



ENGINEERING,  
INC.

ENGINEERS  
SURVEYORS

March 17, 2022

Wareham Planning Board  
Town Hall  
54 Marion Road  
Wareham, MA 02571

**RE: Approval Not Required Plan  
Map 89 - Lots 1.B & 1.A2  
G.A.F. Job. No. 16-8846**

Dear Members of the Planning Board:

Pursuant to the Town of Wareham's Rules and Regulations Governing the Subdivision of Land, G.A.F. Engineering, Inc., on behalf of our client, Patterson Brook Realty Trust, respectfully submits the following:

1. Four (4) copies of the Form A - Application for Endorsement of Plan Believed Not to Require Approval. Deeds, Tax Status, Checklist.
2. Four (4) copies of the Approval Not Required plan.
3. Original mylar of the Approval Not Required plan.
4. Payment in the amount of \$250.00 for filing fees.
  - a. \$150.00 per sheet
  - b. \$50.00/Lot x 2 Lots = \$100.00

This filing is intended to satisfy the requirements of MGL Ch. 41 Section 81P. Should you have any questions regarding this proposed re-division of land, please do not hesitate to call.

Sincerely,  
**G.A.F. Engineering, Inc.**

Robert J. Rogers  
Project Manager

Enclosures

CC: Town Clerk  
Patterson Brook Realty Trust

Received by: \_\_\_\_\_  
Wareham Planning Board

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

266 MAIN ST.  
WAREHAM, MA 02571

TEL 508.295.6600  
FAX 508.295.6634

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN  
BELIEVED NOT TO REQUIRE APPROVAL

March 17, 2022

To The Planning Board of the 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 bylaw/ordinance under Section 626 which requires 150 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 of Town Clerk certifies is maintained and used as a public way, namely Pattersons Brook Road, 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 \_\_\_\_\_, 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 Parcel A 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 626, which required 150 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:

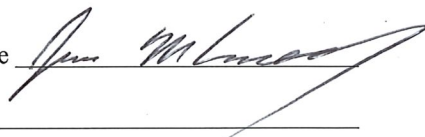
\_\_\_\_\_  
\_\_\_\_\_

Patterson Brook Realty Trust  
APPLICANT'S 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 Commerce Park Nominee Trust  
dated November 12, 2019, and recorded in PLYMOUTH COUNTY,  
Registry of Deeds, Book 51949 Page 36 or Land Court Certificate of Title No. \_\_\_\_\_  
Registered in \_\_\_\_\_ District Book \_\_\_\_\_, Page \_\_\_\_\_ and \_\_\_\_\_ Assessors'  
Map 89 Lot 1-B  
\_\_\_\_\_

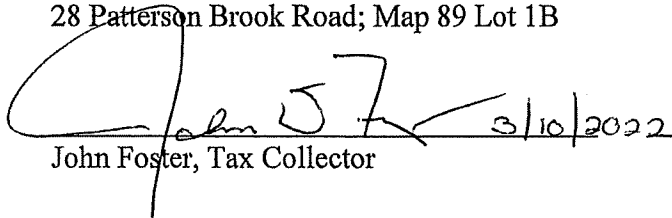
Received by City/Town Clerk: \_\_\_\_\_  
Date \_\_\_\_\_  
Time \_\_\_\_\_  
Signature \_\_\_\_\_  
Treasurers' Office: \_\_\_\_\_  
Date: \_\_\_\_\_

Applicant's signature   
Applicant's address \_\_\_\_\_  
P.O. Box 100  
W. Wareham, MA 02571  
Applicant's phone # 508-221-7999  
Owner's signature and address if not the applicant or  
Applicant's authorization, if not the owner  
  
Carol Case 2/2/18, LLC  
432 County Street, New Bedford, MA 02740

**PLANNING BOARD**  
**TAX VERIFICATION FORM**

This verifies that Carol Case 2/2/18, LLC (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, same, is up to date on taxes on all properties he/she owns in the Town of Wareham.

28 Patterson Brook Road; Map 89 Lot 1B

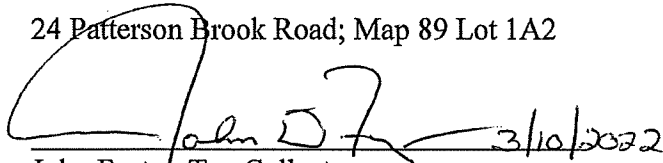
 3/10/2022

John Foster, Tax Collector

**PLANNING BOARD**  
**TAX VERIFICATION FORM**

This verifies that Patterson Brook Realty Trust (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, same, is up to date on taxes on all properties he/she owns in the Town of Wareham.

