

FORM A

APPLICATION FOR DETERMINATION OF JURISDICTION AND ENDORSEMENT OF A PLAN NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW

To be submitted to the Planning Board with the original reproducible copy of the plan conforming to the requirements of Section 2.3.3, two full-size copies, a computer file conforming to requirements of the *Dedham GIS System*, and a computer file in ACAD format containing plan information conforming to the requirements of Section 2.3.3, and required filing and review fees.

Dedham, _____, 20__

TO THE PLANNING BOARD:

The undersigned owner of the land shown on the accompanying plan believing that said plan does not constitute a subdivision with: the meaning of the Subdivision control Law, hereby submits said plan for a determination and endorsement that approval under this Subdivision Control Law is not required for the reasons stated.

1. Name of Record Owner _____
Address _____
2. Name of Surveyor and Firm _____
Address _____
3. Deed of property recorded in Book_____, Page_____, Norfolk Deeds, or Land Court Certificate No._____ Plan_____
4. Assessors Map No._____, Lot No._____
5. Location and description, including nearest street_____
6. Reasons approval is not required (check or complete as applicable)
 - a. Every lot has the required frontage on and access from street, as defined by the Zoning By-Law, namely_____
 - b. Land designated _____ shall not be used as separate building lot(s), but only together with abutting lot(s)_____ which have the required area and frontage, as shown.
 - c. Lots having less area or frontage than currently required resulted from a taking for public purpose for _____ or have been recorded on _____ in Book _____, Page _____ in Norfolk Deeds, have been in a separate ownership at the time of increase in requirements, and cannot be joined with abutting land of the same owner.

d. Other (explain)

Signature of Applicant(s)*

Address

* If there is more than one owner, all must sign.

FORM AR

DETERMINATION OF JURISDICTION AND FINDING THAT A PLAN REQUIRES APPROVAL UNDER THE SUBDIVISION CONTROL LAW

To: Dedham Town Clerk
Town offices
Dedham, MA 02026

Re: Application for a Determination of Planning Board Jurisdiction,

Form A # _____, _____ Applicant

This is to notify you that the Planning Board has determined that the plan entitled _____ dated _____, by _____ showing lots designated and located as follows _____ submitted by the above applicant on _____ **REQUIRES APPROVAL** under the Subdivision Control Law.

By: _____

c/c Applicant

FORM B

APPLICATION FOR PRELIMINARY PLAN APPROVAL

To be submitted to the Planning Board with 1) the fees specified in Section 2.2, 2) written evidence that the Town Clerk has been notified of the date of submission by delivery or by certified mail, 3) seven (7) contact prints of plans conforming to the requirements of Section 2.4.6, 4) evidence that two (2) contact prints of the plans have been delivered to the Board of Health, 5) evidence that two (2) contact prints of the plans have been delivered to the Conservation Commission, 6) a computer file conforming to requirements of the *Dedham GIS System* and, 7) a computer file in ACAD format containing plan information conforming to the requirements of Section 2.4.6

Dedham, _____, 20_

TO THE PLANNING BOARD:

The undersigned owner(s) of the land included within a proposed subdivision and shown on the accompanying plan entitled _____, dated _____, by _____, submits said plan as a preliminary subdivision plan and make(s) application for the approval thereof.

The owner's title to the land is derived under deed or deeds from _____ dated _____ and recorded in Book(s) _____ Page(s) _____, in Norfolk Deeds or under Certificate of Title No. _____, Land Court Plan _____, (see copies attached)

General description of the land _____

Signature(s) of Applicant(s)*

Address _____

* If there is more than one owner, all must sign.

FORM C

APPLICATION FOR DEFINITIVE SUBDIVISION PLAN APPROVAL

To be submitted to the Planning Board with 1) Designer's Certificate Form D, 2) the fees specified in Section 2.2, 3) written evidence that the Town Clerk has been notified of the date of submission by delivery or by certified mail., 4) written consent of the owner in instances where the applicant is not the owner of the land, 5) an affidavit filed by the owner of the land stating that the title to the premises is in the name of the owner and free of all encumbrances or with the encumbrances set forth., 6) a written statement from the designer, if so required by the Board, documenting the source or sources of information concerning the location of boundaries, 7) an original reproducible copy and seven (7) contact prints of plans conforming to the requirements of Section 2.5.6, 8) written evidence that two (2) contact prints of the plans have been delivered to the Board of Health, 9) an affidavit of service stating that two (2) copies of the Definitive Plan have been delivered by hand or by registered mail to each of the agencies listed in Section 2.5.4, 10) a list of all owners of land abutting the subdivision as certified by the Dedham Board of Assessors dated no earlier than 14 days prior to the date of plan submission, 11) two copies of the Drainage Analysis conforming to the requirements of Section 3.6.4, and 12) a Drainage Report conforming to the requirements of Section 3.6.5

