

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 _____, 20____

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: _____

 Complete Address: _____

 Phone Number: _____ Email: _____

2. Name of Engineer: _____

 Complete Address: _____

3. Deed of property dated _____ and is recorded
 in Essex South District Registry of Deeds in Book _____, Page _____.

4. Location and Description of Property:

Signature of Owner: _____

Complete Address: _____

Date of Submission _____
Town Clerk _____

(Signature)

CHECKLIST FOR ANR "Plan Thought Not to Require Approval"

For: _____
(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 ☐

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.