



DEDHAM
BUSINESS
GUIDE

DEDHAM BUSINESS GUIDE

GETTING STARTED

The Town of Dedham has [created a printed Guide for Doing Business in Dedham](#) that can be distributed to small businesses to help them navigate the municipal process – including permitting, licensing and zoning – in an easy-to-read format.

[The target audience for this Guide is Dedham's small business community](#), which is the heart of the Square and neighborhood business districts. Unlike major chains, malls and lifestyle centers, your businesses are typically run by an individual and have 1 to 3 employees on average. Often, you do not retain legal counsel, and instead, you have to navigate the sometimes confusing process of permitting and licensing on your own.

The goal is to [provide a user-friendly print guide](#) that enables small business applicants to better understand the existing process in Dedham and to therefore [save time and money](#) by following a defined process with expected results.

As you move forward, always remember that the town staff is available and more than happy to assist you. [Doing it right from the start saves everyone time.](#)

INTRODUCTION

[This Guide is a tool for this small business community](#), which has been the traditional economic engine of the downtown Square. It is part of an overall effort to continue to attract new businesses to the Square and neighborhood business districts while also seeking to diversify the existing retail mix.

Licenses and permits are required in Dedham because [the Town must complete technical and regulatory reviews](#) to ensure the health and safety of its citizens. However, as a small business, [you will receive assistance and guidance](#) as you go through the permitting processes, which will help ensure that the outcomes are clear and finalized as quickly as possible so you may open your business. Your success becomes the town's success.

PLACES TO START

As you prepare to open your business, there are three places you should visit in Town Hall: Economic Development Department, Planning and Zoning Office, and the Building Department. Here are the key contacts.

Karen O'Connell

Economic Development Director
(781) 751-9175
koconnell@dedham-ma.gov

Richard J. McCarthy, Jr.

Planning Director
(781) 751-9241
rmccarthy@dedham-ma.gov

Kenneth Cimeno

Building Commissioner
(781) 751-9180
kcimeno@dedham-ma.gov

Located at:

Town Administration Building
26 Bryant Street
Dedham, MA 02026

PEOPLE TO KNOW IN DEDHAM



KEY CONTACTS

TOWN CLERK

Paul Munchbach

Town Clerk

Town Administration Building
26 Bryant Street
Dedham, MA 02026
(781) 751-9200
Pmunchbach@dedham-ma.gov

PLANNING AND ZONING OFFICE

Richard McCarthy, Jr.

Planning Director

Town Administration Building
26 Bryant Street
Dedham, MA 02026
(781) 751-9241
rmccarthy@dedham-ma.gov

BUILDING DEPARTMENT

Kenneth Cimeno

Building Commissioner

Town Administration Building
26 Bryant Street
Dedham, MA 02026
(781) 751-9180
kcimeno@dedham-ma.gov

FIRE DEPARTMENT

LT Richard Radosta,

Fire Prevention/Inspections

Main Station
436 Washington Street
Dedham, MA 02026
(781) 751-9400
rradosta@dedham-ma.gov

BOARD OF HEALTH

Catherine Cardinale

Health Director

Town Administration Building
26 Bryant Street
Dedham, MA 02026
(781) 751-9220
ccardinale@dedham-ma.gov

ECONOMIC DEVELOPMENT DEPARTMENT

Karen O'Connell

Director of Economic Development

Town Administration Building
26 Bryant Street
Dedham, MA 02026
(781) 751-9175
koconnell@dedham-ma.gov

OFFICE HOURS

Town Administration Building

Monday, Tuesday, Thursday, Friday*: 8:30 a.m. – 4:30 p.m.

Wednesday: 8:30 a.m. – 7 p.m.

* From the Friday preceding Memorial Day weekend through the Friday of Labor Day weekend, the Town Hall closes at 1 p.m. on Fridays

Building Inspectors' in-off hours

Monday - Friday: 8:30 a.m. – 10 a.m. and 3:30 p.m. – 4:30 p.m.

Fire Inspector's hours

Monday – Thursday: 8 a.m. – 5 p.m.

ALCOHOLIC BEVERAGE LICENSE*

WHAT IS AN ALCOHOLIC BEVERAGE LICENSE?

An alcoholic beverage license is required for establishments handling alcoholic beverages including retail pouring or package sales.