Dedham; _____ 20__

TO THE PLANNING BOARD OF THE TOWN OF DEDHAM:

The undersigned applicant(s), being the owner(s) of all land included within a proposed subdivision and shown on the accompanying plan entitled _____, dated _____, 20__, by _____, submits said plan as a definitive plan of the proposed subdivision and makes application to the Planning Board for the approval.

1. A preliminary plan of the proposed subdivision
 - a. has not been submitted to the Planning Board, or
 - b. has been submitted but has not been approved, or
 - c. has been approved by the Planning Board on _____ 20__ and this definitive plan is based on the approved preliminary plan and incorporates modifications required by the Board at the time of preliminary plan approval.

2. The land within the proposed subdivision is subject to the following easements and restrictions: _____

3. There are appurtenant to the land within the proposed subdivision the following easements and restrictions over the land of others:

4. The applicant agrees, if the definitive plan is approved, to construct and install all streets, utilities, and improvements within or to serve the proposed subdivision required by the Rules and Regulations of the Planning Board in force on the applicable date for this application.
5. The applicant further agrees, if the definitive plan is approved, to furnish the Planning Board performance guarantee for said construction and installation by one of the methods described in section 2.5.19 of the Rules and Regulations before the Board endorses its approval on the plan, and to furnish the Planning Board four full-size copies of all signed plans promptly upon receipt of the approved and signed originals from the Board.
6. The applicant further agrees to promptly record or register the approved and signed lot plans and street construction plans and profiles in the Norfolk County Registry of Deeds or Land Registration Office, and not to sell or otherwise convey any of the lots within the subdivision until the plans have been recorded, even if otherwise authorized to do so by the filing of a performance bond or other security.
7. The applicant further agrees to complete all of the work required by the Rules and Regulations within 24 months after the approval and endorsement of the plan, unless a different period of time is required by the Planning Board and stipulated in the performance guarantee furnished. Portions of the subdivision in which construction has not commenced shall be left in their natural state and kept clean and compatible with adjacent land.
8. The applicant further agrees that if the definitive plan is approved the applicant shall convey the rights and easements in streets and utilities, as provided in section 2.5.31 of the Rules and Regulations of the Planning Board, upon completion of construction and installation or when requested to do so.

The owner's title to the land is derived under deed(s) from _____, dated _____ and recorded in Book(s)_____, Pages_____, in Norfolk Deeds or as Certificate No._____, Land Court Plan _____.

Signature(s) of Applicant(s)*

Address_____

* If there is more than one owner, all must sign.

FORM D

DESIGNER'S CERTIFICATE

To the Planning Board of _____

As the preparer of the plan entitled _____, dated _____, 20____, I hereby certify that the above-named Plan is true and correct to the accuracy required by the current Rules and Regulations Governing the Subdivision of Land in _____, Massachusetts, and by the Procedural and Technical Standards for the Practice of Land Surveying in Massachusetts (250 CMR 6.00), and that my source of information about the location of boundaries shown on said plan were one or more of the following:

1. Deed from _____ to _____, dated _____ and recorded in Book____, Page____, in the _____ Registry of Deeds;

2. Other deeds, plans, and Land Court Certificates of Title as follows:

3. Actual measurements on the ground from existing monuments and evidence of occupancy or ownership as follows:_____

Signed:_____ Designer
Professional Land Surveyor, Mass. Registration # _____
or Civil Engineer, Mass. Registration # _____

Firm Name: _____

Address: _____

Date: _____

FORM E
COVENANT

Whereas the undersigned _____
_____ of _____,
hereinafter called the Covenantor, has submitted to the Planning Board of the Town of Dedham,
Massachusetts, a definitive subdivision plan of land in said Dedham comprising _____ sheets,
entitled _____, dated _____,
revised _____, by _____, and has requested the
Planning Board to approve said plan without requiring a performance bond or other surety;

