



Ashburnham

Business Development Guide

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ASHBURNHAM – A GREAT PLACE TO DO BUSINESS

Welcome to Ashburnham!

Thank you for your interest in the Town of Ashburnham, Massachusetts. Ashburnham is a vibrant and thriving community with approximately 6,500 residents. Located in Worcester County, Ashburnham borders Middlesex County in Massachusetts to the east, and Cheshire and Hillsborough Counties, both in New Hampshire, to the north. Ashburnham’s center lies just seven miles from downtown Fitchburg, thirty minutes north of the City of Worcester, and only an hour west of Boston. Interstate 190 quickly connects Ashburnham to Worcester. Route 2, the major east-west route through northern Massachusetts, and Route 12 provide easy access to Ashburnham for commuters, travelers, and visitors.

Ashburnham extends a warm welcome to businesses in our community. We are dedicated to fostering an active downtown as well as prime locations ready and willing to accept new retail, restaurant, and industrial businesses. Home-based businesses are also encouraged. We also provide competitive municipal services, such as ample water and sewer capacity, lower-cost electric service, and an efficient permitting process. Ashburnham has a strong industrial history that has transformed over time into a stable and well-known manufacturing, retail, and service economy.

Our Town is an attractive location for employees to live, work, and play. There are scenic hiking trails and more than seven lakes which make it a perfect setting for those who enjoy being outdoors or appreciate scenic vistas. The prestigious Cushing Academy, a private boarding high school located in Ashburnham, is a large employer and provides additional customers for many of our local businesses.

We invite you to spend some time in Ashburnham to get to know our community and are confident you will find it a great location for your business. We assist you in getting your business up and running as quickly as possible by making the permitting process efficient and look forward to including you in the strong relationship that exists between the Ashburnham business community and Town government.

Thank you again for your interest in Ashburnham. We are excited to have you here!

Sincerely,

John Mulhall
Ashburnham Board of Selectmen, Chair

Heather Budrewicz
Town Administrator

Introduction

The Town of Ashburnham **Business Development Guide** is designed to assist prospective new businesses in navigating Ashburnham's business approval process by providing an overview of what various types of businesses may need in regard to permitting, licensing, and zoning.

We look forward to having you as a member of our business community.



Ashburnham Town Hall

The **Business Development Guide** is useful for any new business opening or considering expansion in Ashburnham. The Guide explains the general process some of the more typical businesses may face as they move through the development and permitting stages.

Please remember that it is important to refer to the applicable laws and regulations for specific technical and procedural requirements. In most cases, you will likely need professional assistance in such areas as land survey, engineering, architecture, law, and transportation planning. It may be beneficial to schedule a consultation session with us while you are still developing your business plan. Please know that we encourage you to meet with us at any point in your business development process.

We are here to assist you in becoming a strong and active member of the Ashburnham business community.

Ashburnham is Open for Business

Ashburnham is an attractive and vibrant community, which combines small-town charm with a thriving economy to benefit our local businesses, residents, and visitors. By working together, we can have you welcoming clients into your establishment or shipping products to your customers much sooner than you might have expected. We are ready to guide and assist you throughout your business development process and to assist you for all the years you continue to do business in our community.



Ashburnham Civil War Monument

Photo: John Phelan

Ashburnham extends a warm welcome to new businesses. We are confident your business will enjoy success in our community. There are numerous benefits to locating in Ashburnham:

- An influx of workers in the daytime, including those employed at or doing business with Cushing Academy in the downtown. These future customers provide opportunities for new restaurants, retail, and service-based businesses to thrive.
- Residents who look forward to frequenting new businesses in their community.
- A median household income of \$85,064, which is above the statewide median, and allows for increased discretionary spending.
- A well-traveled Town Center that sits close to major highways and areas of employment.
- Excellent networking opportunities for businesses through the North Central Massachusetts Chamber of Commerce Gardner Chapter.

Want to learn more about doing business in Ashburnham?

Visit our municipal website at www.ashburnham-ma.gov or make an appointment to visit us by calling the **Town Administrator's Office** at 978-827-4100 ext. 0 or the **Inspectional Services Department** at 978-827-4100 ext. 117. We'd love to discuss your new business project with you.

