

**COMMONWEALTH OF MASSACHUSETTS**  
**COUNTY OF NORFOLK**  
**TOWN OF AVON**

TOWN OF AVON  
2017 JUN 29 PM 7:44  
TOWN CLERK

**WRITTEN AGREEMENT PURSUANT TO**

**M.G.L. C. 40A Section 9**

**A COPY OF THIS AGREEMENT IS TO BE FILED WITH THE TOWN CLERK**

Pursuant to M.G.L. C.40A Section 9, the Town of Avon, Acting By and Through It's Planning Board,( " The Board"), who is The Special Permit Granting Authority and Brian M.Dunn,MBL Land Development & Permitting, Corp,and or Stonebridge Builders ("The Petitioner"), mutually and willingly enter into this Written Agreement, pursuant to the aforementioned statute, regarding the Special Permit, Section 7-5, To Allow Construction of a Building or Buildings to be Used for Three or More Dwelling Units, for the Project, located at Joanna Rd & Lothrop Drive, in Avon, Ma, said initial filing for request of Special Permit was March,2017 @ 3:21PM.

"The Board" and "The Petitioner", by executing this Written Agreement, mutually agree to extend the Public Hearing Date and Decision of The Special Permit Granting Authority ("The Board"), until the date of September 7,2017 at 7:30PM. "The Board" and the "Petitioner", mutually agree that by executing this Written Agreement, that The Special Permit Granting Authority ("The Board"), has not failed to take final action within the required ninety-day period, on the request for the Special Permit and, "The Petitioner", will NOT seek approval by "reason of the failure of the special permit granting authority to act within such time prescribed", nor any other action related to the failure to act within the 90 day time frame,[emphasis added]

This Written Agreement is binding upon all agents, representatives, servants, executors, heirs, powers of attorney, attorneys, attorneys of record, officers, directors, or the like acting on behalf of "The Board" and "The Petitioner". The use of the terms. "Board" and "Petitioner", mean single and plural.

DATED: June 29, 2017

THE TOWN OF AVON

"THE BOARD"

"THE PETITIONER"

Brian M. Dunn

MBL Land Development & Permitting Corp.

TOWN OF AVON

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TOWN CLERK

Stonebridge Builders

Authorized Representative

CHAIRMAN PLANNING BOARD

MEMBERS OF PLANNING

BOARD

Counsel of Record For Petitioner

Whose signature is authorized To Bind

Petitioner To This Written Agreement

Charles Connor Chairman

Robert Pelletier V. Chairman

Joseph Dyer, Clerk

Paul P. L.

John C. Smith A.L.T.