Now, therefore, in consideration of the Planning Board approving said plan and in consideration
of one dollar in hand paid, receipt whereof is hereby acknowledged, the Covenantor hereby
covenants and agrees with the Planning Board and its successors in the office of said Board,
pursuant to General Laws, Chapter 41, Section 81-U, as amended, that:

1. The Covenantor is the owner in fee simple of all the land and premises included in the
aforesaid subdivision, and there are no mortgages or other encumbrances of record or
otherwise on any of said land, except those described below and subordinated to this
covenant, and the present holders of said mortgage have assented to the execution of this
covenant by the Covenantor(s)

(Names of all mortgagees and references to the recording of mortgages)

2. This covenant shall run with the land and be binding upon the executors, administrators, heirs
and assigns of the Covenantor, and the successors in title to the premises included in the
aforesaid subdivision;
3. The ways and municipal services and other required improvements to serve any lot in said
subdivision shall be constructed or installed as shown on said plan and in accordance with
the terms and conditions of its approval and with the Rules and Regulations of the Dedham
Planning Board before any lot may be built upon or conveyed, other than by a mortgage
deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure
or otherwise, and any succeeding owner of the mortgaged premises or part thereof, may sell
any such lot, subject only to the limitation that no lot shall be built upon until such ways and
services have been provided to serve such lot; provided that nothing herein shall be deemed
to prohibit a conveyance by a single deed subject to this covenant, of either the entire parcel
of land or of all lots shown on said plan that have not been previously released by said
Planning Board.
4. This covenant shall take effect upon its acceptance and upon approval of said definitive plan
by the Dedham Planning Board;
5. Reference to this covenant shall be entered upon said plan, and this covenant shall be
recorded when said plan is recorded, together with a certificate of action or order of
conditions by said Dedham Planning Board relative to said plan.

6. It is understood and agreed that lots included in said subdivision may be released from the foregoing covenants only upon the recording of a written release, executed by the Planning Board and enumerating the specific lots being released.

The undersigned, _____, spouse of the Covenantor, hereby agrees that such interest as I may have in the premises included in said subdivision shall be subject to the provisions of this covenant and, insofar as is necessary, release all rights of tenancy by courtesy, dower, homestead, and other interest therein.

For consideration paid (name, a Massachusetts corporation having the usual place of business in _____, _____ County), the present holder of a mortgage upon the premises within said subdivision, hereby assent to and subordinate said mortgage(s) to the covenants set forth above and agree that they shall have the same status, force, and effect as though executed and recorded before the taking of said mortgage(s).

Executed as a sealed instrument this _____ day of _____ 20__.

Signature(s) of Mortgagees or Agents

Signature(s) of All Owner(s) and Spouse(s)*

* If there is more than one owner, all must sign.

Commonwealth of Massachusetts, Norfolk ss. _____, 20__

Then personally appeared the above-named (owner as individual, trustee, or corporate officer, as applicable) and acknowledged the foregoing instrument to be his free act and deed (and the free act and deed of said corporation) before me.

Notary Public

My commission expires _____

Commonwealth of Massachusetts, Norfolk ss. _____, 20__

Then personally appeared the above-named (mortgagee as corporate officer or individual, as applicable) and acknowledged the above assent to be his free act and deed (and the free act and deed of said corporation) before me.

Notary Public

My commission expires _____

The foregoing covenant approved and accepted by the Dedham Planning Board:

(Date and signatures of the majority or authorized officer of the Board)

By: _____

FORM F
COVENANT RELEASE

The construction of ways, installation of municipal services or utilities, and other improvements called for by the Rules and Regulations Governing the Subdivision of Land in Dedham, Massachusetts, or imposed as conditions of approval by the Dedham Planning Board of the definitive subdivision plan entitled _____, dated _____ by _____ (Engineer), recorded in Norfolk Registry of Deeds in Plan Book _____ as Plan _____ of 20____, having been partially/fully completed to serve the following lots therein: _____ on _____ streets, (and adequate security having been furnished to ensure the performance of the remaining required work or improvements), the undersigned, being the majority of the Dedham Planning Board, hereby release the above enumerated lots from the restrictions as to sale and building specified in the covenant given by _____, dated _____, 20____.