How to Open Your New Small Business

Let's Get Started

Contact the **Town Administrator's Office** at 978-827-4100 ext. 0 for information about potential business locations and the **Inspectional Services Department** at 978-827-4100 ext. 117 for general guidance on the overall permitting process.

We are pleased to also provide a **Permitting Guide** to assist small businesses and professionals in progressing through the permitting process. The Town of Ashburnham [Permitting Guide](#) can be accessed via the Town's website.

Initial Steps

You will need a **Business Certificate**, which is the public registration of the name and address of the owner(s) of a business, also known as "DBA" (Doing Business As) or "Sole Proprietorship." Its purpose is primarily consumer protection and public information. You may obtain a Business Certificate from the **Town Clerk** if you are not filing as a corporation with the Secretary of State.

If you are renovating a building or space, you will need to apply for a **Building Permit**. If you are not renovating, you will need to apply for a

Certificate of Occupancy from the **Inspectional Services Department**.

If your project involves doing work on a Scenic Road, you may require a **Scenic Road Permit** from the **Planning Board**. You can contact the Planning Board at 978-827-4100 ext. 4 option 1.

Your New Office Location

If your proposed office location requires renovations, either to the exterior or interior, contact the **Inspectional Services Department** about applying for a **Building Permit** and/or a **Sign Permit**. The Inspectional Services Department also can alert you to any variances or special permits you may need. For more information, contact the **Land Use Administrator** at 978-827-4100 ext. 117.

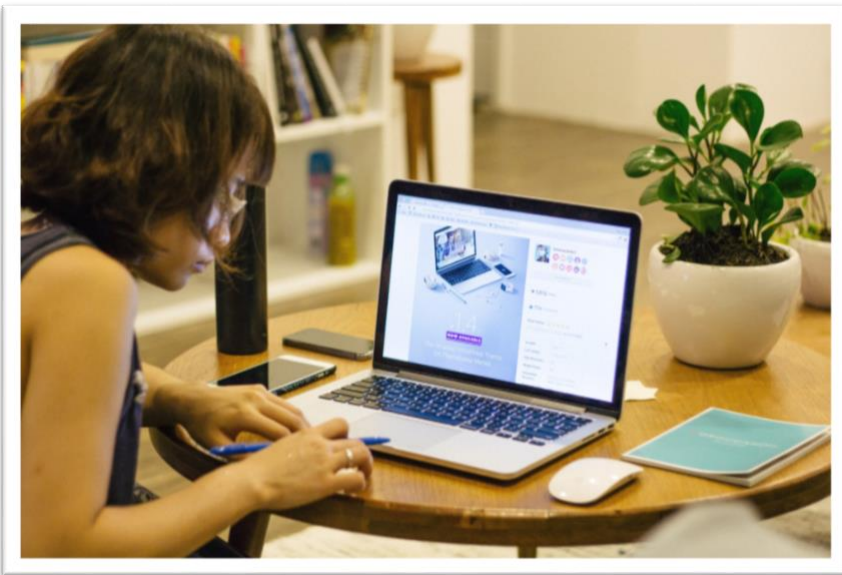


How to Open Your New Home-Based Business

Overview

If working from home sounds like a dream to you, why not make that dream a reality in Ashburnham? Businesses based out of residents' homes are booming in today's innovation-based economy and we are pleased to welcome new home businesses. We allow home businesses in every zoning district and are excited by the growing numbers of entrepreneurs.

While establishing and maintaining your new business, it is important to remember that a business



operating out of home should never detract from the character of the neighborhood. Problematic issues could include: glaring lighting, excessive noise or dust, increased traffic, altered exterior appearance of the home, etc. Additionally, home-based businesses may not employ anyone who lives outside of the home. Of course, such issues are easy to avoid, and just imagine having no commute!

Types of Permits Needed

All home businesses must obtain a **Home Occupation Permit** from the **Inspectional Services Department**. You can contact them at 978-827-4100 ext. 117.

Perhaps your business involves having clients come to your home, such as for essay tutoring, guitar lessons, or tax preparation. In that case, you will need to apply for a **Special Permit** from the **Zoning Board of Appeals** before opening your doors for business. Please contact the **Inspectional Services Department** at 978-827-4100 ext. 117 for more information on this process.

