FORM C
APPLICATION FOR APPROVAL OF A DEFINITIVE SUBDIVISION PLAN

FEE: $75.00 PER LOT

October 12, 2016 19____

To The Planning Board, Town of Ashby:

The undersigned, being the owners of certain land shown on proposed subdivision plan entitled

Open Space Residential Development Special Permit for Brite Excavating Company, Inc.

prepared by Hancock Associates

dated September 7, 2016 hereby submits the original and nine copies of said plan as a definitive plan in accordance with the Rules and Regulations Governing the Subdivision of Land in Ashby and makes application to the Board for approval of said plan.

The applicant's title to said land is derived from Eric Hess Deed Bk 66213 Pg 223 dated 10/13/2015 and James A. Tomolo, Jr. & Satnley B. Starr, Jr. Deed Bk 44684 Pg 355 dated 3/28/2005

by deed/deed _____ and recorded in _____ District Registry of Deeds, Book _____, Page _____ and/or registered in the _____ Registry District of the Land Court, as Document No. _____ and noted on Certificate of Title No. _____ Registration Book _____, Page _____, and said land is free of encumbrances except for the following:

A preliminary plan of the proposed subdivision (has) (has not) been submitted to the Planning Board for review. A preliminary plan of the proposed subdivision, from which the accompanying plan is duly evolved, was (approved) (approved with modifications) (disapproved) by the Planning Board on Aug 11 19 2016

The applicant hereby applies for the approval of said definitive plan by the Planning Board, and in furtherance thereof hereby agrees to abide by the Rules and Regulations Governing the Subdivision of Land in Ashby. The applicant hereby further covenants and agrees with the Town, upon the approval of said definitive plan by the Planning Board:

1. To construct ways and install municipal services as shown on the approved definitive plan in accordance with the Rules and Regulations Governing the Subdivision of Land in Ashby with such modifications or conditions, if any, as may be imposed by the Planning Board or Board of Health of the Town, such modifications or conditions to be set forth in a Decision to be filed by the Planning Board with the Town Clerk. Such construction of ways and installations or conditions to be set forth in a Decision to be filed by the Planning Board with the Town Clerk. Such construction of ways and installation of municipal services shall be completed within two (2) years from the date of endorsement by the Planning Board of its approval of the plan unless the Planning Board shall specify a different period of time for the completion of such work. If the construction of ways and installation of municipal services is not begun

RJC 3/8/13

within two years from the date of endorsement by the Planning Board of its approval of the plan, or within such shorter or longer period of time as the Planning board may specify, such approval shall terminate and the applicant shall be required to resubmit the plan to the Planning Board for reapproval with such modifications or conditions as the Planning Board may then deem appropriate.

2. To give security for the construction of ways and installation of municipal services required under paragraph 1 above in accordance with M.G.L. c. 41, s. 81U, as amended. The giving of such security shall not operate so as to relieve the applicant fails to construct ways and install municipal services as therein required and the security given under this paragraph proves insufficient to pay for the completion of such work, then the applicant shall be liable to the Town for the additional cost of completing such construction of ways and installation of municipal services.

3. To permit the Planning Board, its duly authorized agents and employees, and any agent or employee of the Town or any person authorized by the Town, to enter upon the land included in the subdivision for the purpose of determining whether the work required under paragraph 1 has begun or completed, and for the purpose of completing such work, if begun, in the event the applicant fails to do so within the required time.

4. To record the definitive plan and any covenant given under M.G.L. c. 41, s. 81U, as amended, in the appropriate district registry of deeds or registry district of the land court within six (6) months of the date of the Planning Board's approval of said plan. Any covenant given under G.L. c. 41, s. 81U, as amended, shall be referred to on the recorded definitive plan. If the Planning Board shall impose modifications or conditions on its approval of the definitive plan, its decision setting forth such modifications or conditions shall be referred to on the plan and shall be attached to and recorded with the plan. Any condition required by the Board of health not incorporated in the Planning Board's decision shall also be inscribed on the plan or contained in a separate document referred to on the plan and recorded with the plan.

[signature]
Signature of Applicant

Raymond J. Cirillo Trustee
Signature of Owner*

14 Patrick Drive
Ayer MA.
01432
Address

Received by Town Clerk:

Date:_____

Time:_____

Signature:_____

*All owners of the land must sign the application. If the land is owned by a corporation or trust, a copy of the instrument authorizing the person who signs the application to act for the owner must be attached to the application. If the applicant is not the owner of the land, a separate sheet listing the names and addresses of the owners and the interest of the applicant in the land should be attached to the application.