DEDHAM PLANNING BOARD (by the majority of members thereof):

_____ Dated _____, 20____

(Notarized acknowledgment by a Planning Board member of the above being his and the Planning Boards free act and deed)

FORM G

GRANT OF EASEMENTS AND UTILITIES

In consideration of permission by the Town of Dedham, Norfolk County, Massachusetts, to have the streets and lots shown and included on the definitive subdivision plan entitled _____, dated _____ and revised to _____ connect to and be served by Town streets and utilities systems and for other valuable consideration, _____, applicants and owners of the premises included on said definitive plan, hereby agree and covenant for ourselves and for our successors in title to said premises to conform to the applicable Town specifications for the construction and installation of streets and utilities and to maintain them until all covenants and securities posted to ensure such construction and installation have been released by the Planning Board and the streets, easements, and utilities within said subdivision have been accepted by the Town. We, the said applicant(s) and owner(s), further grant to the Town of Dedham at no cost with quitclaim covenants the following:

1. The perpetual rights and easements to construct, install, inspect, repair, remove, replace, operate, and forever maintain sanitary sewers and/or subsurface and surface drains with their pipes, manholes, catch basins, conduits, and other appurtenances and accessory structures, and to do all other acts incidental to the foregoing, including the right to enter and to pass along and over the streets and easements shown on said subdivision plan and to make excavations therein. We shall make no claim for damages or for the return of any utilities removed or replaced by the Town of Dedham and its agents.
2. The perpetual right and easement to use for _____ the parcel(s) of land in said subdivision situated off _____ Street and identified on said plan or bounded and described as follows: _____

The Town of Dedham and its successors and assigns to have and to hold the above described rights and easements forever.

And, for consideration paid, _____ (mortgagee), duly organized under law and having a usual place of business in _____, the present holder of a mortgage upon the above described land, which mortgage is dated _____ and recorded in Norfolk Deeds, Book _____, Page _____, hereby releases from the operation of said mortgage unto the said grantee and its successors and assigns the rights and easements hereinabove granted and assents to said grant.

Executed as a sealed instrument this _____ day of _____, 20__.

(Owner's signature) (Mortgagee's signature)

(Acknowledgements of free act and deed before a notary public).

FORM H
PERFORMANCE BOND
(SURETY COMPANY)

The undersigned, _____, on behalf of _____, as Principal, and _____ a corporation duly organized and existing under the laws of the State of _____ having a usual place of business in _____, as Surety, hereby bind and obligate themselves and their respective devisees, executors, administrators, heirs, successors, and assigns, jointly and severally, to the Town of Dedham, a Massachusetts municipal corporation, in the sum of _____ (\$_____) Dollars.

The condition of this obligation is that if the Principal fully and satisfactorily observes and performs in the manner and the time therein specified, all of the covenants, agreements, conditions, terms, and provisions contained in the application (Form C) dated _____ under which approval of a definitive plan of the subdivision entitled _____, dated _____, by _____, has been granted by the Dedham Planning Board, including the terms, conditions, and modifications imposed by said Board at the time of such approval or thereafter, with respect to the entire subdivision or the parts thereof described below, then this obligation shall be null and void; otherwise it shall remain in full force and effect, and the aforesaid sum shall be paid to the Town to satisfy and complete the Principal's obligation.

(The part of the subdivision subject to this obligation includes _____ streets from _____ to _____ and all improvements to serve lots _____ on said plan.)

(If no time limit is specified in said application, covenant, agreements, or approval, all improvements and work required hereunder shall be performed and completed by or before _____, 20____.)

The Surety hereby assents to any and all changes and modifications that may be made of the aforesaid covenants, conditions, terms, agreements and provisions to be observed and performed by the Principal, and waives notice thereof.

In witness whereof we have hereunto set our hands and seals this _____ day of _____, 20__.

