

SUBDIVISION RULES AND REGULATIONS

LEE PLANNING BOARD

FORM C-2
CERTIFICATE OF APPROVAL OF A DEFINITIVE PLAN

Date: _____, 20____

To the Town Clerk of the Town of Lee, Massachusetts:

It is hereby certified by the Planning Board of the Town of Lee, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on _____, it was voted to approve a definitive subdivision plan entitled:

prepared by: _____

dated: _____

submitted by the applicant: _____

address: _____

and owned by: _____

address: _____

originally filed with the Planning Board on _____

for which a public hearing was duly advertised and opened on _____

and closed on _____, concerning the property located at _____

and showing _____ proposed lots on a (public or private)

_____ subdivision road named _____,

with the following conditions:

1. Approval is granted only on the condition that prior to the Board's endorsement of its approval on the Definitive Plan:
 - A. The plans and documents shall be revised to reflect the following conditions of approval, as follows:
 - (1) _____
 - (2) _____
 - (3) _____
 - B. and, the Applicant shall furnish a performance guarantee, either a financial guarantee in a form and amount acceptable to the Planning Board, or a covenant in a form acceptable to the Planning Board. The form and amount of the performance guarantee may be varied from time to time by the applicant subject to the agreement by the Planning Board of the adequacy and amount of said guarantee.
2. All required construction of the subdivision road and utilities shall be completed within _____ months after this date.
3. All streets or ways that are to be paved shall be surfaced with at least the binder course (or,

for streets that are to be unpaved, with the gravel surface course) prior to application for any occupancy permits for any structures served by such streets or ways.

4. All utilities serving structures served by such streets or ways shall be satisfactorily installed, tested, inspected and approved by the Board prior to application for any occupancy permits serviced thereby.
5. (If subdivision way is to be privately owned and maintained; otherwise delete or strikeout:) The lots within the subdivision shall be subject to A Declaration of Conditions and Restrictions in a form approved by Town Counsel. The declaration shall include a condition that the subdivision way has been approved on the basis that it shall always remain a private road open to the public and shall not be offered to the Town of Lee for acceptance as a public way. Maintenance of the private road and drainage system shall be performed by the homeowners' association formed for this purpose.
6. The applicant shall adhere to the recommendations of the Lee Department of Public Works contained in their letter dated _____, as follows:
 - A. _____
 - B. _____
 - C. _____
7. Other conditions as follows:
 - A. _____
 - B. _____
 - C. _____
8. The Board approved the following waivers, and determined these were in the public interest for the reasons discussed at the public hearing:
 - A. _____
 - B. _____
 - C. _____

Submitted by:

A true copy, Attest:

Secretary, Lee Planning Board

LEE PLANNING BOARD

Duplicate Copy Sent to by Registered Mail:

Applicant: _____

Attorney: _____

Engineer/Surveyor: _____

NOTE TO TOWN CLERK: The Planning Board and Applicant should be notified immediately of any appeal to the Superior Court or Land Court of this subdivision approval made within the statutory twenty (20) day appeal period after this certificate is filed with the Town Clerk. Following the expiration of the appeal period, you should endorse the plan or a separate certificate verifying that no appeal was filed, in order that the Planning Board may endorse their approval on the definitive plan.

NOTE TO APPLICANT AND PLANNING BOARD: Conditions of approval should be written on the endorsed plan which is recorded or should be set forth in a separate instrument, which could be a copy of the Certificate of Approval, and which should be referenced on the endorsed and recorded plan.