Town of North Reading
Massachusetts

Community Planning

APPROVAL-NOT-REQUIRED PLAN

In order for an application to be considered "COMPLETE" all of the following items must be submitted:

1. Filing fee ($150.00) for up to one new lot + $50.00 per lot for each additional
2. Completed "Form A" application
3. Three (3) paper copies and one (1) mylar of the plans
4. "PDF plan emailed to planning@northreadingma.gov" at time of filing.
5. Letter of authorization if applicant is other than owner
6. Evidence of filing with Town Clerk
   (To be provided by the CPC office at the time of submittal.)
7. A brief letter of explanation
8. Compete certified list of abutters
   (Obtainable from North Reading Assessing Office)

235 North Street, North Reading, MA 01864 ... 978/664-6050 – FAX 978/664-6052

Town of North Reading
Massachusetts

Community Planning

MEMORANDUM

TO: Applicants

FROM: North Reading Community Planning Commission

SUBJECT: Guidelines for Processing Applications

The Community Planning Commission wants to process applications as speedily as possible. We understand the Regulations are complex and often confusing. The Regulations are designed to deal with different situations for large scale developments to simple boundary changes. Therefore, not all Regulations may be applicable to your application.

It is recommended that before you file your application, you discuss your proposal informally with the Planning Administrator. The Planning Administrator will review your project conformance with the Town's Regulations and advise you on procedures for obtaining approval. Call (978) 664-6050 for an appointment.

The key to receiving a prompt decision is to have <u>all the necessary information</u> in the Planning Office before the Community Planning Commission board meeting. All applications <u>MUST</u> be submitted to the Planning Office <u>FIFTEEN (15) DAYS</u> prior to the Community Planning Commission meeting at which it will formally be reviewed. The Planning Administrator will schedule you for a Public Meeting. In order to be scheduled, your application must be complete.

We recommend that you meet with the Planning Administrator when you submit your Application to ensure that everything is in order.

Copies of the Regulations are available for your review, or purchase, in the Planning Office, Town Hall.

235 North Street, North Reading, MA 01864 ... 978/664-6050 – FAX 978/664-6052

EXCERPTED FROM COMMUNITY PLANNING COMMISSION SUBDIVISION RULES AND REGULATIONS

SUBDIVISION: Subdivision shall mean the division of a tract of land into two (2) or more lots and shall include a re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two (2) or more lots shall not be deemed to constitute a subdivision with the meaning of the Subdivision Control Law, if at the time when it is made, every lot within the tract so divided has a frontage on

(a) a Public Way;

(b) a way shown on a plan theretofore approved in accordance with the Subdivision Control Law; or

(c) a way in existence when the Subdivision Control Law became effective in the Town, having in the opinion of the Community Planning Commission, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by Zoning or other By-Law.

Conveyances or other instruments adding to, taking away from or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two (2) or more buildings were standing when the Subdivision Control Law went into effect in the Town in which the land lies into separate lots on each of which one (1) of such buildings remains standing, shall not constitute a subdivision. (Section 81-L of Chapter 41 of the General Laws.)

PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

a. Plan Believed Not to Require Approval

1. Submission of Plan

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that this plan does not require approval under the Subdivision Control Law may submit his plan and seven (7) contact prints and one (1) copy of a properly executed Form A, to the Community Planning Commission accompanied by the necessary evidence to show that the plan does not require approval. In addition to the above three (3) contact prints, the applicant should provide a duplicate mylar of the plan if the subject property is located on a way in a subdivision that has not been accepted by Town Meeting as a Public Way. Said person shall file by delivery or certified mail, a notice with the Town Clerk stating the date of submission for such determination accompanied by a copy of said application and describing the land to which the plan relates sufficiently for identification. If then notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefore. Application shall be accompanied by a fee of $100.00, payable to the Town of North Reading, and shall also include a copy of deed identifying record owner of property.