WHO NEEDS TO GET AN ALCOHOLIC BEVERAGE LICENSE?

Any business that sells, stores, distributes, serves or delivers alcohol must have an alcoholic beverage license.

WHERE DO I GET AN ALCOHOLIC BEVERAGE LICENSE?

Alcoholic beverage licenses must be approved by the Board of Selectmen as well as the Massachusetts Alcoholic Beverages Control Commission (ABCC). The Board of Selectmen, acting as the local licensing board, ultimately issues the license.

HOW DO I GET AN ALCOHOLIC BEVERAGE LICENSE?

The application process and forms vary depending on the type of alcoholic beverage license sought. You are strongly encouraged to consult the Board of Selectmen's office to determine which forms and process you need to complete. The application forms can be found on the ABCC's website at <http://www.mass.gov/abcc/forms.htm>.

FEES

Fees are payable to the ABCC with the application. Once the license is approved, a license fee must be paid to the town.

To provide an example of what you may need to do, the process for getting a new retail alcoholic beverages license is outlined below.



- 1. Application:** You will need to complete the appropriate online application on ABCC's website and then print and sign it. Submit the application to the Board of Selectmen. The application will be posted as an agenda item for the Board. You will need to appear before the Board at that time.



- 2. Local and State Review:** The Board of Selectmen will review your application and determine whether to approve it at the local level. If it does approve the application, the Board will forward the application to the ABCC for its approval. Once approved by the ABCC, the Board of Selectmen will issue you the alcoholic beverages license.

Note: There are a limited number of licenses that can be issued in the town – check for availability. If you stop operating a licensed business, you must give up your license and deliver it to the Board of Selectmen. If you plan to temporarily suspend your business operations, you must provide notice to the Board of Selectmen at least 10 days in advance.

* Rules And Regulations For Holders Of Alcoholic Beverage Licenses In The Town Of Dedham,
<http://www.dedham-ma.gov/index.cfm?pid=15954>



OPENING A SMALL RETAIL STORE* IN DEDHAM

GETTING STARTED



You need a **Business Certificate** from the Town Clerk's office

ADDITIONAL PERMITS AND LICENSES



1. Is your store located in a business zone** and have less than 1,500 square feet of selling and public use space?

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



2. Is your store moving into an existing retail space that already has the required amount of parking?

You do not need to submit a **Site Plan Review**.



3. Are you going to put up new wall sign or awning?

You need a **Sign Permit** from the Building Commissioner. This includes going through the Design Review Advisory Board.

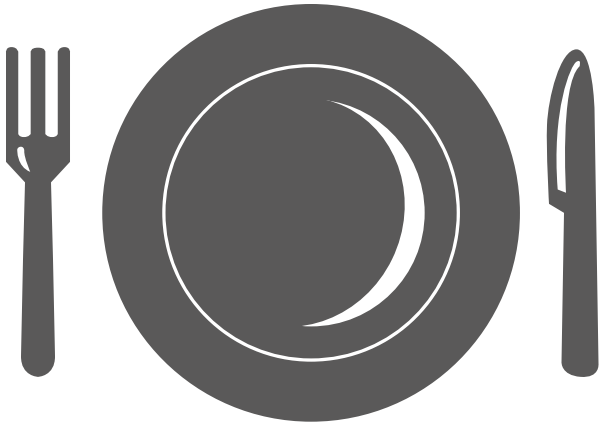


4. Are you remodeling the inside of the retail space?

You need a **Building Permit** from the Building Department.

* Bookstore, delicatessen, dry goods store, drugstore, florist, gift shop, grocery or fruit store, hardware store, jewelry store, tobacconist, variety store, wearing apparel store, or like enterprise, not exceeding a gross floor area of 10,000 square feet

** Highway Business, Local Business, General Business, Central Business



OPENING A NEW RESTAURANT IN DEDHAM

GETTING STARTED



You need a **Business Certificate** from the Town Clerk's office and a **License to Operate an Establishment** from the Board of Health.



ADDITIONAL PERMITS AND LICENSES



1. Is your restaurant located in a business zone* ?
You need a **Special Permit** from the Board of Appeals.



2. Are you moving into an existing space but increasing the need for parking?
You need to get **Site Plan Approval** from the Planning Board.



