

## **SECTION 3.0 GENERAL**

### **3.1 Limitation of One Dwelling Unit per Lot**

Not more than one building for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in the Town of Southampton.

### **3.2 Zoning**

Subdivisions shall meet the requirements pertaining to lot size, frontage, and all other requirements under existing zoning laws. No subdivision rules can dictate the size, shape, width, frontage or use of lots except that they shall be in compliance with all applicable zoning requirements.

### **3.3 Plan Believed Not to Require Approval**

#### **3.3.1 Filing Procedure**

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 the Subdivision Control Laws may submit his plan and application (Form A) to the Board or to the Town Clerk accompanied by the necessary evidence to show that the plan does not require approval. Said plan shall be submitted either by delivery or by registered or certified mail. Receipt of the plan by the Town Clerk or Board shall constitute the date of submission. The applicant will also file the appropriate filing fee to cover the cost of handling reviews, advertising, and public meeting expenses (See Planning Board Policies and Procedures)

If the Board determines that the plan does not require approval, it shall within twenty-one (21) days and without a public hearing endorse on the plan the words "Planning Board Approval under the Subdivision Control Law Not Required." If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within twenty-one (21) days of submission of said plan so inform the applicant and return the reproducible original of the plan. The Board shall notify the Town Clerk of its action.

The applicant shall provide electronic copies of said plan as a dwg. file set to the projected coordinate system NAD\_1983\_StatePlane\_Massachusetts\_Mainland\_FIPS\_2001(Meters) where available. Electronic copies must also be submitted on a CD-ROM in pdf form.

The Board for the Town of Southampton recommends the following procedure for filing an "Approval Not Required" plan:

3.3.1.1 The applicant will meet with the Board at a regularly scheduled meeting for a review of said plan. The applicant will provide a minimum of two copies of said plan to the Board. Said plan shall be prepared by a Registered Massachusetts Engineer or Surveyor.

3.3.1.2 If the Board determines that the plan does not require approval, the Board will endorse the plan. After endorsement, the Chair of the Board will determine the

*Town of Southampton Subdivision Regulations*

appropriate filing fee cost for an Approval Not Required Plan (See Planning Board Policies and Procedures).

- 3.3.1.3 After endorsement by the Board, the applicant will file Form A with the Town Clerk, and pay the determined fee to the Town Clerk's office.

Before the Board makes its determination, it shall review or have a consultant review the correctness of all street information and compliance with the Southampton Zoning By-Laws. If, in the judgment of the Board, consulting services are necessary or appropriate, the applicant shall be responsible to cover the full cost of such services prior to the endorsement of the plan. Where the physical condition or width of a public way, from which the lots shown on the plan have their access, is considered by the Board to be inadequate either to provide for emergency services or to carry the traffic which is expected, in the opinion of the Board, to be generated by such lots, the Board shall determine that the plan does require approval under the Subdivision Control Law. Where the Board determines that in its opinion adequate access (as contemplated by section 81M of the Subdivision Control Law and Section I.B. of these regulations) does not exist, then the Board shall determine that the plan does require approval under the Subdivision Control Law.

If the Board fails to act upon a submitted plan within twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Laws is not required as certified by the Town Clerk.

3.3.2 Plan Contents

The plan shall be prepared by a Massachusetts Registered Civil Engineer and/or Massachusetts Registered Land Surveyor, shall be clearly and legibly drawn with waterproof ink upon mylar at a scale not smaller than one (1) inch equals forty (40) feet or a scale appropriate to project proposed, with the sheet size not exceeding thirty-six (36) inches by twenty-four (24) inches, and shall contain the following information:

- 3.3.2.1 North arrow, date, scale, legend, locus, and title, "Subdivision Approval Not Required".
- 3.3.2.2 The names and addresses of the owner/s of record at the time of submission of the application, the applicant, and Land Surveyor (including the official seal).
- 3.3.2.3 Locations, names, lines and widths of all existing streets and any common or public areas.
- 3.3.2.4 Location and setbacks of all existing structures on the proposed site.
- 3.3.2.5 Location, dimensions and purpose of all easements, both existing and proposed, within and adjacent to the land in question.
- 3.3.2.6 The plan shall show boundary lines, dimensions of all subject lots, sites of divisions, lot areas (in acres or square feet, as appropriate), with all lots designated numerically and in sequences.
- 3.3.2.7 Location of all monuments properly identified as to whether existing or proposed.

*Town of Southampton Subdivision Regulations*

- 3.3.2.8 Frontage dimensions of all lots created and the dimensions of any frontage remaining on the original subdivided parcels, including the area of any subdivided parcels with a structure.
- 3.3.2.9 Suitable space to record the action of the Board and the signatures of members.
- 3.3.2.10 Book and page number from the Hampshire Registry of Deeds or title reference of subject property.
- 3.3.2.11 A notation reading “Endorsement of this Plan does not certify compliance with the zoning required for a building lot.”