PRINCIPAL

SURETY

(Title)

(Attorney-in-Fact)

Accepted and approved
TOWN OF DEDHAM

by _____
(Title)

FORM I
PERFORMANCE BOND
(SECURED BY DEPOSIT OR BANKBOOK)

The undersigned, _____, on behalf of _____, as Principal, hereby binds and obligates himself/herself/itself and the executors, administrators, devisees, heirs, successors and assigns of the Principal, jointly and severally, to the Town of Dedham, a Massachusetts municipal corporation, in the sum of _____ (\$_____) Dollars and has secured this obligation by depositing with the Treasurer of said Town of Dedham the sum of _____ (\$_____) Dollars in the form of (a certified check #_____ made out to the Town of Dedham, drawn on account #_____ in _____ Bank); (a savings pass-book, paid-up shares, or certificates of deposit for account #_____ in _____ Bank, together with a signed withdrawal slip and assignment to the Town of Dedham assented to by said Bank); or (negotiable securities as follows: type _____, numbers _____, face amount _____, and assignment).

The condition of this obligation is that if the Principal fully and satisfactorily observes and performs in the manner and the time therein specified all of the covenants, agreements, conditions, terms, and provisions contained in the application (Form C) dated _____ under which approval of a definitive plan of the subdivision entitled _____, dated _____, by _____ has been granted by, the Dedham Planning Board, including the terms, conditions, and modifications imposed by said Board at the time of such approval or thereafter, with respect to the entire subdivision or the parts thereof described below, then this obligation shall be null and void; otherwise it shall remain in full force and effect, and the aforesaid security for the entire amount shall become and be the sole property of said Town of Dedham as liquidated damage to satisfy and complete the Principal's obligation.

(The part of the subdivision subject to this obligation includes _____ streets from _____ to _____ and all improvements to serve lots on said plan.)

(If no time limit is specified in said application, covenant, agreements, or approval, all work shall be performed and completed by _____.)

In witness whereof the undersigned has hereunto set his hand and seal this _____ day of _____, 20__.

PRINCIPAL

by _____

(Title) _____

Accepted and approved this _____ day of _____, 20__

TOWN OF DEDHAM

by _____

(Title) _____

FORM J

CERTIFICATE OF ACTION OF SUBDIVISION APPROVAL

This is to certify that the undersigned, being a majority of the Dedham Planning Board, have this day approved the definitive plan of subdivision entitled _____, by _____, dated (revised _____), submitted by _____ (Applicant), subject to terms and conditions of a Covenant to be given by the Applicant in accordance with the provisions of Section 81-U, Chapter 41 M.G.L.A., and of the Dedham Subdivision Regulations, and subject to the following special conditions, which conditions shall be shown or referred to on said definitive plan:

- 1...
- 2... (Enumerate any special conditions and requirements)
- 3...

A duly advertised public hearing was held on the application for the approval of this plan on _____ (Date).

(Signatures of majority of the Planning Board)

(If the Certificate is being signed not upon approval, change "this day" in the second line to a date and add the date when signed next to the signature block)

For disapproval - change the title and the word "approved" in line two and replace the words in lines four through seven of the first paragraph by the following: "due to the failure to conform to the Rules and Regulations governing subdivision of land in Dedham Massachusetts, and for the following specific reasons:"(list all)

Following the signatures there should be a notarized statement. of a Planning Board member that the foregoing represents "his free act and deed and a free act and deed of the Dedham Planning Board".

FORM K
INSPECTION CHECKLIST

ITEM	LOCATION	DATE	BY (AGENCY & NAME)	INITIALS
Clearing and excavation	_____	_____	_____	_____
Fill to rough grade, trenches	_____	_____	_____	_____
Installing drains, MH, CB	_____	_____	_____	_____
Installing sewer, MH	_____	_____	_____	_____
Installing water and appurt.	_____	_____	_____	_____
Backfill and grading	_____	_____	_____	_____
Stone base and grading	_____	_____	_____	_____
Set curb, CB, walls to grade	_____	_____	_____	_____
Binder coarse	_____	_____	_____	_____
Bit. surface	_____	_____	_____	_____
Bit. walks	_____	_____	_____	_____
Grass plots	_____	_____	_____	_____
Shade trees	_____	_____	_____	_____
Adjust MH, CB covers	_____	_____	_____	_____
Correcting bit. surface	_____	_____	_____	_____
Clean-up and debris removal	_____	_____	_____	_____

If unsatisfactory do not initial, put FAIL instead; note repeat Inspection.