All lots shown on a plan presented to the Community Planning Commission for endorsement under this section must have reasonably feasible driveway access across the legal frontage on the street to the building site. Determination as to feasibility of access via legal frontage shall be made based on steepness of topography, presence/absence of ledge, and presence/absence of wetland or FEMA Zone, a flood plain along the proposed driveway route from legal frontage to building site. The applicant shall document compliance with this access via legal frontage requirement on the plan. If compliance cannot be demonstrated, submission as a Definitive Plan under these Rules and Regulations is an alternative for the applicant.

Said plan shall be of minimum dimensions of eight and one-half inches by eleven inches (8½" x 11") or a maximum size not to exceed twenty-four inches by thirty-six inches (24" x 36") and shall contain the following information:

a. Identification of the plan by name and address of owner of record and location of the land in questions, cross-referenced to page and parcel number of the Assessor's map.

b. The statement "Approval Under Subdivision Control Law Not Required", and shall provide sufficient space for the date and the signatures of all five (5) members of the Commission.

c. Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan, including identification of the Water Resource Protection District and the Aquifer Protection Districts.

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 show.

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. Said notation shall identify the date of decision, the book and the page of recording, along with a brief description of the decision.

f. Distance to the nearest road or to other permanent monument.

g. Location of all existing buildings, including set-back and side and rear yard designation.

h. A locus plan at one-thousand feet (1,000') to the inch shall be included on the plan.

i. Identification of all wetlands, based on a field survey, as defined in M.G.L. Chapter 131, Section 40, including all of the four (4) subsets comprising 'Inland Wetlands'.

j. In the case of a Limited Frontage lot, the plan shall contain the following information:

   1. Frontage distance of each abutting lot;

   2. Identification of the required minimum diameter circle pursuant to Section 12.8.A.6 of the Zoning By-Law.

k. All property lines not abutting the applicant's property and not directly related to the lot(s) being subdivided, which may be shown on the plan, shall not be drawn as a continuous solid line, but rather with broken lines. Additionally, when an existing lot line is being changed, the existing the line shall be drawn with a shaded, broken line and the new lot line shall be drawn with a solid line. All existing and proposed lot lines shall be so labeled.

   1. Certification by a registered land surveyor pursuant to the requirements of M.G.L., Chapter 112.

   2. Endorsement of Plan Not Requiring Approval

If the Community Planning Commission determines that the plan does not require approval, it shall, without a public hearing, and within twenty-one (21) days of formal submission, endorse the plan.

The Community Planning Commission may add to such endorsement a statement of the reason approval is not required. The plan shall be returned to the applicant.

Community Planning Commission endorsement of a plan under this section shall not be construed as a determination of compliance with the Zoning By-Law or with State and Local Land Use Regulations.

3. Determination that Plan Required Approval

If the Community Planning Commission determines that the plan DOES require approval under the Subdivision Control Law, it shall, within twenty-one (21) days of the formal submission of the plan, so inform the applicant in writing and return the plan. The Community Planning Commission shall also notify the Town Clerk in writing of its action.

Plan Believed Not to Require Approval

4. Failure of Commission to Act

If the Community Planning Commission fails to act upon a plan submitted under this section or fails to notify the Town Clerk and the person submitting the plan of its action within twenty-one (21) days after its formal submission, it shall be deemed to have determined that the 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.

Town of North Reading
Massachusetts

Community Planning

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

_____ _____

Date of Filing Received By Date

To the Community Planning Commission:

The undersigned, believing that the accompanying plan of their property in the Town of North Reading does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Community Planning Commission approval under the Subdivision Control Law is not required.

PRINT LEGIBLY OR TYPE

Name of Owner: _____

Address: _____

Name of Applicant: _____

Address: _____

Name of Surveyor: _____ Registration No.: _____

Address: _____

Deed of Property Recorded in _____ Registry _____

Book Number: _____ Page Number: _____

North Reading Assessor's; Map Number: _____ Parcels: _____

Location and Description of Property: _____

_____

_____

_____

Reason Plan does Not Constitute a Subdivision (See: Town of North Reading, Subdivision Rules and Regulations): _____

_____

_____

_____

Signature of Applicant or Agent: _____

Print Name of Applicant or Agent: _____

Address: _____

Signature of Owner if Not the Applicant: _____

Print Name of Owner if Not the Applicant: _____

Address: _____