



ANR APPLICATION PACKET COHASSET, MASSACHUSETTS

Attached:

- **Form A Checklist and Procedures**
- **Form A – Application (ANR)**
- **Excerpt from Zoning Bylaws Pertaining to ANRs**
- **Planning Board Litigation Policy**
- **Fee Schedule**



TOWN OF COHASSET

Planning Board
41 Highland Avenue
Cohasset, MA 02025
781.383.4100 x 5128

FORM A - PROCEDURES

1. Submit the following to the Planning Board Office:
 - Mylar of the plan
 - 8 copies of the mylar
 - Form A – ANR Application signed by **both** the Applicant and the Landowner
 - 8 copies of the Form A-ANR Application signed by **both** the Applicant **and** the Landowner
 - Cohasset Planning Board Statement of Litigation Policy signed by **both** the Applicant or Representative **and** the Owner.
 - Appropriate application fee as per the Planning Board Fee Schedule
 - Contact the Planning Board Office to see when this can be put on an upcoming agenda. Dates of meetings of the Planning Board are listed on the Town’s website. Please note, All ANR’s are reviewed by Town Counsel and this can impact when you will be on the agenda.
2. The Planning Board Staff will review the packet for completeness and date-stamped as “RECEIVED”.
3. The Planning Board Staff will bring date stamped copies to the Town Clerk who will also date stamp the packet as “RECEIVED”. The Town Clerk will retain one copy for the Town Clerk files.
4. The Planning Board Staff will schedule a date and time for the Board’s review of the Form – A. The Board generally meets on the first and third Wednesday of the month.
5. There should be a representative present at the Planning Board meeting should the Board have any questions.
6. If the plan is approved, the mylar will be endorsed at the meeting and returned to the applicant for filing in the Norfolk County Registry of Deeds, at Dedham, Mass.
7. If the applicant would like a signed copy of the plans for his/her own records, an extra copy must be brought to the meeting.

Form A – Procedures

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Revised: February 19, 2004

April 24, 2013

December 2019



**TOWN OF COHASSET
Planning Board**

41 Highland Avenue
Cohasset, MA 02025

Tel: (781)-383-3517 FAX: (781) 383-1561

FORM A - APPLICATION (ANR)

Date: _____

To: Town Clerk

The undersigned, believing that the accompanying plan of property in the Town of Cohasset does not constitute a subdivision within the meaning of the Sub-division Control Law, has submitted said plan for determination and endorsement that Planning Board's approval under the Subdivision Control Law not required.

The undersigned believes that the division of land shown on this plan is not a subdivision for the following reason:

1) Name of Record Owner: _____
Address & Phone #: _____
Cell Phone #: _____ FAX #: _____

2) Name of Applicant: _____
Address & Phone #: _____
Cell Phone #: _____ FAX #: _____

3) Zoning Classification: _____

4) Assessors Map # _____ Plot: _____

5) Deed of Property Recorded in Norfolk County Registry:
Book: _____ Page: _____

6) Location and description of property sufficient for identification:

Signature of Owner

Signature of Applicant

Form A Application Packet

Excerpt from Zoning Bylaws Pertaining to Requirements for a Form-A

PLANS BELIEVED NOT TO REQUIRE APPROVAL

A. SUBMISSION PROCEDURES & FEES:

1. 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 the plan does not require approval under the Subdivision Control Law may submit the plan to the Board as permitted by Section 81-P, Chapter 41, of the General Laws and in accordance with these rules and regulations.
2. Said person shall file with the Planning Board an approved application form (attached), with an original and six (6) prints of the plan. Such application shall be accompanied by evidence intended to show that said plan does not require approval under the Subdivision Control Law. Said person, in accordance with Chapter 41, Section 81-T, General Laws, shall give written notice by delivery or registered mail, to the Town Clerk stating the date of submission of the plan to the Planning Board. If such notice is given by delivery, the Town Clerk shall, if required, give written receipt thereof to the person who delivered such notice.
3. All engineering and legal fees and expenses of the Board incurred by the Board in connection with reviewing a proposed plan or monitoring a particular subdivision whether or not approval under the Subdivision Control Law is required shall be reimbursed by the applicant who will deliver to and maintain with the Town Treasurer a deposit sufficient at all times to cover these costs in accordance with the fee schedule of the Board, as shown in Appendix A.
4. A submission shall not be deemed complete unless and until the applicant has provided deposits for engineering, legal and the Board's expenses -- if the Board has not waived the deposit requirement in writing.

