

Section 4. Plan Believed Not to Require Approval (ANR)

Plans to be recorded in the Registry of Deeds or the Land Court for which Approval is Not Required (ANR) under the Subdivision Control Law may be submitted to the Planning Board for an Approval Not Required endorsement in accordance with this section. The applicant shall submit to the Planning Board by filing at a Planning Board meeting or, by delivery or certified mail, with the Town Clerk.

Said ANR submittal shall include

1. A 24" by 36" Mylar and six prints of the survey plans which shall show
 - a. All buildings owned by subject landowner(s) within 100' of any newly created property lines
 - b. A notice on the plans that states that Planning Board endorsement of the plan does not indicate that the lot is buildable under wetlands, zoning, or other town bylaws.
 - c. Any evidence to show that the plan does not require approval.
 - d. If more than one plan is used, an index of the different plan sheets
 - e. A locus plan showing where the site is within the Town of Tyringham
2. Two copies of a completed Approval-Not-Required Application
3. The appropriate fee (see Administration and Fees)
4. 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 be submitted on a CD-ROM and must be accompanied by the completed checklist required in the MassGIS standard.

If the Planning Board determines that the plan does not require approval, it shall without a public hearing endorses on the plan the words "Approval under the Subdivision Control Law not required". The Planning Board may add to such endorsement a statement of the reason why approval is not required.

If the Planning Board determines that the plan does require approval under the Subdivision Control Law, it will so inform the applicant and return the plan. The Planning Board will also notify the Town Clerk of its action.

If the Planning Board fails to act upon a plan submitted under this section within the statutory deadline, it shall be deemed to have determined that approval under the Subdivision Control Law is not required.

Section 5. Preliminary Plan

Before preparation of a preliminary (or definitive) plan, it is strongly recommended that the subdivider submit a sketch plan of the proposed subdivision to the Planning Board and consult with the Board informally regarding procedures, design standards and required improvements in order to save time and avoid costly mistakes.

A Preliminary Plan of a subdivision may be submitted by the subdivider to the Planning Board, the Board of Health and the Conservation Commission for discussion and approval, modification or disapproval by each board. The submission of such a Preliminary Plan will enable the subdivider, the Planning Board, the Board of Health, the Conservation Commission, other

municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended (and encouraged through Tyringham's fee schedule) that Preliminary Plan be filed in each case.

The applicant shall submit a Preliminary Plan application to the Planning Board by filing at a Planning Board meeting or, by delivery or certified mail with the Town Clerk.

Said Preliminary Plan submittal shall include:

1. Documentation that one copy of the complete application was filed with or mailed to the Tyringham Board of Health, the Conservation Commission, the Board of Selectmen, and the Road Superintendent.
2. Receipts showing that the applicant mailed, by certified mail, a notice of the proposed subdivision containing a locus map of the project to every abutter within 300 feet of the proposed subdivision.
3. Six copies of the preliminary plan on 24" by 36" paper at a scale of 1"=100' or greater, which shall show sufficient detail to form a clear basis for discussion and preparation of the Definitive Plan, including:
 - a. A title block identified as a Preliminary Plan, with the subdivision name, property owner, and project applicant.
 - b. Proposed names of roads or ways as well as all information described under the definition of the Preliminary Plan. Street names may not be similar to any other streets within Tyringham.
 - c. Final or near final alignment of all roads, ways, and rights of way. Existing and proposed lines of street, proposed names of the latter, rights-of-way, easements, and any public or common areas within the subdivision. Purpose of easements shall be indicated
 - d. The names and addresses of the owners of record, the applicant and the names, addresses and professional seals of the registered Professional Engineer and Land Surveyor.
 - e. The names and addresses of all abutters within 300 feet, as determined from the most recent tax list.
 - f. Location, names and present widths of streets bounding, approaching, or within reasonable proximity of the subdivision.
 - g. Location of natural waterways and water bodies on the subdivision parcel(s) and within 200 feet of the subdivision. The plans shall note whether the streams shown are perennial or intermittent, how that determination was made, and whether the Conservation Commission has approved the determination.
 - h. Boundary lines of all proposed lots with approximate dimensions and lot areas in square feet.
 - i. Location of all structures on and within 100 feet of the proposed subdivision.
 - j. The existing and proposed topography at a five (5) foot contour interval (lines of equal elevation) or better. Datum must be NAVD 1988. Major site features, such

as existing stone walls, fences, buildings, large trees, rock ridges and ledge, swamps, historic features and wooded areas.

- k. Whenever applicable and in a general manner, the proposed and existing storm drainage (curbs, gutters, and pipes or sheet flow), sanitary disposal (septic systems, decentralized systems or package plants) and water (springs, individual wells or community) systems.
 - l. A sketch of the applicant's and other parcels of contiguous un-subdivided land, showing possible or contemplated development and street layout, if applicable.
 - m. When multiple sheets are necessary, match lines showing where two sheets come together shall be used and referenced and an index plan graphically indicating the arrangement of said multiple sheets shall be provided.
 - n. A locus or location plan(s) at 1"=500' or greater showing the subdivision on an orthophoto base and its location to the surrounding roadways and physical features and drainage boundaries for watersheds and streams. The plan shall show the ownership and house number of all surrounding parcels of land.
4. The applicant shall request, in writing to the Planning Board, any proposed waivers of subdivision requirements.
 5. Six copies of a completed Preliminary Plan Application and such other supporting information as is necessary to review the application.
 6. The appropriate fee (see Administration and Fees)

The Planning Board may give such Preliminary Plan its approval, with or without modification and conditions. Such approval does not constitute approval of a subdivision.

Section 6. Definitive Plan Submission

Overview: A Definitive Plan shall be governed by the Subdivision Regulations in effect at the time of submission of such plan, or in effect at the time of submission of a Preliminary Plan, provided that a Definitive Plan evolved therefrom shall have been submitted to the Planning Board within seven (7) months from the date of submission of the Preliminary Plan. A Definitive Plan shall also be governed by and be consistent with the zoning in effect at the time of submission of such plan or at the time of submission of a Preliminary Plan from which a Definitive Plan is evolved, in accordance with the appropriate provisions of Chapter 40A of the General Laws, as amended.

The applicant shall submit a Definitive Plan application to the Planning Board by filing at a Planning Board meeting or, by delivery or certified mail with the Town Clerk.

Said Definitive Plan submittal shall include:

1. Documentation that the applicant filed two copies of the complete application with the Tyringham Board of Health, the Tyringham Conservation Commission, the Board of Selectmen, and the Road Superintendent.
2. Receipts showing that the applicant mailed, by certified mail, a notice of the proposed subdivision containing a locus map of the project to every abutter within 300 feet of the proposed subdivision.