

Town of Sterling Planning Board

FORM A – APPLICATION FILING INSTRUCTIONS

1. Submit one (1) original Form A application (fully executed).
2. Submit one (1) Mylar, and six (6) hard copies of the ANR Plan to the Planning Board.
3. Submit a copy of the plan in .PDF format to the Planning Board.
4. 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 (**Agent for Applicant**) signed under oath and notarized shall be provided to support each such signature.
5. Submit all evidence that is necessary to establish that the Plan does not require approval under the Subdivision Control Law.
6. Submit required filing fee of \$200 base fee, plus \$75 per lot.

Revised: October 11, 2017

Town of Sterling

1 Park Street, Sterling, MA 01564

Phone: 978-422-8111 Ext. 2320

Email: planningboard@sterling-ma.gov

This form is required by the Sterling Planning Board for any submission made on behalf of a property owner.

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

To the Sterling 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: Map: _____ Lot: _____
(Attach portion(s) of 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.)

9. Is this property under Chapter 61, 61A or 61B? _____ If so, has Release Application been
filed with Board of Selectmen? _____

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 Sterling 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 Sterling Zoning By-law §2.5.1

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 Sterling Town Clerk has certified is maintained and used as a public way. (Attach the Sterling 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 Circa 1954, the date when the Subdivision Control Law took effect in the Town of Sterling; and that, in the opinion of the Sterling 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. (Attach the evidence upon which the Applicant will rely to establish that the private way was in existence prior to the date the Subdivision Control Law took effect 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 existed prior to Circa 1954 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 the date the Subdivision Control Law took effect 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.) (Please also refer to CMR 15.010)

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 _____, 20_____.

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 _____, 20_____.

Signature of Applicant
(Print Name: _____)

Signature of Applicant
(Print Name: _____)

ENGINEER'S/SURVEYOR'S CERTIFICATE

I hereby certify that I prepared the Plan, that I have reviewed the Sterling 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 Sterling 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 _____, 20_____.

Signature of Engineer or Surveyor
(Print Name: _____)

Note: If more than one person prepared the plan, then each such person should sign 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.

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AGENT FOR APPLICANT

Date: _____

Subject Property: _____

I/we, _____, as Owner of the subject property hereby authorize _____ to act on my/our behalf in all matters relative to submittal(s) to the Sterling Planning Board for (check all that apply):

- Endorsement of a plan believed to be Approval Not Required (ANR)
- Site Plan Review
- Preliminary Subdivision
- Definitive Subdivision
- Special Permit Application

Signature of Owner(s)

NOTARIZATION OF SIGNATURES REQUIRED COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 20____

On this the ____ day of _____, 20__ then _____ personally appeared the above named _____, proved to me through satisfactory evidence, photographic identification with signature issued by a Federal or State governmental agency, oath or affirmation of a credible witness, personally known, and acknowledged the foregoing instrument to be (his/her) free act and deed before me.

Notary Public

Commission Expires

Revised: October 11, 2017