



ANR SUPPLEMENT

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Chairman

The following application is made to the City of Lowell Division of Development Services in accordance with the provisions of The Code of Ordinances, City of Lowell, Massachusetts, Chapter 270, Zoning Code.

1. ANR: CASE FOR ENDORSEMENT

Please note that all ANR plans proposing to create new building lots must adhere to the following requirements. If one or more of these requirements is not met, the plan will be denied endorsement.

1. Each lot shown must meet or exceed the minimum frontage required by the Lowell Zoning Code on one of the three types of ways specified in MGL Chapter 41, Section 81-L.
2. Vital access to each lot, as contemplated by MGL Chapter 41, Section 81M, must exist.
3. Frontage on un-built or "paper" streets does not meet these standards unless the way is shown on plan approved under the Subdivision Control Law and a valid performance guarantee is held by the Lowell Planning Board to insure completion of all public works serving the proposed lot(s).
4. An ANR cannot create a valid building lot by dividing it from another parcel rendered nonconforming by such division (*Pateuk v. Coppola*, 6 LCR 312 (1998)).

This Plan is thought not to require approval because (please check the condition or conditions which pertain to this application):

- _____ 1. It is not a division of land.
- _____ 2. Although it is a division of land into two or more parcels, only one of said parcels can be defined as a "lot", i.e. having definite boundaries, and used, or available for use, as the site of one or more buildings.
- _____ 3. Every lot shown has the minimum frontage by the Lowell Zoning Ordinance on a public way, namely _____ (street). Please attach copy of the Vote of the Lowell City Council accepting the street. This can be obtained from the City Clerk's office.
- _____ 4. Every lot shown has the minimum frontage required by the Lowell Zoning Ordinances on a way shown on a Plan hereto approved in accordance with the Subdivision Control Law, namely _____ (street).
- _____ 5. *(If item is checked, certification by signature of a Registered Engineer or Land Surveyor is required).* Every lot shown has the minimum frontage required by the Lowell Zoning Ordinances on a way in existence on January 1, 1960, namely _____ (street), recorded at N.M.R.D. Book _____, Page _____, and the following conditions now exist for the full frontage of the land being subdivided.
 - A. The street right-of-way is at least 40' wide
 - B. The street, if dead ending in the applicant's property, has been provided with a turnaround of 45' minimum radius.
 - C. Proposed lots, if at street intersections, have been provided with a property line radius of not less than 20 feet.

- D. The Plan has been approved and signed by the Board of Health and Commissioner of Public Works.
- E. The street has a 28' wide bituminous pavement in a 12" gravel base, each meeting Planning Board specifications.
- F. Longitudinal street grades are not less than 1.0% nor more than 10.0%.
- G. The applicant may request the Planning Board, through its authorized representative, to waive any of the proceeding conditions as can be shown to be unreasonable. Such request should be set forth in detail on separate sheets to be attached to this application.

- _____ 6. It is made for the purpose of adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the minimum frontage required by the Lowell Zoning Ordinance.
- _____ 7. It is a division of a tract of land, on which two or more buildings were standing on January 1, 1960, into two separate lots, on each of which one of such building remains standing. If more than two, _____(number).
- _____ 8. The lots shown, and the rights-of-way and easements appurtenant thereto, had been sold before January 1, 1960, and were held in ownership separate from that of the remainder of a subdivision which was recorded in the Registry of Deeds before January 1, 1960, N.M.R.D., Book _____, Page _____.
- _____ 9. This subdivision was registered by the Land Court before February 1, 1952, Plan No. _____, Document No. _____, Certificate No. _____.
- _____ 10. Other reasons (provide a detailed explanation on additional sheets attached to this application): (See Massachusetts General Laws, Chapter 41, Section 81-L)

2. ANR Plan Submission Requirements

Place a check mark next to each item to confirm that it is included in this package:

- _____ A. Two original plans with locations provided for endorsement by the Planning Board and City Engineer, with one of the stamped plans on mylar (meeting all requirements of the Registry of Deeds).
- _____ B. If argument #3 above is checked, a copy of the Vote of the Lowell City Council accepting the street or way.

PLEASE BE AWARE OF THE FOLLOWING PROVISIONS OF THE LOWELL ZONING CODE AS IT MAY AFFECT THE TITLE OF THE RESULTING SUBDIVIDED LOTS.

SECTION 5.1 LOT FRONTAGE

No building or structure shall be built nor shall any existing building or structure be enlarged which does not conform to the regulations as to the regulations . . . as set forth in the Table of Dimensional Requirements, except hereinafter provided.

SECTION 5.1.9 REDUCTION OF LOT AREA.

No lot shall be changed in size or shape so that the height, area, yard or off-street parking and loading requirements herein (the Lowell Zoning Code) prescribed are no longer satisfied. This provision shall not apply where a portion of a lot is acquired for public purpose. This provision shall not apply in regard to lot size, lot width and side yards in the event of a sale of an individually owned semi-detached or attached dwelling unit.

3. Authorization (Must be Signed by the Owner of the Property)

I am the record owner of the property for which this application is being filed and as such, I am familiar with the work that is proposed for my property.

I agree to provide visual evidence of the Request for Permit Sign posted on the project property to Development Services in accordance with the City of Lowell Zoning Ordinance.

I hereby give permission for this application to be filed with the full understanding that certain restrictions may be placed on the property relative to the approval of the proposed work.

I further certify that under the penalties of perjury, I am authorized to sign this application.

Name (Please Print): _____

Title: _____

Signature: _____

Date: _____

If representing a group, corporation, or other organization please attach a copy of the vote authorizing you to act on behalf of such organization for the purposes of this application.

Submit all required materials to:

Division of Development Services, City Hall, Rm. 51, 375 Merrimack Street, Lowell, MA 01852

Phone: (978) 674-4252 or (978) 674-4144

City Website: www.lowellma.gov