

**City of Newburyport Planning Board  
FORM A - APPROVAL NOT REQUIRED**

The following items must be submitted to the Office of Planning and Development at least one week prior to a Planning Board meeting to be considered for the next agenda. Please submit:

- two (2) copies of this application
- two (2) 11"x17" copies of the plan
- one (1) full size copy of the plan
- the Mylar plan
- plans filed according to the Planning Board's [Digital Submission Requirements](#)
- an application fee of \$200 per lot line change or new lot created.

To the Planning Board,

The undersigned, believing that the accompanying plan of property in the City of Newburyport, Massachusetts does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Applicant: BRADLEY KUTCHER

Mailing Address: 138 ELM STREET SALISBURY, MA

Phone: 978 423 4254

Email: B.KUTCHER22@GMAIL.COM

Site Address: 44 TOPPANS LANE

Map and Lot(s): 39 34 Zoning District \_\_\_\_\_

Book and Page: 37482 | 133 or Certificate of Title: \_\_\_\_\_

Surveyor: SUMMIT SURVEYING

Address: 4 SOUTH POND STREET

NEWBURYPORT, MA

Phone: 978 692-7109

Owner's Name: BRADLEY KUTCHER

Address: 138 ELM STREET

SALISBURY, MA

**City of Newburyport Planning Board  
FORM A - APPROVAL NOT REQUIRED**

1. Total number of new lots created and/or lot line changes: 0

2. Please indicate the grounds on which you believe your plan not to be a subdivision:

- i.  Each lot on the plan has the frontage and lot area required under the Zoning Ordinance on:  
\_\_\_\_\_ a public way, or  
\_\_\_\_\_ a way which the City Clerk certifies is maintained & used as a public way, or  
\_\_\_\_\_ a way shown on a plan approved and endorsed by the Planning Board under the Subdivision Control Law, recorded in Plan Book \_\_\_\_\_, Plan \_\_\_\_\_ or  
\_\_\_\_\_ a way in existence before the adoption of the Subdivision Control Law by the City and which the Board finds adequate for the way's proposed use, or  
\_\_\_\_\_ a way shown on a plan of a subdivision recorded at the Registry of Deeds or the Land Court prior to the adoption of the Subdivision Control Law.
- ii.  Each lot has been clearly marked on the plan to be either:  
\_\_\_\_\_ joined to and made part of an adjacent lot, or  
\_\_\_\_\_ labeled "Not a Building Lot."
- iii.  Each lot on the plan contains a building, which existed prior to the adoption of the Subdivision Control Law.
- iv.  The plan shows an existing parcel with no new lot division(s) and has frontage on a way described above.


3. This form and plans have been filed according to the [Digital Submission Requirements](#) and:

- have been emailed to [planning@cityofnewburyport.com](mailto:planning@cityofnewburyport.com); or
- are included on accompanying media

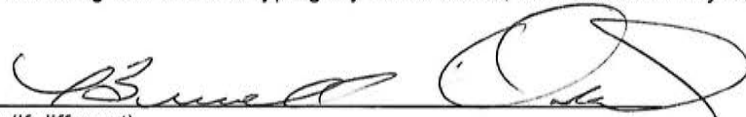
Every application for an Approval Not Required endorsement shall be made on this form, which is the official form of the Planning Board. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Office of Planning and Development does not absolve the applicant from this responsibility. Failure to comply with application requirements as cited herein may result in a dismissal by the Planning Board of this application as incomplete.

Petitioner and land owner's signatures:

By checking this box and typing my name below, I am electronically signing this application.

  
\_\_\_\_\_  
Petitioner

By checking this box and typing my name below, I am electronically signing this application.

  
\_\_\_\_\_  
Owner (if different)

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



CHARLES J. BRENNAN, P.L.S.  
FOR: SUMMIT SURVEYING, INC.

