

Town of Wareham
APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

October 9, 2023

To the Planning Board of the City/Town of Wareham

The undersigned, being the applicant as defined under the Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled: Preliminary Subdivision Plan of Zimmer Estates

by Prime Engineering, Inc., dated and described as follows: Map 64, Lots 1006, 1008, 1009 & 1010 and Map 65, Lots 1000A, 1000E located 370 County Road, number of lots & 1001 proposed 3 total acreage of tract 60.46, said applicant hereby submits said plan as a Preliminary subdivision plan in accordance with the Rules and Regulations of the Wareham Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from

by deed dated February 12, 2014 and recorded in the Plymouth County District Registry of Deeds Book 44071, Page 247, registered in the Registry District of the Land Court.

Certificate of Title No.

Received by City/Town Clerk:

Time

Signature

Received by Board of Health:

Date

Time

Signature

✓ Applicant's signature Eric M. Crisler

Applicant's address 370 County Road LLC c/o Eric Crisler, 1508 W. 30th Austin, TX 78703

Applicant's phone # (512) 736-2038

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

Registry: Stolen Tree Farm Trust Patricia H. Zimmer, Trustee Katherine I. Zimmer, Trustee 370 County Road, Wareham, MA 02576

Patricia H. Zimmer

Patricia H. Zimmer

Katherine I. Zimmer

Assessor's: Ellen Harju & Zimmer Patricia H Life Estate*

Please see attached registry documents which show current ownership.

WAREHAM TOWN CLERK
2023 OCT 18 PM 5:21

RECEIVED

TOWN OF WAREHAM
BOARD OF HEALTH

RECEIVED
OCT 17 2023
Joni Rapra
Planning Dept

FORM B/PRELIMINARY PLAN CHECKLIST

The Preliminary Plan shall be drawn on appropriate, reducible paper and should exhibit the following information by which to form a clear basis for discussion and for the preparation of a Definitive Plan:

1. The title, "Preliminary Plan of (name of subdivision)";
2. Date, scale and North arrow, Assessor's Map(s) and Lot(s) number(s) and a legend to explain any graphic representation or symbols on the plan;
3. The names, addresses and telephone numbers of the owner(s) of record and applicant(s);
4. The names of the designer, engineer and/or surveyor who prepared the plan;
5. The names of all abutters, as determined from the most recent local tax list;
6. The existing and proposed lines of streets, ways, easements and any public areas within the subdivision;
7. The proposed drainage system, including adjacent existing natural waterways;
8. The approximate boundary lines, dimensions, and areas of proposed lots;
9. The names, locations, and widths of adjacent streets;
10. The general topography of the land;
11. Location and distance to nearest public water and sewer utility services;
12. A locus map scaled at 1" = 2,000' and an aerial map exhibiting the general area surrounding the subject property (approximately ½ mile surrounding the site).

This application constitutes the applicant's willingness to work under the Town of Wareham's Subdivision Rules and Regulations. Any errors or omissions from this checklist or the Subdivision Regulations may result in the applicant not being placed on a Planning Board agenda or denial of this Form B/Preliminary Plan.

**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) 370 County Road LLC

Applicant's address c/o Eric Crisler, 1508 W. 30th Street, Austin, TX 78703

Telephone number 512 736-2038

Address of property 370 County Road

Landowner's name Ellen Harju & Zimmer Patricia H Life Estate

Owner's address 370 County Road, Wareham, MA 02576

Telephone number 508 748-1137

Contact person Richard J. Rheume, Prime Engineering Telephone 508 947-0050 x111

Map # _____ Lot # _____ Zone _____
Map 64, Lots 1006, 1008, 1009 & 1010, Map 65, Lots 1000A, 1000B and 1001

Date Approved _____ Date Denied _____

Comments (state reasons for denial or stipulations of approval)

Conditions for: _____

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

Name of Subdivision or Project: Preliminary Subdivision Plan of
Zimmer Estates

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

DATE SUBMITTED: 10/18/23

DATE DECISION IS DUE: _____

DATE OF PUBLIC HEARING(S): 11/13/23

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 _____ C. Schulz _____ M. King _____ J. Gleason _____

S. Quirk _____ S. Corbitt _____

FORM B:

M. Baptiste _____ C. Schulz _____ M. King _____ J. Gleason _____

S. Quirk _____ S. Corbitt _____

FORM C:

M. Baptiste _____ C. Schulz _____ M. King _____ J. Gleason _____

S. Quirk _____ S. Corbitt _____

SITE PLAN:

M. Baptiste _____ C. Schulz _____ M. King _____ J. Gleason _____

S. Quirk _____ S. Corbitt _____

COMMENTS OR STIPULATIONS ON DECISION: _____

STREET NAME PROPOSED AND ACCEPTED: _____

Conditions for: _____

Date signed: _____

Attest: _____
George Barrett, Chairman
WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: _____

