



## **DETERMINATION OF PLANNING BOARD JURISDICTION (ANR) CHECKLIST**

**CITY OF WORCESTER PLANNING BOARD**  
455 Main Street, Room 404; Worcester, MA 01608  
Phone 508-799-1400 - Fax 508-799-1406

1. Complete two (2) ANR Applications (Form A) with original signatures.
  - File one (1) with the Planning Board at the Division of Planning & Regulatory Services (DPRS).
  - File one (1) with the City Clerk in accordance with the requirements of M.G.L., Chapter 41.

The application and plan should be checked by the DPRS prior to filing with the City Clerk.
2. Submit ANR Plan
  - Plan must be a black line mylar original drawn according to the City of Worcester Subdivision Regulations, Section IV-Plans Not Requiring Approval.
  - Submit two (2) copies of the original plan.
3. Submit filing fee (checks made out to the City of Worcester).
4. Once the application and plan are submitted, they will be checked for completeness by DPRS.
5. If the application and plan are complete, the ANR plan will then be forwarded to the Planning Board for action. The Board will either endorse or deny the plan.
6. The applicant will be notified of the action of the Planning Board within 21 days after the ANR Plan has been submitted to the Board.
7. If plan is endorsed, the applicant must sign and date second ANR Application (Form A) when picking up the ANR mylar.
8. The applicant may then take the ANR Recording Form and ANR mylar to the Registry of Deeds, where the plan may be recorded. House numbers cannot be issued until this is done.
9. The applicant is then asked to submit the ANR Recording Form with the Book & Page Number of the recording to the Division of Planning and Regulatory Services by mail, email, fax or hand-delivery.

## PLANS NOT REQUIRING APPROVAL (ANR)

### CRITERIA FOR ENDORSEMENT “APPROVAL NOT REQUIRED”

1. The division of a tract of land into two (2) or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law if, at any time when it is made, every lot within the tract so divided has frontage and access on:
  - a. A public way or a way which the City Clerk of the City of Worcester certifies is maintained and used as a public way; or
  - b. A way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law; or
  - c. A way in existence on June 26, 1939 when the Subdivision Control Law became effective in the City of Worcester 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 proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the building erected or to be erected thereon.

The required frontage shall be of at least such distance as if then required by the Worcester Zoning Ordinance for the erection of a building on such a lot. If no distance is so required, such frontage shall be of at least twenty (20) feet.

2. Conveyances or other instruments 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 frontage above set forth, or the division of a tract of land on which two or more buildings were standing on June 26, 1939 when the Subdivision Regulations went into effect in Worcester, into separate lots on each of which one of such buildings remain standing, shall not constitute a subdivision.

### PLAN OF LAND

1. The plan shall provide the Planning Board with sufficient information to determine that it is entitled to an “approval not required” endorsement. Such information shall include, but need not necessarily be limited to the following:
  - a. Boundaries, dimensions and frontage of any lots which are being established, revised or recorded without change.
  - b. The names of all owners of abutting land as established from the most recent tax list.
  - c. Names of all ways which abut the applicant’s land.
  - d. A title block including:
    - i. Applicant’s name and address.
    - ii. Name, signature and seal of a Massachusetts professional land surveyor.
    - iii. Plan date.
    - iv. Scale.
    - v. Space for the endorsement of the Planning Board and the date of the endorsement.
    - vi. Assessor’s plate and lot designation.
    - vii. Current zoning district.
2. Whenever applicable, a statement that lots shown on the plan are part of a subdivision and are subject to terms and conditions of its approval plus a reference to the subdivision name and approval date.

3. Plan must be labeled **“approval under the Subdivision Control Law not required”**
4. An endorsement of a plan that does not require approval under the Subdivision Control Law by the Planning Board should not be construed as an endorsement of zoning. Each plan should carry the statement by the Board that **“The above endorsement is not a determination of conformance with Zoning Regulations.”**

## **ZONING NONCONFORMITIES**

Please note: Endorsement of ANR plans only represents approval of new or reconfigured lot lines relative to frontage requirements and adequacy of the way and is in no way a determination of compliance with applicable zoning regulations. If any zoning violations or nonconformities are created through the filing and endorsement of this ANR, the Division of Building & Zoning may refuse issuance of building permits and/or may issue cease and desist orders until such time those zoning violations or nonconformities are cured.

## **DEADLINE FOR SUBMITTAL**

Due to Open Meeting Law requirements, all ANRs must be submitted to DPRS the Friday before the applicable Planning Board meeting to allow for processing and to add to the meeting agenda 48 hours in advance of the meeting.

## **NONBUILDABLE LOTS**

If you are creating non-buildable lots (lots that do not meet Zoning Ordinance dimensional requirements), label lots as such on plan.

## **MGL CHAPTER 41, 81L EXEMPTIONS**

If you are using this exemption of the Subdivision Control Law, you must provide proof to DPRS that the two buildings were standing prior to June 26, 1939.

## **RECORDING ANR(S)**

Worcester District Registry of Deeds  
City Square  
90 Front Street  
508-798-7717  
Recording Hours:  
Monday – Friday 9 am to 4 pm  
[www.masslandrecords.com](http://www.masslandrecords.com)

If you have other questions regarding plans not requiring approval (ANR), please refer to Section IV of City of Worcester Subdivision Regulations.

1. The City of Worcester Subdivision Regulations and Zoning Ordinance are available online at [www.worcesterma.gov](http://www.worcesterma.gov). Choose the “Document Center” option. Then click on “City Clerk” and select the appropriate file.
2. Copies of the City of Worcester Zoning Ordinance can also be purchased at the City Clerk’s office, 2<sup>nd</sup> floor of City Hall.
3. Copies of the City of Worcester Subdivision Regulations can also be purchased at the Division of Planning & Regulatory Services office, 455 Main Street, Room 404.
4. For more information about M.G.L. Chapter 41, Subdivision Control, Section 81P:  
<http://www.mass.gov/legis/laws/mgl/index.htm>

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**DETERMINATION OF PLANNING BOARD JURISDICTION (ANR) APPLICATION (FORM A)**

**CITY OF WORCESTER PLANNING BOARD**  
455 Main Street, Room 404; Worcester, MA 01608  
Phone 508-799-1400 - Fax 508-799-1406

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:

- 1. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount of frontage and area required by the City of Worcester Zoning Ordinance and is on a public/private way, namely,

\_\_\_\_\_  
(Provide house numbers for existing dwellings & MBL #s for all affected lots)

- 2. If lots do not have the required frontage and area, explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 3. Land Surveyor's Name and Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 4. The owner's title to the land is derived under a deed recorded in Worcester District Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, or Land Court Certificate of Title Number \_\_\_\_\_, registered in Worcester Land Registry District Book \_\_\_\_\_, Page \_\_\_\_\_ and Worcester Assessor's Map \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_.

Owner's Printed Name & Signature: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ as duly submitted under the Rules and Regulations of the Planning Board.

For WORCESTER PLANNING BOARD

By: \_\_\_\_\_  
Division of Planning & Regulatory Services

Original Plan Picked Up By: \_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

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