening a business in Clinton will need to file a **Business Certificate** with the **Town Clerk**, as per Massachusetts General Law, Chapter 110, Section 5.

The Town Clerk can help with the application, which can be obtained through their office. There is a registration fee of \$30. Your bank will most likely require a certified copy of your Business Certificate in order to open a business account.

The following situations require an application for a **Business Certificate**.*

- ✓ Any person or business doing business in Clinton under a name different than their own name must file a "DBA" (Doing Business As) Certificate with the Town Clerk.
- ✓ If your business is incorporated but you are doing business under a different name, you must register.

You must register in person at the Office of the Town Clerk or receive the form from the Town Clerk by email and have a Notary Public witness your signature.

Other things you will need:

- ✓ **Federal Tax or Employer Identification Number (EIN)**
(www.irs.gov)
- ✓ **Massachusetts Sales Tax Vendor number**
(www.dor.state.ma.us)

*If you are operating a business under your own full name (e.g. John Smith Hardware Store), you are not required to register.



HOW TO OBTAIN FOOD AND LIQUOR LICENSING

If your business includes preparing or serving food, you will need two kinds of permits:

- ✓ A **Common Victualler License** from the **Board of Selectmen**
- ✓ A **Food Establishment Permit** from the **Board of Health**

A **Common Victualler License** is governed by Massachusetts General Law, Chapter 140. Every food service establishment engaging in the business of preparing and/or providing food for seated patrons, on the premises, from a permanent structure, and subject to Town approvals and inspections, must obtain a Common Victualler (CV) License issued by the Board of Selectmen.

A **Food Establishment Permit** is applicable to restaurants, caterers, those who prepare food for sale in a home environment, mobile food vendors, and those who sell food as part of a retail store. Applications should be filed at least one month in advance of opening your business.

The Food Establishment Permit is a more stringent process, as inspections are performed by certified Health Agents of the premises. Other departments are also likely to conduct inspections of establishments that prepare and/or serve food products in accordance with regulations surrounding food service.

If your business would like to serve alcohol, you will need a **Liquor License** from the **Board of Selectmen**. Please note, liquor licenses are privately-held assets that are reviewed and approved by the Town and by the Commonwealth's Alcoholic Beverage Control Commission (ABCC). Normally, a liquor license must be purchased from an existing license-holder.

Specific kinds of licenses range from all types, wine and malt, package store, etc. A new license will require a hearing with the Board of Selectmen. Check with their office and the Board of Health for requirements for insurance related to a Liquor License, as well as to determine the needs of your business.



LICENSING BY DEPARTMENT

Whether you are making home improvements or opening a business, you may need additional licenses from the Town of Clinton. In most cases, you can apply for these types of licenses at the same time you are working through other approval processes.

| DOCUMENT, FORM, LICENSE, OR PERMIT | BOARD, COMMISSION, OR DEPARTMENT |
|---|---|
| Abbreviated Notice of Resource Area Delineation | Conservation Commission |
| Auto Body/Repair Shops | Board of Selectmen |
| Body Art | Board of Health |
| Building Permit | Building Department |
| Business Certificate | Town Clerk |
| Class I, II, III (Car Dealers) Licenses | Board of Selectmen |
| Common Victualler | Board of Selectmen |
| Wetlands Compliance / Order of Conditions | Conservation Commission |
| Determination of Applicability | Conservation Commission |
| Disposal Works Installer | Board of Health |
| Electrical Permit | Electrical Inspector |
| Food Establishment | Board of Health |
| Gas Permit | Board of Health |
| Gravel Removal | Board of Selectmen |
| Liquor Licensing | Board of Selectmen |
| Livery License | Board of Selectmen |
| Mechanical Sheet Metal | Building Department |
| Notice of Intent | Conservation Commission |
| Order of Operations | Conservation Commission |
| Plumbing | Board of Health |
| Pump & Transport Septage | Board of Health |
| Retail Sales Tobacco | Board of Health |
| Storage Tank | Town Clerk |
| Subsurface Sewage | Board of Health |
| Transport Rubbish & Grease | Board of Health |
| Trench | Building Department |
| Use & Occupancy | Building Department |

BUILDING PERMITS

If you are **moving into or building a new space, remodeling** your current space, or **adding additional space** to the footprint of your building, you will need a **Building Permit**. The first step should include a discussion with the **Building Department** in order to determine the kind of application process you will need to use.

A **pre-application** meeting can save you time and money later in the process. Make sure you abide by the following checklist:

- ✓ **Completed Permit Application Form**
- ✓ **Copy of Signed Worker's Compensation Affidavit**
- ✓ **Copy of Construction Supervisor License and Contractor Registration***
- ✓ **Set of Plans**
- ✓ **Construction Documents**
- ✓ **Required Signatures (as applicable)**

After you submit a full application, the Building Department will review it and come to a decision. If your application is approved, you will receive your permit. If it is rejected, you may revise your application and resubmit it.

