

Site Plan Review  
Application

Dear Applicant,

It is the Town's policy that any permits and approvals shall not be granted unless the applicant and/or property owner(s) taxes are paid. As a result you should ascertain the status of your property tax, auto excise and all other fees, prior to submitting any application to the Zoning Board of Appeals, Planning Board and/or Conservation Commission and, unless all fees and taxes are paid or a payment agreement with the Tax Collector has been established (this should be exhibited by a signed statement from the Tax Collector), no approvals shall be issued. In addition, approval by the Zoning Board of Appeals, Planning Board or Conservation Commission does not constitute an approval for permitting or licensing as required from the Local Licensing Authority, that is, the Board of Selectmen. The applicant should ascertain the availability of any necessary permits from the Board of Selectmen, prior to appearing before any Board or Commission for their respective approval.

Thank you for your cooperation.

Article IV  
Denial, Revocation or Suspension of Local  
Licenses/Permits to Delinquent Tax Payers

Acceptance of provisions of Massachusetts G.L. Chapter 40, Section 57 relative to the denial, revocation or suspension of local licenses and permit for failure to pay municipal taxes or charges and to adopt a By-Law pursuant to said Section 57 of Chapter 40 relative to the denial, revocation or suspension of licenses and permits to delinquent tax payers in the following form:

Section 1. The tax collector shall annually furnish to each department, board, commission or division, herein after referred to as the licensing authority, that issues licenses and permits including renewals and transfers, a list of any person, corporation, or business enterprise, herein after referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board.

Section 2. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, or any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of the law, and the party is given a hearing, to be held not earlier than fourteen days after said notice.

Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension.

Any findings made by the licensing authority with respect to such denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension.

Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

Section 3. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of the law.

Section 4. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in General Laws, Chapter two hundred and sixty-eight A (268A), Section 1 in the business or activity conducted in or on said property.

Section 5. This article shall not apply to the following licenses and permits authorized by the following sections of the General Laws: open burning, Section thirteen (13) of Chapter forty-eight; bicycle permits, Section eleven A of Chapter eighty-five; sales of articles for charitable purposes, Section thirty-three of Chapter one hundred and one; children work permits, Section sixty-nine of Chapter one hundred and forty-nine; clubs, associations, dispensing food or beverage licenses, Section twenty-one E of Chapter one hundred and forty; dog licenses, Section one hundred and thirty-seven of Chapter one hundred and forty; fishing, hunting, trapping license, Section twelve of Chapter one hundred and thirty-one; marriage licenses, Section twenty-eight of Chapter two hundred and seven and theatrical events, and public exhibition permits, Section one hundred and eighty-one of Chapter one hundred and forty. (Article 16 of December 5, 6, and 23, 1994 Special Town Meeting; approved by Attorney General February 27, 1995).

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

This verifies that Travis Spicer / Lowe's Home Centers, 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 W/S Wareham Properties LLC (name of property owner) is up-to-date on taxes and on all properties he/she owns in the Town of Wareham.

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John Foster, Tax Collector

# APPLICATION FOR SITE PLAN REVIEW

Page 1

Applicant: Name: Lowe's Home Centers, LLC

Mailing address: 1000 Lowe's Boulevard  
Mooresville, NC 28117

Telephone: (704) 758-4758

Project: Street & Number: 763 Main Street

Assessor's Map: 85 Lot(s) 1002.A2

Dwelling Units # 1

Parking Spaces # See Sheet 2.10

Acres: 12.29 Existing: 165,552 SF  
Square Feet Commercial Space: Prop. w/ Addition: 170,244

Briefly describe project: Project proposes to construct a 3,192 square-foot tool rental center addition to the existing Lowe's Home Improvement store. The expansion will include a 1,500 square-foot fenced outdoor storage area, modifications to the existing site drive along the southerly side of the Lowe's store, gas line relocation and proposed sanitary sewer with associated piping and structures.

