



**DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Ruthanne Fuller
Mayor

MEMORANDUM

FROM: Patrick Higgins, PLS
RE: Approval Not Required (ANR) Plans, **2018 Updates and Revisions**
Date: December 13, 2018
CC: Louis Taverna, P.E. Clerk of the Board of Survey, John Daghlian, Associate City Engineer

The Rules and Regulations of the Planning Board Acting as a Board of Survey (1997 with revisions), Section III, Plans Believed Not to Require Approval as a Subdivision, and Section VII Procedure for Submission & Approval of Certain Two-Lot Subdivisions (Adopted 7/7/1997),

2018 Updates and Revisions to the **Approval Not Required (ANR) Plans Submission, Forms, Plan content & criteria.** As amended. **Section III, Plans Believed not to Require Approval as a Subdivision:** Submission language edits are in bold print and italicized, new Content items are listed with numerical and alphabetical designation.

A) Submission :

Any person, who wishes to cause to be recorded with the Register of Deeds or to be filed with the Land Court a plan of land situated in the City of Newton, who believes (**his**) the plan does not require approval under the Subdivision Control Law in accordance with Mass. Gen. Laws Ch.41, Sec. 81P, may submit (**his plan**) ***ANR Plans as follows: Two (2) mylars & Two (2) paper copies of ANR Plan signed & Sealed (Wet stamped) by Massachusetts Licensed Professional Land Surveyor (in good standing), Two (2) copies of completed Form A Application (Revised and adopted 2/27/80) & Two (2) copies of completed Attachment to Form A (Appendix at page A-2),*** properly executed, and the proper fee, to the Clerk of the Planning Board. (***Revised 1-7-2019***)

It is recommended to have completed application forms date stamped at the City of Newton Clerk's Office prior to submission. (Revised 1-7-2019)

The plan shall be accompanied by evidence designed to show that such plan does not require approval. Failure to comply with the requirements set forth in this Section (III) for Submission, form and contents shall constitute an incomplete or incorrect application governed by subsection II.F.



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B) Contents : (Revised and adopted 2/27/80, & 1-7-2019)

All plans shall be drawn to scale.

1. Title, north point, date of survey and scale.

1b) The title block of ANR plans shall depict: "Plan of Land, (Name of Street or Way), Approval Not Required Plan", (list other pertinent information related to site), date of survey & revisions.

1c) Depict North Arrow and basis of bearings, list scale & graphic bar scale, Locus map (Scale: 1"=1,200' or other acceptable scale).

2. Name of owner of Record.

2b) List record Deed References for all Locus parcels on application forms & ANR plan, for lots to be combined they should clearly depicted to be under common ownership.

2c) List record Plan References on application forms and ANR plan, and provide copies (11x17 copies of reference plans folded) with ANR application Form.

3. Name and address of Registered *Professional* Land Surveyor ~~or Registered Professional Civil Engineer.~~

3b) Licensed Professional land Surveyor shall list name, address, business phone number, email address and website if applicable.

4. Names of all abutters as they appear on the most recent tax list.

5. Lines of existing and proposed streets, ways and easements.

6. Existing and proposed boundary lines, including dimensions and areas of all lots shown.

6b) For lots being divided or having lot line revisions clearly depict proposed lot lines using heavy bold line, for long term clarity of change in boundary line location on the ground set survey monuments (i.e., iron rod with cap) at end points and angle points of proposed new lot lines.

6c) For lots that are being divided or having lot line revisions clearly depict original and proposed lot labels & lot areas.



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6d) For lots being combined, show each lot's original lot label & lot area, and clearly label and show new combined lot label & areas.

6e) For Lot Lines to be removed, depict with a dashed line, label the line "To be Removed", add a "Z" symbol across each lot line that is to be removed to graphically depict that the lots are being combined.

6f) All boundary lines & lot lines, curves, street lines & rights of ways, shall be clearly depicted using legible size text & font style, and crows feet and comply with the Rules & Regulations of the Registers of Deeds

6g) For Landowners that wish to divide their land in order to convey a portion of their land to another landowner (abutter), please add the following statement on the ANR plan to the "Notes" section depicted on the plan,

"New Lot ___ to be conveyed to abutting property owner and is not available as a site for building, new Lot ___ to be combined with existing abutting Lot ___."

7. Lot and/or house numbers.

7b) Depict existing house numbers within structures. Depict former Lot Labels and Proposed Lot labels.

8. Location of all buildings, structures and bounds.

8b) If the Existing Buildings are to be removed, add label "To be Razed" inside foot print of building.

8c) If the Existing Buildings are to be moved add a label that clearly informs where the building is being moved, add label "To be Moved to Location" inside foot print of building. The destination Location of the building can be existing lot, new lot or abutting lot, or offsite.

8d) Label Front, side, rear offsets from structures to existing boundary lines, and to proposed new lot lines.

8e) Each Lot not complying with Zoning shall be designated as "Not a Buildable Lot".

9. Suitable space to record the action of the Planning Board and signature of the Clerk acting in behalf of the five members of the Board.



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9b) Use the City of Newton Signature Block:

The Approval of this plan under the Subdivision Control Law Not Required”, Date, Signature line, “Clerk- Newton Planning Board Acting as a Board of Survey”, “The above Endorsement is not a Determination as to Conformance with Zoning Regulations”. See attached example below (15).

10. Any other information necessary for the Board’s determination.

11a) ANR Plans are considered boundary plans and shall meet minimum requirements of 250 CMR (as revised & amended) and comply with the Rules & Regulations of the Registers of Deeds. (as revised & amended)

11b) Minimum of three street right of way bounds depicted along each street line right of way all mathematically (bearings & distances) connected, label how monuments were held & show offsets if necessary. Show bearing & distance, and curve data along all boundary lines, new lot lines, and along rights of way depict (bearing & distances) to nearest street line angle point, curvature, or right of way of nearest side street.

11c) Sufficient number of survey boundary monuments depicted around perimeter of locus property that it can be retraced on the ground by another Licensed Land Surveyor.

11d) Lines of occupation, fences, walls, buildings, out buildings and pertinent site details integral to depicting parcel boundaries and site conditions, and encumbrances, easements, restricted areas and reservations, occupation.

12) Location of any topographic or physical obstruction which interferes with the use of the frontage for access to a lot/parcel.

13) Clearly list any reference to a Board Approval (date & City Clerk docket number) and Registry of deeds recording information for a Comprehensive Permit, Special Permit, Variance, or Lot Zoning change that affects the locus property depicted on the ANR Plan.



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14) Zoning District(s) Identified on plan for locus, Zoning boundary depicted on ANR plan if more than one Zoning District is present within or abutting locus parcels.

14b) As per City of Newton Chapter 30: Zoning Ordinance, Article 1, Section 1.5.6 Build Factor, § A. Applicability. The Build Factor Formula shall apply to lots created as an ANR plan under M.G.L. Ch.41, § 81P. The Build Factor formula, maximum allowed Build Factor for Zoning District, calculations & Build Factor shall all be clearly depicted on the ANR Plan.

15) Example of required ANR plans City of Newton Signature Block with zoning statement:

APPROVAL OF THIS PLAN UNDER
THE SUBDIVISION CONTROL LAW NOT
REQUIRED.

DATE: _____

CLERK-NEWTOWN PLANNING
BOARD ACTING AS A BOARD
OF SURVEY

THE ABOVE ENDORSEMENT IS NOT A
DETERMINATION AS TO CONFORMANCE
WITH ZONING REGULATIONS.