

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

APPLICATION FOR A DETERMINATION OF PLANNING BOARD JURISDICTION AND FOR ENFORCEMENT THAT PLANNING BOARD APPROVAL UNDER SUBDIVISION CONTROL LAW IS NOT REQUIRED.

File one completed form with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Section 4.01.

Date: \_\_\_\_\_  
Sheffield, MA 01257

TO THE PLANNING BOARD OF THE TOWN OF SHEFFIELD:

The undersigned, believing that the accompanying plan of his property in the Town of Sheffield does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant \_\_\_\_\_ Address \_\_\_\_\_

2. Plan prepared by \_\_\_\_\_  
(Registered Land Surveyor/Engineer)

Entitled: \_\_\_\_\_ Dated: \_\_\_\_\_

3. Deed of property recorded in \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_

4. Location and Description of Property \_\_\_\_\_

Zoning District \_\_\_\_\_

5. Applicant believes that Planning Board approval is not required for the following reasons:

a. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the frontage, and area required by the Town's Zoning Bylaw, and is on a public way, namely \_\_\_\_\_ or a private way, namely \_\_\_\_\_ which was approved by the Planning Board under the Subdivision Control Law as a subdivision entitled \_\_\_\_\_

b. The land shown on the accompanying plan is not a subdivision for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

**APPLICATION FOR APPROVAL OF PRELIMINARY PLAN**

(File one completed form with the Planning Board and one copy with the Town Clerk. Where alternative paragraphs are provided, applicant is to select and complete the paragraph pertinent to his case.)

TO THE PLANNING BOARD OF THE TOWN OF SHEFFIELD:

1. The undersigned applicant, being the owner of all land included within a proposed subdivision shown on the accompanying plan, entitled

\_\_\_\_\_

and drawn by \_\_\_\_\_

and dated \_\_\_\_\_, 20\_\_\_\_\_, submits such plan as a Preliminary Plan of the proposed subdivision and makes application to the board for approval thereof.

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. The owner's title to the land is derived under deed from

\_\_\_\_\_

\_\_\_\_\_, dated \_\_\_\_\_ 20\_\_\_\_\_, and recorded in Berkshire District Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_; or Land Court Certificate of Title No \_\_\_\_\_, registered in Berkshire Land Registry District, Book \_\_\_\_\_, Page \_\_\_\_\_.

Applicant's Signature: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

\_\_\_\_\_

Accepted this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_,  
as duly submitted under the Rules and Regulations of the Planning Board.

PLANNING BOARD

BY \_\_\_\_\_

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

**FORM C**

**APPLICATION FOR APPROVAL OF DEFINITIVE PLAN**

(File one completed form with the Planning Board and one copy with the Town Clerk. Where alternative paragraphs are provided, applicant is to select and complete the paragraph pertinent to his case.)

TO THE PLANNING BOARD OF THE TOWN OF SHEFFIELD:

1. The undersigned applicant, being the owner of all land included within a proposed subdivision shown on the accompanying plan, entitled \_\_\_\_\_ and dated \_\_\_\_\_ 20\_\_\_\_, and prepared by \_\_\_\_\_  
Massachusetts Registered (Engineer) (Surveyor), Registration No. \_\_\_\_\_ SUBMITS SUCH PLAN AS A Definitive Plan of the proposed subdivision and makes application to the board for approval thereof.
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. A preliminary plan of the proposed subdivision was discussed by the Board on \_\_\_\_\_, 20\_\_\_\_. The modifications recommended at this meeting have been incorporated in the accompany plan.
5. The applicant agrees, if the definitive plan is approved, to construct and install all improvements within the proposed subdivision required by the Rules and Regulations of the Planning Board as in force on the date of this application, and as modified and supplemented by the work specifications and other requirements of the Public Works Department and recommendations of the Board of health and Conservation Commission.
6. The applicant further agrees to complete all said required improvements within two years from the date of approval of the definitive plan by the Board, unless less a different period of time is set as a condition for approval of the plan.
7. The applicant further agrees, if this application is approved, to file with the Board within twenty (20) days of such approval, a bond in form satisfactory to the Board and conditioned on the completion of all required improvements in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work, and executed by the applicant as principal and a surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the Town Treasurer of money or negotiable securities, satisfactory to the Board, in an amount equal to the penal sum of the bond.                   OR

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (cont'd)

(As an alternative to the above agreement) the applicant requests the Board to approve the definitive plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required improvements specified are constructed and installed so as to serve the lots adequately.

8. The applicant further agrees, if this application is approved, to cause the definitive plan of the subdivision to be recorded in the Berkshire Registry of Deeds or in the Berkshire Land Registry District within six (6) months of such approval.

9. The owner's title to the land is derived under deed from \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_ and recorded in Berkshire District Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, or under Land Court Certificate of Title No. \_\_\_\_\_, Registered in Berkshire Land Registry District, Book \_\_\_\_\_ Page \_\_\_\_\_.

\_\_\_\_\_

Applicant

Address

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as duly submitted under the rules and regulations of the Planning Board.

