




SALISBURY PLANNING BOARD
PLAN BELIEVED NOT TO REQUIRE APPROVAL
FILING CHECKLIST

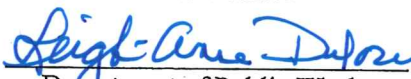
Applications will not be stamped in at the Town Clerk's office for the Planning Board, until the Planning Department determines that the following items are included with the application:

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**

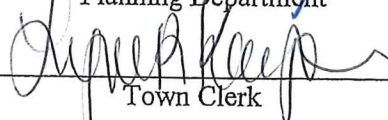
IMPROPER OR INCOMPLETE FILINGS WILL RESULT IN A DELAY IN DECISION, TOWN CLERK WILL SIGN AND STAMP AFTER PLANNING DEPARTMENT SIGNS OFF.




Assessor's Office


Department of Public Works


Planning Department


Town Clerk

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

5/3/23
Date

Map 33 Lot 61

Street Address 139 North End Boulevard

Applicant's Name: Northend 139 Realty Trust

Applicant's Address: 160 Bridge Road, Salisbury, Massachusetts 01952

Telephone #: 508-265-0123

Owner of Property: Northend 139 Realty Trust

Owner's Address: 160 Bridge Road, Salisbury, Massachusetts, 01952

Plan Entitled: Plan of Land - Tax Map Lot 33-61 -
139 Northend Boulevard Dated July 28, 2021

Zoning District: R-3 (High Density)

Lot Size: 1.55 Acres

Amount of Frontage: 100 ft on North End Boulevard & 337.10 ft on Sunset View Lane

Other Permits Required and Status of Applications: None

Waivers Requested: None

Does this ANR result in a change of address number for you or your neighbors? No

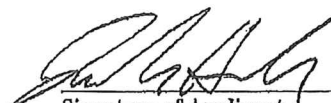
If you are applying under 81L, please be aware that this may result in a change of addresses for everyone on your street, which will cause them to incur a cost

To the Salisbury Planning Board:

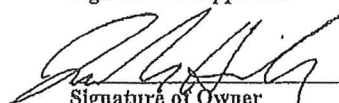
The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons:

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, North End Blvd. or a Private way, namely Sunset View Lane
2. The division of land shown on the accompanying plan is not a subdivision for the following reasons:


3. The owner's title to the land is derived under deed from Khoury, dated 4/27/21, and recorded in Essex South Registry of Deeds Book 39811 Page 433 or Land Court certificate of Title No. _____, registered in District Book _____ Page _____.



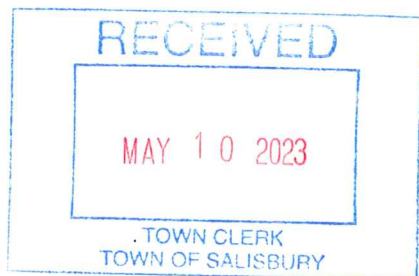
Signature of Applicant



Signature of Owner

Received: 

Town Clerk



Attachment 6

The applicant shall submit two copies of the Form A Plan in a digital format to the Merrimack Valley Planning Commission (MVPC-160 Main St Haverhill, MA 01830 (978) 374-0519 JJWhitten@mvpc.org). Before any application for a Form A "Approval Not Required Plan" is accepted, the below form must be completed by MVPC. Failure to submit form will cause the application to be incomplete

Municipal Mapping –Digital Data Submission Requirements

The following requirements apply to the submission of Form A or subdivision plans as well as for plans and as-built drawings for infrastructure projects (water/sewer installation or repair, road work, and other capital improvements).

