

2024.144



CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY-FOUR

RECEIVED
CITY CLERK

SEP 23 2024 P 3 59

CITY OF AMESBURY, MA

SPONSORED BY: Kassandra Gove
Kassandra Gove, Mayor

BILL No. 2024-144

An Order to: Vote Intent to Lay Out Colonial Drive and Refer to Planning Board.

Summary: The City Council shall vote its intent to lay out Colonial Drive and refer the proposed action to the Planning Board.

Be it Ordered by the City Council of the City of Amesbury assembled and by the authority of the same, as follows:

The City Council of the City of Amesbury votes its intention to lay out Colonial Drive as a public way, all as shown on a plan entitled "F & C Builders Middle Road Amesbury, MA As-Built Layout Plan," dated September 23, 2024, prepared by Griffin Engineering Group, LLC, and that said matter and plan be referred to the Planning Board for its report and recommendation pursuant to G.L. c. 41, §81I.



JOHN F. WEAVER
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Woburn, MA 01801-7419
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November 1, 2024

VIA EMAIL GOVEK@AMESBURYMA.GOV AND FEDEX 779683386503

Mayor Cassandra Gove
City of Amesbury
62 Friend Street
Amesbury, MA 01913

Re: Petition for Street Acceptance of Colonial Drive

Dear Mayor Gove:

This firm represents F&C Builders, LLC (“F&C”) regarding the acceptance of Colonial Drive (the “Street”) by the City of Amesbury as a public street. The purpose of this letter is to deliver the enclosed materials required by the City’s Street Acceptance Procedures (the “City Procedures”) in order for F&C’s petition for the Street’s acceptance (the “Petition”) to be on the agenda for the City Council’s November 12, 2024 meeting. F&C has satisfied the conditions in the City Procedures that must be met prior to submitting a petition for street acceptance. We have worked with the City’s attorney Katherine Klein and Director of Planning Nipun Jain to address the requirements in the City Procedures and prepare the Petition.

Below, I provide a brief history of the Street and its subdivision before summarizing the documents enclosed with this letter and request that the City Council consider the Petition at its November 12, 2024 meeting.

I. Brief History of the Street

The Street was created on May 2, 2007, when the Planning Board of Amesbury approved the six-lot subdivision comprised of Tax Map 84 Parcels 9 and 11 (the “Subdivision”). Due to the financial crisis in 2008 and its aftereffects, the Subdivision was not finished until more than a decade later, and the final lot was not sold until 2022. F&C began the process to have the Street accepted by the City shortly thereafter.

One of the Planning Board’s conditions of approval was that the lot currently identified as Tax Map 84, Parcel 9 (the “Open Space”) be deeded to the City of Amesbury. A draft deed is enclosed and will be recorded upon the acceptance of the Street. Additionally, to support the maintenance of the Street, F&C has agreed to convey to the City (i) a drainage easement (the “Drainage Easement”) over the lot currently identified as Tax Map 84, Parcel 11 (the “Drainage

Parcel”),¹ (ii) Tax Map 84, Lot 11Y (“Lot Y”) to serve as a stormwater detention basin, and (iii) an access easement over Tax Map 84, Lot 11E (the “Access Easement”) to better access that stormwater detention basin. Draft conveyance documents are enclosed and will be recorded upon the acceptance of the Street. We have worked with Attorney Klein to ensure that the enclosed drafts are acceptable to the City.

II. Documents Required by the City Procedures

Consistent with “Attachment A – Street Acceptance Documentation” of the City Procedures, we are providing the required documents and materials as follows:

- 1. Name and addresses of each property owner and mortgagee having rights or interests in the streets, easements, and open space, and the names and addresses of each abutter thereto.**

We have enclosed a list of the names and addresses of each property owner and mortgagee having rights or interests in the Street, the Open Space, Lot Y, the Drainage Easement, and the Access Easement. We have also enclosed a map showing the Street and the relevant surrounding parcels so the City’s staff can confirm, if necessary, that the enclosed abutters list is complete.

- 2. A Letter of Request for a Public Hearing by the City Council for Street Acceptance pursuant to Massachusetts General Laws, Chapter 82, Section 22.**

Per my conversations with Attorney Klein, this transmittal letter satisfies this requirement.

- 3. Memoranda from Department of Public Works and Fire Department to the Planning Board stating the infrastructure to be acquired by the City is in satisfactory condition.**

These are on file with the Planning Department.

- 4. Copy of the stone bound certification.**

That is part of the layout plans that have been delivered under separate cover.

- 5. Mylar of as-built plans showing the street or streets and parcels to be accepted.**

This was delivered under separate cover.

- 6. Mylar of the layout plans (not to be confused with the as-built plans) showing the streets, all appurtenant easements and open spaces by metes and bounds certified by a**

¹ The Drainage Parcel is owned by Joseph C. Wyrwa and Kathleen R. McCann, who will execute the Drainage Easement.

registered land surveyor. The City Council and the Planning Board will endorse the layout plans, therefore a signature block must be provided for each of them to endorse the plans.

This was delivered under separate cover.

- 7. A copy of the recorded Certificate(s) of Compliance including any conditions imposed on the street and other parcel(s) of land that are being acquired by the City.**

This is enclosed.

- 8. Quitclaim Deed running to the "City of Amesbury" for the street and all easements which are not a part of the street or streets (drainage, sewer, water).**

Draft deed and easement are enclosed.

- 9. Quitclaim Deed for the "open space" parcels (if applicable) running to the "City of Amesbury" in a form acceptable to the Planning Board.**

Draft deed is enclosed.

- 10. Subordinations and/or releases from all mortgagees or lienholders with an interest in the street, appurtenant easements and/or open space parcels.**

Consistent with Section 8 of the City Procedures and the guidance of Attorney Klein, we are in contact with Mortgage Network, Inc., the recorded holder of the mortgage against the Drainage Parcel, regarding the subordination of that mortgage to the Drainage Easement. That subordination will be approved and signed prior to the acceptance of the Street.

- 11. Certificate(s) of title signed by the applicant's attorney certifying title to the street, easements and open space parcels.**

Certificate of title is enclosed.

III. Conclusion

We believe these materials are in order for the City Council to consider the Petition at its November 12, 2024 meeting, and we ask that this be placed on that agenda. Please feel free to reach out to me if you have any questions. Thank you in advance for your assistance.

Mayor Cassandra Gove
November 1, 2024
Page 4

Very truly yours,

A handwritten signature in black ink, appearing to read 'JF Weaver', with a long horizontal flourish extending to the right.