If your business involves preparing any food, such as baking cakes for special occasions, you must consult with the **Board of Health**. Copies of the state health and environmental codes can be obtained from the State House Bookstore. Copies of local health regulations can be obtained from the Ashburnham **Land Use Department** or from the **Nashoba Associated Boards of Health**, which can be contacted at 978-772-3335.

How to Open Your New Retail Store

Let's Get Started

If you haven't selected a location yet, contact the **Inspectional Services Department** at 978-827-4100 ext. 117 for information about potential business sites in Ashburnham. We may have some great locations available for you.

Land Use Administrator Heather Ruziak can offer guidance on the required permits and steps you should take to get your retail store open. Contact her at 978-827-4100 ext. 117.



Alltown opened in August 2018

Check with the Inspectional Services Department, but typically new retail stores require the following process, licenses, and permits:

What You May Need to Do	
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Apply for a Business Certificate. As previously noted, you may obtain a Business Certificate from the Town Clerk if you are not filing as a corporation with the Secretary of State.
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Consult the Inspectional Services Department for information on zoning and parking requirements. You may need a Zoning/Parking Review.
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> You will need a Building Permit and a Sign Permit if your business location requires interior or exterior renovations and/or a new or remodeled sign. The Town's Sign By-Law regulates the design, size, location and number of signs. Most signs require a sign permit from the Building Inspector.
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> You will need a Site Plan Review, unless your business is locating in an existing retail space that already has the required number of parking spaces.
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> A Certificate of Occupancy from the Inspectional Services Department will need to be obtained prior to opening your business regardless of whether you have made any renovations.
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> If you are selling food, including pre-packaged food, you will need to visit the Board of Health Office to apply for a Retail Food Permit. You may need additional health and sanitary-related inspections or permits. For more information, call the Health Agent at 978-827-4100 ext. 7 on Tuesday and Thursday between 8:30 a.m. and 10:00 a.m. or at the Nashoba Associated Boards of Health at 800-427-9762.

How to Open Your New Restaurant

Let's Get Started

Ashburnham welcomes new restaurants to our community. Our busy residents, commuters, and visitors enjoy having a variety of dining and take-out establishments available for daily meals and special occasions.

If you have any questions regarding the permitting process or would like to discuss possible locations available in Ashburnham, contact the **Inspectional Services Department** at 978-827-4100 ext. 117.

The chart below details the general steps required for opening a new restaurant in Town. More detailed information on many of the licenses and permits are located in later pages of this Guide.

Select Location	Seek Approvals	Construction or Renovation	Open for Business!
1. Consult with the Inspectional Services/Land Use Department on potential locations	Apply for Special Permit (if needed) with the Planning Board and Zoning Board of Appeals	Apply for Building Permit	Join the North Central Mass. Chamber of Commerce
1. Check with the Inspectional Services Department on site use and required parking	Apply for Common Victualler's License and an Alcohol License (if you plan to serve alcohol)	Apply for Sign Permit(s)	Schedule your ribbon-cutting ceremony and invite guests
	Apply for Food Establishment License	Apply for Fire Department permits for fire alarm system, sprinkler system, etc.	Welcome your customers!
	Apply for Site Plan Review	Apply to the Department of Public Works for a Grease Trap inspection	

Below are some of the permits, licenses, and inspections you may need to receive to open a restaurant, café, catering service, or mobile food operation:

- **Food Establishment Permit**
 - Contact the **Health Agent** for a **Food Establishment Permit** for serving food. Contact the **Board of Health** before construction of a food establishment, change of ownership, remodeling of an establishment, and/or any change in the type of food establishment or operation, such as adding outdoor seating. The Health Agent and Board of Health can be reached at 978-827-4100 ext. 116.

- **Common Victualler's License**
 - A Common Victualler's License is required under Massachusetts General Laws, Ch. 140 Sec. 2 through 20 for any person or business with the facilities for cooking, preparing and serving food for strangers and travelers. Submit an application to the **Town Administrator's Office** for a Board of Selectmen review for a **Common Victualler's License**.
- **Alcoholic Beverage License**
 - An Alcoholic Beverage License is required for any business to sell, serve, store, distribute, deliver, or produce any type of alcoholic beverage. Complete an [application](#) with the state Alcoholic Beverage Control Commission to submit to the **Town Administrator's Office for Board of Selectmen Approval**.
- **Fire Safety Inspections**
 - Contact the **Fire Department** to schedule inspections for the fire alarm system, sprinkler system, storage of flammables, smoke detectors, and other life safety devices. You can contact the Fire Department at 978-827-5714.
- **Grease Trap and Backflow Prevention Requirements**
 - Contact the **Department of Public Works** for grease trap and backflow prevention requirements at 978-827-4120.