1. All plans and specifications must be submitted on electronic media (3.5" floppy or CD_ROM using an IBM-PC or compatible file format). Acceptable file formats include: AutoCAD *.dwg, AutoCAD *.dxf, ArcView *.shp, ArcInfo *.E00. The files must be identical to the printed plan and contain all information included on the written plan. Upon project completion a digital submission of the "as-built" plan is required for final release of the performance bond associated with any project.
2. All digital mapping data must be delivered in the Massachusetts State Plane Coordinate system with a horizontal datum of NAD83 and vertical datum of NGVD88. All lot lines and easements depicted on the electronic submittal will conform to survey accuracy. Where possible all bearings and distances should be adjusted for true north OR the applicant shall provide a listing of the number of degrees, minutes, and seconds of deviation between true north and magnetic north. If necessary data will be accepted in NAD27 using the aforementioned specifications.
3. Each feature type must be organized in the CAD or GIS data structure as a separate layer. For example, there must be separate CAD layers for buildings, roads, road centerlines, surface water, wetlands, etc. Having all these features in a single CAD layer or GIS file will not be accepted.
4. CAD data may be tiled on paper, PDF or other form of digital output as individual sheets for improved readability, but plans should be derived from a single master drawing. All data will be topologically clean, meaning that polygons are closed (no overshoots or undershoots) and lines connect at nodes. Features that naturally connect such as driveways to roads must connect seamlessly. All text in AutoCAD files will appear on top of other features and will be in separate annotation layer. Features under text should not be erased or 'broken' in order to make the text clearer.
5. Documentation of the data format must be provided with a description of the CAD layers and list of the types of features placed in each layer. Submission of multiple files must also include a list of the files and their purpose.
6. Attributes or databases that are included in mapping files must have a definition of the meaning of each field as well as a definition of any values used in each field. Features that contain an elevation component (z-value) must have that elevation value within the attribute data.
7. The data submitted must include documentation on the method used to gather the data, the name of the person(s) responsible for preparing the data, contact information, an estimation of the horizontal and vertical accuracy, and the date of data capture. All media shall be free from any and all defects and viruses, and labeled as to their contents.

DIGITAL DATA SUBMISSION SIGN-OFF

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

Applicant: Northend 139 Realty Trust Phone #: 508-265-0123

Plan Engineer: Fieldstone Land Consultants, PLLC Phone#: 603-672-5456
Attn: Milke Ploof - Project Manager

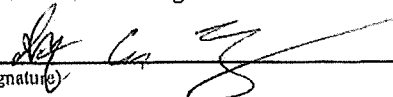
Engineer Project Number: 2752.00

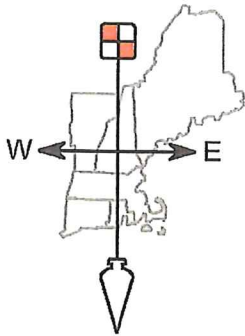
- 1) Date submitted to MVPC? 5/3/23
- 2) Street address of submitted plan? 139 North End Boulevard - Salisbury, MA
- 3) Map and lot of submitted plan if available? Map 33 Lot 61
- 4) Type of lot adjustment (new lot, subdivision, lot line correction, lot combination, easement, other -- describe) ANR - 3 Lots
- 5) Projection used by engineering firm (state plane 1927, state plane 1983, or WGS 84)? NAD 1983
- 6) File name, file format and version of software (if applicable)? 2752SB00C_ANR.dwg - CAD-2018
- 7) Additional comments or instructions (if necessary)?

To be filled out by Merrimack Valley Planning Commission:

- 8) Presence of latitude/longitude feature on paper plan (Y/N)? No
- 9) Adjusted for true north or declination depicted on paper plan (Y/N)? Yes
- 10) Arcs closed to create parcel polygons (Y/N)? Yes
- 11) Are all features independent (Y/N)? Yes
- 12) Is there documentation of each layer (Y/N/Partial)? Partial
- 13) Has the accuracy been estimated? No

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

 5/10/23
(signature) (date)



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456

www.FieldstoneLandConsultants.com

May 3, 2023

Salisbury Town Hall – Planning Department
5 Beach Rd
Salisbury, MA 01952

RE: **Letter of Authorization:**
Northend 139 Realty Trust (Owner)
Tax Map Parcel 33-61
139 North End Boulevard
Site Plan

To Whom It May Concern:

The undersigned being the owner and applicant of the above referenced lot hereby authorizes Fieldstone Land Consultants, PLLC to act as their agent in filing and seeking all necessary approvals from local, state and federal approvals for a division plan of Tax Map Parcel 33-61.