John F. Weaver

JFW

Enclosures

cc: Ryan Elliott
Katharine L. Klein, Esq.
KP Law
101 Arch Street, 12th Floor
Boston, MA 02110
Email: kklein@k-plaw.com

ABUTTERS LIST

MAP/LOT #	NAME & ADDRESS
84-11	Joseph C. Wyrwa Kathleen R. McCann 2 Colonial Drive Amesbury, MA 01913
84-11	Mortgage Network, Inc. 99 Conifer Hill Drive Danvers, MA 01923
84-11A	Megan Cheeseman Tyler L. Meredith 4 Colonial Drive Amesbury, MA 01913
84-11E	John M. DiBitetto Rachel D. DiBitetto 5 Colonial Drive Amesbury, MA 01913
84-11B	Shaun Mueller 6 Colonial Drive Amesbury, MA 01913
84-11D	Ryan Q. Kelly Nancy M. Kelly 7 Colonial Drive Amesbury, MA 01913
84-11C	Andreas K. Dinis Aikaterini A. Dinis 8 Colonial Drive Amesbury, MA 01913
84-11Y	F&C Builders, LLC 120 Lumber Lane Tewksbury, MA 01852
84-9	F&C Builders, LLC 120 Lumber Lane Tewksbury, MA 01852
85-7	Brenda L. Pender PINSTRIPE REALTY TRUST 25 Middle Road Amesbury, MA 01913
85-6	Vyron K. Tassis Vasiliki N. Tassis 27 Middle Road Amesbury, MA 01913

85-5	Nathaniel Bibaud Zachary R. Bibaud Brianna Murdock 29 Middle Road Amesbury, MA 01913
85-4	Heidi M. Verville Michael J. Monahan 31 Middle Road Amesbury, MA 01913
85-3A	Gail Pierce 33 Middle Road Amesbury, MA 01913
84-12	Michael J. Corcoran Kathleen A. Corcoran 34 Middle Road Amesbury, MA 01913
84-12A	Michael J. Corcoran Kathleen A. Corcoran 34 Middle Road Amesbury, MA 01913
85-3B	James J. Shalkoski Jennifer M. Osgood 35 Middle Road Amesbury, MA 01913
84-10	Randall L. Blake Catherine V. Blake 39 Middle Road Amesbury, MA 01913
84-7	City of Amesbury City Hall 62 Friend St Amesbury, MA 01913
I-495	Massachusetts Department of Transportation Paul Stedman, District Highway Director 519 Appleton Street Arlington, MA 02476
Applicant	John F. Weaver, Esq. McLane Middleton P.A. 300 TradeCenter, Suite 7000 Woburn, MA 01801





SO.ESSEX #156 Bk:41571 Pg:426
 05/19/2023 11:31 AM COMPLI Pg 1/3
 eRecorded



Massachusetts Department of Environmental Protection
 Bureau of Water Resources - Wetlands
Certificate of Compliance for Superseding Orders of
Conditions

DEP File Number:

002-0969

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. This Certificate of Compliance is issued to:

F&C Builders, LLC

Name

120 Lumber Lane

Mailing Address

Tewksbury

City/Town

MA

State

01876

Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

Thomas Anderson (Lot G Middle Road Realty Trust)

Name

April 9, 2009

Dated

002-0969

DEP File Number

3. The project site is located at:

37 & 41 Middle Road (aka Colonial Drive)

Street Address

Amesbury

City/Town

Map 84

Assessors Map/Plat Number

9, 11, 11A, 11B, 11C, 11D, 11E & 11Y

the final Order of Conditions was recorded at the Registry of Deeds for:

Thomas Anderson (Lot G Middle Road Realty Trust)

Property Owner (if different)

Middlesex

County

28519

Book

413

Page

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

April 28, 2023

Date



Massachusetts Department of Environmental Protection
 Bureau of Water Resources - Wetlands
Certificate of Compliance for Superseding Orders of Conditions

DEP File Number:

002-0969

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Superseding Order of Conditions has been satisfactorily completed.
- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Superseding Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:

- Invalid Superseding Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Superseding Order of Conditions never commenced. The Superseding Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.
- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

C. Authorization

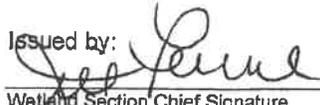
Issued by:

Northeast Regional Office
 MassDEP Regional Office

May 16, 2023
 Date of Issuance

A copy of this Certificate must be sent to the applicant and the Conservation Commission.

Issued by:


 Wetland Section Chief Signature

Date

Jul Provencal

Wetland Section Chief Printed Name

5.16.23



Massachusetts Department of Environmental Protection
 Bureau of Water Resources - Wetlands
Certificate of Compliance for Superseding Orders of
Conditions

DEP File Number:

002-0969

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Recording Confirmation

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the MassDEP Regional Office.

To:

Northeast Regional Office
 MassDEP Regional Office

Please be advised that the Certificate of Compliance for the project at:

37 & 41 Middle Road (aka Colonial Drive), 002-0969
Amesbury DEP File Number

Has been recorded at the Registry of Deeds of:

Essex
 County

for:

Property Owner

and has been noted in the chain of title of the affected property on:

Date	Book	Page

If recorded land, the instrument number which identifies this transaction is:

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

(Space Above this Line Reserved for Registry of Deeds)

QUITCLAIM DEED

F & C Builders, LLC, a Massachusetts limited liability company having a mailing address of 120 Lumber Lane, Tewksbury, Massachusetts 01876

for consideration paid and in full consideration of less than One Hundred Dollars (\$100.00)

grants to the **City of Amesbury**, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts and having an usual place of business at 62 Friend Street, Amesbury, Massachusetts 01913

with Quitclaim Covenants

The perpetual right and non-exclusive easement to use, in common with Grantor, its successors and assigns, the road known as Colonial Drive, shown on a plan entitled "F & C Builders Middle Road Amesbury, MA As-Built Layout Plan," dated September 23, 2024, prepared by Griffin Engineering Group, LLC, recorded with the Essex South District Registry of Deeds in Plan Book _____, Plan _____ (the "Plan"), to which Plan reference is made for a more particular description of said road, for all purposes for which public ways are commonly used in the City of Amesbury, together with the attendant customary uses, including, but not limited to, the construction, operation, maintenance, repair and replacement of the right-of-way, drainage and utilities in, over, under, through, across, upon and along said roadway.

Being a portion of the premises conveyed to the Grantor by deed of Folger Beverly, LLC recorded in the Essex South District Registry of Deeds in Book 37359, Page 192.

By the execution hereof, the undersigned, being first duly sworn, hereby certifies under the penalties of perjury that the rights hereby created are not subject to homestead rights of any person, that the undersigned is the sole manager of F & C Builders, LLC (the "Company"), and as such has the sole authority to make conveyances of real estate standing in the name of the Company, no member of the Company has filed for bankruptcy protection since the inception of the Company, and the Company is not taxed as a corporation. This conveyance is made in the ordinary course of business.

[Signature Page Follows]

Executed as a sealed instrument this _____ day of _____, 202__.

F & C Builders, LLC

By: Joseph J. Phelan III
Its: Manager

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On the _____ day of _____, 202__, before me, the undersigned notary public, personally appeared the above-named Joseph J. Phelan III, Manager of F & C Builders, LLC, and proved to me through satisfactory evidence of identification, being _____, to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed and the free act and deed of F & C Builders, LLC.

ACCEPTANCE OF DEED

The City of Amesbury, acting by and through its Mayor, pursuant to authorization of the City Council as set forth in Bill No. _____, a certified copy of which is attached hereto, hereby approves the within Deed from F & C Builders, LLC to the City of Amesbury on this _____ day of _____, 202__.

