

# Form A

## SALISBURY PLANNING BOARD PLAN BELIEVED NOT TO REQUIRE APPROVAL FILING CHECKLIST

*Applications will not be stamped in at the Town Clerk's office for the Planning Board, until the Planning Department determines that the following items are included with the application:*

- ✓ 1. Ten copies of the plan and application
  - a. Assessor Office: 1 copy
  - b. Department of Public Works: 3 copies
  - c. Planning Department: 6 copies
- 2. Form A filing fee - checks payable to the Town of Salisbury.
- ✓ 3. One Mylar suitable for recording at the Essex County Registry of Deeds
- ✓ 4. Copy of Deed
- ✓ 5. Digital Data Submission Requirements – completed sign off form by MVPC **Attachment 6**

IMPROPER OR INCOMPLETE FILINGS WILL RESULT IN A DELAY IN DECISION, TOWN CLERK WILL SIGN AND STAMP AFTER PLANNING DEPARTMENT SIGNS OFF.

Clare Howard  
Assessor's Office

Sigrid Anne DeFou  
Department of Public Works

Susan John  
Planning Department

Melinda J. Morrison  
Town Clerk

**Form A**  
**Application for Endorsement of Plan Believed Not to Require Approval**

7/29/2021  
Date

Map 10 Lot 179

Street Address 138 Elm Street

Applicant's Name: 18-20 Barton Street Realty Trust

Applicant's Address: 138 Elm Street, Salisbury, MA 01952

Telephone #: 978-423-4254

Owner of Property: Same as Applicant

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

Plan Entitled: Plan of Land... 138 Elm Street, Salisbury, MA Dated 6/30/2021

Zoning District: R2 & C

Lot Size: 312,068 SF

Amount of Frontage: 317,52

Other Permits Required and Status of Applications: Site Plan Approval (Approved)

Order of Conditions \_\_\_\_\_

Waivers Requested: None

Does this ANR result in a change of address number for you or your neighbors? Yes

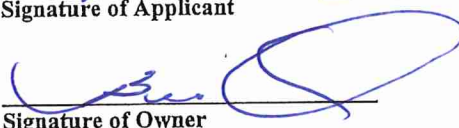
If you are applying under 81L, please be aware that this may result in a change of addresses for everyone on your street, which will cause them to incur a cost

***To the Salisbury Planning Board:***

The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under 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, area and depth required by the Salisbury ZBA ordinance and is on a public way, namely, Elm Street or a Private way, namely \_\_\_\_\_.
2. The division of land shown on the accompanying plan is not a subdivision for the following reasons:  
Has frontage on a public way (Elm Street)  
\_\_\_\_\_
3. The owner's title to the land is derived under deed from So. Essex Dist., dated 8/10/2017, and recorded in Essex South Registry of Deeds Book 36091 Page 127 or Land Court certificate of Title No. \_\_\_\_\_, registered in District Book \_\_\_\_\_ Page \_\_\_\_\_.

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Signature of Owner

Received: \_\_\_\_\_  
Town Clerk

**DIGITAL DATE SUBMISSION SIGN-OFF**

Note to applicant: Please allow 10 days for MVPC review and response.

Applicant: 19-20 Barton St. R.T.  
Brad Kutcher TR. Phone #: 978-423-4254

Plan Engineer: Michael Sergi Phone#: 978-373-0310

Engineer Project Number: 3588

- 1) Date submitted to MVPC? 7/30/21
- 2) Street address of submitted plan? 138 Elm St.
- 3) Map and lot of submitted plan if available? Map 10 LOT 179
- 4) Type of lot adjustment (new lot, subdivision, lot line correction, lot combination, easement, other – describe) Approval not required
- 5) Projection used by engineering firm (state plane 1927, state plane 1983, or WGS 84)?
- 6) File name, file format and version of software (if applicable)? .DWG AutoCAD 2018
- 7) Additional comments or instructions (if necessary)?  
Accuracy to 0.10' ±

**To be filled out by Merrimack Valley Planning Commission:**

- 8) Presence of latitude/longitude feature on paper plan (Y/N)?
- 9) Adjusted for true north or declination depicted on paper plan (Y/N)?
- 10) Arcs closed to create parcel polygons (Y/N)?
- 11) Are all features independent (Y/N)?
- 12) Is there documentation of each layer (Y/N/Partial)?
- 13) Has the accuracy been estimated?