**Informed by the Director of Planning and Community Development that this application would be a modification previously approved permit**

Date: 4/6/21

Signature of Applicant: \_\_\_\_\_  
Andrew S. Polonus  
Site Development Manager  
Lowe's Home Centers, LLC





## SITE PLAN REVIEW CHECKLIST

Plans shall be prepared by a registered architect, landscape architect, or Professional Engineer. 14 complete sets are required with the following information included:

### 1. GENERAL INFORMATION

- X   Developer name, address, telephone number
- X   Property owner name, address, telephone number, legal relationship between developer and property owner
- X   Date of application
- X   Statement briefly describing project
- X   Locus map (1" = 2,000')
- X   Location of property to surrounding area (this plan shall show at a scale of not less than 1" = 100' the general characteristics of all lands within 200' of the proposed site and shall include structures, parking areas, driveways, pedestrian ways and natural characteristics)
- X   Zoning district (square feet within each district if more than one district)
- X   Total area of project in square feet to include wetland and 100 year flood plain (both in square feet)
- All contiguous land owned by the applicant or by the owner of the property. At the discretion of the Planning Board photographs of the site at size 8" x 10"

### 2. EXISTING FEATURES

Plans shall be accurately drawn to a scale of 1" = 20', 1" = 40', or 1" = 100' where practical and appropriate to the size of the proposal and shall show all existing natural, manmade, and legal features of the site. Such plans are to include but not be limited to the following:

- X   Tree line of wooded area
- N/A   Individual trees 18" dbh or over
- N/A   Bogs or agricultural areas

- N/A   All wetlands protected under CMR 10.02 (1) (a-d)
- N/A   Flood plain (100 years) with base flood elevation data
- X   Contour lines (2' intervals)     *Plan provides 1' contour intervals*
- X   General soil types

**2b. EXISTING MANMADE FEATURES**

- X   Vehicle accommodation areas
- X   Street, roads, private ways, walkways
- X   Curbs, gutters, curb cuts, drainage grates
- X   Storm drainage facilities, including manholes
- X   Utility lines, including water, sewer, electric, telephone, gas, cable TV
- X   Fire hydrants and location of dumpsters
- X   Building, structures, and signs (free standing), including dimensions of each
- X   Existing light fixtures

**2C. EXISTING LEGAL FEATURES**

- X   Zoning of property (district lines)
- X   Property lines (with dimensions identified)
- X   Street right of way lines
- N/A   Utility or other easement lines
- X   Monuments

**3. THE DEVELOPMENT PLAN**

The development plan shall show proposed changes in the (a) existing natural features; (b) existing man made features and (c) existing legal features.



The Development Plan shall include:

<u>N/A</u>	Square feet in every new lot
<u>N/A</u>	Lot dimensions
<u>X</u>	Location and dimensions of all buildings and free standing signs as well as the distances from all buildings to lot lines, streets, or street right of way
<u>X</u>	Building elevations (side, front, and back for a typical unit) showing building height and any proposed wall signs
<u>X</u>	Location, dimensions, and designated use for all recreation areas
<u>N/A</u>	Location and dimension of all open space; indicate whether open space is to be dedicated to public use or to remain private
<u>N/A</u>	Streets (including street names) which conform to the design standards of the Planning Board's Rules and Regulations Governing the Subdivision of Land
<u>X</u>	Curbs and gutters, curb cuts, drainage grates
<u>X</u>	Drainage facilities including manholes, pipes, drainage ditches, and retention ponds
<u>X</u>	Sidewalks and walkways showing widths and materials
<u>X</u>	Outdoor illumination with lighting fixture size and type identified
<u>X</u>	Utilities; water, sewer, electric, telephone, gas, cable TV
<u>X</u>	Fire hydrant location
<u>X</u>	Dumpster (trash collection facilities)
<u>X</u>	New contour lines resulting from earth movement (at 2' intervals) and indications of types of ground cover and other precautions to stabilize slopes (Plans provide 1' intervals and spot grades)
<u>X</u>	Vehicle parking, loading, and circulation areas showing dimensions
<u>N/A</u>	Proposed new plantings by size and location or construction of other devices to comply with screening and shading requirements

#### 4. IMPACT STATEMENT

In order to evaluate the impact of the proposed development to Town services and the welfare of the community, there shall be submitted an impact statement in two parts.