CITY OF AMESBURY,
By its Mayor,

Kassandra Gove

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 202__, before me, the undersigned notary public, personally appeared the above named Kassandra Gove, Mayor of the City of Amesbury, known to me as the person whose name is signed above and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the City of Amesbury.

Notary Public
My Commission Expires:

DRAINAGE EASEMENT

We, **Joseph C. Wyrwa and Kathleen R. McCann**, husband and wife, of 2 Colonial Drive, Amesbury, Massachusetts 01913

for consideration paid and in full consideration of less than One Hundred Dollars (\$100.00)

grant to the **City of Amesbury**, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts and having an usual place of business at 62 Friend Street, Amesbury, Massachusetts 01913

with Quitclaim Covenants

The perpetual right and easement upon, above, under and across a strip of land located on the Northerly side of Colonial Drive in Amesbury, Essex County, Massachusetts being shown as "Drainage Easement" containing 203 square feet on a plan prepared by Griffin Engineering Group, LLC entitled "F & C Builders Middle Road, Amesbury, MA As-Built Layout Plan," dated September 23, 2024, said plan being recorded in the Essex South District Registry of Deeds in Plan Book ____, Plan ____, for the following purposes:

To locate, relocate, erect, construct, reconstruct, install, lay, dig up, operate, maintain, patrol, inspect, repair, replace, alter, change the location of, extend or remove one or more structures and pipes for the drainage of surface water and all necessary and proper conduits, conductors, pipes, foundations, fittings and fixtures and other apparatus, equipment and fixtures deemed necessary for the purpose specified herein as the City may from time to time desire along, upon, under and across said strip, to cut and trim trees, brush, overhanging branches and other obstructions to the extent that the City deems necessary to clear and keep clear and operate safely said pipes and the right to install in said strip temporary line or lines wherever in the judgment of the City it is required for the emergency maintenance of service, provided that in each instance, the making of repairs or improvements shall be completed and the temporary line or lines removed as soon as practical and the right to enter said strip of land for access thereto for all of the above purposes.

The easement hereby created is over a portion of the premises described in a deed from F&C Builders, LLC to the Grantor dated August 20, 2019 and recorded with the Essex South District Registry of Deeds in Book 37779, Page 211.

By the execution hereof, the undersigned, being first duly sworn, hereby certify under the penalties of perjury that the rights hereby created are not subject to homestead rights of any person.

Executed as a sealed instrument this _____ day of _____, 202__.

Joseph C. Wyrwa

Kathleen R. McCann

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On the _____ day of _____, 202__, before me, the undersigned notary public, personally appeared the above-named Joseph C. Wyrwa and Kathleen R. McCann, and proved to me through satisfactory evidence of identification, to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose and that the foregoing instrument is their free act and deed.

Notary Public
My Commission Expires:

ACCEPTANCE OF DEED

The City of Amesbury, acting by and through its Mayor, pursuant to authorization of the City Council as set forth in Bill No. _____, a certified copy of which is attached hereto, hereby approves the within Drainage Easement from Joseph C. Wyrwa and Kathleen R. McCann to the City of Amesbury on this _____ day of _____, 2024.

CITY OF AMESBURY,
By its Mayor,

Kassandra Gove

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 2024, before me, the undersigned notary public, personally appeared the above named Kassandra Gove, Mayor of the City of Amesbury, known to me as the person whose name is signed above and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the City of Amesbury.

Notary Public
My Commission Expires:

(Space Above this Line Reserved for Registry of Deeds)

QUITCLAIM DEED

F & C Builders, LLC, a Massachusetts limited liability company having an address of 120 Lumber Lane, Tewksbury, MA 01876,

for consideration paid and in full consideration of less than One Hundred Dollars (\$100.00)

grants to the **City of Amesbury**, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, and having an usual place of business at 62 Friend Street, Amesbury, Massachusetts 01913

with Quitclaim Covenants

That certain parcel of land located off of Middle Road in Amesbury, Essex County, Massachusetts being Lot X, containing 216,844 S.F. (4.9780 acres), more or less, as shown on a plan entitled "F & C Builders Middle Road Amesbury, MA As-Built Layout Plan," dated September 23, 2024, prepared by Griffin Engineering Group, LLC, recorded at the Essex South District Registry of Deeds ("Deeds") in Plan Book ____, Plan ____ ("Plan"). There is reserved unto the Grantor the fee interest in the subdivision roadway as it abuts Lot X. Lot X is conveyed together with the benefit of a non-exclusive access easement over and across the subdivision roadway as shown on the Plan ("Easement") for purposes of accessing Lot X via pedestrian and vehicular means in common with all others entitled thereto, including by members of the public. The access easement touches and benefits Lot X, is appurtenant thereto and shall run with the title to Lot X in perpetuity.

For Title see Deed of Folger Beverly, LLC to F & C Builders, LLC, recorded with the Deeds in Book 37359, Page 192.

By the execution hereof, the undersigned, being first duly sworn, hereby certifies under the penalties of perjury that the rights hereby created are not subject to homestead rights of any person, that the undersigned is the sole manager of F & C Builders, LLC, and as such has the

sole authority to make conveyances of real estate standing in the name of the LLC, no member of the LLC has filed for bankruptcy protection since the inception of the LLC, and the LLC is not taxed as a corporation. This conveyance is made in the ordinary course of business.

[Signature Page Follows]

Executed as a sealed instrument this _____ day of _____, 2024.

F & C Builders, LLC

By: Joseph J. Phelan III
Its: Manager

COMMONWEALTH OF MASSACHUSETTS

ESSEX COUNTY

On the _____ day of _____, 2024, before me, the undersigned notary public, personally appeared the above-named Joseph J. Phelan III, Manager of F & C Builders, LLC, and proved to me through satisfactory evidence of identification, to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed and the free act and deed of F & C Builders, LLC.

Notary Public
My Commission Expires:

ACCEPTANCE OF DEED

On this ____ day of _____, 2024, the City of Amesbury, acting by and through its Mayor pursuant to the vote of the City Council dated _____, 2024, a certified copy of which is attached hereto and incorporated herein, hereby accepts the foregoing deed to property located off Middle Road.

CITY OF AMESBURY,
By its Mayor

Kassandra Gove, Mayor

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2024, before me, the undersigned Notary Public, personally appeared Kassandra Gove, Mayor of the City of Amesbury, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the City of Amesbury.

Notary Public
My Commission Expires:

(Space Above this Line Reserved for Registry of Deeds)

QUITCLAIM DEED

F & C Builders, LLC, a Massachusetts limited liability company having an address of 120 Lumber Lane, Tewksbury, MA 01876,

for consideration paid and in full consideration of less than One Hundred Dollars (\$100.00)

grants to the **City of Amesbury**, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts and having an usual place of business at 62 Friend Street, Amesbury, Massachusetts 01913

with Quitclaim Covenants

A certain parcel of land located in the Eastern Lights subdivision off of Middle Road, Amesbury, Essex County, Massachusetts being more particularly depicted and described as follows:

That certain parcel of land located off of Middle Road in Amesbury, Essex County, Massachusetts being Lot Y as shown on a plan entitled "F & C Builders Middle Road Amesbury, MA As-Built Layout Plan," dated September 23, 2024, prepared by Griffin Engineering Group, LLC, recorded at the Essex South District Registry of Deeds ("Deeds") in Plan Book ____, Plan ____ ("Plan"), together with the benefit of a 12' wide access easement over portions of Lot 6 as shown on the Plan, such easement area being designated as "Prop. 12' Wide Access Easement" ("Easement Area") for purposes of accessing Lot Y via pedestrian and vehicular means. The access easement touches and benefits Lot Y, is appurtenant thereto and shall run with the title to Lot Y in perpetuity. There is reserved unto the Grantor the fee interest in the subdivision roadway as it abuts Lot Y.