Help Your Customers Enjoy the Outdoors

Providing outdoor seating at your restaurant can be an attractive and fun option for diners during the warm weather months. Ashburnham encourages the use of outdoor seating, but there are a few steps required for the protection of your customers, employees, and pedestrians.



To have your outdoor seating plan reviewed for safety as required, include it in the **Special Permit** and **Site Plan Review** applications you submit to the **Zoning Board of Appeals and Planning Board**.

If you would like to add outdoor seating to your already existing restaurant or cafe, contact Richard Travers, **Building Commissioner/Zoning Enforcement**, at 978-827-4100 ext. 117.

Business Certificate

What is a Business Certificate?

A **Business Certificate** is a legal document that registers businesses under the laws of Commonwealth of Massachusetts and identifies the name and address of the owner(s) of a business. Any person, partnership, or corporation operating or planning to operate a business under any name other than the complete real name of the person, partnership, or corporation conducting the business (“DBA”) must file a business certificate with the Town Clerk. The purpose of a Business Certificate is primarily for customer protection and public information. Lenders will request a copy of your Business Certificate.

Who Must File a Business Certificate?

In accordance with Massachusetts General Laws Chapter 110, §5, 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 **Business Certificate** in every city or town where an office of any such person or partnership is located.



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. Businesses who file with the Secretary of State’s Office do not need to file.

How Do I File or Renew My Business Certificate?

Business Certificates can be obtained at the **Town Clerk’s** office in Town Hall at 32 Main Street. If you are using your residence as your business address, then you must first obtain a **Home Occupation Permit** from the Inspectional Services 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 Occupation Permit, you can obtain a business certificate at the Town Clerk’s Office in Town Hall.

What If I Discontinue My Business or Move Out of Town?

You should file a **Withdrawal from Business Form** obtained at the office of the **Town Clerk**, if you discontinue your business or move out of Town. This should be done as soon as possible as personal property taxes on your business cannot be adjusted until the Assessors receive your withdrawal form. It is effective from the date that you file this form, not the date you terminated your business. You should file before the date of expiration.

Building Permit

What is a Building Permit?

Building Permits are issued to licensed contractors and property owners to allow construction work on a specific residential or business property. You should consult a licensed professional to review your location and plan any construction.

Do I Need a Building Permit?

Building permits are required whenever a project includes construction, addition, reconstruction, alteration, repair, removal, demolition, or relocation of a building or structure; change of use or occupancy of a building or structure; or installation or alteration of any equipment regulated by the State Building Code.

Who Issues Building Permits?

A **Building Permit** can be obtained from the **Inspectional Services Department**. The Building Commissioner's Office accepts the building permit applications, reviews, and approves them. They follow the permit from start to finish which could include multiple inspections from excavation to rough to final, depending on the type of permit and the extent of the work to be performed. Other permits, such as fire or sewage permits, may be required before you can obtain a Building Permit.

Do I Need Any Other Related Permits?

Any changes to the electrical or plumbing layout of the building or structure will require an **Electrical Permit** and a **Plumbing Permit**. Even if you are doing no work, a **Certificate of Occupancy** is needed to assess existing building systems and make sure they are being maintained properly.

How Do I Get a Building Permit?	
Apply	Permit applications are on the Town of Ashburnham website at http://www.ashburnham-ma.gov/inspectional-services or at the Inspectional Services Department at Town Hall. Building Permit Applications are submitted to Inspectional Services.
Next Steps	After submittal, review and approval of your Application and Plans, a Building Permit can be issued. Elements of construction such as mechanical, plumbing and electrical are permitted separately. Periodic inspections must be scheduled as elements of the project are completed. A final inspection and review are necessary for a Certificate of Occupancy or Certificate of Completion .
Certificate of Occupancy	After your Building Permit work is completed, the project will receive a Certificate of Occupancy or Completion , which is required to occupy the building.

