

APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL

June 24, 2021

To the Planning Board of the City/Town of Wareham

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (Circle as appropriate.)

1. The accompanying plan is not a subdivision because the plan does not show a division of land.
2. The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Wareham zoning by-law/ordinance under Section 621 which requires 180 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:
 - a. a public way or way which the City or Town Clerk certifies is maintained and used as a public way, namely _____, or
 - b. a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____, and subject to the following conditions _____; or
 - c. a private way in existence on 3-5-1951, the date when the subdivision control law became effective in the city/town of Wareham having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely Squirrel Island Rd
3. The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner so that no lot affected is left without frontage as required by the _____ zoning bylaw/ordinance under Section _____, which requires _____ feet.
4. The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the plan prior to _____ the date when the subdivision control law went into effect in the city/town of _____ and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law is submitted as follows:

Dos Amigos Realty, LLC

APPLICANTS NAME · PLEASE PRINT

5. Other reasons or comment: (See M.G.L., Chapter 41, Section 81-L)

The owner's title to the land is derived under deed from Ninety Six Realty, LLC
dated 12-18-2020 and recorded in Plymouth Registry
of Deeds, Book 54030, Page 213 and _____ Assessors Book
_____, Page _____.

Received by City/Town Clerk:

Date _____

Time _____

Signature _____

Treasurers' office: _____

Date: _____

Applicant's signature [Signature]

Applicant's address _____

12 Fellowship Circle
W. Wareham, MA 02576

Applicant's phone # _____

Owner's signature and address if not the
applicant or applicant's authorization if not
the owner

PLANNING BOARD
TAX VERIFICATION FORM

This verifies that Dos Amigos Realty LLC (name of applicant) is up-to-date on the taxes for the property(ies) he/she owns in Wareham. If the applicant is not the current owner of the property that the application addresses, the current owner _____ (name of property owner) is up-to-date on taxes and on all properties he/she owns in the Town of Wareham.

Map 74, Lot 1010B
and
Map 74, Lot 1010C

Briette Bennett 6/23/21
John Foster, Tax Collector

TOWN OF WAREHAM
PLANNING BOARD
54 Marion Road
Wareham, Massachusetts 02571

NOTICE OF PUBLIC HEARING

In accordance with the provisions of Chapter 40-A, Section 5, Massachusetts General Laws, the Planning Board will hold a public hearing on January 25, 2010, at 7:00 p.m. in the Lower Level Cafeteria of Wareham Town Hall, 54 Marion Road, Wareham, MA to consider the following proposed revisions to the Subdivision Rules and Regulations;

SECTION VII FILING FEES – effective 01/26/10

A. APPROVAL NOT REQUIRED PLANS

Filing fee: \$150.00 per plan sheet + \$50.00 each newly-created lot

B. PRELIMINARY PLAN

Filing fee: \$500.00 + \$100.00 per lot + \$75.00 advertising fee

C. DEFINITIVE PLAN

Filing fee:

\$750.00 + \$75.00 per lot if Form B has been submitted, plus \$1.00 per linear foot of road + \$75.00 advertising fee.

\$1,500.00 + \$50.00 per lot if Form B has not been submitted, plus \$1.00 per linear foot of road + \$75.00 advertising fee.

COVENANT RELEASE/BOND RELEASE

Filing fee: \$100.00 per request

Subdivision Modifications

Filing fees for subdivision modifications shall be the same as listed above for an original application. Review Fees shall also be the same.

D. REVIEW FEES REQUIRED

Where specific conditions arising from the land or the nature of the proposal necessitates the assistance of planning, engineering, legal, traffic, soils, hydrologic or other consultants, the Planning Board may engage such consultant services to assist the Board in analyzing the project to ensure compliance with all relevant laws, by-laws, regulations, good design principles and best available practices. In these instances the Board will require the applicant to pay a review fee consisting of the reasonable costs to be incurred by the Board for these services (The provisions for this language, MLG Ch. 44, Sec. 53G, were adopted at the October 22, 2002 Town Meeting).

Funds received by the Board pursuant to this section shall be deposited with the Town Treasurer who shall establish a special individual account for this purpose. Expenditures from this special account may be made at the direction of the Board. Expenditure from this account shall be made only in connection with the review of a specific project or projects for which a review fee has been, or will be, collected from the applicant. Failure of an applicant to pay all review fees shall be grounds for denial of the application or permit.