Very truly yours,

Tax Map Parcel 33-61
Northend 139 Realty Trust
160 Bridge Street
Salisbury, MA 01952

Signature: _____

Print: Joseph E. Hinc Date 5/3/23

Property: 139 North End Boulevard, Salisbury, MA



SO.ESSEX #537 Bk:39811 Pg:433
04/27/2021 03:39 PM DEED Pg 1/4
eRecorded

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 04/27/2021 03:39 PM
ID: 1448280 Doc# 20210427005370
Fee: \$2,736.00 Cons: \$600,000.00

QUITCLAIM DEED

EILEEN M. KHOURY and BRIAN A. KHOURY, both of Derry, New Hampshire,

for consideration of SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$600,000.00) paid,

grant with QUITCLAIM COVENANTS,

to JOSEPH G. HILL, TRUSTEE of NORTHEND 139 REALTY TRUST, u/d/t dated February 23, 2021 as evidenced by Trustee Certificate recorded with the Essex South District Registry of Deeds herewith, having an address of 160 Bridge Road, Salisbury, Massachusetts 01952,

the vacant land situated in Salisbury, Essex County, Massachusetts, as more particularly described in Exhibit A attached hereto and made a part hereof.

The foregoing premises are conveyed subject to, and together with the benefit of, all rights, restrictions, covenants and agreements of record, insofar as the same are currently in force and applicable.

Being the same premises conveyed to Eileen M. Khoury and Brian A. Khoury by Deed of David Aptaker, Partition Commissioner, dated June 13, 2018 and recorded with Essex South District Registry of Deeds in Book 36797, Page 78, to which deed reference may be had for additional title references.

The within Grantors hereby state under the penalties of perjury that the property conveyed by this deed was never homestead property of any Grantor and said property was never the principal residence of any Grantor or any other person.

Executed as a sealed instrument this 23rd day of April, 2021.

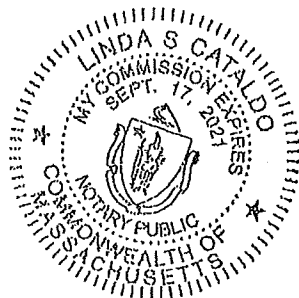
Eileen M. Khoury
Eileen M. Khoury

Brian A. Khoury
Brian A. Khoury

STATE/Commonwealth of Massachusetts

County: Essex

On this 23 day of April, 2021, before me, the undersigned notary public, personally appeared EILEEN M. KHOURY, proved to me through satisfactory evidence of identification, which was (☒) photographic identification with signature issued by a federal or state government agency, (☐) oath or affirmation of a credible witness, (☐) personal knowledge of the undersigned, 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.

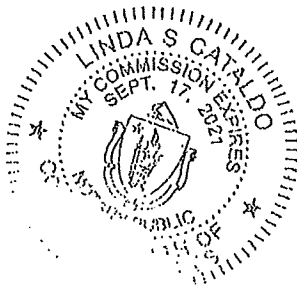


Linda S. Cataldo
Notary Public
My Commission Expires: 09.17.2021
[affix official seal]

STATE/Commonwealth of Massachusetts

County: Essex

On this 23 day of April, 2021, before me, the undersigned notary public, personally appeared BRIAN A. KHOURY, proved to me through satisfactory evidence of identification, which was (☒) photographic identification with signature issued by a federal or state government agency, (☐) oath or affirmation of a credible witness, (☐) personal knowledge of the undersigned, 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.



Linda S. Cataldo
Notary Public
My Commission Expires: 09.17.2021
[affix official seal]

EXHIBIT A
Property Description

All of Grantors' right, title and interest in a certain parcel of salt marsh land situate in Salisbury, Essex County, Commonwealth of Massachusetts containing one and seven-eighths (1 7/8) acres more or less, and bounded as follows, viz:

SOUTHERLY by marsh quitclaimed to John Armitage by Thomas Lally;

WESTERLY by a small creek separating the land hereby conveyed from land of the heirs of Robert Wilson;

NORTHERLY by land conveyed to John J. Niland by T. Currier, said land being used as a site for the Catholic Church;

EASTERLY by the Beach Bank.

Said land being the Northerly part of the land conveyed to John Armitage and Thomas Lally by deed of Mary A. True, dated October 9, 1897, and recorded with Essex South District Deeds, Book 1527, Page 517. Being the same parcel of land conveyed to Thomas Lally by John Armitage by deed dated November 8, 1900, and recorded with Essex South District Registry of Deeds, Book 1626, Page 268.

Meaning and intending to convey the premises known and numbered as 139 North End Boulevard (formerly 155 North End Boulevard) Salisbury, Essex County, Massachusetts 01952. Said premises are also identified by the Salisbury Assessor as parcel ID 33-61.