Sign Permit

What is a Sign Permit?

A **Sign Permit** allows a business to install an awning, wall, or freestanding sign on their property. This permit covers *permanent* signs for private businesses.

Who Needs a Sign Permit?

Any private business is required to obtain a **Sign Permit** before installing any signage.



How Do I Get a Sign Permit?

A **Sign Permit** can be obtained from the **Inspectional Services Department**. Signs are permitted in Ashburnham in accordance with the guidelines in the Town's [Sign By-Law](#). In some cases, additional approval may be necessary from the **Zoning Board of Appeals**.

How Do I Get a Sign Permit?	
Review	Review the Sign By-Law to ensure your proposed sign adheres to the requirements. Regulations vary depending upon whether the sign will be located within a Residential District, Business/Industrial District, or Village Center District.
Apply	Submit a completed sign permit application with a copy of the sign with sign dimensions, size, and location to the Inspectional Services Department .
Remember	Please be advised that flashing, moving, and/or animated signs are prohibited.

Signs Exempted from Requiring a Permit

Most business signs require a sign permit with the exception of signs required by law, rule, or regulation of the state or federal government; signs not exceeding four square feet in area used for directing traffic in a parking area or indicating parking restrictions; signs not exceeding one square foot in area used to identify privately owned land; temporary, unlighted signs not exceeding two square feet in area advertising the sale or offering of personal articles, pets, and/or a vehicle, trailer or boat belonging to the owner or occupant of the premises; customary signs on gasoline pumps; and holiday decorations and lights when in season.

For additional details, contact the **Inspectional Services Department** at 978-827-4100 ext. 117.

Site Plan Review

What's a Site Plan?

A **Site Plan** is a detailed, professionally prepared plan that shows how you plan to develop a site. Site plans are typically prepared by an engineer and includes such items as roads, building footprints, driveways, parking areas, lighting, signage, and landscaping.



What's a Site Plan Review?

Some development projects require a **Site Plan Review** and approval. The purpose of the site plan review is to ensure the new development is designed in a manner that maintains the character and integrity of the Town and reduces any adverse impacts on the neighborhood, environment, and Town services.

Do I Need a Site Plan Review?

Typically, a **Site Plan Review** is required for any new construction or addition/alteration of a building that adds more than 200 square feet to the building's gross floor area. It can also be triggered when parking, loading, and/or vehicular access aisles are established or substantially changed.

In Ashburnham, the **Inspectional Services Department** and the **Planning Board** conduct Site Plan reviews. Contact Inspectional Services at 978-827-4100 ext. 117 with any questions.

How Do I Get Site Plan Approval?

Apply	Submit your application and site plan to the Inspectional Services Department. A traffic study may be required for larger projects that could have traffic impacts.
Public Meeting	Following your application, the Planning Board will invite you to a public meeting, where you will have the opportunity to describe your project to the Board. The Board will typically make recommendations and/or a decision on your site plan within four to eight weeks.
Site Plan Approval	Following the Planning Board's review and approval, the final Site Plan approval is issued by the Building Inspector.

Alcoholic Beverage License

An **Alcoholic Beverage License** allows an establishment to distribute alcoholic beverages through retail pouring or beverage sales. There is a limited number of alcohol licenses that can be issued in every community based on state-approved quotas. Check with the **Town Administrator's Office** regarding availability of licenses in Ashburnham.

Does My Business Need an Alcoholic Beverage License?

Any business that sells, serves, stores, distributes, delivers, or produces any type of alcoholic beverage is required to have an Alcoholic Beverage License. If you plan to offer your customers the ability to purchase alcoholic beverages of any kind, you will need to apply for an Alcoholic Beverage License.

How Do I Apply for Alcoholic Beverage License?

Alcoholic beverage licensure is a multi-stage process. You must receive primary approval by the Ashburnham Board of Selectmen and secondary approval by the Massachusetts Alcoholic Beverages Control Commission. [Applications](http://www.mass.gov/abcc/forms.htm) can be located online on the Commission's website at <http://www.mass.gov/abcc/forms.htm>. If both approvals are received, the Board of Selectmen, acting as the local licensing board, will issue the license following payment of the license fee.