Review fees may only be spent for services rendered in connection with the specific project for which they were collected. Accrued interest may also be spent for this purpose. At the completion of a Board's review of a project, any excess amount of funds in the account, including any interest, attributable to a specific project, shall be repaid to the applicant or the applicant's successor in interest. The applicant must submit a written request for these funds. Upon request, a final report for said account shall be made available to the applicant, or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with the documentation establishing such succession in interest.

Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen, providing that such appeal is taken within 14 days of notification of the Board's appointment to the consultant. The grounds for such an appeal shall be limited to the claims that the selected consultant has a conflict of interest or does not possess the minimum required qualifications as may be set by the Board. The minimum qualifications shall consist of a licensed professional in a related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Board will stand.

***Amended 01/25/10 by majority vote; The Board may waive fees if deemed modification is to be minor. The Board, in its discretion, may waive or adjust the fees if it deems the modification to be a minor modification.**

OTHER COST AND EXPENSES

All expenses for professional services, ancillary report reviews, supplemental studies, advertising, publication of notices, postage and mailings and all other expenses in connection with the proposed subdivision, including without limitation sampling and/or testing, shall be borne by the applicant. Re-inspection fees shall be the reasonable costs to be incurred to observe and inspect the construction of the proposed improvements and shall be based on an estimate provided by the Town's engineer.

The Planning Board shall not accept an application or schedule a public hearing for any application without receipt of a dollar deposit as listed in the Consulting Fee Schedule to be used only for payment of engineering, legal and other consulting services related to the proposed project.

The Planning Board may request supplemental payments, as needed, which shall be due and payable within fourteen (14) days of the request. Failure to pay the deposit amount or any supplemental payment shall be grounds for denial of the application. Any person

interested or wishing to be heard on the proposed revisions to the Subdivision Rules and Regulations should appear at the time and place designated.

George T. Barrett
Chairman

NOTICE PUBLICATION DATES:

First Notice: January 7, 2010
Second Notice: January 14, 2010

FORM A/ANR PLAN CHECKLIST

The plan shall be suitable for recording (24" x 36") in the Plymouth County Registry of Deeds (6 contact prints shall accompany the submission) and shall include at least the following:

1. The title "Approval Not Required Plan drawn for **NAME OF OWNER**";
2. Date, scale and North arrow;
3. Zoning district, Tax Assessor's map and lot numbers, and location of any zoning district boundaries that may be within the locus of the plan (Approval Not Required (ANR) compliance is not indicative of zoning compliance);
4. Any existing structures/septic systems on the land, including setback, side and rear yard designations;
5. Remaining frontage of any adjoining land in the same ownership;
6. Any existing structures/septic systems on any adjoining land in the same ownership;
7. Names of present landowners and names of abutters from the most recent tax list;
8. Location of any easement or ways, public or private, across the land with A designation as to its purpose;
9. Bearings and distance of all lines of the lots shown on the plan;
10. Notice of any decision by the Zoning Board of Appeals, including but not limited to variances and exceptions in regard to the land or any buildings thereon;
11. A block with the statement "Approval Under the Subdivision Control Law Not Required" with sufficient space for the date and signatures of all Board members;
12. A locus scale of 1" = 2,000' sufficient to identify the location of the property;
13. The name, seal and signature of the Registered Professional Land Surveyor who prepared the plan.

RECORD OF PLANNING BOARD PROCEEDINGS AND DECISIONS
Town of Wareham Planning Board

Name of Subdivision or Project: 14 + 16 Squirrel Island Rd

APPLICATION: FORM A FORM B _____ FORM C _____
SITE PLAN REVIEW _____ OTHER _____

DATE SUBMITTED: _____

DATE DECISION IS DUE: _____

DATE OF PUBLIC HEARING(S): _____

DECISION DATE: _____

DATE DECISION SENT TO TOWN CLERK: _____

DATE APPEALS PERIOD BEGINS _____ ENDS _____

PLANNING BOARD DECISIONS: (yes or no or abstention) if abstaining, appropriate recusal form should accompany decision.