Grantor retains the non-exclusive right to use the Easement Area for all purposes not in conflict with the rights hereby created.

The City shall be responsible for any and all costs of installation, maintenance, insurance, upkeep and any and all other costs associated with the exercise of rights in the Easement Area.

The City shall not park vehicles within the Easement Area or otherwise block the Easement Area.

For Title see Deed of Folger Beverly, LLC to Grantor, recorded with the Deeds in Book 37359, Page 192.

By the execution hereof, the undersigned, being first duly sworn, hereby certifies under the penalties of perjury that the rights hereby created are not subject to homestead rights of any person, that the undersigned is the sole manager of F & C Builders, LLC (“Company”), and as such has the sole authority to make conveyances of real estate standing in the name of the Company, no member of the Company has filed for bankruptcy protection since the inception of the Company, and the Company is not taxed as a corporation. This conveyance is made in the ordinary course of business.

[Signature Page Follows]

Executed as a sealed instrument this _____ day of _____, 202__.

F & C Builders, LLC

By: Joseph J. Phelan III
Its: Manager

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On the _____ day of _____, 202__, before me, the undersigned notary public, personally appeared the above-named Joseph J. Phelan III, Manager of F & C Builders, LLC, and proved to me through satisfactory evidence of identification, being _____, to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed and the free act and deed of F & C Builders, LLC.

Notary Public
My Commission Expires:

ACCEPTANCE OF DEED

The City of Amesbury, acting by and through its Mayor, pursuant to authorization of the City Council as set forth in Bill No. _____, a certified copy of which is attached hereto, hereby approves the within Deed from F & C Builders, LLC to the City of Amesbury on this _____ day of _____, 202__.

CITY OF AMESBURY,
By its Mayor,

Kassandra Gove

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 202__, before me, the undersigned notary public, personally appeared the above named Kassandra Gove, Mayor of the City of Amesbury, known to me as the person whose name is signed above and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the City of Amesbury.

Notary Public
My Commission Expires:



JOHN F. WEAVER
Direct Dial: 781.904.2685
Email: john.weaver@mclane.com
Admitted in MA and NH
300 TradeCenter, Suite 7000
Woburn, MA 01801-7419
T 781.904.2700
F 781.904.2701

November 1, 2024

ENCLOSED WITH TRANSMITTAL LETTER

Mayor Cassandra Gove
62 Friend Street
2nd Floor
Amesbury, MA 01913
Email: govек@amesburyma.gov

Re: Attorney’s Certification of Title Regarding the Conveyance of Lot X, Lot Y being conveyed with the Access Easement over Lot 6, Colonial Drive, and the Drainage Easement on Lot 1 (the “Premises”) of the Eastern Lights Subdivision (the “Subdivision”) from F&C Builders, LLC (“F&C”) and Joseph C. Wyrwa and Kathleen R. McCann (the “Lot 1 Owners”), respectively, to the City of Amesbury (the “City”)

Dear Mayor Gove,

I hereby certify to the City that F&C currently holds good, clear and marketable title of record to the Premises, free from all encumbrances which would materially affect the title, excepting the following matters:

- 1) Matters not of record;
- 2) Provisions of buildings codes and laws and zoning laws and other governmental statutes and regulations which have not been examined;
- 3) All applicable health, environmental and hazardous waste rules, regulations, laws and ordinances of the municipality, state and federal jurisdiction in which the Premises is located;
- 4) Such taxes, assessments or municipal charges that may be due and payable after the recording of the deeds of conveyance;
- 5) Any lien or claim, any other tax liability, or any matter of bankruptcy or insolvency that may not appear in the indices of Registry in which the said Premises are located;
- 6) Any set of facts or errors in description not apparent on the record that would be shown by any accurate on-site survey or which a physical inspection of the premises may disclose;

- 7) Title to and rights of others in and to so much of the Premises as lies within the bounds of Middle Road, Amesbury, MA;
- 8) Taking dated October 1, 1963, recorded with the Essex South District Registry of Deeds at Book 5116, Page 1 and as shown on Plan in Plan Book 101, Page 4;
- 9) Planning Board Decision dated May 2, 2007, recorded with the Essex South District Registry of Deeds at Book 26944, Page 168;
- 10) Form H – City of Amesbury Covenant dated April 14, 2014, recorded with the Essex South District Registry of deeds at Book 33285, Page 367, as affected by Form I City of Amesbury Release Form dated March 12, 2018 recorded with the Essex South Registry of Deeds at Book 36731, Page 199, as affected by Form I City of Amesbury Release Form dated February 2, 2019 recorded with the Essex South Registry of Deeds at Book 37359, Page 189;
- 11) Grant of Easement to Massachusetts Electric Company dated December 3, 2015, recorded with the Essex South Registry of Deeds at Book 34568, Page 382;
- 12) Planning Board Decision dated July 25, 2016, recorded with the Essex South District Registry of Deeds at Book 35244, Page 231 and as shown on Plan in Plan Book 455, Plan 66;
- 13) Order of Resource Area Delineation dated January 10, 2000, recorded with the Essex South District Registry of Deeds at Book 16167, Page 250;
- 14) Order of Conditions dated April 7, 2009, recorded with the Essex South District Registry of Deeds at Book 28519, Page 413, as affected by Extension Permit dated April 4, 2016, recorded with the Essex South District Registry at Book 34909, Page 104, as affected by Extension Permit dated July 19, 2016, recorded with the Essex South District Registry of Deeds at Book 35244, Page 241, as affected by Extension Permit dated March 15, 2021, recorded with the Essex South District Registry at Book 39660, Page 156;
- 15) Order of Conditions dated July 22, 2009, recorded with the Essex South District Registry of Deeds at Book 28845, Page 200;
- 16) Enforcement Order dated February 22, 2016, recorded with the Essex South District Registry of Deeds at Book 34817, Page 293;
- 17) Amended Order of Conditions dated September 22, 2016, recorded with the Essex South District Registry of Deeds at Book 35416, Page 3;
- 18) Extension Permit dated September 22, 2016, recorded with the Essex South District Registry of Deeds at Book 35416, Page 24;