3. Is your restaurant going to have seating?
You need a **Common Victualler License** from the Board of Selectmen.



4. Is your restaurant going to serve alcohol?
You need an **Alcoholic Beverages License** approved by the Board of Selectmen and Massachusetts Alcoholic Beverages Control Commission.



5. Are you going to put up new wall-mounted sign or awning?
You need a **Sign Permit** from the Building Commissioner. This includes going through the Design Review Advisory Board.



6. Are you remodeling the inside of the restaurant space?
You need a **Building Permit** from the Building Department.

* Highway Business, Local Business, General Business, Central Business

BUILDING PERMIT

WHAT IS A BUILDING PERMIT?

Building permits are issued to licensed contractors and owners to allow construction work.

WHO NEEDS TO GET A BUILDING PERMIT?

Building permits are required to construct, reconstruct, alter, repair, remove or demolish a building or structure. The following work does not require a building permit:

- One story detached accessory buildings used as tool or storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet
- Fences six feet in height or less
- Retaining walls which retain less than four feet of unbalanced fill
- Ordinary repairs (any maintenance which does not affect the structure, egress, fire protection systems, fire ratings, energy conservation provisions, plumbing, sanitary, gas, electrical or other utilities)
- Greenhouses covered exclusively with plastic film intended for agricultural uses
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work
- Swings and other playground equipment

WHERE DO I GET A BUILDING PERMIT?

The Building Commissioner issues building permits. Other required approvals for the work, such as special permit approval and Fire Department approval, must be obtained before a building permit will be issued.

HOW DO I GET A BUILDING PERMIT?



1. Application: You will need to submit a Building Permit application to the Building Department. The fee is calculated at that time based on the value of construction.



2. Steps: After submittal of the Application and Plans, a Building Permit must be issued to begin construction. Elements of construction such as foundation, plumbing and electrical will be permitted separately under certain conditions. Periodic inspections must be scheduled as elements of the project are completed. A final inspection and review is necessary for a Certificate of Occupancy.



3. Certificate of Occupancy: After your building permit work is completed, the project will receive a Certificate of Occupancy from the Building Department, which is required to occupy the building.

Note: Permits become invalid if work does not start within 180 days of the permit being issued or if work is suspended for 180 days after starting. The Building Commissioner may grant extensions.

BUSINESS CERTIFICATE

WHAT IS A BUSINESS CERTIFICATE?

A business certificate is the public record of the name and address of the owner(s) of a business, and is commonly referred to by the name “D.B.A.” (“doing business as”) or “Sole Proprietorship. Its purpose is primarily for consumer protection and public information. Lenders will typically request a copy of your business certificate.

WHO MUST FILE A BUSINESS CERTIFICATE?

Massachusetts General Laws Chapter 110, §5 states that any person conducting business in the Commonwealth under any title other than the real name of the person conducting the business, whether individually or as a partnership, shall file (a certificate) in the office of the clerk of every city or town where an office of any such person or partnership may be situated.

Under Chapter 110, §6 a business certificate is not required if a corporation is doing business in its true corporate name, or if a partnership is doing business under any title which includes the true surname of any partner. Certain other associations and partnerships may also be exempt (refer to above citation for details.)

Businesses who file with the Secretary of State's Office do not need to file in the town.

HOW DO I FILE OR RENEW A BUSINESS CERTIFICATE?

Business certificates can be obtained at the Town Clerk's office of the city or town where the business is being conducted. If you are using your residence as your business address then you must first obtain a Home Occupancy Approval letter from the Building Department. This can be obtained provided that the owner filing for the business certificate is proven to be a resident at that address and meets the requirements for a home business. After obtaining the Home Occupancy Approval letter from the Building Department, you can then obtain a business certificate at the Office of the Town Clerk after presenting your letter. The fee for a business certificate is \$40.00 and is valid for four years. Renewal fee is also \$40.00.

WHAT DO I DO IF I DISCONTINUE OR WITHDRAW FROM THE BUSINESS, OR MOVE TO ANOTHER LOCATION?