The foregoing premises are shown as the parcel of land designated "33-61, 1.55 +/- Acres, 67,754 Sq. Ft." on plan entitled "Plan of Land, Tax Map Lot 33-61 (139 North End Boulevard), Salisbury, Massachusetts, Land of Eileen M. & Brian A. Khoury" dated April 14, 2021, by Fieldstone Land Consultants, PLLC and recorded with Essex South District Registry of Deeds as Plan #592 on April 21, 2021 in Book 39793, Page 335, said parcel is more particularly described as follows:

BEGINNING AT AN IRON PIN ON THE WESTERLY SIDELINE OF NORTH END BOULEVARD, SAID IRON PIN MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PREMISES AND THE NORTHEAST CORNER OF LAND NOW OR FORMERLY OF NORTH BOULEVARD SALISBURY REALTY TRUST (TAX MAP LOT 33-62) AS DESCRIBED IN DEED AT THE ESSEX SOUTH REGISTRY OF DEEDS IN BOOK 6808, PAGE 424; THENCE

1. NORTH 87° 12' 23" WEST ALONG THE NORTHERLY SIDE OF LAND OF SAID NORTH BOULEVARD SALISBURY REALTY TRUST, 123.00 FEET TO A POINT. SAID POINT BEING THE NORTHWEST CORNER OF LAND OF SAID NORTH BOULEVARD SALISBURY REALTY TRUST; THENCE

2. SOUTH 17° 50' 41" EAST ALONG THE WESTERLY SIDE OF LAND OF SAID NORTH BOULEVARD SALISBURY REALTY TRUST, 46.93 FEET TO AN IRON PIN. SAID IRON PIN MARKING THE SOUTHWEST CORNER OF LAND OF SAID NORTH BOULEVARD SALISBURY REALTY TRUST AND THE SOUTHEAST CORNER OF THE WITHIN DESCRIBED PREMISES AND LOCATED ON THE NORTHERLY SIDELINE OF A 20 FEET WIDE PRIVATE RIGHT-OF-WAY KNOWN AS SUNSET VIEW LANE; THENCE

3. NORTH 87° 12' 23" WEST ALONG THE NORTHERLY SIDELINE OF SAID SUNSET VIEW LANE, 337.10 FEET TO A POINT ON THE EASTERLY SIDE OF A SMALL CREEK, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PREMISES, SAID CREEK SEPARATING THE HEREIN DESCRIBED PREMISES FROM LAND NOW OR FORMERLY OF THE HEIRS OF ROBERT WILSON; THENCE

4. 177 FEET MORE OR LESS ALONG THE EASTERLY SIDE OF SAID SMALL CREEK TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PREMISES. SAID POINT BEING THE SOUTHWEST CORNER OF LAND OF THE ROMAN CATHOLIC ARCHDIOCESE (TAX MAP LOT 33-63) AND LAND OCCUPIED BY THE STAR OF THE SEA CHURCH. THE TIE COURSE AND DISTANCE FROM THE SOUTHWEST CORNER TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PREMISES BEING NORTH 87° 12' 23" EAST, 174.48 FEET; THENCE

5. SOUTH 86° 10' 22" EAST BY THE SOUTHERLY SIDE OF LAND OF SAID ROMAN CATHOLIC ARCHDIOCESE, 520.00 FEET TO A POINT. SAID POINT BEING THE SOUTHEAST CORNER OF LAND OF SAID ROMAN CATHOLIC DIOCESE AND THE NORTHEAST CORNER OF THE WITHIN DESCRIBED PREMISES; THENCE

6. SOUTH 01° 29' 40" EAST, 100.00 FEET ALONG SAID WESTERLY SIDELINE OF NORTH END BOULEVARD TO THE POINT OF BEGINNING.

CONTAINING 67,754+/- SQ.FT. OR 1.55+/- ACRES

SAID PARCEL BEING CONVEYED TOGETHER WITH THE RIGHT TO PASS AND RE-PASS OVER THE 20' WIDE PASSAGEWAY SHOWN AS SUNSET VIEW LANE ON THE ABOVE-REFERENCED PLAN, IN COMMON WITH OTHERS, AS REFERENCED IN DEED RECORDED WITH THE SOUTH ESSEX REGISTRY OF DEEDS IN BOOK 2234, PAGE 167.