Mayor Cassandra Gove
November 1, 2024
Page 3

- 19) Superseding Order of Conditions dated October 6, 2016, recorded with the Essex South District Registry of Deeds at Book 35416, Page 26;
- 20) Erosion Control Bond dated May 16, 2017, recorded with the Essex South District Registry of Deeds at Book 36012, Page 537;
- 21) Extension Permit dated January 8, 2018, recorded with the Essex South District Registry at Book 36477, Page 175;
- 22) Such state of facts as shown on Plan entitled "Plan of Land in Amesbury, MA Showing Approval Not Required Plan at Lots 2 and 3 Eastern Lights & 29 Middle Road" dated May 8, 2018, by Millenium Engineering, Inc., recorded with the Essex South District Registry of Deeds at Plan Book 465, Plan 72;
- 23) Declaration of Eastern Lights Subdivision dated August 8, 2019, recorded with the Essex South District Registry of Deeds at Book 37745, Page 452;
- 24) Access and Utility Easement dated November 7, 2019, recorded with the Essex South District Registry of Deeds at Book 38012, Page 164;
- 25) Certificate of Compliance for Superseding Orders of Conditions dated May 16, 2023, recorded with the Essex South District Registry of Deeds at Book 41571, Page 426;
- 26) Declaration of Homestead by Joseph C. Wyrwa and Kathleen R. McCann, dated August 23, 2019, recorded with the Essex South District Registry of Deeds at Book 37779, Page 228, affecting the Drainage Easement on Lot 1 of the Subdivision only;
- 27) Mortgage from Joseph C. Wyrwa and Kathleen R. McCann to MERS as nominee for Mortgage Network, Inc. in the original principal amount of \$475,000 dated December 17, 2020 recorded with the Essex South Registry of Deeds at Book 39331, Page 55, affecting the Drainage Easement on Lot 1 of the Subdivision only.

Very truly yours,



John F. Weaver

JFW:BEB



NO ENV.

2007062000081 Bk:26944 Pg:168
06/20/2007 10:36:00 OTHER Pg 1/13

PLANNING BOARD DECISION

RECEIVED

07 MAY 25 AM 11:50

Application Type: a) **SPECIAL PERMIT; and**
b) **DEFINITIVE SUBDIVISION APPROVAL** AMESBURY TOWN CLERK

Project: **SIX (6) LOT SUBDIVISION,**
MIDDLE ROAD, AMESBURY, MA

Date: **May 02, 2007**

The Planning Board of Amesbury ("Board") received an application for **Definitive Subdivision Approval** as per the Subdivision Rules and Regulations for a six (6) lot subdivision on property located off Middle Road in Amesbury, MA. The completed application with the necessary application fees was received from Lot G Middle Road Realty Trust and Thomas Anderson of 37 Middle Road, Amesbury MA with plans drawn on April 28, 2006 by Merrimack Engineering Services, 66 Park Street, Andover MA and last revised on March 26, 2007 and submitted by Stephen Stapinski, R.L.S., and Robert C. Daley, P.E., on behalf of Thomas Anderson (the "Applicant"). The set of plans include ten (10) sheets.

The first public hearing for the application was held on July 18, 2006 at 7:00 p.m. The hearing was continued and the project was subsequently heard at the following planning board meetings:

11-13-2006, 3-19-2007, 04-02-2007 and 05-02-2007

The public hearing was closed on May 02, 2007. This is the Decision of the Board ("Decision").

54

Deer B23903
P. 162

Six (6) lot Definitive Subdivision, Middle Road, Amesbury, MA
Approval - 05/02/2007

FINDINGS

1. The application has been remanded back to the Planning Board by Order to Remand in regards to Essex Superior Court C.A. No. 00-1242. The Applicant was required to meet the following conditions: a) Flood elevation; b) new public hearing; c) only six (6) lots; and d) wetlands and floodplain special permit filing;
2. The applicant is requesting a Definitive Subdivision Plan to allow a six (6) lot subdivision under the provisions of the Amesbury Subdivision Rules and Regulations and a Cluster Residential Special Permit under Section XI.D of the Amesbury Zoning Bylaws;
3. The project site comprises of the following parcels: Map 84, Parcels #9 and #11 and are owned by Lot G Middle Road Realty Trust and Thomas Anderson;
4. The proposed layout of roadway and parking shall not create undue traffic congestion or impact pedestrian safety on Middle Road. The design of the roadway shall allow for access to emergency and fire response vehicles for public safety purposes;
5. Drainage shall be collected through catch basins and mitigated on-site. The development proposes to tie into public sewer and water services that already exist in the area and evidence presented show that it would not overburden the public utility system as long as the utility infrastructure is constructed as per approved plans;
6. Portion of the site shown as Lot X, shall be deeded as permanently deeded open space and shall be donated to the Town of Amesbury; *
7. There is a general scheme of trees and shrubs along the proposed driveway and along the parking areas. A typical landscaping scheme has also been developed for areas around the proposed structure. The planning board's consultant has recommended some revisions that have been incorporated into the site landscaping schedule;
8. Off-site improvements: The Applicant is proposing to reconstruct the culvert on Middle Road as approved by the Board and Conservation Commission. This will allow the flood waters to be better directed and address some of the flooding issues at this location of Middle Road;
9. The proposed construction has sufficient structural safety to counteract any water import, if any there is;
10. All major portions of the interior access roadway are above the base flood elevation;
11. The proposal adequately provides for the control of erosion and sedimentation;
12. Wetlands and Floodplain special permit filing: Any special regulations for the use, set forth in Section XII of this Bylaw, are fulfilled. The Board finds that the subdivision

plan and road layout as revised would not derogate from the purposes of this section of the Bylaw and that the Special Permit application filing under this section as required by the Order to Remand is no longer necessary;

13. The applicant proposes to redesign the culvert on Middle Road to address the flooding problems at Middle Road. The proposed construction and/or change in grade do not obstruct or divert flood flow, reduce natural flood storage, increase storm water runoff, or raise the base flood elevation of any other land as per proposed engineering plans;
14. The proposed construction of roadway and utilities and the proposed changes in grade will not derogate from the purposes of this district;
15. The Board reviewed all aspects of the development plan and compared the development plan with the various criteria contained in the Bylaw. Among the criteria thus reviewed were: certification by an engineer, certification by a surveyor, accuracy of locations, setbacks and other dimensions, utilities and drainage, location of existing or proposed buildings, location of existing wetlands, and other natural features;
16. The uses proposed on the Site Plan are all "allowable uses" within the explicit criteria of the Bylaw;

With the findings as noted in this decision from 1 through 16 under "Findings", and with the conditions of approval as noted below, the board finds that the project satisfies the provisions of the Subdivision Rules and Regulations of the Amesbury Zoning Bylaws.