O Country Red off Harju/Zimmer 300' 10-12-23

MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
64-0-1F	LORUSSO GERARD C & GRILLI HENRY G, TR COUNTY RD 2004 REALTY TRUST C/O JIMMY HANELIN	230 SOUTH ST	PLAINVILLE, MA	02762
64-0-1001	WOLCOTT WALTER S, WOLCOTT DONNA M	520 COUNTY RD,	W WAREHAM, MA	02576
64-0-1006	HARJU ELLEN,	370 COUNTY RD,	W WAREHAM, MA	02576
64-0-1007 B	CASEY JOSHUA J, CASEY JESSICA LYNN	402 COUNTY RD,	W WAREHAM, MA	02576
64-0-1007.E	PELTIER DONALD HOMER, PELTIER NANCY LEE	444 COUNTY RD	W WAREHAM, MA	02576
64-0-1007.F	ROY CHRISTOPHER J, ROY COLLEEN L	440 COUNTY RD,	W WAREHAM, MA	02576
64-0-1009	ZIMMER PATRICIA H LIFE ESTATE,	370 COUNTY RD,	W WAREHAM, MA	02576
65-0-1002	BELLI CASSIL,	336 COUNTY RD,	W WAREHAM, MA	02576
65-0-1003	FURTADO JOSEPH, FURTADO JENNIFER	11 FELLOWSHIP CIR	W WAREHAM, MA	02576
65-0-1004	EAGLE HOLT COMPANY INC,	PO BOX 308,	WAREHAM, MA	02571
65-0-1005	ASHLEY PATRICIA,	142 FEARING HILL ROAD,	W WAREHAM, MA	02576
64-0-1007.G	HEALY MICHAEL E,	404 COUNTY RD,	W WAREHAM, MA	02576
64-0-54	418 COUNTY ROAD LLC,	1667 CENTRAL ST,	STOUGHTON, MA	02072
CERTIFIED ABUTTERS AS THEY APPEAR ON OUR TAX ROLLS AS OF 10/12/2023				
<p style="text-align: right;"><i>97. Reynolds</i></p> ASSESSORS OFFICE				
REQUESTED BY GENNY REYNOLDS 508 801-6932 GREYNOLDS@PRIMEENGINEERING.ORG				

15/1/23

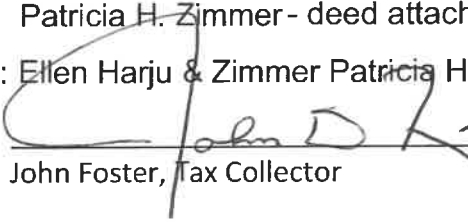
PLANNING BOARD
TAX VERIFICATION FORM

This verifies that 370 County Road 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 see below (name of property owner) is up-to-date

Owners on taxes and on all properties he/she owns in the Town of Wareham.

Registry: Stolen Tree Farm Trust, Patricia H. Zimmer and Katherine I. Zimmer, Trustees & Patricia H. Zimmer - deed attached

Assessor's: Ellen Harju & Zimmer Patricia H Life Estate


John Foster, Tax Collector

10/12/2023

CERTIFICATE OF TRUST

Stolen Tree Farm Trust

Pursuant to M.G.L. Chapter 184 Section 35

KNOW THAT, Robert G. Moore, as Trustee of the Stolen Tree Farm Trust presents this Certificate of Trust, in lieu of providing a copy of the trust instrument, to establish the existence and terms of the trust as set forth below.

1. Creation of the Trust The Stolen Tree Farm Trust (the "Trust") was created on August 12, 2010, and continues in existence today.

2. The Trustees The Declaration of Trust names Patricia H. Zimmer and Robert G. Moore as trustees (the "Trustees") with Katherine I. Zimmer as successor trustee (the "successor Trustee"). There shall always be two trustees, and except for this Certificate of Trust, any subsequent notices, amendments, or other trust documents must be signed by two trustees.

3. Authority of Trustees to Act with Respect to Real Estate Owned by the Trust The Trust provides that the Trustees shall have the following powers concerning any real estate in which the trust may have an interest:

A. To sell, transfer, convey, exchange, encumber, convert or otherwise dispose of, or grant options with respect to, such property, at public or private sale, with or without security, in such manner, at such times, for such prices, and upon such terms and conditions as the Trustees may deem advisable;

B. To execute and deliver any and all instruments or writings which it may deem advisable to carry out any of the foregoing powers; and

4. Reliance by Third Parties Any person may rely upon this Certificate of Trust as evidence of the existence of said Declaration of Trust, and is relieved of any obligation to verify that any transaction entered into by the Trustee(s) or successor Trustee(s) thereunder is consistent with the terms and conditions of said Declaration of Trust.