MVPC has reviewed the digital data submitted and finds it acceptable and complete:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

KEY REFERENCE DEED

1. SOUTH EXETER DEED OF FEES BOOK 3690 PAGE 127

KEY REFERENCE PLANS

1. ANNUAL PLAN BY CAMIETT ENGINEERING PREPARED FOR BRIAN FETTER, DATED 7/7/2016 (UNRECORDED)
2. THE COMMONWEALTH OF MASSACHUSETTS, PLAN OF ROAD IN THE TOWN OF SALISBURY, ESSEX COUNTY, ALTERED AND LAD OUT AS SHOWN ON MAP 10 LOT 12A, MAP 10 LOT 12B, MAP 10 LOT 12C, MAP 10 LOT 12D, MAP 10 LOT 12E, MAP 10 LOT 12F, MAP 10 LOT 12G, MAP 10 LOT 12H, MAP 10 LOT 12I, MAP 10 LOT 12J, MAP 10 LOT 12K, MAP 10 LOT 12L, MAP 10 LOT 12M, MAP 10 LOT 12N, MAP 10 LOT 12O, MAP 10 LOT 12P, MAP 10 LOT 12Q, MAP 10 LOT 12R, MAP 10 LOT 12S, MAP 10 LOT 12T, MAP 10 LOT 12U, MAP 10 LOT 12V, MAP 10 LOT 12W, MAP 10 LOT 12X, MAP 10 LOT 12Y, MAP 10 LOT 12Z, MAP 10 LOT 12AA, MAP 10 LOT 12AB, MAP 10 LOT 12AC, MAP 10 LOT 12AD, MAP 10 LOT 12AE, MAP 10 LOT 12AF, MAP 10 LOT 12AG, MAP 10 LOT 12AH, MAP 10 LOT 12AI, MAP 10 LOT 12AJ, MAP 10 LOT 12AK, MAP 10 LOT 12AL, MAP 10 LOT 12AM, MAP 10 LOT 12AN, MAP 10 LOT 12AO, MAP 10 LOT 12AP, MAP 10 LOT 12AQ, MAP 10 LOT 12AR, MAP 10 LOT 12AS, MAP 10 LOT 12AT, MAP 10 LOT 12AU, MAP 10 LOT 12AV, MAP 10 LOT 12AW, MAP 10 LOT 12AX, MAP 10 LOT 12AY, MAP 10 LOT 12AZ, MAP 10 LOT 12BA, MAP 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APPROVAL UNDER THE SURVEYOR'S  
CONTROL LAW NOT REQUIRED  
TOWN OF SALISBURY PLANNING BOARD

DATE: \_\_\_\_\_

ENDORSEMENT OF THIS PLAN SHALL NOT BE AN  
INDICATION, EXPRESS OR IMPLIED, THAT THE  
PLANNING BOARD HAS REVIEWED THE PLAN  
CONFORMS TO APPLICABLE ZONING, CONSERVATION  
COMMISSION OR BOARD OF HEALTH REQUIREMENTS.

LOTERY HAS THE PLAN CONFORMS TO THE  
RULES AND REGULATIONS OF THE REGISTER OF  
DEEDS

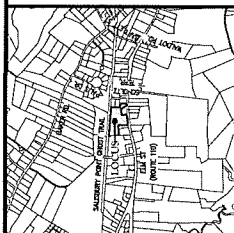
Michael U. Sergi 6/20/2021  
DATE

GENERAL NOTES

1. NORTH ORIENTATION IS BASED ON THE  
TOWN OF SALISBURY MAP 10 LOT 12A  
FROM THE TOWN OF SALISBURY AND ADJACENT  
TOWNS.
2. TOWN OF SALISBURY MAP 10 LOT 12A  
FROM THE TOWN OF SALISBURY AND ADJACENT  
TOWNS.
3. DATE OF SURVEY: 5/29/2021

ASSESSOR REFERENCE

1. TOWN OF SALISBURY ASSESSOR MAP 10 LOT 12A



LOCUS MAP  
NOT TO SCALE

SALISBURY POINT GHOST TRAIL

LOT 1  
A=156,034 S.F.  
A=3,5820 AC.

LOT 2  
A=156,034 S.F.  
A=3,5820 AC.

PLAN OF LAND  
LOCATED IN  
SALISBURY, MA  
RECORD OWNER AND APPLICANT  
18-20 BARTON STREET  
REALTY TRUST  
BRADLEY M. KUTCHER, TRUSTEE  
138 ELM STREET, SALISBURY, MA 01852

The  
Morin-Cameron  
GROUP, INC.  
CIVIL ENGINEERS / ENVIRONMENTAL CONSULTANTS  
138 ELM STREET, SALISBURY, MA 01852  
P. 978.681.1111  
F. 978.681.1112  
WWW.MORINCAMERON.COM



ZONING DISTRICT:

- C - COMMERCIAL
- R-2 - RESIDENTIAL
- W - WIRELESS COMMUNICATION DISTRICT B (OVERLAY)

ZONING MATRIX: COMMERCIAL (C)	
SETBACK	REQUIRED
FRONT	50'
SIDE	20' (C) / 30' (R)
REAR	20'
FRONTAGE	100'
LOT AREA	0.5 A.C.
BUILDING HEIGHT	35'
BUILDING COVERAGE	25% MAX.