FORM A:

M. Baptiste _____ G. Barrett _____ M. Fitzgerald _____ B. Reed _____

J. Cronan _____ A. Slavin _____

FORM B:

M. Baptiste _____ G. Barrett _____ M. Fitzgerald _____ B. Reed _____

J. Cronan _____ A. Slavin _____

FORM C:

M. Baptiste _____ G. Barrett _____ M. Fitzgerald _____ B. Reed _____

J. Cronan _____ A. Slavin _____

SITE PLAN:

M. Baptiste _____ G. Barrett _____ M. Fitzgerald _____ B. Reed _____

J. Cronan _____ A. Slavin _____

COMMENTS OR STIPULATIONS ON DECISION: _____

**TOWN OF WAREHAM
ANR/SUBDIVISION/SITE PLAN REVIEW FORM**

Check one: ANR Form B Form C Site Plan Review

Date stamped in _____ Date decision in due _____

Applicant's name(s) Dos Amigos Realty, LLC

Applicant's address 12 Fellowship Circle, W. Wareham, MA 02576

Telephone number 508-273-0377

Address of property 14+16 Squirrel Island Rd

Landowner's name Dos Amigos Realty, LLC

Owner's address 12 Fellowship Circle, W. Wareham, MA 02576

Telephone number 508-273-0377

Contact person JC Engineering Inc Telephone 508-273-0377

Map # 74 Lot # 1010B+1010C Zone R-60

Date Approved _____ Date Denied _____

Comments (state reasons for denial or stipulations of approval)

