



TOWN OF LEICESTER

Office of Development & Inspectional Services

Leicester Town Hall, 3 Washburn Square, Leicester, MA 01524
www.leicesterma.org
508-892-7003 (Building/Health) / 508-892-7007 (Planning, Conservation, ZBA)

Board of Health
Building/Code Enforcement
Conservation Commission
Planning Board
Moose Hill Water Commission
Zoning Board of Appeals

ANR Plan Submittal Instructions

Revised 1/2021

- See Section II.A. of the Leicester Subdivision Rules & Regulations for general ANR plan requirements (copy attached).
- If any parcels shown on the plan are not building lots, such parcels should be clearly labeled "NOT A BUILDING LOT" and such plans must also contain a notation stating that "No determination of compliance with zoning requirements has been made or intended by the Planning Board's endorsement."
- Please contact the Planning Board office at 508-892-7007 or planning@leicesterma.org to schedule review of your ANR plan on a Planning Board agenda
- By 12:00 noon on the Wednesday before a scheduled Planning Board meeting, submit the following:
 - a) Application Form (see attached)
 - b) \$160 Fee (check payable to the Town of Leicester)
 - c) At least 1 paper copy OR a .pdf copy of the plan for review

The Town Planner will review the submittal and let you know if you need to make changes before printing additional copies.

- At the meeting where the Planning Board will review the plan (or before), the **Applicant must submit one original (mylar) and 2 paper copies for the Board's signature.** The Planning Board will sign and keep 2 paper copies and return the signed mylar to the Applicant. If the Applicant would like additional copies signed, extra copies may be submitted.
- Although Applicants for ANR plans are welcome to attend, it is not necessary for the Applicant to appear before the Board at the meeting for the plan to be signed. If no Applicant is present at the meeting, signed plans may be picked up at the Planning Office during normal business hours.
- It is the responsibility of the Applicant to record ANR plans at the Registry of Deeds.

SECTION II.

A. PLAN BELIEVED NOT TO REQUIRE APPROVAL UNDER SUBDIVISION CONTROL LAW:

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 Law, may submit his plan prepared by a registered land surveyor or registered engineer, a filing fee established by the Planning Board in accordance with Section I.F. shall be required in cash or check made out to the Town of Leicester, and the application Form A to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination, accompanied by a copy of said application. Such person shall file the original and two (2) copies of the plan with the Planning Board.

It is strongly recommended that any person filing a Form A request with the Planning Board shall also provide, in writing, a statement as to whether there are any development restrictions on any of the lots referred to in the request such as but not limited to Chapter 61, Chapter 61A, or Chapter 61B of the Massachusetts General Law. The Planning Board may require such plans to contain a notation stating that "No determination of compliance with zoning requirements has been made or intended by the Planning Board's endorsement."

If the Planning 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 Subdivision Control Law Now Required." Said plan shall be returned to the applicant and the Planning Board shall notify the Town Clerk of its actions within twenty-one (21) days of receipt of the request.

If the Planning 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 plan. The Planning Board shall also notify the Town Clerk of its determination.

In determining whether an existing way provides adequate access to qualify a plan as not constituting a subdivision, the Board shall consider the following:

1. Is the right-of-way at least forty (40) feet wide and of reasonable horizontal alignment?
2. Does the existing horizontal and vertical alignment of the roadway provide safe visibility?
3. Is the roadway constructed at least eighteen (18) feet wide, with at least fifteen (15) inches of gravel, and with adequate provisions for drainage?
4. If the road could every service more than six (6) dwelling units, is it bituminous surfaced or have provisions been made for such surfacing without cost to the town?
5. Have provisions been made for public utilities without cost to the Town?

Leicester Planning Board

ANR Plan Application

FORM A. APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: _____

Property Address:			
Assessors Map/Parcel:		Zoning District:	
Deed Reference (Book/Page):			
Plan Purpose:			

To the Planning Board of the Town of Leicester:

The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons:

(Separate paragraphs are used to indicate alternative provisions. The applicant should select and complete the paragraph or paragraphs pertinent to his case.)

- ☐ 1. The accompanying plan is not a subdivision because the plan does not show a division of land.
- ☐ 2. The division of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as required by the Leicester Zoning By-Law, which requires _____ feet for erection of a building on such lot; and every lot shown on the plan has frontage on:
- a. a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____, or
 - b. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely _____, or
 - c. a private way in existence prior to the date the Subdivision Control Law became effective in the Town of Leicester, having, in the opinion of the Planning Board, 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 and the buildings erected or to be erected thereon, namely _____.
- ☐ 3. The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner so that no lot affected is left without frontage as required by the Leicester Zoning Bylaw.

- ☐ **4.** The division of land shown on the accompanying plan is not a subdivision because two or more buildings were standing on the land prior to the date the subdivision control law went into effect in the Town of Leicester, and one of such buildings remains standing on each of the proposed lots shown on said plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows:

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- ☐ **5.** Other reasons or comment (See M.G.L., Chapter 41, Section 81-L)

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Applicant Information		Owner Information* (if not the Applicant)	
Name:		Name:	
Signature:		Signature:	
Address:		Address:	
Phone #:		Phone #:	
Email:		Email:	

*If there is more than one owner, all must sign.

Surveyor/ Plan Preparer Contact Information:			
Name:		Company Name:	
Phone:		Email:	

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