If you are no longer in business or you move out of the town, you should file a withdrawal from business form obtained at the office of the Town Clerk. The fee for withdrawing from a business is \$10.00. This should be done as soon as possible as personal property taxes on your business cannot be adjusted until the Assessor's receive your withdrawal form. It is effective from the date that you file this form not the date you ended your business. You should file before the date of expiration.

WHAT IS THE PENALTY FOR FAILING TO FILE A BUSINESS CERTIFICATE?

The requirement to file a business certificate is a State Law (MGL Chapter 110, §5). Failure to do so is punishable by a fine of up to \$300.00 per month of violation.

DOES THE FILING OF A BUSINESS CERTIFICATE PROTECT ME FROM OTHERS USING THE SAME NAME?

No. The protection of a trademark (word, name, symbol or device) in Massachusetts is accomplished through the Secretary of State's Office*. Other information about starting a business in Massachusetts can be found on the State's website**.

* <http://www.sec.state.ma.us/cor/corpweb/cortmsm/tmsminf.htm>

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

ESTABLISHMENT LICENSE

WHAT IS AN ESTABLISHMENT LICENSE?

An Establishment License provides an opportunity to determine compliance with health codes and allows one to operate a business such as one to prepare, distribute and sell food, or operate dumpsters.

WHO NEEDS TO GET AN ESTABLISHMENT LICENSE?

Any business handling and selling food such as a catering business, restaurant, diner, or food distributor must obtain a food establishment license. Any business selling goods for consumption, such as tobacco and candy must obtain an establishment license. Any business locating a dumpster or dumpsters on a site must obtain a Dumpster License. A business for therapeutic massage must obtain an establishment license

WHERE DO I GET AN ESTABLISHMENT LICENSE?

The Board of Health issues the licenses for establishments.

HOW DO I GET AN ESTABLISHMENT LICENSE?

An Establishment License may be obtained through the following steps:



1. Application: The application form is called a License to Operate an Establishment. It may be obtained from the Town Clerk or the Health Department.



2. Review: The Health Director and Board of Health will schedule the review of the application, which may include a public meeting.



3. Decision: A decision on the application will be made within 30 days.



4. Inspection: The Health Director may periodically inspect the premises to check compliance.

SITE PLAN REVIEW*

WHAT IS SITE PLAN REVIEW?

Site Plan Review is a comprehensive review of proposed projects that may have significant impacts on traffic, municipal and public services and utilities, environmental quality, community economics, and community values.

WHO NEEDS TO GO THROUGH SITE PLAN REVIEW?

Site Plan Review is required for any new construction, addition or alteration of a building that adds at least 5,000 square feet of gross floor area or more than nine parking space. Some uses, however, are exempt, including the following:

- Buildings owned by or leased to a state agency, religious denomination or nonprofit educational corporation
- Premises subject to a special permit for a Major Nonresidential Project

Minor Site Plan Reviews are for projects with less than 5,000 square feet or nine parking spaces.

WHO CONDUCTS SITE PLAN REVIEW?

The Planning Board reviews all site plans. Projects with more than nine new parking spaces require an outside technical review.

HOW DO I GET SITE PLAN APPROVAL?

The site plan review process typically includes the following steps.



1. **Application:** You will need to submit your application, site plan and parking plan to the Town Clerk, along with a fee. Required materials include five sets of a full-size site plan, 10 sets of a reduced-size site plan, two sets of a traffic study and access Report, and 10 sets of a narrative. If a special permit from the ZBA is also required, the site plan review application must be submitted first, and at least 14 days must pass before you file your special permit application.



2. **Public Meeting:** Within 35 days of receiving your application and required materials, the Planning Board will invite you to a public meeting. At the meeting, you will have an opportunity to describe your project. The Planning Board will approve or deny your site plan within 90 days of closing the meeting.



3. **Appeal:** You and others have 20 days to appeal the Planning Board decision. If the site plan was approved and no one appeals, the Planning Board will endorse its approval and give you a copy. If the site plan is not approved, you cannot reapply within a year unless conditions have changed so that the grounds for disapproval no longer apply.

Note: Site plan approval generally expires if substantial work on the project has not started within two years.

* Town of Dedham Zoning Bylaw, Site Plan Review, <http://www.dedham-ma.gov/index.cfm?cdid=14948&pid=13689>

VARIANCE*

WHAT IS A VARIANCE?