Conditions for: _____

STREET NAME PROPOSED AND ACCEPTED: _____

Conditions for: _____

Signature: _____

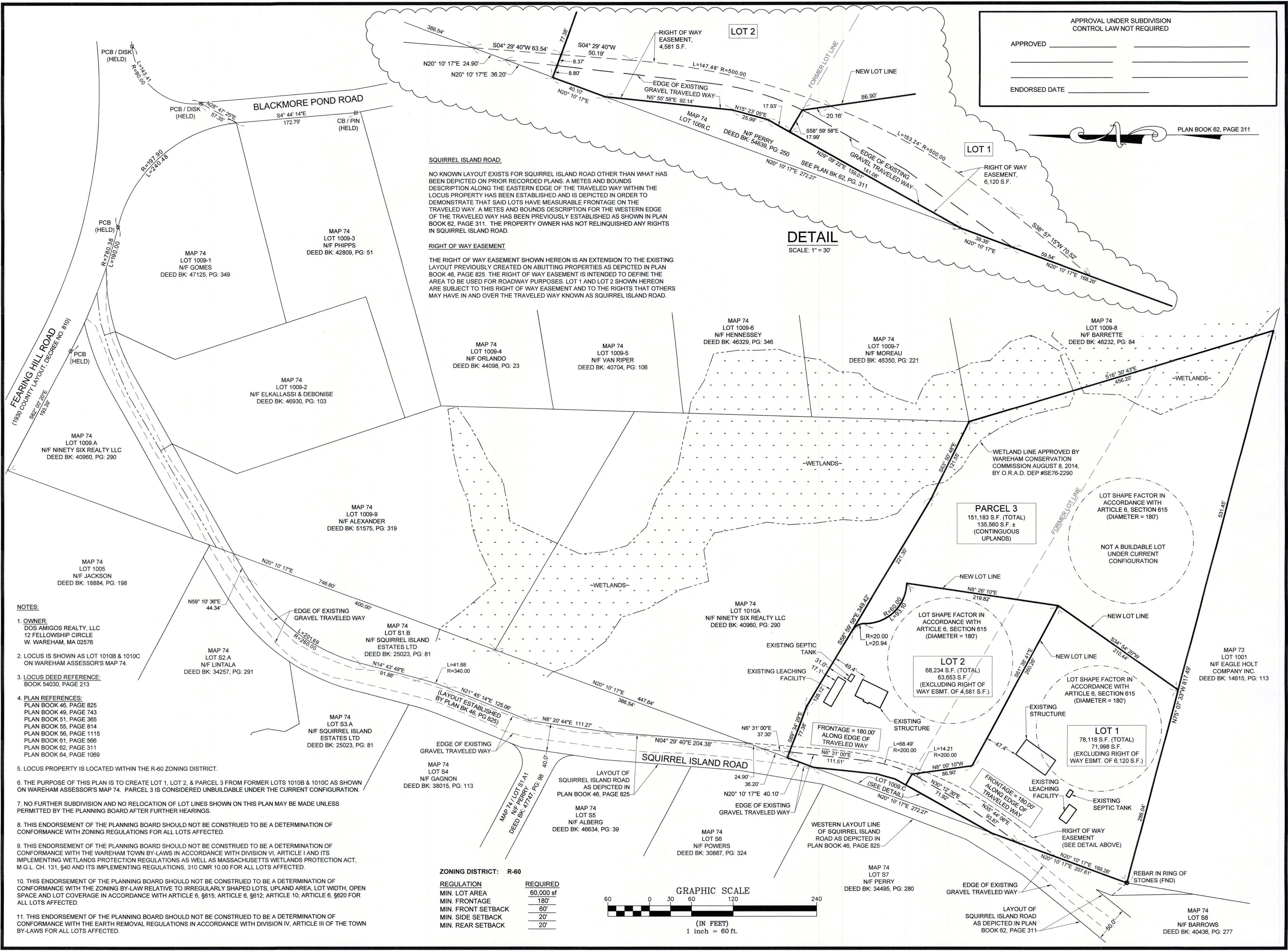
Chairman

Received by City/Town Clerk:

Date _____

Time _____

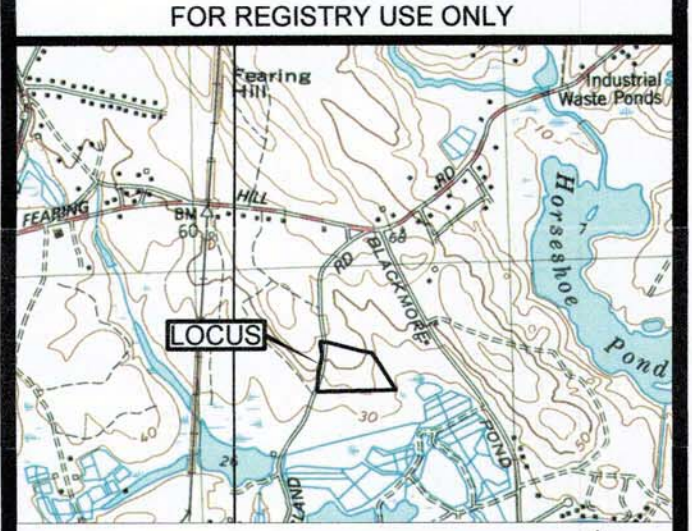
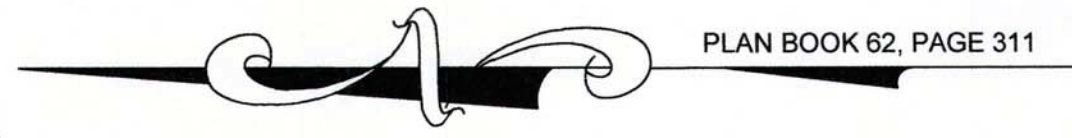
Signature _____



APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED

APPROVED _____

ENDORSED DATE _____



LOCUS MAP
SCALE 1" = 2000'

I CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

JOHN L. CHURCHILL JR.
No. 48066
REGISTERED
6/24/21
DATE

**APPROVAL NOT REQUIRED
PLAN OF LAND**
AT
14 & 16 SQUIRREL ISLAND ROAD
IN
W. WAREHAM, MASSACHUSETTS
(PLYMOUTH COUNTY)

REVISIONS:

No.	DATE	DESC.