The Trust has not been revoked, modified or amended in any manner that would cause the representations contained in this Certificate of Trust to be incorrect.

All persons dealing with the Trustees may rely on this Certificate of Trust as a true statement of the provisions of the Declaration of Trust as of the date this Certificate of Trust is presented to such person (regardless of the date of execution of this Certificate of Trust) unless such person has actual knowledge that the representations contained in this Certificate of Trust are incorrect. A person who acts in reliance upon this Certificate of Trust without actual knowledge that the representations contained herein are incorrect shall not be liable to any other person for so acting.

A purchaser or other person may rely in good faith on this certificate, and that there are no facts which constitute a condition precedent to acts by the trustees or which are in any other manner germane to the affairs of the trust.

IN WITNESS WHEREOF, I sign hereby depose and say under the pains and penalties of perjury that the above facts and representations are true and accurate.



Robert G. Moore, Trustee

COMMONWEALTH OF MASSACHUSETTS, COUNTY OF PLYMOUTH, ss.

On this ¹³10 day of February 2014, before me, the undersigned notary public, personally appeared Robert G. Moore, personally known to me and who identified himself by means of his Massachusetts Driver's License to be the person whose name is signed on the foregoing Certificate of Trust, and he acknowledged that he signed it voluntarily for its stated purpose.



Michael P. Lamoureux, Notary Public

My commission expires on 09/28/2018

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 02/12/2014 11:53 AM
Ctr# Doc# Plymouth County Registry of Deeds
Fee: \$0.00 Cons: \$1.00

LOCUS: PARCEL ONE - 370 COUNTY ROAD, WEST WAREHAM
PARCEL TWO - 362 COUNTY ROAD, WEST WAREHAM

DEED

KNOW ALL MEN BY THESE PRESENTS

THAT I, Patricia H. Zimmer, (GRANTOR)

In consideration of


ONE DOLLAR (\$1.00)

GRANT TO myself, Patricia H. Zimmer, a life estate without the right to sell, mortgage nor partition, with the remainder interest to:

Patricia H. Zimmer and Robert G. Moore, with successors, as Co-trustees of the Spoken Tree Farm Trust of August 12, 2010 370 County Road, West Wareham, MA 02576, a certificate of said trust being recorded herewith,

with quitclaim covenants,

All the grantor's right, title and interest in the two properties located at: 370 County Road, West Wareham, Massachusetts (Parcel One), and 362 County Road, West Wareham, Massachusetts (Parcel Two), further described in Exhibit A attached hereto.


Patricia H. Zimmer

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

August 12, 2010

Then personally appeared the above named Patricia H. Zimmer, who identified herself by means of a Massachusetts Driver's License, and acknowledged the foregoing instrument to be her free act and deed before me.



Michael P. Lamoureux, Notary Public
My Commission Expires

10/13/2011

Please Return to:

Robert G. Moore, Esq.
P.O. Box 512
Mattapoisett, MA 02739

Exhibit A - PARCEL ONE

The land in Wareham beginning at a corner of a lot of land set off to Evelyn Hathaway and by the side of the road leading from Tremont to Marion;

Then south 73 degrees and 37 minutes east by land now or formerly of said Evelyn Hathaway 1058 ½ feet;

Then south 9 ½ degrees west by land of the grantees herein named (as mentioned in the deed in the Plymouth Registry of Deeds in Book 1674 Page 518) about 385 feet to an oak tree, a corner of a lot of land belonging now or formerly to one Baros;

Then southwesterly by said Baros' land 658 feet;

Then south 15 degrees west 7 rods to the right of way to the Baros' lot;

Then west 190 feet to a corner of a lot of land now or formerly owned by Heman Bourne;

Then north by said Heman Bourne's land 165 feet;

Then west by said Heman Bourne's land 132 feet to the said road;

Then northerly by said road 700 feet to the bound first mentioned.

Title Reference - See Estate of Ellen Harju, Plymouth Probate Court

Docket No. 04P-1008-EP1; and also see deed in this registry in Book 1674 Page 518

Exhibit A - PARCEL TWO

Beginning at the northwesterly corner of the premises to be conveyed in the easterly line of County Road, a County Layout under Decree 4900, said corner being South 18° 02' 25" East 142.17 feet from a County Highway bound;

- thence North 69° 53' 00" East by land of these grantors 126.00 feet;
- thence South 20° 07' 00" East by said last named land 169.68 feet;
- thence North 71° 57' 40" East by said last named land 75.30 feet;
- thence North 67° 31' 00" East by said last named land 290.00 feet;
- thence North 22° 29' 00" West by said last named land 285.00 feet;
- thence North 80° 01' 50" East by said last named land 389.94 feet;
- thence South 2° 29' 00" East by said last named land 280.00 feet;
- thence South 87° 31' 00" West by said last named land 57.38 feet;
- thence South 77° 31' 00" West by said last named land 74.75 feet;
- thence South 67° 31' 00" West by said last named land 446.54 feet;
- thence South 71° 57' 40" West still by said last named land 208.53 feet to the easterly line of the aforementioned County Road;
- thence North 18° 02' 25" West by the easterly line of the said County Road 195.00 feet to the point of beginning.