24 Patterson Brook Road; Map 89 Lot 1A2

  
John Foster, Tax Collector

3/10/2022

## 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.   X   The title "Approval Not Required Plan drawn for **NAME OF OWNER**";
2.   X   Date, scale and North arrow;
3.   X   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 compliance is not indicative of zoning compliance);
4.   X   Any existing structures/septic systems on the land, including setback, side and rear yard designations;
5.   X   Remaining frontage of any adjoining land in the same ownership;
6.   X   Any existing structures/septic systems on any adjoining land in the same ownership;
7.   X   Names of present landowners and names of abutters from the most recent local tax list;
8.   X   Location of any easement or ways, public or private, across the land with a designation as to its purpose;
9.   X   Bearing and distances of all lines of the lots shown on the plan;
10.   N/A   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.   X   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.   X   A locus at a scale of 1"=2000' sufficient to identify the location of the property;
13.   X   The name, seal and signature of the Registered Professional Land Surveyor who prepared the plan.

After recording return to:

June A. Smith, Esquire  
Halloran, Lukoff, Smith & Tierney, P.C.  
432 County Street  
New Bedford, MA 02740

\*\*\* Electronic Recording \*\*\*  
Doc#: 00098456  
Bk: 51949 Pg: 36 Page: 1 of 4  
Recorded: 11/14/2019 03:37 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 11/14/2019 03:37 PM  
Ctrl# Doc# Plymouth County Registry of Deeds  
Fee: \$.00 Cons: \$1.00  
\*\*\*\*\*

MASSACHUSETTS QUITCLAIM DEED

Property Address: 20 Pattersons Brook Road, Wareham, MA  
28 Pattersons Brook Road, Wareham, MA

We, Gerald P. McCarthy and James M. McCarthy, Trustees of the Commerce Park Nominee Trust established by Declaration of Trust dated October 4, 1989 and recorded with the Plymouth County Registry of Deeds at Book 9415, Page 226, having an address of P. O. Box 100, West Wareham, MA 02576,

for consideration paid and in consideration of One (\$1.00) Dollar,

grant to Carol Case 2/2/18, LLC, a Massachusetts Limited Liability Company, having an address of 432 County Street, New Bedford, Massachusetts,

with Quitclaim Covenants,

the land, together with the buildings thereon, situated in Wareham, Plymouth County, Massachusetts, bounded and described as follows:

**PARCEL ONE: 20 PATTERSONS BROOK ROAD, WAREHAM, MASSACHUSETTS (WAREHAM ASSESSORS MAP 81, LOT 1-A-1)**

The land, together with the buildings thereon, situated on the Southeasterly side of Patterson Brook Road in Wareham, Plymouth County, Massachusetts, and being Lot 1-A-1 on a plan entitled "Approval Not Required Plan of Land in Wareham, MA Patterson Brook Road, Wareham, MA prepared for Gerald P. McCarthy P. O. Box 100, W. Wareham, MA 02576, G.A.F. Engineering Inc. Professional Engineers & Land Surveyors" dated January 22, 2007 and recorded with the Plymouth County Registry of Deeds in Plan Book 53, Page 64.

Containing 393,169 square feet (9.03 acres), more or less.

**PARCEL TWO: 28 PATTERSONS BROOK ROAD, WAREHAM,  
MASSACHUSETTS (WAREHAM ASSESSORS MAP 81, LOT 1-B)**

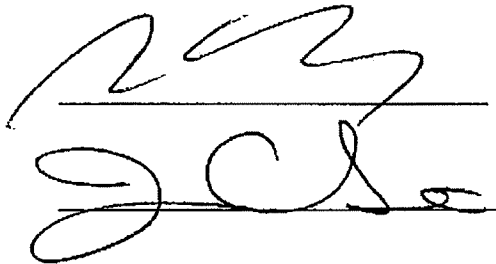
The land, together with the buildings thereon, situated on the Southeasterly side of Patterson Brook Road in Wareham, Plymouth County, Massachusetts, and being Map 89 Lot 1B on plan entitled "Approval Not Required Plan of Land in Wareham, MA Patterson Brook Road Wareham, MA Prepared for Gerald P. McCarthy P. O. Box 100 W. Wareham, MA 02576 G.A.F. Engineering, Inc. Professional Engineers & Land Surveyors" dated September 13, 2007 and recorded with the Plymouth County Registry of Deeds in Plan Book 53, Lot 718.

Containing 192,913 square feet (4.429 acres), more or less.

For Grantor's title to Parcels One and Two see deed of James M. Burke and Gerald P. McCarthy dated October 4, 1989 and recorded with the Plymouth County Registry of Deeds at Book 9415, Page 232.

Title not examined by preparer of this deed.

Witness our hands and seals this 12 day of NOVEMBER, 2019.



Commerce Park Nominee Trust u/d/t  
dated October 4, 1989

By: Gerald P. McCarthy  
Gerald P. McCarthy, Trustee

By: James M. McCarthy  
James M. McCarthy, Trustee

STATE OF FLORIDA

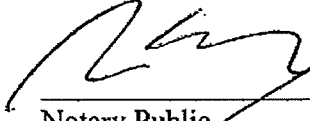
County of COLLIER ss.