PLANNING BOARD

By \_\_\_\_\_

Fee of \$ \_\_\_\_\_ received \_\_\_\_\_, 20\_\_\_\_.

by \_\_\_\_\_

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

**FORM D**

COVENANT

The undersigned \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ County, Massachusetts, hereinafter called the "Covenantor", having submitted to the Sheffield Planning Board, a definitive plan of subdivision entitled \_\_\_\_\_

\_\_\_\_\_ dated \_\_\_\_\_ made by \_\_\_\_\_ does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to G.L. (Ter. Ed.) C. 41, Sec. 81U, as amended that:

1. The covenantor is the owner of record of the premises shown on said plan;
2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the covenantor, and their successors in title to the premises shown on said plan;
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Board before such lot may be built upon or conveyed, other than by 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 that portion of this Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to serve such lot;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

The undersigned \_\_\_\_\_

\_\_\_\_\_ wife, husband of the covenantor hereby agree that such interest as I, we, may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead and other interest therein.

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

**FORM D (Con't.)**

EXECUTED as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_ SS \_\_\_\_\_ 20\_\_\_\_

THEN PERSONALLY APPEARED \_\_\_\_\_ and acknowledged  
the foregoing instrument to be \_\_\_\_\_ free act and deed, before me

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

COVENANT APPROVAL RELEASE

Sheffield, Massachusetts 01257

\_\_\_\_\_ 20 \_\_\_\_\_

The undersigned, being a majority of the Planning Board of the Town of Sheffield, Massachusetts, hereby certify that the requirements for work on the ground called for by the covenant dated \_\_\_\_\_, 20 \_\_\_\_\_, and recorded in \_\_\_\_\_

District Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_ (or registered in \_\_\_\_\_ Land Registry District in Registration Book \_\_\_\_\_, Page \_\_\_\_\_) have been completed to the satisfaction of the Planning Board as to the following enumerated lots shown on Plan entitled \_\_\_\_\_

\_\_\_\_\_ recorded with said Deeds, Plan Book \_\_\_\_\_, Plan \_\_\_\_\_, (or registered in said Land Registry District, Plan Book \_\_\_\_\_, Plan \_\_\_\_\_) and said lots are hereby released from the restrictions as to sale and building specified thereon.

Lots designated on said Plan as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Majority of the  
Planning Board  
of the Town of  
Sheffield

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

SS \_\_\_\_\_

20 \_\_\_\_\_

THEN PERSONALLY APPEARED \_\_\_\_\_ and acknowledged the foregoing instrument to be \_\_\_\_\_ free act and deed, before me

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

**FORM F**

CERTIFICATE OF PERFORMANCE

Date: \_\_\_\_\_

TO THE PLANNING BOARD OF THE TOWN OF SHEFFIELD:

I hereby certify that the required improvements for the following described subdivision have been constructed and conform in all aspects to the Rules and Regulations of the Planning Board and the Recommendations of the Board of Health and the specifications of the Board of Selectmen.

Subdivision names (or Plan Title) \_\_\_\_\_

Dated \_\_\_\_\_

Name of Subdivider \_\_\_\_\_

Street Name(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Stations \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Civil Engineer

\_\_\_\_\_  
Land Surveyor

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Registration Number and Seal

\_\_\_\_\_  
Registration Number and Seal

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS**

**FORM G**

PLAN APPROVAL "CERTIFICATE" FROM PLANNING BOARD

Town of Sheffield, Massachusetts

TO: Town Clerk

FROM: Planning Board

CERTIFICATE

Re: SUBDIVISION \_\_\_\_\_

Date: \_\_\_\_\_

This certificate is filed in accordance with the provisions of Section 81-U, Chapter 41 of the General Laws to show that the Planning Board, at its meeting on \_\_\_\_\_, following the required public hearing on \_\_\_\_\_, voted to approve the definitive land subdivision plan entitled: \_\_\_\_\_

\_\_\_\_\_ dated \_\_\_\_\_, by \_\_\_\_\_

Registered Land Surveyors/Engineers, subject to the following exceptions and conditions:

1. That the approval of this plan shall automatically rescind on \_\_\_\_\_, if all work on the ground is not completed by that date, in accordance with the Rules and Regulations of the Planning Board, governing the subdivision of land in Sheffield and with the recommendations of the Board of Health, to the satisfaction of the Planning Board and the Board of Health.
2. That a performance guarantee is furnished by the subdivided (prior to the endorsement of the definitive plan by the Planning Board in the form of \_\_\_\_\_  
 \_\_\_\_\_  
 (Amount of deposit or bond) or (Covenant)  
 to be approved as to form by Town Counsel.
3. That the conditions and exceptions contained in the Report by the Board of Health dated \_\_\_\_\_, a copy of which is attached herewith, is made a part of this approval.
4. That only one dwelling shall be erected or placed or converted for such use on any lot as shown on the approved subdivision plan without the consent of the Planning Board.

**TOWN OF SHEFFIELD SUBDIVISION REGULATIONS      FORM G – (Con't.)**

5. That before a building permit is issued for any lot in the subdivision, a specific location shall be approved by the Board of Health on each lot for on-lot subsurface sewage disposal installations.

6. Additional conditions:

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The Planning Board has voted to waive the following requirements contained in the Subdivision Rules and Regulations under the provisions of Section 81-R, Chapter 41 of the General Laws

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In accordance with the provisions of Section 81-U, Chapter 41 of the General Law, a copy of this certificate is sent by certified mail to subdivider as a notice of the action taken by the Planning Board.

THE SHEFFIELD PLANNING BOARD

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(Signature, title)