

FORM A

APPLICATION FOR ENDORSEMENT
OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

File one completed form together with a reproducible and four contact prints of the plan and a non-refundable fee (Fee Schedule Approval Not Required) \$100.00 per application; \$100.00 per lot, parcel created or change of lot line payable to the Town of Topsfield, with the Planning Board and one copy of the completed form with the Town Clerk in accordance with the requirements of Section 3.1.

Topsfield, MA November 6, 2023

To: The Planning Board
Town of Topsfield, Massachusetts


The undersigned, believing that the accompanying plan of his property in the Town of Topsfield, Massachusetts does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: Raymond Lawton
Complete Address: 240 Boston Street, Topsfield, MA 01983
Phone Number: 617-908-1814 Email: rayl@lawtonwelding.com
2. Name of Engineer: John M. Morin, PE - The Morin-Cameron Group, Inc.
Complete Address: 66 Elm Street, Danvers, MA 01923
3. Deeds of property dated and is recorded in Essex South District Registry of Deeds as follows:
 1. 42R Boston Street: Book 41005, Page 319
 2. 20R Johns Lane: Book 41005, Page 319
 3. 25 Johns Lane: Book 41005, Page 319
4. Location and Description of Property: 42R Boston Street (Assessors Map 76, Parcel 2), 20R Johns Lane (Assessors Map 76, Parcel 3) & 25 Johns Lane (Assessors Map 76, Parcel 4).

Planning Board



Topsfield, MA

Signature of Owner: 

Complete Address: 240 Boston Street
Topsfield, MA 01983

Date of Submission: November 7, 2023

Town Clerk _____
(Signature)

CHECKLIST FOR ANR "Plan Thought Not to Require Approval"

For: 42R Boston St., 20R Johns Ln & 25 Johns Ln
(Address)

- a. Identification of the plan by name and address of owner of record and location of the land in question, cross-referenced to page and parcel number of the Assessors' Maps. Yes ☒ No ☐
- b. The statement "Approval Under Subdivision Control Law Not Required," and shall provide sufficient space for the date and the signatures of all five members of the Planning Board. Yes ☒ No ☐
- c. Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan. Yes ☒ No ☐
- d. In the case of the creation of a new lot, the remaining land area and frontage of the land in the ownership of the Applicant shall be shown. Yes ☒ No ☐
- e. Notice of any decision of the Zoning Board of Appeals, including but not limited to variances and exceptions regarding the land or any buildings thereon. Yes ☐ No ☐
NA ☒
- f. List of abutters from latest available Assessors' records unless the Applicant has knowledge of any changes subsequent to the latest available Assessors' records. Yes ☒ No ☐
- g. Distance to the nearest road or to other permanent monument. Yes ☒ No ☐
- h. Location of all existing buildings, including setback and side and rear yard distances to lot lines. Yes ☒ No ☐
- i. Approximate locus of wetland boundaries as indicated in Wetlands and Wildlife Resources Map and any amendments thereof. See Zoning By-Law 4.08b. Yes ☒ No ☐
- j. A locus map at a scale of one inch equals six hundred feet (1" = 600') showing the land in question in conjunction with other roadways and properties. A key map at a scale of one inch equals two hundred feet (1" = 200'), showing the same information as the locus map. Yes ☒ No ☐
- k. The ~~Engineers~~ seal and signature shall be on the plan. Yes ☒ No ☐
Surveyors

Other Variables:

4.07 I No lot shall be laid out which is irregular in shape. A lot is substantially irregular in shape if the area of the lot is less than thirty five (35) percent of the area of a square lot of the same perimeter. The aforementioned percentage standards may be applied to the entire lot, or at the discretion of the Planning Board to the minimum lot area which conforms to all other requirements. Yes ☒ No ☐ NA ☐

4.08 Minimum Buildable Area

A. Each lot in the Outlying Residential and Agricultural and the Inner Residential and Agricultural Districts shall have a minimum of thirty thousand (30,000) contiguous square feet of buildable area, and each lot in the Central Residential District shall have a buildable minimum of twenty thousand (20,000) contiguous square feet of buildable area. (Art. 18, 5/5/1981) Yes ☒ No ☐