Additional Requirements

To apply for an on-premises Alcoholic Beverage License, you must provide proof of required liquor liability insurance. You may also need to have certification from a responsible alcohol training program (TIPS or ServSafe are two well-known programs).

The general licensing process is as follows:

Alcoholic Beverage Licensing Process	
Apply	<ul style="list-style-type: none">• Complete the ABCC's online application.• Print and sign it.• Submit the application to the Town Administrator's Office.
Local Review	<ul style="list-style-type: none">• You will be asked to attend a Board of Selectmen's meeting at which your application will be discussed.• If the Board approves your application, it will be sent to the state ABCC for review.
State Review	<ul style="list-style-type: none">• The ABCC will review your application.• The Town will be notified of the state's decision.
Decision	<ul style="list-style-type: none">• If approved by the ABCC, the Board of Selectmen will issue your business the Alcoholic Beverage License.

Special Permit

Sometimes the Planning Board or Zoning Board of Appeals must issue a **Special Permit** for a particular use or uses before a building permit can be issued. If the Special Permit is not approved, the building permit cannot be granted.

What Is a Special Permit?

A special permit is a permit for a use or structure that is not allowed as a matter of right in a particular zoning district, but the use or structure is permitted if certain special conditions are met.

Does My Business Need a Special Permit?

Property owners or developers may file for a Special Permit if they wish to develop particular uses in certain areas of Town where those uses are not typically allowed. Special Permits may be requested for such uses as accessory apartments, residential cluster developments, fast-food restaurants, kennels, among others. Sometimes a Special Permit is needed when changes are made to a pre-existing, non-conforming business or property.

Who Approves Special Permits?

The Planning Board or the Zoning Board of Appeals (ZBA) review and approve petitions/application for Special Permits.

How Do I Get a Special Permit?	
Consultation	You are encouraged to consult with the Inspectional Services Department, to help you complete your application.
Apply	You will need to submit an application. Check with Planning Department or Inspection Services for submittal requirements.
Public Hearing	Special Permit petitions are heard by the respective Board at a scheduled hearing which you or a designated representative must attend. It is important to allow up to five weeks between the time of application to the public hearing for public noticing requirements.

When Can I Expect a Decision?

The Special Permit Granting Authority is required to conduct the public hearing within 65 days of the filing date of the petition and must either approve or deny your petition within 90 days from the close of the hearing.

Key Contacts in Ashburnham

Town Administrator Town Hall, 32 Main St. Heather Budrewicz, Town Administrator 978-827-4100 Mary Calandrella, Executive Assistant 978-827-4100	
North Central Massachusetts Chamber of Commerce 86 South St., Fitchburg, MA Roy Nascimento, President & CEO 978-353-7600 (business development & networking)	
Land Use Town Hall, 32 Main St. Heather Ruziak, Land Use Administrator 978-827-4100 ext. 117 (land use permit assistance & business resources)	
Inspectional Services Town Hall, 32 Main St. Richard Travers, Building Commissioner 978-827-4100 ext. 122 (building and sign permits, special permits & zoning) Wayne Little, Plumbing/Gas Inspector 978-621-6207 (plumbing/gas inspections) Richard Cannavino, Wiring Inspector 978-827-4839 (wiring/electrical inspections)	
Board of Health Town Center, 32 Main St. Rick Metcalf, Board of Health Agent 978-827-4100 ext. 116 (food, biosafety & hazardous material)	
Fire Department Ashburnham Fire Station, 99 Central St. James Cleveland, Fire Chief 978-827-4021 Robert Plant, Deputy Chief 978-827-4021	
Town Clerk Town Hall, 32 Main St. Michelle Johnson, Town Clerk 978-827-4100, ext. 114 (business certificates)	
Police Department 99 Central St. Lorryng Barrett, Jr., Police Chief 978-827-4413 (non-emergency)	
Public Works 17 Central St. Stephen Nims, Superintendent 978-827-4100, ext. 5 (general) Julie Dean, Administrative Clerk 978-827-4120 (Office hours: 7:00 a.m. to 3:00 p.m.)	

ASHBURNHAM TOWN HALL is open Monday – Thursday from 7:00 a.m. to 5:00 p.m.

Ashburnham Zoning Map

