



FORM C
APPLICATION FOR MODIFICATION
OF A DEFINITIVE SUBDIVISION PLAN

_____, 20__

To the Planning Board, City of Fitchburg:

The applicant represented on this application submits the accompanying Definitive Plan of property located in Fitchburg for approval as a subdivision under the requirements of the Subdivision Control Law, M.G.L. Ch. 41, Sec. 81L, and the Planning Board's Subdivision Rules & Regulations.

1. Applicant _____

Address _____ Telephone _____

2. Owner or owners of land _____

Address _____ Telephone _____

3. Engineer _____

Address _____ Telephone _____

4. Surveyor _____

Address _____ Telephone _____

5. Deed of property recorded in the Northern Worcester County Registry of Deeds, or Land Court, Book _____, Page _____

6. Location and description of property _____

7. The following are all the mortgages and other liens or encumbrances on the whole or any part of the above described property:

8. Attach a Certificate of Tax Compliance from the Fitchburg City Treasurer's office.

9. Title of Definitive Plan _____

10. A preliminary plan of the proposed subdivision (has) (has not) been submitted to the Planning Board for review on _____ n/a _____. The preliminary plan was: (approved) (approved with modifications) (disapproved) on _____ N/A _____.

The applicant further covenants and agrees with the City of Fitchburg, upon the approval of said Definitive Plan:

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 Fitchburg with such modifications or conditions, if any, as may be imposed by the Planning Board or Board of Health of the City, such modifications or conditions to be set forth a Decision to be filed by the Planning Board with the City 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 within two (2) years from the date of endorsement by the Planning Board of its approval of the plan, or within such shorter or longer period pf 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 re-approval with such modifications or conditions as the Planning Board my 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 of his its obligations under paragraph 1 above, and if the applicants 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 City for the additional cost of completing such construction or 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 City or any person authorized by the City, 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 Northern Worcester County 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 M.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 in 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.
5. That at the laying out and acceptance of the subdivision's ways, all the municipal services within the ways shall become the property of the City of Fitchburg at no cost to the city, unless otherwise agreed upon in writing.

This agreement shall be binding upon the heirs, executors, administrators, successors, and assigns of the undersigned owner or owners of record:

Owner 1 _____
(print or type name) (signature)

Address _____

Owner 2 _____
(print or type name) (signature)

Address _____

Owner 3 _____
(print or type name) (signature)

Address _____

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss _____, 20 _____

Then personally appeared _____, **the owner(s)**, and acknowledged the foregoing instrument to be the free act and deed of said party(ies) before me.

Notary Public

My commission expires _____

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss _____, 20 _____

Then personally appeared _____, **the applicant(s)**, and acknowledged the foregoing instrument to be the free act and deed of said party(ies) before me.

Notary Public

My commission expires _____

***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.**