B. Buildable area shall be comprised of acreage not including any part of a street or any part of any watercourse, water body, vernal pool, bank, and bordering or isolated vegetated wetland as defined by the Massachusetts Wetlands Protection Act Regulations 310 CMR 10.00, et. Seq., or the Topsfield Wetlands General Bylaw. (Art. 39, 4.08 – B. 5/3/2005) Yes ☒ No ☐

C. For lots created after May 6, 2014, in the Outlying Residential and Agricultural District and in the Inner Residential and Agricultural District, each lot's buildable area shall be capable of containing a 100 foot diameter circle within which there is not more than 5% of buffer zone as defined by the Massachusetts Wetlands Protection Act Regulations 310 CMR 10.00, et. seq. or the Topsfield Wetlands General Bylaw. Yes ☒ No ☐

If the Board determines that the plan does not require such approval, it shall, without a public hearing, and within twenty-one (21) days of formal submission, endorse or cause to be endorsed on the reproducible copy of the plan by a person authorized by it the words "Planning Board approval under the Subdivision Control Law not required" or words of similar import with appropriate name or names signed thereto, and such endorsements shall be conclusive on all persons. The Board may add to such endorsement a statement of the reasons approval is not required. Such endorsement shall not be withheld unless such plan shows a subdivision. Said plan shall be returned to the Applicant and the Board shall notify the Town Clerk of its action.

If the Board shall determine that in its opinion the plan requires approval under the Subdivision Control Law, it shall, within 21 days of submittal of said plan, give written notice of its determination to the Town Clerk and to the Applicant and return the plan to the Applicant. The Applicant may submit a Definitive Plan for approval as required by these Rules and Regulations or he may appeal from the determination of the Board in accordance with SECTION 81-BB of the Subdivision Control Law.

If the Planning Board fails to act upon the plan or fails to notify the Town Clerk or the Applicant of its action within 21 days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required, and it shall forthwith make such endorsement on said plan, and on its failure to do so forthwith the Town Clerk shall issue a certificate, to the same effect. The Plan bearing such endorsement or the plan and such certificate, as the case may be, shall be delivered by the Board, or in case of the certificate, by the Town Clerk, to the Applicant.

Prepared by:
Richard M. Magnan
194 Central Street
Saugus, MA 01906



SO.ESSEX #198 Bk:41005 Pg:319
06/16/2022 11:05 AM DEED Pg 1/3
eRecorded

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 06/16/2022 11:05 AM
ID: 1533005 Doc# 20220616001980
Fee: \$8,664.00 Cons: \$1,900,000.00

MASSACHUSETTS QUITCLAIM DEED

ALFRED FESTA, TRUSTEE OF VANTAGE POINT REALTY TRUST II, under a declaration of trust dated March 10, 2014 recorded in the Essex South District Registry of Deeds in Book 33158, Page 166, of 35 Mansfield Road, Lynnfield, Massachusetts

for consideration paid, and in full consideration of One Million Nine Hundred Thousand (\$1,900,000.00) Dollars

grant to RAYMOND LAWTON, Individually, of 33 Holland Road, Wakefield, Massachusetts

with *quitclaim covenants* the following property in Essex County, Massachusetts.

Approximately 45.3 acres of land in Topsfield, Essex County, Massachusetts, being shown as Lot 3, Lot 4 and the Putnam Pasture on plan entitled "Land in Topsfield, Mass. of John W. Peirce, John W. Peirce/Mildred M. Peirce, Scale" 1 in. = 1 ft." dated September 14, 1984, by Raymond C. Pressey, Inc. Registered Land Surveyors, recorded with Essex South District Registry of Deeds, said land being more particularly described as follows:

The land in Topsfield, Essex County, Massachusetts, on the Newburyport Turnpike shown as Lot 3, Lot 4 and the Putnam Pasture on a plan entitled "Land in Topsfield Mass. of John W. Peirce, John W. Peirce/Mildred M. Peirce, Scale: 1 in. = 100 ft." dated 14 December, 1984, by Raymond C. Pressey, Inc., Registered Land Surveyors, recorded in Essex County South District Registry of Deeds, being bounded and described according to said Plan as follows:

EASTERLY	By Newburyport Turnpike, 472.32 feet;
SOUTHEASTERLY	By land now or formerly of Augustus P. Loring et. al. for various courses, being respectively, 33.39 feet; 113.12 feet; 147.54 feet; 78.18 feet; 79.83 feet; 174.85 feet; 94.53 feet; and 97.35 feet;
SOUTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al., 255.22 feet;
SOUTHEASTERLY	By said land now or formerly of Augustus P. Loring et. al., 200.44 feet;
SOUTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al. for various courses, being respectively, 128.02 feet; and 117.93 feet;
NORTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al. for various courses, being respectively, 210.07 feet; 142.26 feet;

Property Address: 42R Boston Street, 20R Johns Lane and 25 Johns Lane, , Topsfield, MA 01983
Grantee' s Address: 33 Holland Road, Wakefield, MA 01880

SOUTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al. for various courses, being respectively, 100.97 feet; 198.10 feet; 197.30 feet; 100.04 feet; and 183.54 feet;
SOUTHEASTERLY	By said land now or formerly of Augustus P. Loring et. al. 123.6 feet;
SOUTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al., 31.2 feet;
SOUTHEASTERLY	By said land now or formerly of Augustus P. Loring et. al. 267.7 feet;
SOUTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al., 1146.1 feet;
NORTHWESTERLY	By said land now or formerly of Augustus P. Loring et. al., 380 feet;
NORTHEASTERLY	By land now or formerly of New England Telephone Company, 433.44 feet;
NORTHWESTERLY	By said land now or formerly of New England Telephone Company, 400.00 feet;
SOUTHWESTERLY	By said land now or formerly of New England Telephone Company, 648.11 feet;
NORTHWESTERLY	By John's Lane and by unidentified land, 50.10 feet;
NORTHEASTERLY	By land now or formerly of Salem-Beverly Water Supply Board for various courses, being respectively, 1018.51 feet; and 1220.79 feet;
NORTHERLY	By said land now or formerly of Salem-Beverly Water Supply Board, 385.00 feet.

Containing approximately 45.3 acres according to said plan.

Grantor hereby certifies under the pains and penalties of perjury that the property was not the principal residence of the Grantor that no one is entitled to any homestead rights in the property.

For Grantor's title see deed of Alfred Festa dated March 10, 2014 and recorded with the Essex South District Registry of Deeds in Book 33158, Page 171.

Witness my hand and seal this 15th day of June, 2022.

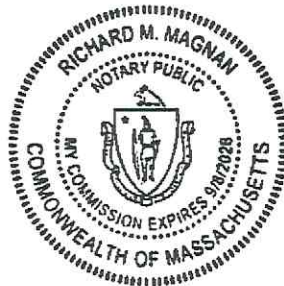

ALFRED FESTA, TRUSTEE


COMMONWEALTH OF MASSACHUSETTS

Essex, County

June 15, 2022

On this 15th day of June, 2022, before me, the undersigned notary public, personally appeared Alfred Festa, Trustee of Vantage Point Realty Trust II, proved to me through satisfactory evidence of identification, which was a valid Florida Driver's License, to be the person whose name is signed on the preceding or attached document, and who acknowledged to me that he signed the preceding or attached voluntarily for its stated purpose as Trustee of the Vantage Point Realty Trust II, as the voluntary act of said Trust, and who further swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.




Notary Public: Richard M. Magnan
My Commission Expires: 9/8/2028

The Morin-Cameron Group, Inc.
66 Elm Street
Danvers, MA 01923

Brookline Bank
53-7148/2113

3441

11/7/2023

PAY TO THE
ORDER OF

Town of Topsfield

\$ 200.00

Two hundred-----00/100

DOLLARS

MEMO

Lawton #4176 ANR App. fee

John M. Morin
AUTHORIZED SIGNATURE

The Morin-Cameron Group, Inc.

3441

The Morin-Cameron Group, Inc.

3441