A variance is a waiver of certain zoning requirements, typically dimensional standards. Use variances cannot be granted. This means that if a use is not listed in the zoning bylaw, it cannot be allowed by a variance.

WHO NEEDS TO GET A VARIANCE?

Typically, variances are sought when a property owner or developer wants to construct, expand or change a building, but their property or building does not meet all the dimensional requirements in the Zoning Bylaw. Variances are specifically required if you want to reconstruct, extend or structurally change a nonconforming building – one that does not conform to the Zoning Bylaw – if the change either increases an existing nonconformity or creates a new one.

WHO APPROVES VARIANCES?

The Zoning Board of Appeals reviews and approves petitions for variances.

HOW DO I GET A VARIANCE?

There are several steps to getting a variance from the Zoning Board of Appeals (ZBA). Typically, the process includes the following steps.



1. Consultation: You are encouraged to consult with the Building Department, which can help you complete your application.



2. Application: You will need to submit 7 copies of your application packet to the Town Clerk, along with a fee. The packet includes a petition statement, certified plot plan, pictures of existing conditions, renderings of your proposed conditions and a letter of authority from the landlord or property owner. You must also submit one copy of an application for the abutters list and a Dedham Times advertising form. If your application packet is not complete or contains errors, it will be returned to you.



3. Public Hearing: The ZBA will hold a public hearing within 65 days of your application being submitted. You should attend this hearing and expect to explain your application. Within 100 days of filing, the ZBA will either approve or deny your request. The decision must be approved by the ZBA attorney, and then a copy will be sent to you.



4. Appeal: You and others have 20 days to appeal the ZBA's decision after filing. If the 20-day time passes without an appeal, you will receive a letter from the Town Clerk, notifying you of this fact. You can then file the ZBA's decision and a copy of your plot plan with the Norfolk County Registry of Deeds (fee required) and then present a certified copy of the recorded decision to the Town Clerk.

Note: Variances lapse if they are not exercised within one year. Extensions can be granted.

* Town of Dedham Zoning Bylaw, Nonconforming Uses and Structures,
<http://www.dedham-ma.gov/index.cfm?cdid=14948&pid=13689>

DESIGN REVIEW*

WHAT IS DESIGN REVIEW?

Design Review is a required review to advise the regulatory boards and building commissioner on the design of projects. The review is done by The Design Review Advisory Board, a five-member board of volunteers who have experience in design, historic preservation, building, engineering or business. This Board is tasked with reviewing the design of certain building projects and making recommendations.

WHO NEEDS TO GO THROUGH DESIGN REVIEW?

Design Review is required for all new construction, additions and exterior building alterations, and all new signs or sign alterations in the Central Business (CB), General Business (GB), Highway Business (HB), Local Business (LA), Limited Manufacturing (LM), Limited Manufacturing Type B (LMB) and Research Development and Office (RDO) districts. Also requiring Design Review Advisory Board review are projects that are subject to site plan approval, parking plan approval (see see Parking Plan information sheet for more details) or Major Nonresidential Project, and projects that require a special permit or variance from the ZBA, if they are located in the RDO, Planned Commercial (PC), Planned Residential or LM districts. Town officials can also request Design Review on other projects.

WHAT IS THE DESIGN REVIEW PROCESS?

The Design Review Advisory Board process includes the following steps.



- 1. Consultation:** The first step is to consult with the Building Commissioner and Town Planner before proceeding to the Design Review Advisory Board. You are also strongly encouraged to make an appointment and consult with them before submitting preliminary plans to the Planning Board or other agencies. The Design Review Advisory Board will make recommendations, **which you can voluntarily accept or negotiate.**



- 2. Application:** If an early consultation with the Design Review Advisory Board is not possible, you will need to submit your application, plans and other supporting materials to the Board within five working days of submitting them to the Planning Board, ZBA or Building Commissioner.



- 3. Review:** Within 21 days, the Board will review your application and make recommendations. The board may also request a meeting with you or ask you for more information. It may also determine that its review is not necessary.

Note: Design Review Advisory Board's review cannot postpone other decisions, actions or approvals that must be occur within certain legal deadlines.

* Town of Dedham Zoning Bylaw, Design Review Advisory Board,
<http://www.dedham-ma.gov/index.cfm?cdid=14948&pid=13689>