WAIVERS

The following waivers have been granted only to the extent stated and any modifications to the subdivision plan that would require additional waivers shall be requested by the Applicant in writing for the Board's approval:

Subdivision Rules and Regulations:

1. **Section 7.09.D.6:** To allow the property line at Street Entrance to have no rounded or cutback radius (right side) and to have a truncated 30 feet radius (left side) in lieu of a 30 foot tangential radius;
2. **Section 7.09.E:** To allow a 20 feet wide pavement in order to improve slopes along the proposed roadway;
3. **Section 7.09.H.6:** To provide sidewalk on one side of the proposed roadway and the buffer strip between sidewalk and curb line of five (5) feet; and

4. **Section 7.09.I: Street Trees** shall be planted as required except between station 11 to station 13 of the roadway where it slopes to the detention basin;
5. **Section 8.07:** To allow roadway slope of 2.5:1 without retaining walls;
6. **Section 6.07.B:** Test pits, borings, soil surveys, or soundings at intervals of atleast every 200 feet along the roadway except for the access way leading to the detention basin;

Amesbury Zoning Bylaw: Section XI.D

1. **Section:** Requirement for a yield plan for the proposed six lot cluster plan;
2. **Lot Frontages:** To allow frontages as follows: Lot 2 – 70.75'; Lot 3 – 58.18'; Lot 4 – 53.81; Lot 5 – 83.96'
3. **Reduce width of open land (Non – disturbance buffer strip)** from 50 feet to 30 feet;
4. **Reduce front yard setback:** From 25 feet to 15 feet on Lot 1;
5. **Allow more than 50% of the Common Open Space (lot X):** to be within the Wetlands and Floodplain Protection District;

VOTE AND ACTION BY THE BOARD

After public hearing, upon notice in accordance with the statute (*General Laws, Chapter 40A, section 11*) and the Amesbury Zoning Bylaw, and after full consideration of the evidence presented, and upon the findings made by the Board and hereinafter set forth, a Definitive Subdivision Plan and Special Permit for a six (6) lot subdivision is granted to the Applicant for the premises described in the application, further upon the special conditions that follow:

CONDITIONS OF APPROVAL

I. PRIOR TO ENDORSEMENT OF PLANS

1. All outstanding invoices for the Planning Board's consultant, Beals and Thomas Inc., shall be paid in full by the applicant;
2. The stormwater operation and ongoing maintenance plan, shall be submitted for review and approval by the planning board;

3. Covenant shall be placed on the development disallowing ability to start construction until the performance bond and erosion control bond have been established with the Town;
4. The Applicant shall confirm with the City Engineer that adequate municipal service (i.e. sewer capacity, water pressure/flow) is available for the project. Letter shall be submitted documenting that the applicant has adequate sewer flow for the approved six (6) lot subdivision;
5. Draft legal documents including, but not limited to, drainage and access easements for individual lots, Home-owners' Association and conservation restrictions shall be provided to the Board for review and approval;
6. The Applicant shall submit a copy of the approval from the Amesbury Conservation Commission under the Local Wetlands Bylaw. Any modifications to the subdivision plan subsequent to Conservation Commission approval shall be submitted to the Board for their approval;
7. Copy of the Planning Board decision recorded at the Essex Registry of Deeds shall be submitted to the Board;
8. Three copies of all drawings and site plans as approved by Planning Board shall be provided as Computer Assisted Drawings (CAD) on Compact Disks to the Planning Board; and
9. All conditions of approval shall be noted on the final set of plans to be endorsed by the Board.

II. PRIOR TO START OF CONSTRUCTION

1. Copy of the set of approved Subdivision Plan, signed by the Town Clerk and recorded at the Essex Registry of Deeds shall be submitted to the Board;
2. Copy of the approved conservation restriction on the parcels to be donated to the Town shall be submitted to the Planning Board;
3. The stormwater operation and maintenance plan shall be endorsed by the Board. The Applicant shall submit a signed acknowledgment of their responsibilities outlined in the Stormwater operation and maintenance plan;
4. The applicant shall be required to post a surety for sedimentation and erosion control to ensure that all drainage and erosion control measures are carried out on site as per the approved subdivision plan and associated engineering drawings;

5. The applicant shall be required to post a performance guarantee in a form and amount acceptable to the Board to ensure that all site improvements including but not limited to driveway and utilities, are installed without any detriment to public health, nuisance or safety hazard and are installed and completed as per approved plans;
6. A preconstruction meeting shall be held with the Board's engineering consultant for the project, the Town Engineer, DPW Director and the applicant's engineer to coordinate site improvements and proposed infrastructure upgrades. All infrastructure work and construction should be coordinated per memo dated July 14, 2006;
7. Any changes in the materials and finishes for the typical retaining walls shall be reviewed and approved by the Board prior to submitting to the Building Inspector for construction. If the height of retaining walls exceeds six (6) feet, then design for all retaining walls at proposed locations on the approved plans shall require to be stamped by a structural engineer. Prior to construction, stamped drawings shall be provided to the Board and require the Board's approval;
8. Service stub locations and/or connection locations should be coordinated with and approved by the City Engineer; and
9. The Applicant shall confirm with the City Engineer that adequate municipal service (i.e. sewer, capacity, water pressure/flow) is available for the project. The applicant shall be responsible for applying for permits as may be required from other agencies or departments. Final action of said permits shall be filed with the Board as a matter of record;

III. PRIOR TO RELEASE OF LOTS AND ISSUE OF BUILDING PERMIT

1. The site shall be stabilized and roadway construction shall be completed to the satisfaction of the Board or its designee, to ensure emergency access for public safety prior to issue of foundation permit. The gravel base for the driveway shall be prepared as per engineering standards and the binder course shall be required prior to issuance of the building permit;
2. The off-site improvements to the culvert on Middle Road as approved by Board shall be constructed and completed by the Applicant to the satisfaction of the Engineering Department, Department of Public Works and the Conservation Commission Agent;
3. Copy of all recorded easements on individual lots and access easements over the private roadway for DPW access and utilities;
4. Submit recorded copies of the conservation restriction for the parcel to be donated to the Town;

5. The applicant or their successors shall provide the Building Inspector with the form attached with this decision completed and signed off by each of the Town officials listed on that form (PB200601-BUILDING); and
6. The Board shall review the house plans and building design for individual lots.

IV. PRIOR TO ISSUE OF OCCUPANCY PERMIT

1. The applicant or their successors shall provide the Building Inspector with the form attached with this decision completed and signed off by each of the Town officials listed on that form (PB200602-OCCUPANCY);
2. All site improvements, including landscaping and lighting shall be completed and installed as per approved plans and conditions of approval of the Planning Board's decision prior to the issue of last occupancy permit;
3. The Planning Board shall issue a letter to the applicant and the Building Inspector stating whether conditions of approval have been met or not and whether construction to date is per the approved plans;
4. Upon completion of construction the Applicant shall submit an 'as-built' or 'record conditions' plan to the Planning Board along with a written confirmation from a Registered Professional Engineer, indicating that construction complies with the approved site plans and conditions of approval, including drainage and utility plans. Ten percent (10%) of the performance bond shall be retained until the street is accepted by the Town as a public way.