After you receive your Building Permit, it will take inspections and likely other types of permits before you receive your **Certification of Compliance/Use Occupancy**.



*In lieu of this, a signed exemption form for a business owner/homeowner pulling their own permit will be required.

SITE PLAN REVIEW

Your project will require **Site Plan Review** from the **Planning Board** if you are doing any of the following:

- ✓ Construction, expansion, or change of use in a structure involving more than 1,000 square feet.
- ✓ Construction or expansion of six or more parking spaces for a structure or purpose (other than in the Business Retail District).
- ✓ Grading/clearing more than ten percent (10%) of a lot (with few exceptions).
- ✓ New construction that will generate more than 150 daily vehicle trips.

Site Plan Review is the process for review of your project's compliance with certain criteria of the Town's Zoning By-law. These include parking, loading, exterior lighting and landscaping (if required), signage, and other considerations. The Planning Board may waive any of the technical requirements of Site Plan Review if the project involves relatively simple development plans. If you request to do so in writing and the Planning Board accepts, your project may qualify for a **Minor Site Plan**.*

Regulations surrounding Site Plan Review can be found in Section 9400 of the Town of Clinton Zoning By-law*, and the **Planning Board provides an application** that lists the materials needed to submit a full application.

It is frequently helpful to schedule an **Informal Meeting** with the Planning Board, prior to filing your formal application. The Board's informal input is often extremely valuable.

Fees associated with the Site Plan Review include the following:

- ✓ **Site Plan Application Fee:** \$150
- ✓ **Site Plan Application Fee (Change of Use):** \$100

Below is an example of the Site Plan Review process.



*Exact submittal requests are determined in a pre-application scoping session with the Planning Board.

*Clinton Zoning By-law Section 9400 (Site Plan Review):
<https://www.clintonma.gov/DocumentCenter/View/1595/Zoning-By-Law-PDF>

SPECIAL PERMIT

In addition to a Site Plan Review, certain business uses, or accessory uses such as a drive-thru window, may require a **Special Permit**. The Special Permit process provides for a more comprehensive review of a proposed use or development by the Town. During Special Permit review, a Special Permit Granting Authority (most often either the Planning Board or Zoning Board or Appeals), will review your proposal with reference to the standards established in the by-law for use, parking, loading, traffic flow, signage, hours of operation, landscaping, and other considerations. The SPGA has the authority to approve, modify, deny, or grant waivers for strict compliance with certain provisions of the Zoning by-law. A full list of business uses that may require a Special Permit is listed in Section 3000.C of the Zoning By-Law.

The required procedures and [timelines](#) for the Special Permit process are established by Massachusetts law. Special Permit applications are reviewed during a Public Hearing, which follows upon your formal submittal of an application and notification of abutters

A Pre-Application consultations with the Special Permit Granting Authority (SPGA) or one of its representatives is strongly encouraged. This is typically done in an “informal” meeting with a Board at its regular meeting. Contact the Permitting Clerk, listed in the front of this Guidebook, for more information.

After the close of your Special Permit hearing, the SPGA will issue a decision. This decision will be recorded with the Town Clerk and conveyed to the Building Inspector.



*Exact submittal requests are determined in a pre-application scoping session with the SPGA.

*Clinton Zoning By-law Section 9300 (Special Permits):
<https://www.clintonma.gov/DocumentCenter/View/1595/Zoning-By-Law-PDF>

VARIANCES

A **variance** allows an applicant to wave certain zoning requirements, usually dimensional standards related to parking, curb cuts, setbacks, height, number of units, etc. They are allowed by the **Board of Appeals** in instances where stricter enforcement of Clinton's Zoning Bylaws would create undue hardship, as it is defined in Massachusetts statute.

Since zoning bylaws are created to help shape neighborhood aesthetic and keep control over the nature and purpose of development at the local level, variances are not guaranteed, and the Board of Appeals grants them only with good cause.

The [process](#) of obtaining a variance is as follows:

- A Pre-Application consultations with the Board of Appeals or one of its representatives is encouraged to ensure a smoother process.
- After an initial application, a public hearing must be scheduled within 65 days. The Board of Appeals is responsible for advertising said meeting along with abutters who may be impacted by a given project.
- The Board of Appeals is required to provide a decision within 100 days of the date of the public hearing.
- The decision of the Board of Appeals is filed with the Town Clerk, and a copy is sent to the Planning Board for the purposes of record keeping.



HELPFUL HINTS TO START YOUR BUSINESS

Conduct Market Research

Determine the demand for what you want to sell, the economic indicators in your area (can people afford your product, how many would want it and where do they live, etc.), how saturated the market is with like products and businesses, and how much will people pay for it.

