

SECTION IV

NON-SUBDIVISION PLANS BELIEVED NOT TO REQUIRE APPROVAL (ANR)

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 Subdivision Control Law may submit *two (2)* original mylars and *two (2)* *contact prints* and two copies of a Form "A" application to the Planning Board, accompanied by the necessary evidence to indicate that the plan does not require approval under Mass. General Laws, Chapter 40 A.

All (each) lots on the plan shall include the statement that "The Planning Board has made no determination as to the conformance of this lot with Zoning". (04-16-2002)

Included with the ANR Plan submission, all information (including annotation of frontage, dimensions, acreage, etc.) shall also be submitted on a 3 ½" DOS compatible computer disk, using drawing interchange files (AutoCAD compatible DXF files), in either ASCII or binary format. Horizontal and vertical control shall have at least two (2) points tied (in feet) into the Massachusetts State Plane Coordinate System (NAD 1983) using Municipal GIS monuments stationed throughout the City. Horizontal control shall have a closure of 1:12,000 or better. Vertical control must be of second order D Class 2 accuracy or better and be tied to USGS datum. All records of control shall be delivered to and reviewed by the City. (04-16-2002)

Said original mylars shall include the following identifying information: Name and address of the owner(s) of record, name of applicant if different from owner(s) of record, present zoning classification of the parcel of land, Westfield Assessor's Map and parcel numbers, Hampden County Registry of Deeds Map and parcel numbers, a locus plan showing parcel locations at a scale of (1) inch equals one thousand feet, signature and stamp of certified land surveyor responsible for preparation of the plan.

Said applicant (or representative) shall file, by delivery at a regularly scheduled Planning Board meeting or by registered mail, a notice with the City Clerk stating the date of submission for such determination and accompanied by two copies of said application. If the notice is given by delivery, the City Clerk, if requested, shall give a written receipt thereof.

If the Planning Board determines that the plan does not require approval, it shall without a public hearing and without unnecessary delay endorse on the plan the words "Approval under the Subdivision Control Law Not Required". After such endorsement, the said person shall forthwith file with the board one (1) contact print showing said endorsement.

The Planning Board may add to such endorsement a statement of the reason approval is not required. The plan will be returned to the applicant, and the Planning Board shall notify the City Clerk of its action.

The person submitting the plan may appeal the decision by requesting that the Planning Board reconsider its findings. Reconsideration would be adopted when a majority of Board so votes. A written request asking for reconsideration must be submitted no later than fourteen days after the date of the vote. The Planning Board will notify the City Clerk of its actions. The person submitting the plan has the final right of appeal to the Superior Court of the commonwealth provided that the appeal is entered in the City Clerk's Office no later than twenty (20) days after the decision was reached.

If the Planning Board fails to act upon a plan submitted under this section 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.

