1. **GENERAL**

**3.1 Limitation of One Dwelling Unit per Lot**

Not more than one building for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in the [Town/City] of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**3.2 Compliance with Other Permits Required**

3.2.1 Zoning. Subdivisions shall meet the requirements pertaining to lot size, frontage, and all other requirements under existing zoning laws. No subdivision rules can dictate the size, shape, width, frontage or use of lots except that they shall be in compliance with all applicable zoning requirements.

3.2.2 Wetlands Protection [Act/Bylaw/Ordinance]. All projects occurring within [100 feet/other local jurisdictional area] of an area specified in 310 CMR 10.02(1)(a) shall meet the requirements of the [State/Local] Wetlands Protection [Regulations/Bylaw/Ordinance].

3.3.3 Stormwater Management [Bylaw/Ordinance]. All projects disturbing [an acre / local threshold for triggering stormwater management permit review] or more of land shall meet the requirements and design and performance standards of the [Town/City] of \_\_\_\_\_\_ Stormwater Management [Bylaw/Ordinance].

3.3.4 Any other applicable municipal, state or federal required permits or approvals

**3.3 Plan Believed Not to Require Approval**

3.3.1 Filing Procedure

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 his plan does not require approval under the Subdivision Control Laws may submit his plan and application (Form A) to the Board or to the [Town/City] Clerk accompanied by the necessary evidence to show that the plan does not require approval. Said plan shall be submitted either by delivery or by registered or certified mail. Receipt of the plan by the [Town/City] Clerk or Board shall constitute the date of submission. The applicant will also file the appropriate filing fee to cover the cost of handling reviews and public meeting expenses (See Section 8 for Fees)

If the Board determines that the plan does not require approval, it shall within twenty-one (21) days and without a public hearing endorse on the plan the words "Planning Board Approval under the Subdivision Control Law Not Required." If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within twenty-one (21) days of submission of said plan so inform the applicant and return the reproducible original of the plan. The Board shall notify the [Town/City] Clerk of its action.

The applicant shall provide electronic copies of said plan as a dwg. file set to the projected coordinate system NAD\_1983\_StatePlane\_Massachusetts\_Mainland\_FIPS\_ 2001(Meters) where available.  Electronic copies must also be submitted in a digital format acceptable to the town.

OR, if preferred by the Planning Board

The applicant shall provide electronic copies of said plan which meet the current version of the “MassGIS Standard for Digital Plan Submission to Municipalities” meeting the requirements for Level I submission standards. Electronic copies must also be submitted in a digital format acceptable to the town.

3.3.1.1 The applicant shall:

* file with the Board:
* A fully completed Form A
* The required Filing Fee
* \_\_\_ mylar copies of said plan
* \_\_\_ paper copies of said plan
* give written notice (Form A) to the [town/city] clerk by delivery or by registered mail, postage prepaid, that he/she/they have submitted such a plan with the Planning Board.

3.3.1.2 If the Board determines that the plan does not require approval under the Subdivision Control Law , the Board will vote to approved and endorse the plan.

3.3.1.3 After endorsement by the Board the applicant shall file the endorsed mylar with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Registry of Deeds.

3.3.1.4 If the Board determines that the plan does require approval, the Board will vote to deny the plan and file a written statement with the [Town/City] Clerk, and mail a copy to the applicant, of its determination including its reason for denial.

Before the Board makes its determination, it shall review or have a consultant review the correctness of all street information and compliance with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zoning [By-Laws/Ordinances]. If, in the judgment of the Board, consulting services are necessary or appropriate, the applicant shall be responsible to cover the full cost of such services prior to the endorsement of the plan.

Where the physical condition or width of a public way, from which the lots shown on the plan have their access, is considered by the Board to be inadequate either to provide for emergency services or to carry the traffic which is expected, in the opinion of the Board, to be generated by such lots, the Board shall determine that the plan does require approval under the Subdivision Control Law.

Where the Board determines that in its opinion adequate access (as contemplated by section 81M of the Subdivision Control Law) does not exist, then the Board shall determine that the plan does require approval under the Subdivision Control Law.

If the Board fails to act upon a submitted plan within twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Laws is not required as certified by the [Town/City] Clerk.

3.3.2 Plan Contents

The plan shall be prepared by a Massachusetts Registered Land Surveyor, shall be clearly and legibly drawn with waterproof ink upon mylar at a scale not smaller than one (1) inch equals forty (40) feet or a scale appropriate to project proposed, with the sheet size not exceeding thirty-six (36) inches by twenty-four (24) inches, and shall contain the following information:

3.3.2.1 North arrow, date, scale, legend, locus, and title, “Subdivision Approval Not Required”.

3.3.2.2 The names and addresses of the owner/s of record at the time of submission of the application, the applicant, and Land Surveyor (including the official seal).

3.3.2.3 Locations, names, lines and widths of all existing streets, sidewalks, publicly owned trails and shared use paths, and any common or public areas.

3.3.2.4 Location and setbacks of all existing structures on the proposed site.

3.3.2.5 Location, dimensions and purpose of all easements, both existing and proposed, within and adjacent to the land in question.

3.3.2.6 The plan shall show boundary lines, dimensions of all subject lots, sites of divisions, lot areas (in acres or square feet, as appropriate), with all lots designated numerically and in sequences.

3.3.2.7 Location of all monuments properly identified as to whether existing or proposed.

3.3.2.8 Frontage dimensions of all lots created and the dimensions of any frontage remaining on the original subdivided parcels, including the area of any subdivided parcels with a structure.

3.3.2.9 Suitable space to record the action of the Board and the signatures of members.

3.3.2.10 Book and page number from the \_\_\_\_\_\_\_\_\_ Registry of Deeds or title reference of subject property.

3.3.2.11 A notation reading “Endorsement of this Plan does not certify compliance with the zoning required for a building lot.”

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