B. CONTENTS OF PLANS BELIEVED NOT TO REQUIRE APPROVAL

Any plans submitted under this section shall be of minimum dimensions of nine inches (9") by twelve inches (12") and of maximum dimensions of twenty-four inches (24") by thirty-six (36") or such other sizes as may be specified by the Registry of Deeds or by Land Court. All plans shall contain the following:

1. Title block, containing the following information:
 - a - Name of owner on record.
 - b - Title, date of plan and scale.
 - c - Name and address of registered land surveyor.
 - d - The statement "Approval not Required Under the Subdivision Control Law" and sufficient space thereunder for the date and signatures of all members of the Board.
 - e - Date of survey and/or source of information.
 - f - A space for dating and describing revisions.
2. North point.
3. Existing and proposed boundary lines, including dimensions and areas of all lots shown.
4. Existing and proposed streets, byways and easements.
5. Location of all existing buildings, structures and bounds. In instances where a new lot line is being created, the Planning Board may require field verification of building setbacks from existing or new property lines.
6. Lots and/or house numbers.
7. Names of all abutters as they appear on the most recent tax list.
8. Zoning classification(s) and location of any zoning district boundaries that may lie within the locus of the plan.
9. Identify any areas(s) within the locus which lie(s) within a Flood Plain and Watershed Protection District.

Form A Application Packet

10. Notice of any decisions of the Zoning Board of Appeals including but not limited to variances and exceptions regarding the land or any building thereon.

11. A locus map at 800 feet to the inch.
12. Any other information necessary for the Board's determination.

C. APPROVAL PROCESS

The Planning Board may refer any plans so submitted to other town agencies or its consultants.

If the Board determines that the plan does not require approval, it shall forthwith, without a public hearing, endorse on the plan under the words "Approval Not Required Under the Subdivision Control Law" or words of similar import. In general, the position of the Planning Board is that any way in existence when the Subdivision Control Law became effective is insufficient, unsuitable, and inadequate to provide for the needs of vehicular traffic to the extent that it falls short of the Minimum Common Driveway Standards of the Cohasset Planning Board.

The Planning Board may add to such endorsement a statement as to the reason approval is not required or such other statement as may be deemed appropriate by the Planning Board.

Such endorsement shall not be deemed to constitute any determination of compliance with the requirements of the Zoning Bylaw. Following endorsement, said plan shall be returned to the applicant, and the Planning Board shall notify the Town Clerk in writing of its action.

If the board determines that the plan does require approval under the Subdivision Control Law, it shall, within twenty-one (21) days of the submission of the plan, give written notice of its determination to the Town Clerk and the applicant, and return the plan without endorsement. The applicant may submit the plan for approval as provided by law and by these rules and regulations, or may appeal from the determination of the Board in the manner provided in Section 81-BB of Chapter 41, of the General Laws.

If the Planning Board fails to act upon a plan submitted under this section or fails to notify the Town Clerk and the person submitting the plan of its action within twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law is not required, and the Board shall forthwith make such endorsement on said plan, or on the failure of the Board to do so forthwith, the Town Clerk shall issue a certificate to the same effect.

END OF SECTION II



**TOWN OF COHASSET
Planning Board**

41 Highland Avenue
Cohasset, MA 02025

Tel: (781)-383-3517 FAX: (781) 383-1561

**COHASSET PLANNING BOARD
STATEMENT OF LITIGATION POLICY**

It is the opinion of the Cohasset Planning Board (the “Board”) that the person or persons (collectively “Applicant”) who sought a decision, ruling or other approval from the Board (“Approval”) should bear any and all costs associated with or arising out of any legal action or proceeding, threatened or actual against or involving the Board challenging said Approval (each a “Legal Action” and all such costs “Legal Fees”).