V. IN PERPETUITY

1. The proposed roadway, associated utilities and all off-site improvements shall be installed and completed in two (2) years from the date of endorsement of the approved plans;
2. The Planning Board shall require the inspection of all on site improvements and off-site improvements to ensure that the work is carried out in accordance with the approved site plan and to ensure that all improvements are in compliance with the conditions of the Special Permits granted for this project;
3. The Homeowners' Association shall be responsible for the maintenance, operation and repair of the Stormwater management system and the stormwater operation and maintenance plan shall be outlined, as approved by the Board. This shall include any and all systems such as Deep Hooded Catchbasins, drainage channels, sediment forebay, detention and stilling basins and infiltration systems;

4. The proposed work shall comply with the "Order of Conditions" issued by the Amesbury Conservation Commission upon the said premises. The Order of Conditions from the Amesbury Conservation Commission shall be carried out to the satisfaction of the Commission. Any violation of the Order of Conditions issued by the Conservation Commission shall be deemed to be a violation of this Special Permit, with all remedies to the Town of Amesbury as provided by law;
5. Any request for alteration to the Order of Conditions made by the applicant to the Amesbury Conservation Commission (or to Department of Environmental Protection, upon appeal) shall be simultaneously corresponded to the Board;
6. At all times, and under all conditions, intrusion upon the wetlands, including, but not by way of limitation, any and all filling, shall be accomplished in the least intrusive manner, with the absolute minimum amount of fill necessary to accomplish the goal according to sound engineering practices and in conformance with other authorities, licenses and permits of agencies, local, state and federal, of appropriate jurisdiction;
7. The applicant shall pay for any police details associated with construction on the site along Middle Road;
8. No more than eighteen (18) inches of concrete foundations shall be exposed concrete and shall be veneered with brick or stone;
9. Two bay garages shall have individual doors for each bay. Garage doors shall have transom light. All garages shall be setback a minimum of five (5) feet from the main façade of the house excluding any front porches;
10. Lot "X" shown on the approved plans shall only be used for open space conservation purposes and Lot "Y" shall be used only for providing the detention basin and access to it. Both these lots are unbuildable lots;
11. All existing trees identified by the Board or its agents to be preserved and protected that are damaged or lost due to negligence or otherwise during construction shall each be replaced with three trees of the Board's choice and shall be a minimum of three (3) inch in caliper at four (4) feet above grade at the time of planting. Final landscaping plan shall be reviewed and approved by the Board. The cul-de-sac island shall be maintained by the home-owners association;
12. No performance bond or surety funds related to the cost of landscaping, including trees, shrubs and other plantings and its repair and replacement shall be released until the expiry of one (1) year from the date of issue of last certificate of occupancy;
13. No construction or reconstruction except as shown on the recorded plan shall occur without a further submission of plans to the Planning Board and a notation to this effect shall appear upon the recorded plan and upon any deeds to any property;

14. Unless specifically waived herein, and otherwise specifically waived after further hearing, all streets, ways, and utilities within or serving the proposed development shall conform to all Subdivision Rules and Regulations. The Applicant shall make its request in writing to the Board for any additional waivers that may be needed to construct this subdivision as per this Decision;
15. Any change to the Definitive Subdivision Plan or special conditions herein including, but not limited to, landscaping plan, lighting plan, architectural details, off-site improvements or to any recorded legal documents shall only be allowed after review and approval by the Planning Board. The board shall, if it so determines, require the applicant to submit an application for modification to the Definitive Subdivision and/or Special Permit and hold a public hearing for review of the requested modifications; and
16. Further subdivision of the property or creation of additional units shall not be allowed and a notation to this effect shall be placed on the approved plans;

Chair, Amesbury Planning Board

TO:

Thomas Anderson
37 Middle Road
Amesbury, MA 01913

PLANNING BOARD VOTE:

On 05/02/2007, the Amesbury Planning Board voted 5-0 in favor of the Special Permit and Definitive Subdivision Plan Approval as per findings and conditions noted above.

The following members of the Amesbury Planning Board voted in favor of the motion to grant this Permit subject to the above stated findings and conditions of approval:

Ara Sanentz

Michael Browne

Howard Dalton

Hillary Ward

Karen Solstad


M. Browne, Chair

Filed with the Town Clerk on _____

Town Clerk

A building permit is required for any construction remodeling. It is your responsibility to file this Special Permit with the Registry of Deeds and to record the plans after endorsement; forms may be obtained from the Town Clerk's Office.

Any appeal shall be made pursuant to Section 17, Chapter 40A, M.G.L. and shall be filed within twenty (20) days after the date of filing of such notice in the office of the Town Clerk's Office.

Compliance with Special Permit Conditions Set Forth by the Amesbury Planning Board prior to Issuance of a Building Permit

SIGN-OFF FORM (PB200601-BUILDING)

(IMPORTANT: IT IS THE RESPONSIBILITY OF THE PERSON SEEKING BUILDING PERMIT TO GET THE SIGN OFF FROM EACH OF THE DEPARTMENTS LISTED BELOW. THE TOWN WILL NOT BE HELD RESPONSIBLE FOR LACK OF ACTION ON THE APPLICANT'S BEHALF. BEFORE SIGNOFF, COPIES OF THE RECORDED DECISION AND THE APPROVED PLAN SET SHOULD BE SUBMITTED TO THE PLANNING OFFICE.)

By signing below, the following Town Department/Town Officials, agree that the conditions of this permit prior to making application for building permit have been completed and recommend that an application for a building permit for the units indicated below may be granted:

Planning Office/Town Planner _____

Engineering Department/Town Engineer _____

Department of Public Works/DPW Director _____

Conservation Commission/Agent _____

Police Department _____

Fire Department _____

Compliance with Special Permit Conditions of the Amesbury Planning Board prior to Issue of Certificate of Occupancy

SIGN-OFF FORM (PB200602-OCCUPANCY)

(IMPORTANT: IT IS THE RESPONSIBILITY OF THE PERSON SEEKING CERTIFICATE OF OCCUPANCY TO GET THE SIGN OFF FROM EACH OF THESE DEPARTMENTS. THE TOWN WILL NOT BE HELD RESPONSIBLE FOR LACK OF ACTION ON THAT PERSON'S BEHALF)

The following Town Department/Town Officials, by signing below, agree that the conditions of this permit from the start of construction to prior to issue of occupancy permit have been completed and recommend that the Certificate of Occupancy be granted for the units indicated on this form.

Planning Office/Town Planner

Engineering Department/Town Engineer

Department of Public Works/DPW Director

Conservation Commission/Agent

Police Department

Fire Department

PLEASE RETURN TO:
HEALEY, DESHAIES, GAGLIARDI & WOELFEL, PC
BOX 54



TOWN OF AMESBURY

Bonnijo Kitchin
Town Clerk

Town Hall, 62 Friend Street
Amesbury, MA 01913-2886
Tel: (978) 388-8100
Fax: (978) 388-8150

APPEAL CERTIFICATION

Applicant: Thomas Anderson

Property: Middle Road
Amesbury, MA

I hereby certify that 20 days have elapsed from the date this certification was issued and no appeal has been filed in this office.

A true copy. Attest:

Bonnijo Kitchin
Town Clerk,
Amesbury, MA.