Containing three acres 1,921 square feet more or less and shown on a plan entitled "Plan of Land in Wareham, Mass., Surveyed For Eino W. & Ellen Harju, November 20, 1978, Arthur C. Thompson, Inc., Engineers & Surveyors, Marion, Mass., Revised Dec. 26, 1978." Said plan to be recorded herewith.

Reserving as appurtenant to all the surrounding remaining land of the grantors a 30 feet wide right of way and easement along the entire southerly line of the premises hereby conveyed. Said right of way and easement to be for purposes and uses for which rights of way are customarily used, including the right to install drains, conduits or utilities above or below the ground, and also including the unrestricted right to maintain the flumes, drains and appurtenances for watering and maintaining any or all agricultural or land development projects; said easement also includes the right to maintain or enlarge the presently installed facilities plus the right to install any new or additional facilities or fixtures consistent with the purposes and uses set forth herein.

STOLEN TREE FARM TRUST

Resignation and Acceptance of Trusteeship



2018 00055122

Bk: 50031 Pg: 148 Page: 1 of 1
Recorded: 07/12/2018 08:56 AM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

I, Robert G. Moore, hereby resign as trustee of the **STOLEN TREE FARM TRUST** (see Certificate of Trust recorded in Book 44071 Page 245 in this registry) and therefore under the terms of the trust Katherine I. Zimmer will serve as Co-Trustee with Patricia H. Zimmer.

Robert G Moore
Robert G. Moore

I, Katherine I. Zimmer (aka Kate I. Zimmer), hereby certify that I am willing to serve as trustee of the **STOLEN TREE FARM TRUST**

Katherine I Zimmer
Katherine I. Zimmer

Commonwealth of Massachusetts

Plymouth, ss.

June 27, 2018

Then personally appeared before me, Katherine I. Zimmer, who identified herself by means of her Massachusetts Driver's License to be the person signing this document and she acknowledged that she is signing it voluntarily and as her free act and deed.

[Signature]
Amy S. Mello, Notary Public
My commission expires 11-20-2020

Mail
- Robert G Moore
PO Box 612
Mattapoisett MA
02739

Genevieve Reynolds

From: Eric Crisler <eric@enteroenergy.com>
Sent: Tuesday, October 10, 2023 2:25 PM
To: Genevieve Reynolds
Subject: Re: FW: deputization For 370 County Road and LSE Tucana
Attachments: image001.jpg

I, Eric Crisler, deputize Prime Engineering to sign on my behalf for the preliminary subdivision applications for Projects
1. 370 County Road

Note: Entity Name is: 370 County Road LLC

2. 1 - 13 North Carver Road

Note: Entity Name is: Christi LLC

Please call me with any questions or concerns,

Eric Crisler
512 736 2038

On Tue, Oct 10, 2023 at 4:21 AM Genevieve Reynolds <greynolds@primeengineering.org> wrote:

Hi Eric:

Please update the LSE Lucana LLC to Christi LLC in your email below.

Thanks,

Genny

Genevieve Reynolds

Office Manager at **Prime Engineering, Inc.**

350 Bedford St. PO Box 1088 Lakeville, MA 02347

Office: 1-508-947-0050 x123

Direct: 1-774-213-0623

**Patricia H. Zimmer Life Estate
370 County Road
Wareham, MA 02576**

October 11, 2023

I, Patricia Zimmer, permit Prime Engineering to submit permit applications for me to the Town of Wareham.

Thank you,

A handwritten signature in cursive script that reads "Patricia Zimmer". The signature is written in black ink and is positioned below the "Thank you," text.

Patricia Zimmer

Genevieve Reynolds

Subject: FW: Stolen Tree Farm Trust

From: kizimmer@aol.com <kizimmer@aol.com>

Sent: Tuesday, October 10, 2023 2:23 PM

To: Genevieve Reynolds <greynolds@primeengineering.org>

Subject: Re: Stolen Tree Farm Trust

Hello Genny,

I am writing today, October 10, 2023, to authorize the signing of my name as the co-trustee on any documents that are necessary for the noted additional filing for the Stolen Tree Trust.

Thank you,

Katherine Zimmer