The litigation policy of the Board is therefore to minimize its Legal Fees.

In furtherance of its litigation policy, the Board reserves for itself the right to seek to minimize its Legal Fees by all legal means, which means may include availing itself of one or more of the following remedies:

- (a) Requesting the Applicant to hold harmless and indemnify the Board for Legal Fees prior to commencing any defense of a Legal Action;
- (b) Settling all Legal Actions as quickly and in as cost effective a manner as possible, without regard to the interests of the Applicant, which may include rescinding any Approval previously granted; and
- (c) Seeking to recover Legal Fees directly from the Applicant which may include joining the Applicant to the Legal Action or commencing separate legal proceedings against the Applicant seeking restitution.

BY SIGNING BELOW, THE UNDERSIGNED ACKNOWLEDGES THEY HAVE READ THE BOARD’S STATEMENT OF LITIGATION POLICY AND THAT THEY CAN REQUEST A COPY TO RETAIN FOR THEIR RECORDS

Date: _____ **
Signature(s) of Applicant(s) or Representatives, if any

Date: _____ **
Signature(s) of Owner(s)

**** APPLICATION MUST BE SIGNED BY BOTH APPLICANT (OR REPRESENTATIVE) AND LAND OWNER.**



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FEE & DEPOSIT SCHEDULE

Form A - (Subdivision Approval Not Required – ANR)

\$100 Application Fee Per Plan

\$100 Fee for each new building lot shown

Town Engineering & Legal costs, if required, are the responsibility of the Applicant.

Subdivisions, Clusters & SMROD

\$1000 Application Fee

\$ 250 Per Lot Fee

\$5000 Engineering Cost Deposit

\$1500 Legal Cost Deposit

Town Engineering and Legal costs are the responsibility of the Applicant and *shall be brought up to the initial required amount when the balance goes below half the initial amount.* Once a subdivision or cluster is complete and approved, any remaining balance of deposits will be returned to the Applicant upon approval of the Applicant's written request.

Site Plan Review

\$1000 Application Fee (5,000 sq.ft. or less)

\$2000 Application Fee (5,000 – 10,000 sq.ft.)

\$1000 Add for each addition 10,000 sq.ft. or part thereof

Large Home Review

\$ 400 Application Fee (3500-5000 sq. ft.)

\$1000 Application Fee (over 5000 sq.ft.)

Engineering Costs Deposit:

\$ 1000 1,000 sq.ft. or less

\$ 5000 1,000 - 5,000 sq.ft.

\$ 7500 5,000 - 20,000 sq.ft.

\$10,000 20,000 sq.ft. or more

Legal Cost Deposit:

\$ 500 1,000 sq.ft. or less

\$1000 1,000 - 5,000 sq.ft.

\$1500 5,000 - 20,000 sq.ft.

\$2000 20,000 sq.ft. or more

Town Engineering and Legal costs are the responsibility of the Applicant and *shall be brought up to the initial required amount when the balance goes below half the initial amount.* Once an Occupancy Permit is issued, any remaining balance of deposits will be returned to the Applicant upon approval of the Applicant's written request.

Common Driveway

\$ 200 Application Fee

\$ 50 Per Residence served Fee

\$1500 Engineering Cost Deposit

\$1000 Legal Cost Deposit

Town Engineering and Legal costs are the responsibility of the Applicant and *shall be brought up to the initial required amount when the balance goes below half the initial amount.* Once the common driveway is complete and approved, any remaining balances of deposits will be returned to the applicant upon approval of the Applicant's written request.

***** Public Hearing Legal Advertisements – All Filings *****

Costs associated with legal advertisement for public hearings are the responsibility of the Applicant. Newspaper Advertising Departments will send invoices for legal advertisements directly to the Applicant.