

APPLICATION FOR ENDORSEMENT OF A PLAN BELIEVED NOT TO REQUIRE APPROVAL UNDER THE SUBDIVISION CONTROL LAW

To the Norwell Planning Board:

1. Name of Applicant(s): _____
Address: _____
Telephone: _____

2. Name of Owner(s): _____
Address: _____
Telephone: _____

3. Name of Engineer and/or Surveyor: _____
Address: _____
Telephone: _____

4. Location of Property (Street Address): _____

5. Zoning District: _____

6. Assessing Information: _____
(Attach portion(s) of the Assessing Map showing the subject land and abutting parcels and ways.)

7. Size of Property (Both in Square Feet and Acreage): _____

8. Registry References: _____
(Book/Page; Date)
(Plan Number, etc.)

The undersigned applicant(s) wish(es) to record the accompanying plan, submitted herewith, which is entitled: _____ and was prepared by _____ and is dated _____ (the "Plan"); and, based upon the information submitted with this application and representations made below, hereby requests a determination by and the endorsement of the Norwell Planning Board that approval of the Plan under the Subdivision Control Law is not required under G.L. c.41, §81L and §81P.

The undersigned assert(s) that approval of the Plan under the Subdivision Control Law is not required for the following specific reasons: (Circle reasons below as appropriate.)

1. The Plan does not require approval under the Subdivision Control Law because it does not show a division of a tract of land into two or more lots or a resubdivision.

2. The Plan does not require approval under the Subdivision Control Law because:
 - A. Every lot shown on the Plan has frontage of at least such distance as is presently required under Norwell Zoning By-law § _____, which requires a minimum of _____ feet of frontage for erection of a building in the zoning district in which the property is located.

And

- B. Each lot shown on the Plan has the minimum required frontage on one of the following types of ways (Circle as appropriate):

- i) A public way or a way (insert name of the way): _____, which the Norwell Town Clerk has certified is maintained and used as a public way. (Attach the Norwell Town Clerk's certificate that the way is public as an exhibit to this application.)

Or

- ii) A way (insert name of the way): _____, which is shown on a plan previously approved and endorsed in accordance with the Subdivision Control Law and either has been built or is properly secured under G.L. c.41, §81U, ¶7. The definitive subdivision is entitled: _____ and was approved by the Planning Board on _____ and endorsed on: _____. The applicant shall also submit the applicable Certificate of Vote and Covenant to prove that the subdivision in question is not subject to a lot limitation or any other such limit on development.

Or

- iii) A private way (insert name of the way): _____, which was in existence prior to February 9, 1953, the date when the Subdivision Control Law took effect in the Town of Norwell; and that, in the opinion of the Norwell Planning Board, has 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. (Attach the evidence upon which the Applicant will rely to establish that the private way was in existence prior to February 9, 1953 as an exhibit to this application.)

3. The Plan does not require approval under the Subdivision Control Law because the division shown on the plan merely shows a proposed conveyance or other instrument which would merely add to, take away from or change the size and shape of the lots shown in such a manner as not to leave any lot so affected without the minimum required frontage.

4. The Plan does not require approval under the Subdivision Control Law because the land shown on the Plan has two or more buildings located on it that were standing on February 9, 1953 (i.e., when the Subdivision Control Law went into effect in the Town of Norwell) and the proposed division of land would create separate lots on each of which one of such buildings would remain standing. (Attach the evidence upon which the Applicant will rely to establish that each such building was standing prior to February 9, 1953 as an exhibit to this application.)

(NOTE: The division of land under the above subsection (4) may not conform to current zoning requirements and may require further zoning relief before a lawful conveyance under the Plan may occur.)

I/We (circle one) hereby certify that the facts asserted above are true and accurate to the best of my/our (circle one) knowledge after having made a good faith investigation of the facts. I/We (circle one) hereby further certify that all of the owners of record of the land shown on the Plan have assented to this Application and have signed the Application below.

SIGNED UNDER OATH AND SUBJECT TO THE PENALTIES OF PERJURY THIS ____ DAY OF _____, 200__.

Signature of Applicant
(Print Name: _____)

Signature of Applicant
(Print Name: _____)

I/We (circle one) hereby certify that I/we are the record owners of the subject property shown on the Plan and that I/We (circle one) hereby assent to this application.

SIGNED UNDER OATH AND SUBJECT TO THE PENALTIES OF PERJURY THIS ____ DAY OF _____, 200__.

Signature of Owner
(Print Name: _____)

Signature of Owner
(Print Name: _____)

ENGINEER'S/SURVEYOR'S CERTIFICATE

I hereby certify that I prepared the Plan, that I have reviewed the Norwell Planning Board's applicable Rules and Regulations, that the Plan was prepared based upon a ground survey performed on (insert date(s)): _____ by _____, and that, to the best of my knowledge and belief, the Plan conforms to all of the requirements of the Norwell Planning Board Subdivision Rules and Regulations, regarding ANR Plan submissions. (In the event that the Plan does not conform to all requirements, the engineer or surveyor shall submit a letter indicating each way in which the Plan does not conform and why.)

SIGNED UNDER OATH AND SUBJECT TO THE PENALTIES OF PERJURY THIS _____ DAY OF _____, 200__.

Signature of Engineer or Surveyor
(Print Name: _____)

Note: If more than one person prepared the plan, then each such person should signed a certificate with the language set forth above and indicate which part or parts of the plan was prepared by him or her, otherwise the sole signatory shall take responsibility for the entire contents of the plan.

FORM A - APPLICATION FILING INSTRUCTIONS:

1. Submit one (1) original Form A application (fully executed) and six copies thereof with the Planning Board.
2. In the event that the application is signed by a trustee of a trust, an officer of a corporation or limited liability corporation, or a partner of a partnership, then a proper affidavit or certificates signed under oath and notarized shall be provided to support each such signature.
3. Submit 12 copies of the ANR Plan to the Planning Board.
4. Submit a Mylar of the Plan to the Planning Board for endorsement.
5. Submit all evidence that is necessary to establish that the Plan does not require approval under the Subdivision Control Law.
6. Submit the required filing fee.