Write Your Business Plan

Traditionally, a Business Plan will include an executive summary, a description of your company or business, your market research, organization/management, a description of your product, your marketing and sales plan, funding requests, and financial projections.

Many organizations have examples of Business Plan templates: the US Small Business Administration offers both traditional and lean plan templates. You can also find contact information for organizations that assist new businesses in the Resources portion of this guide.

Financing Your Business

Whether it be through friends and personal savings, traditional avenues like banking and credit institutions, or more novel avenues like nonprofits and crowdsourcing, you need to make sure that you have adequate financing to start your business.

For more information on institutions and groups that may offer you financing, check the Resources portion of this guide.

Pick a Location for Your Business

You've now moved on from the important foundational work needed to start any business, and you're ready to look for a site in Clinton. Maybe you can run your business from home, in which case you will only need to obtain a Business Certificate. Information on how to obtain one can be found in Clinton's Permitting Guide.

If you require a separate location, you'll want to think about if the location is convenient to your prospective customers, if its allowed based on town zoning, and if it requires physical improvements.

We recommend setting up a meeting with the Town's Community and Economic Development Office, which can point you to area resources for business planning, financing, and finding your location. Additionally, familiarizing yourself with Town Hall will help you further in the process, as you may require certain licenses or permits for your business or location.

RESOURCES FOR YOUR BUSINESS

Once your business is up and running, or when your business is getting close to your grand opening, the following resources could be of assistance to you:

Clinton Community & Economic Development Office

This office is dedicated to helping you get your business up and running and off to a good start in the Town of Clinton. Feel free to reach out to them whenever you have a pressing concern, question, or issue.

Clinton Area Chamber of Commerce

The recently re-established Clinton Chamber of Commerce is a nonprofit business advocacy, community and economic development association committed to the support of its members' growth and success and the development of a positive economic climate.

Center for Women & Enterprise

The Center for Women & Enterprise is a nationally known nonprofit organization dedicated to helping people start and grow their businesses. CWE has worked with more than 37,300 Massachusetts, Rhode Island, New Hampshire and Vermont entrepreneurs since 1995.

Commonwealth of Massachusetts

The website for the Commonwealth of Massachusetts has valuable information for businesses, particularly related to the reopening efforts lead by the state.

Discover Clinton

Discover Clinton's goal is to increase economic growth by promoting the great dining, shopping, arts, culture, and recreation in Clinton. Their focus is to highlight local businesses to residents and visitors, create events that bring people into business establishments, and build a strong community base that continues to support residents year after year.

Massachusetts Office of Business Development

The Massachusetts Office of Business Development (MOBD) helps businesses relocating to Massachusetts and businesses wishing to begin or expand operations here with assistance for obtaining funding through various programs, as well as microlending and community development.

Massachusetts Small Business Development Center Network

The Massachusetts Small Business Development Center Network (MSBDC) provides free and confidential one-to-one business advice to prospective and existing small businesses focusing on, business growth and strategies, financing and loan assistance as well as strategic, marketing and operational analysis. In addition, low-cost educational training programs are offered across the state targeted to the needs of small business. Central MA offices are in Worcester.

(continued on the following page)

RESOURCES FOR YOUR BUSINESS *(continued)*

Nashoba Valley Chamber of Commerce

The Nashoba Valley Chamber of Commerce is a nonprofit business advocacy, community and economic development association committed to the support of its members' growth and success and the development of a positive economic climate.

NewVue Communities Small Business Counseling

Over the past six years, NewVue Communities has worked with over 600 small businesses to help them grow. Those small business owners have created or preserve over 1,200 jobs and secured 88 loans totaling \$6 million. The organization work with all types of small businesses, from farms and grocery stores to artists and accounting firms. Their small business program focuses mainly on micro-enterprises (businesses with 5 or fewer employees).

North Central Massachusetts Development Corporation

The North Central Massachusetts Development Corporation (NCMDC) is a non-profit corporation with the mission of creating jobs and improving the economy of North Central Massachusetts. The NCMDC is the lead economic development organization for the region and acts as a connector, facilitator and partner. The NCMDC is staffed by experienced professionals with extensive backgrounds in economic development; banking and finance; and government affairs.

North Central Massachusetts Chamber of Commerce

The North Central Massachusetts Chamber of Commerce is a business advocacy, economic development organization working to create and sustain relationships among businesses and between businesses and the community. Everything the North Central Massachusetts Chamber of Commerce does is to create an environment where businesses can grow and be successful. A thriving business community means a thriving economy, and a thriving economy means a thriving community.

US Small Business Administration

Created in 1953, the US Small Business Administration (SBA) continues to help small business owners and entrepreneurs pursue the American dream. The SBA is the only cabinet-level federal agency fully dedicated to small business and provides counseling, capital, and contracting expertise as the nation's only go-to resource and voice for small businesses.