DATE

**NOTES:**

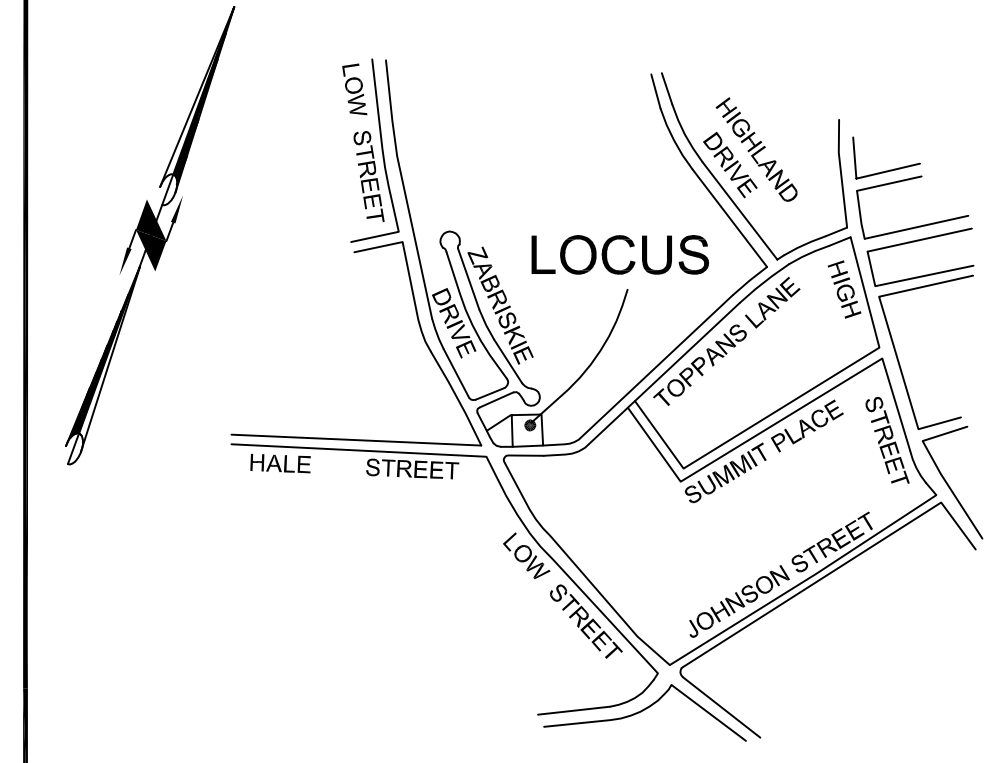
- 1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED IN MARCH 2019.
- 2.) THIS PLAN WAS PREPARED TO SHOW THE CREATION OF APPROVAL NOT REQUIRED LOTS B1 AND C1.

**RECORD OWNERS:**

ASSESSORS MAP 39 LOT 34 & 34A  
BRADLEY M. KUTCHER, TRUSTEE OF  
KIMBERLY REALTY TRUST  
242 MAIN STREET, SUITE 5  
AMESBURY, MA 01913  
DEED BOOK 37482 PAGE 133

**REFERENCES:**

PLAN BOOK 101 PLAN 100  
PLAN BOOK 155 PLAN 9  
PLAN BOOK 299 PLAN 47  
PLAN BOOK 390 PLAN 8  
PLAN BOOK 471 PLAN 30  
LOW STREET 1956 & 1957  
COUNTY LAYOUT



**LOCUS MAP**

SCALE: 1"=100'

**ZONING:**

R2 (SINGLE FAMILY)  
LOT AREA: 10,000 SF  
FRONTAGE: 90'  
FRONT OFFSET: 25'  
SIDE OFFSET: 10'  
REAR OFFSET: 25'  
HEIGHT: 35'  
LOT COVERAGE: 25%  
OPEN SPACE: 40%

**LEGEND:**

BIT	BITUMINOUS
CLF	CHAIN LINK FENCE
CB	CORNER BOARD
CL	COVERED LANDING
LP	LEAD PLUG
HYD	FIRE HYDRANT
FD	FOUND
IP	IRON PIPE
IR	IRON ROD
SB	STONE BOUND
VGC	VERTICAL GRANITE CURB
WDFE	WOOD FENCE
WIF	WIRE FENCE
MAP	ASSESSORS MAP &
LOT	LOT NUMBER

APPROVAL UNDER THE SUBDIVISION  
CONTROL LAW NOT REQUIRED  
**NEWBURYPORT PLANNING BOARD**

THE PLANNING BOARD'S ENDORSEMENT OF THIS PLAN AS ONE NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING.

**APPROVAL NOT REQUIRED  
PLAN OF LAND**

IN  
**NEWBURYPORT, MA**

AT 46 TOPPANS LANE  
PREPARED FOR

**BRADKU INC.**

BY

**SUMMIT SURVEYING INC.**

4 S. POND STREET, NEWBURYPORT, MA 01950  
TEL. 978-692-7109 WWW.SUMMITSURVEYINGINC.COM  
MARCH 5, 2020 19-0116

RESERVED FOR REGISTRY USE