6/15/07
Date

DATE: _____

AMESBURY PLANNING BOARD

DATE: _____

Revisions

No.	Date	Description

Griffin Engineering
 495 Collet Street, 2nd Floor
 Beverly, MA 01916
 Tel: 978-697-5111
 Fax: 978-692-9103

F & C BUILDERS
 MIDDLE ROAD
 AMESBURY, MA

AS-BUILT
 LAYOUT PLAN

Scale: 1"=40'
 Job No.: _____
 Date: 11/2/22

AMESBURY CITY COUNCIL

DATE: _____

Revisions

AMESBURY PLANNING BOARD

DATE: _____

Revisions

AMESBURY CITY COUNCIL

DATE: _____

Revisions

AMESBURY PLANNING BOARD

DATE: _____

Revisions

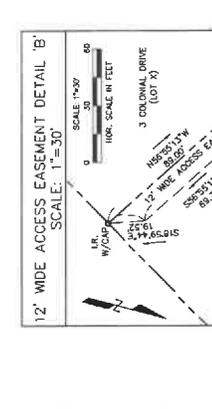
AMESBURY CITY COUNCIL

DATE: _____

Revisions

AMESBURY PLANNING BOARD

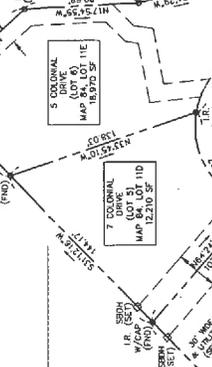
30' WIDE ACCESS & UTILITY EASEMENT DETAIL 'A'
 SCALE: 1"=30'



12' WIDE ACCESS EASEMENT DETAIL 'B'
 SCALE: 1"=30'



DRAINAGE EASEMENT DETAIL 'C'
 SCALE: 1"=30'



LEGEND

- PROPERTY LINE
- EASEMENT
- ROADWAY CENTERLINE
- STONE BOUND DRILL HOLE
- SRH D
- IRON ROD
- PIPE
- IRON PIPE

SCALE NOTES

- MAP 84, LOT 9
- MAP 84, LOT 10
- MAP 84, LOT 11
- MAP 84, LOT 12
- MAP 84, LOT 13
- MAP 84, LOT 14
- MAP 84, LOT 15
- MAP 84, LOT 16
- MAP 84, LOT 17
- MAP 84, LOT 18
- MAP 84, LOT 19
- MAP 84, LOT 20
- MAP 84, LOT 21
- MAP 84, LOT 22
- MAP 84, LOT 23
- MAP 84, LOT 24
- MAP 84, LOT 25
- MAP 84, LOT 26
- MAP 84, LOT 27
- MAP 84, LOT 28
- MAP 84, LOT 29
- MAP 84, LOT 30

INDEX OF DRAWINGS

- AS-1 EXISTING ROADWAY CENTERLINE, AS-BUILT PLAN
- AS-2 EXISTING ROADWAY CENTERLINE, AS-BUILT PROFILE
- AS-3 EXISTING ROADWAY CENTERLINE, AS-BUILT PLAN
- AS-4 EXISTING ROADWAY CENTERLINE, AS-BUILT PROFILE

GRAPHIC SCALE



DRIVE TABLE

LINE	START	END	LENGTH
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86	501.00	506.00	5.00
87	506.00	511.00	5.00
88	511.00	516.00	5.00
89	516.00	521.00	5.00
90	521.00	526.00	5.00
91	526.00	531.00	5.00
92	531.00	536.00	5.00
93	536.00	541.00	5.00
94	541.00	546.00	5.00
95	546.00	551.00	5.00
96	551.00	556.00	5.00
97	556.00	561.00	5.00
98	561.00	566.00	5.00
99	566.00	571.00	5.00
100	571.00	576.00	5.00

LINE TABLE

LINE	START	END	LENGTH
1	76.00	81.00	5.00
2	81.00	86.00	5.00
3	86.00	91.00	5.00
4	91.00	96.00	5.00
5	96.00	101.00	5.00
6	101.00	106.00	5.00
7	106.00	111.00	5.00
8	111.00	116.00	5.00
9	116.00	121.00	5.00
10	121.00	126.00	5.00
11	126.00	131.00	5.00
12	131.00	136.00	5.00
13	136.00	141.00	5.00
14	141.00	146.00	5.00
15	146.00	151.00	5.00
16	151.00	156.00	5.00
17	156.00	161.00	5.00
18	161.00	166.00	5.00
19	166.00	171.00	5.00
20	171.00	176.00	5.00
21	176.00	181.00	5.00
22	181.00	186.00	5.00
23	186.00	191.00	5.00
24	191.00	196.00	5.00
25	196.00	201.00	5.00
26	201.00	206.00	5.00
27	206.00	211.00	5.00
28	211.00	216.00	5.00
29	216.00	221.00	5.00
30	221.00	226.00	5.00
31	226.00	231.00	5.00
32	231.00	236.00	5.00
33	236.00	241.00	5.00
34	241.00	246.00	5.00
35	246.00	251.00	5.00
36	251.00	256.00	5.00
37	256.00	261.00	5.00
38	261.00	266.00	5.00
39	266.00	271.00	5.00
40	271.00	276.00	5.00
41	276.00	281.00	5.00
42	281.00	286.00	5.00
43	286.00	291.00	5.00
44	291.00	296.00	5.00
45	296.00	301.00	5.00
46	301.00	306.00	5.00
47	306.00	311.00	5.00
48	311.00	316.00	5.00
49	316.00	321.00	5.00
50	321.00	326.00	5.00
51	326.00	331.00	5.00
52	331.00	336.00	5.00
53	336.00	341.00	5.00
54	341.00	346.00	5.00
55	346.00	351.00	5.00
56	351.00	356.00	5.00
57	356.00	361.00	5.00
58	361.00	366.00	5.00
59	366.00	371.00	5.00
60	371.00	376.00	5.00
61	376.00	381.00	5.00
62	381.00	386.00	5.00
63	386.00	391.00	5.00
64	391.00	396.00	5.00
65	396.00	401.00	5.00
66	401.00	406.00	5.00
67	406.00	411.00	5.00
68	411.00	416.00	5.00
69	416.00	421.00	5.00
70	421.00	426.00	5.00
71	426.00	431.00	5.00
72	431.00	436.00	5.00
73	436.00	441.00	5.00
74	441.00	446.00	5.00
75	446.00	451.00	5.00
76	451.00	456.00	5.00
77	456.00	461.00	5.00
78	461.00	466.00	5.00
79	466.00	471.00	5.00
80	471.00	476.00	5.00
81	476.00	481.00	5.00
82	481.00	486.00	5.00
83	486.00	491.00	5.00
84	491.00	496.00	5.00
85	496.00	501.00	5.00
86	501.00	506.00	5.00
87	506.00	511.00	5.00
88	511.00	516.00	5.00
89	516.00	521.00	5.00
90	521.00	526.00	5.00
91	526.00	531.00	5.00
92	531.00	536.00	5.00
93	536.00	541.00	5.00
94	541.00	546.00	5.00
95	546.00	551.00	5.00
96	551.00	556.00	5.00
97	556.00	561.00	5.00
98	561.00	566.00	5.00
99	566.00	571.00	5.00
100	571.00	576.00	5.00

INDEX OF DRAWINGS

- AS-1 EXISTING ROADWAY CENTERLINE, AS-BUILT PLAN
- AS-2 EXISTING ROADWAY CENTERLINE, AS-BUILT PROFILE
- AS-3 EXISTING ROADWAY CENTERLINE, AS-BUILT PLAN
- AS-4 EXISTING ROADWAY CENTERLINE, AS-BUILT PROFILE