ELM STREET  
WHD 1927  
PUBLIC - WORTH VARIES

PLEASE RETURN TO:  
Healey, Deshaies, Gagliardi & Woelfel, PC  
BOX 54

Dr/4



MASSACHUSETTS EXCISE TAX  
Southern Essex District ROD  
Date: 08/10/2017 01:44 PM  
ID: 1197065 Doc# 20170810002590  
Fee: \$1,824.00  
Cons: \$400,000.00

## Quitclaim Deed

We, Roberta B. Currier, Paul W. Currier, Judith A. Pierce, f/k/a Judith A. Smith, Helene Thomas, a/k/a Helen S. Thomas, Tracy Thomas, and Robert J. Carpenter

for consideration of Four Hundred Thousand and 00/100 (\$400,000.00) Dollars

grant to Bradley <sup>M</sup>Kutcher, Trustee of 18-20 Barton Street Realty Trust under declaration of trust dated July 30, 2013 as evidenced by Trustee Certificate pursuant to M.G.L. c. 184, §35 recorded with Essex South District Registry of Deeds at Book 32701, Page 423.

*with quitclaim covenants*

The land with the buildings thereon, containing twelve (12) acres, situated in Salisbury, Essex County, Massachusetts, located on the northerly side of Elm Street, Salisbury, Mass. and bounded and described as follows:

Beginning at the easterly corner thereof by land now or formerly of Samuel D. Warwick on Elm Street, so-called; thence running

Westerly	by said Street about nine hundred sixty-nine (969) feet to land of or formerly of J. Langford; thence
Northerly hundred ten	by the last mentioned land and land of or formerly of Silas Green about six (610) feet to land of or leased by the Boston & Maine Railroad; thence
Easterly	by the last mentioned land about eight hundred forty-seven (847) feet to land now or formerly of Warwick aforesaid; thence
Southerly	by the last mentioned land to a corner; thence
Easterly	by the last mentioned land, one hundred seventeen (117) feet, more or less, to land now or formerly of said Warwick; and thence
Southerly	by said land now or formerly of Warwick to the place and point begun at.

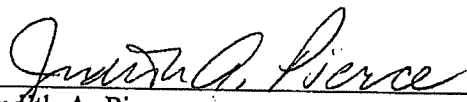
This is not homestead property of the Grantors and there is no other person who can claim the benefit of the Massachusetts Homestead Act, M.G.L. c. 188.

Property Address: 138 Elm Street, Salisbury

Being the same premises conveyed to Tracy A. Thomas and Alice B. Thomas by deed dated September 27, 1948 and recorded at Book 3625, Page 304, excepting therefrom the land conveyed to Guilford by deed dated May 25, 1966 and recorded at Book 5363, Page 701, to Guilford by dated June 17, 1966 and recorded at Book 5372, Page 243, and to Coddens by deed dated June 4, 1979 and recorded at Book 6599, Page 17.

For our title see deed of Charles B. Thomas dated June 6, 2002 and recorded with Essex South District Registry of Deeds at Book 18812, Page 324. See also Estate of Charles B. Thomas Jr. Essex County Probate Docket No: ES14P1994EA. See also Estate of Lisa J. Thomas Carpenter Essex County Probate Docket No: ES17P0267EA.


Executed as a sealed instrument this 10<sup>th</sup> day of August, 2017.

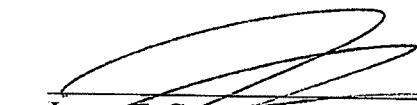
  
Judith A. Pierce

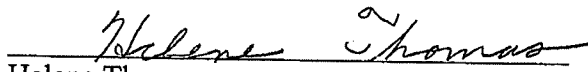
COMMONWEALTH OF MASSACHUSETTS

Essex, ss

On this 10<sup>th</sup> day of August, 2017, before me, the undersigned notary public, personally appeared Judith A. Smith, proved to me through satisfactory evidence of identification, which were New Hampshire Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

  
**JAMES T. CONNOLLY**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
August 29, 2019


  
James T. Connolly, Notary Public  
My Commission Expires: 8/29/19


  
Helene Thomas

COMMONWEALTH OF MASSACHUSETTS

Essex, ss

On this 10<sup>th</sup> day of August, 2017, before me, the undersigned notary public, personally appeared Helene Thomas, proved to me through satisfactory evidence of identification, which were Maine Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

  
**JAMES T. CONNOLLY**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
August 29, 2019

  
James T. Connolly, Notary Public  
My Commission Expires: 8/29/19




Executed as a sealed instrument this 10<sup>th</sup> day of August, 2017.

Roberta B. Currier  
Roberta B. Currier

**COMMONWEALTH OF MASSACHUSETTS**

Essex, ss

On this 10<sup>th</sup> day of August, 2017, before me, the undersigned notary public, personally appeared Roberta B. Currier, proved to me through satisfactory evidence of identification, which were Massachusetts Driver License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

 **JAMES T. CONNOLLY**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
August 29, 2019


James T. Connolly  
James T. Connolly, Notary Public  
My Commission Expires: 8/29/19

Paul W. Currier  
Paul W. Currier

**COMMONWEALTH OF MASSACHUSETTS**

Essex, ss.

On this 10<sup>th</sup> day of August, 2017, before me, the undersigned notary public, personally appeared Paul W. Currier, proved to me through satisfactory evidence of identification, which were Massachusetts Driver License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

 **JAMES T. CONNOLLY**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
August 29, 2019

James T. Connolly  
James T. Connolly, Notary Public  
My Commission Expires: 8/29/19