

**M.G.L. CHAPTER 40, SECTION 54A
APPLICATION**

**CONSENT TO THE ISSUANCE OF A BUILDING PERMIT
OR
DETERMINATION OF INAPPLICABILITY**

*(Please provide attachments if necessary to provide
a complete response to any section.)*

1. NAME OF APPLICANT

Tel. No. _____

Email: _____

Relationship to Property Owner

2. ADDRESS OF APPLICANT

NAME OF CO-APPLICANT (if applicable)

Tel. No. _____

Email: _____

ADDRESS OF CO-APPLICANT

3. NAME OF PRESENT PROPERTY OWNER

Tel. No. _____

Email: _____

4. ADDRESS OF PROPERTY OWNER

5. NAME / TITLE OF CONTACT PERSON

Tel. No. _____

Email: _____

6. ADDRESS OF CONTACT PERSON

7. NAME / TITLE OF BUILDING INSPECTOR OR CITY/TOWN OFFICIAL

8. ADDRESS OF BUILDING INSPECTOR OR CITY/TOWN OFFICIAL

9. PROJECT PARCEL LOCATION

Anticipated date of construction _____

10. CITY/TOWN ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S):

Map # _____ Lot # _____
Map # _____ Lot # _____
Map # _____ Lot # _____

11. DESCRIPTION OF IMPROVEMENTS TO BE CONSTRUCTED
(Use attachments, as necessary)

12. USE
Commercial, Residential, Industrial
Mixed-Use

13. TYPE OF PROPOSED CONSTRUCTION

14. TOTAL NUMBER OF STRUCTURES TO BE CONSTRUCTED

15. TOTAL PARCEL AREA INCLUDING FORMER RAILROAD PROPERTY

16. APPROXIMATE AREA OF FORMER RAILROAD PROPERTY

17. FORMER RAILROAD RIGHT-OF-WAY IS

- Near or adjacent to an **active** railroad right-of-way
- Part of or adjacent to an **inactive** railroad right-of-way
- Part of or adjacent to an **abandoned** railroad right-of-way
- Neither part of nor adjacent to a railroad right-of-way

18. NAME OF RAILROAD RIGHT-OF-WAY (Railroad Line, Branch Line):

Distance from property line to nearest track:

19. CURRENT/FORMER RAILROAD OWNER

20. DATE OF RAILROAD ABANDONMENT

21. DATE OF RAILROAD DISPOSITION

22. DATE OF CURRENT OWNER'S ACQUISITION

Submitted By:

Signature

Print Name

Title

Date

Following MassDOT's determination as to consent to the issuance of a building permit or inapplicability pursuant to M.G.L. Chapter 40, Section 54A, MassDOT will notify both the Applicant and the City/Town Building Inspector of such determination in writing.

If the Applicant would like MassDOT to notify others, please indicate name(s) and address(es) below:

Tel. No.

Email:

Tel. No.

Email:

Tel. No.

Email:

Tel. No.

Email:

M.G.L. CHAPTER 40, SECTION 54A

APPLICATION

REQUIRED ATTACHMENTS

If any of the below are not applicable, please provide an explanation.

- 1. Cover Letter from Applicant, with a copy of any letter issued by City / Town Building Inspector or other appropriate City/Town Official regarding the building permit application action requested in connection with M.G.L. Chapter 40, Section 54A.
- 2. Plan or plans identifying property lines and any proposed new construction on land currently or formerly owned by a railroad, or on which a railroad has or formerly held an easement for railroad purposes. Plans must be clear, legible, in PDF format, and must:
 - (a) Identify the property comprising the project parcel and any former railroad property;
 - (b) Include title block and scale;
 - (c) Identify the distance to any existing railroad line or transportation corridor; and
 - (d) Be the same plans as have been delivered to the City / Town Building Inspector.
- 3. Copy of signed recorded property deed into the current owner, with corresponding plan(s).
- 4. Copy of signed recorded property deed out from the former railroad owner, with corresponding plan(s).
- 5. Copy of signed recorded easement documenting easement rights held or formerly held by any railroad.
- 6. Copy of signed recorded release or termination of any easement established pursuant to Item 5 above.
- 7. A plan or plans showing the parcel on which any new construction will take place, and where any existing improvement encroaches on the former railroad right-of-way, clearly identifying:
 - (a) Location of proposed new structure(s);
 - (b) Location of any existing structures, including any structures which encroach on former railroad property;
 - (c) Current and former railroad property line or easement area boundaries;
 - (d) Dimensions from existing and proposed structures and site utilities to an adjacent railroad right-of-way or other transportation corridor; and
 - (e) Dimensions from existing and proposed structures and site utilities to any track facilities.
- 8. Elevations demonstrating the height of structures and facilities in the vicinity of any railroad right-of-way.
- 9. A map (locus) of the city, town or surrounding area, showing the location of the Project Parcel.
- 10. Historical Context including information on historical use of the property for which application is filed (e.g., pictures, historical narrative, other records.)
- 11. Additional deeds and plans that may be relevant to MassDOT's review, including:
 - (a) *In the event the Applicant is unable to locate title associated with any railroad, and Applicant seeks a determination of inapplicability, Applicant shall document title to the project parcel back to the year 1900. Applicant will not be required to search beyond 1900, unless there is evidence that a portion of the project parcel was previously used for railroad purposes; and/or*
 - (b) *Other relevant deeds and plans.*

NOTE: All plans must be legible and at an adequate scale to enable review of dimensions and text. MassDOT may require that one full set of project plans (to scale) be sent to MassDOT as hard copies.