

Form A

APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL

3/14, 2023

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 200 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 Bay Pointe Drive on August 24, 1993, and subject to the following conditions none; or
 - c. a private way in existence on _____, the date when the subdivision control law became effective in the city/town of _____ 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 _____
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 Wareham zoning bylaw/ordinance under Section 621, which requires 200 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:

Bay Pointe Club LLC

APPLICANTS NAME · PLEASE PRINT

5. Other reasons or comment: (See M.G.L., Chapter 41, Section 81-L)
The Planning Board has previously approved the development of this parcel by a
Decision dated May 26, 2022. This proposed division is done to separate the commercial
development from the residential use.

The owner's title to the land is derived under deed from Wareham Redevelopment Authority
dated August 4, 2012 and recorded in Plymouth County Registry
of Deeds, Book 57131, Page 73 and Wareham Assessors Book
9 1004/B, Page _____ and as Document Number 00834966 on Certificate 134331
with the Plymouth County Land Court.

Received by City/Town Clerk: _____

Date _____

Time _____

Signature _____

Treasurers' office: _____

Date: _____

The Bay Pointe Club
Applicant's signature *Twedy C Jay Beard*
Applicant' address 19 Point Drive
Buzzards Bay, MA 02532

Applicant's phone # 401-742-0082

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

**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) Bay Pointe Club, LLC

Applicant's address 19 Bay Pointe Drive, Wareham, MA 02532

Telephone number 401-433-6900

Address of property _____

Landowner's name Bay Pointe Club, LLC

Owner's address 19 Bay Pointe Drive, Wareham, MA 02532

Telephone number 401-742-0082

Contact person Timothy Fay Telephone 401-742-0082

Map # 9 Lot # 1004B & 1004A-1 Zone CR MR 30

Date Approved _____ Date Denied _____

Comments (state reasons for denial or stipulations of approval)

Conditions for: _____

STREET NAME PROPOSED AND ACCEPTED: No new street proposed

Conditions for: _____

Signature: _____

Chairman

Received by City/Town Clerk:

Date _____

Time _____

Signature _____

Conditions for: Bay Pointe Club Mixed Use Development

Title: _____

- Construction shall substantially conform to the approved Site Development Plan dated (ENTER DATE OF PLAN WITH ANY REVISION DATES) except as modified by the below listed conditions. May 5, 2021 Revised August 5, 2021 65/720
- If substantial use or construction permitted by this approval has not commenced within two years from the date on which a copy of this decision was filed with the Town Clerk, excluding the amount of time required for the appeal period of twenty days to expire and the amount of time to pursue and await the final determination of any such appeal, then this approval shall expire.
- The developer/applicant shall be required to establish a Homeowners Association (HOA) that will be responsible for the maintenance and operation of the approved street light plan and to provide for the maintenance and operation the storm water system including any and all retention basins, and all other common land within the approved subdivision. The HOA organization will be approved by Town Counsel and shall remain in force and operation for the duration of the life of the subdivision.
- The developer/applicant shall develop a storm water management and maintenance plan as required by the Rules and Regulations Governing the Subdivision of Land. Such plan shall be approved by the Town's Conservation Administration and Wareham's Director of Municipal Maintenance prior to the start of construction. The plan will prevent runoff of storm water to abutting properties. The developer/applicant's general contractor will be responsible for the inspection and maintenance of the storm water BMP during construction, including the submission of required reports to the Planning Board and Conservation Administrator. Once the construction is complete and the complex has been accepted, the HOA will be responsible for the required inspections and maintenance of the storm water system as delineated on the approved plan.
- With the final approval of the Site Development Plan the developer/applicant shall work with the Town Engineer and Director of Municipal Maintenance to compile a list of inspections required under Form N, Town of Wareham's Rules and Regulations Governing the Subdivision of Land.
- All rubbish, rubble, metals, stumps, and other debris shall be removed and properly disposed off-site. The developer/applicant will provide a "port-a-potty" on site for the use of construction crews. No work will be permitted on Sundays and legal holidays unless specific approval is granted by the Town of Wareham's Zoning Enforcement Officer.
- The site will not be clear-cut. The applicant shall preserve a minimum of 10' vegetative buffer along the side and rear lot lines of all lots. The developer/applicant will provide a

landscaping plan under Article X of the Town of Wareham Zoning Bylaws that will indicate existing vegetation, including trees, which will be preserved. To ensure the long term maintenance and implementation a two year guarantee program shall be provided to the Town on all new plant material. Street trees shall be planted along every 50' along both sides of the road. The developer/applicant furnished landscape material for street use shall be drought resistant.

- Street lighting is required by the Town of Wareham's Rules and Regulations Governing the Subdivision of Land, is required to maintain all streets and utilities in satisfactory condition until such streets and utilities are accepted by the Town of Wareham.
- Be advised that the developer/applicant, under Section (1)c of the Town of Wareham Rules and Regulations Governing the Subdivision of Land, is required to maintain all streets and utilities in satisfactory condition until such streets and utilities are accepted by the Town of Wareham.
- If public water is available within 1,500' the applicant shall be required to connect to the system per Section VI, part B.4 of the Town of Wareham Rules and Regulations Governing the Subdivision of Land.
- No further subdivision of any lots by this action, to create any new buildable lots, will be permitted in perpetuity.
- Approvals and conditions from all other applicable Town Departments, Town Boards, Town Commissions and State agencies shall be made part of these conditions.

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.