On this 12 day of NOVEMBER, 2019, before me, the undersigned notary public, personally appeared Gerald P. McCarthy and proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding document, and he acknowledged to me that he signed it voluntarily for its stated purpose and as his free act and deed as Trustee of the Commerce Park Nominee Trust. The satisfactory evidence of identification was:

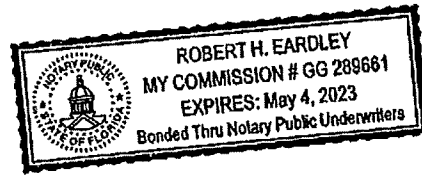
A current document issued by a federal or state government agency bearing the photographic image of the Principal's face and signature; or



- On the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the Principal; or
- Identification of the Principal based on the notary public's personal knowledge of the identity of the Principal; or
- The following evidence of identification: \_\_\_\_\_

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]




STATE OF Massachusetts

County of Bristol, ss.

On this 14th day of November, 2019, before me, the undersigned notary public, personally appeared James M. McCarthy and proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding document, and he acknowledged to me that he signed it voluntarily for its stated purpose and as his free act and deed as Trustee of the Commerce Park Nominee Trust. The satisfactory evidence of identification was:

- A current document issued by a federal or state government agency bearing the photographic image of the Principal's face and signature; or
- On the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the Principal; or
- Identification of the Principal based on the notary public's personal knowledge of the identity of the Principal; or
- The following evidence of identification: \_\_\_\_\_

  
Notary Public June A. Smith  
My Commission Expires: 5/20/2022

①

86000  
Received & Recorded  
PLYMOUTH COUNTY  
REGISTRY OF DEEDS  
23 SEP 2009 12:35PM  
JOHN R. BUCKLEY, JR.  
REGISTER  
Bk 37740 Pg 191-192

Return to: *mail 7*  
James M. McCarthy  
Dennis McCarthy  
~~231 High Street~~ *189 Alley Rd.*  
~~Wareham, MA 02571~~ *Rochester, MA*  
*02770*

**DEED**

PROPERTY ADDRESS: PATTERSON BROOK ROAD, WAREHAM, MA

We, **GERALD P. McCARTHY** and **JAMES M. McCARTHY**, Trustees of  
**COMMERCE PARK NOMINEE TRUST** under Declaration of Trust  
dated **October 4, 1989**, recorded with the Plymouth County Registry of  
Deeds, Book 9415, page 226, as amended, of P.O. Box 100, West Wareham,  
Massachusetts 02576,

In consideration of **LESS THAN ONE HUNDRED DOLLARS**,

Grant to **JAMES M. McCARTHY** and **DENNIS McCARTHY**, Trustees of  
**PATTERSON BROOK REALTY TRUST** under Declaration of Trust  
dated **March 12, 2009**, recorded with the Plymouth County Registry of  
Deeds, Book 36984, page 314-319, of 231 High Street, Wareham,  
Massachusetts 02571.

**WITH QUITCLAIM COVENANTS**

The land in Wareham set on the Southeasterly side of Patterson Brook Road and  
being Lot 1-A-2 on a plan entitled "Approval Not Required Plan of Land in  
Wareham, MA, Patterson Brook Road Wareham, MA", Prepared for: Gerald P.  
McCarthy, P O Box 100 W. Wareham, MA, 02576, dated January 22, 2007, recorded  
in Plan Book 53, page 64, however the same may be bounded and described.

For our title, see deed dated October 4, 1989, recorded in Plymouth County  
Registry of Deeds, Book 9415, page 232.

No title work done at the time of this conveyance.

Executed as a sealed instrument this 17<sup>th</sup> day of June, 2009.

Gerald P. McCarthy  
Gerald P. McCarthy, as Trustee

James M. McCarthy  
James M. McCarthy

**THE COMMONWEALTH OF MASSACHUSETTS**

Plymouth County SS.

On this 17<sup>th</sup> day of June, 2009, before me, the undersigned Notary Public, personally appeared **GERALD P. McCARTHY and JAMES M. McCARTHY, Trustees of COMMERCE PARK NOMINEE TRUST**, who proved to be through satisfactory evidence of identification, which was personal knowledge to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Edward M. Kieran  
Notary Public  
My Commission Expires: 19-18-09

EDWARD M KIERIAN



ROCKLAND TRUST

2396

**McCARTHY PROPERTIES**  
P. O. BOX 100  
WEST WAREHAM, MA 02576

53-447/113  
428  
CHECK ARMOR  
PROTECTION

3/15/2022

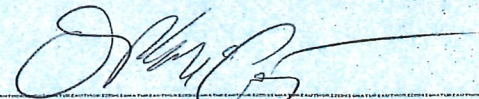
PAY TO THE ORDER OF Town Of Wareham

\$ \*\*250.00

Two Hundred Fifty Only\*\*\*\*\*

DOLLARS

MEMO

  
AUTHORIZED SIGNATURE

⑈002396⑈ ⑆011304478⑆ 310703063⑈