PREPARED FOR:
DOS AMIGOS REALTY, LLC
2854 CRANBERRY HIGHWAY
E. WAREHAM, MA 02538

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538
508-273-0377

DATE: JUNE 24, 2021
FIELD: GK
CALC./DESIGN: SJJ
DRAWN: SJJ
CHECK: JLC
JOB NO: 5190

- NOTES:**
- OWNER:**
DOS AMIGOS REALTY, LLC
12 FELLOWSHIP CIRCLE
W. WAREHAM, MA 02576
 - LOCUS IS SHOWN AS LOT 1010B & 1010C ON WAREHAM ASSESSOR'S MAP 74. PARCEL 3 IS CONSIDERED UNBUILDABLE UNDER THE CURRENT CONFIGURATION.
 - LOCUS DEED REFERENCE:
BOOK 54030, PAGE 213
 - PLAN REFERENCES:**
PLAN BOOK 46, PAGE 825
PLAN BOOK 49, PAGE 743
PLAN BOOK 51, PAGE 365
PLAN BOOK 55, PAGE 814
PLAN BOOK 56, PAGE 1115
PLAN BOOK 61, PAGE 566
PLAN BOOK 62, PAGE 311
PLAN BOOK 64, PAGE 1069
 - LOCUS PROPERTY IS LOCATED WITHIN THE R-60 ZONING DISTRICT.
 - THE PURPOSE OF THIS PLAN IS TO CREATE LOT 1, LOT 2, & PARCEL 3 FROM FORMER LOTS 1010B & 1010C AS SHOWN ON WAREHAM ASSESSOR'S MAP 74. PARCEL 3 IS CONSIDERED UNBUILDABLE UNDER THE CURRENT CONFIGURATION.
 - NO FURTHER SUBDIVISION AND NO RELOCATION OF LOT LINES SHOWN ON THIS PLAN MAY BE MADE UNLESS PERMITTED BY THE PLANNING BOARD AFTER FURTHER HEARINGS.
 - THIS ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH ZONING REGULATIONS FOR ALL LOTS AFFECTED.
 - THIS ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH THE WAREHAM TOWN BY-LAWS IN ACCORDANCE WITH DIVISION VI, ARTICLE 1 AND ITS IMPLEMENTING WETLANDS PROTECTION REGULATIONS AS WELL AS MASSACHUSETTS WETLANDS PROTECTION ACT, M.G.L. CH. 131, §40 AND ITS IMPLEMENTING REGULATIONS, 310 CMR 10.00 FOR ALL LOTS AFFECTED.
 - THIS ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH THE ZONING BY-LAW RELATIVE TO IRREGULARLY SHAPED LOTS, UPLAND AREA, LOT WIDTH, OPEN SPACE AND LOT COVERAGE IN ACCORDANCE WITH ARTICLE 6, §615; ARTICLE 6, §612; ARTICLE 10; ARTICLE 6, §620 FOR ALL LOTS AFFECTED.
 - THIS ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH THE EARTH REMOVAL REGULATIONS IN ACCORDANCE WITH DIVISION IV, ARTICLE III OF THE TOWN BY-LAWS FOR ALL LOTS AFFECTED.

SQUIRREL ISLAND ROAD:
NO KNOWN LAYOUT EXISTS FOR SQUIRREL ISLAND ROAD OTHER THAN WHAT HAS BEEN DEPICTED ON PRIOR RECORDED PLANS. A METES AND BOUNDS DESCRIPTION ALONG THE EASTERN EDGE OF THE TRAVELED WAY WITHIN THE LOCUS PROPERTY HAS BEEN ESTABLISHED AND IS DEPICTED IN ORDER TO DEMONSTRATE THAT SAID LOTS HAVE MEASURABLE FRONTAGE ON THE TRAVELED WAY. A METES AND BOUNDS DESCRIPTION FOR THE WESTERN EDGE OF THE TRAVELED WAY HAS BEEN PREVIOUSLY ESTABLISHED AS SHOWN IN PLAN BOOK 62, PAGE 311. THE PROPERTY OWNER HAS NOT RELINQUISHED ANY RIGHTS IN SQUIRREL ISLAND ROAD.

RIGHT OF WAY EASEMENT
THE RIGHT OF WAY EASEMENT SHOWN HEREON IS AN EXTENSION TO THE EXISTING LAYOUT PREVIOUSLY CREATED ON ADJUTING PROPERTIES AS DEPICTED IN PLAN BOOK 46, PAGE 825. THE RIGHT OF WAY EASEMENT IS INTENDED TO DEFINE THE AREA TO BE USED FOR ROADWAY PURPOSES. LOT 1 AND LOT 2 SHOWN HEREON ARE SUBJECT TO THIS RIGHT OF WAY EASEMENT AND TO THE RIGHTS THAT OTHERS MAY HAVE IN AND OVER THE TRAVELED WAY KNOWN AS SQUIRREL ISLAND ROAD.

DETAIL
SCALE: 1" = 30'

ZONING DISTRICT: R-60

REGULATION	REQUIRED
MIN. LOT AREA	60,000 sf
MIN. FRONTAGE	180'
MIN. FRONT SETBACK	60'
MIN. SIDE SETBACK	20'
MIN. REAR SETBACK	20'