  X   All applicable Town services including but not limited to schools, sewer services, water systems, parks, fire, and police. *(Provided in Project Narrative)*

  X   The roads in the immediate vicinity of the proposed development (including an estimate of both peak and average daily counts) *(Provided in Project Narrative)*

  X   The ecology of the area within the site and any significant off-site impacts *(Provided in Project Narrative)*

Part Two shall describe what actions have been taken to mitigate the impacts described in Part One *(Provided in Project Narrative)*

This application constitutes the applicant's willingness to work under the Town of Wareham's Zoning Bylaws. Any errors or omissions from this checklist or the Zoning Bylaw may result in the application not being placed on a Planning Board Agenda or denial of the Site Plan.

## Site Plan Review Application Checklist

**Note to Applicant(s):** The following checklist serves as an instrument to help ensure that all necessary information and materials are submitted with the application for Site Plan Review. Please verify that all related items listed below have been accounted for in your submission. (Refer to Article 15 of the Zoning By-Law of the Town of Wareham, Massachusetts, adopted October 2004).

Name of site: Lowe's Home Improvement Store Expansion Date: 04/05/21  
 Owner(s): W/S Wareham Properties LLC, C/O WS Asset Management Inc.  
 Address: 33 Boylston Street, Chestnut Hill, MA 02467  
 Telephone Number: (617) 232-8900 Cell Phone: \_\_\_\_\_

Developer(s): Lowe's Home Centers, LLC  
 Address: 1000 Lowe's Boulevard, Mooresville, NC 28117  
 Telephone Number: (704) 758-4758 Cell Phone: \_\_\_\_\_

**Relationship between Developer & Property Owner:** \_\_\_\_\_  
 \_\_\_\_\_

Surveyor: Brian C. Franetovich / Northeast Survey Consultants  
 Engineer: Kevin Solli, P.E. / Solli Engineering  
 Architect: Virginia Hart, AIA, NCARB, LEED AP / SGA Design Group  
 Landscape Architect: Mary Blackburn, PLA, CANP / Solli Engineering

ITEM	Complete
Application for Site Plan Review – Special Permit filed with Planning Board (14 copies of application and supplementary materials)	X
Application for Special Permit – Residential Cluster Development filed with Planning Board (11copies of application and supplementary materials)	N/A
Copies filed with Town Clerk	X
Filing Fees	X
GENERAL INFORMATION	
Developer Name, address, telephone number	X
Property Owner Name, address, telephone number	X
Date of Application	X
Statement briefly describing project	X
Locus Map (1" = 2,000') <span style="float: right;"><i>Located on Cover Sheet (0.00)</i></span>	X
Location of property to surrounding area (scale should be no less than 1" = 100') and general characteristics of all lands within 200' of the proposed site including structures, parking areas, driveways, pedestrian ways, and natural characteristics	X

Zoning district (sq. feet within each district if more than one)	X
Total area of project to include wetland and 100 year floodplain (both in sq. feet)	X
All contiguous land owned by the applicant or by owner of property	X
Photographs of site (8" by 10") – at discretion of Permitting Authority	
List of abutters, certified by Board of Assessors	X
Number of dwellings which could be constructed by means of a conventional development plan, considering the whole tract, exclusive of water bodies and land prohibited from development by legally enforceable restrictions, easements, or covenants. This includes: <ul style="list-style-type: none"> <li>Any bank, freshwater wetland, coastal wetland, beach, dune, flat, marsh, or swamp bordering the ocean, any estuary, creek, river, stream, pond, or lake</li> <li>Lake under any of the water bodies listed above;</li> <li>Land subject to tidal action</li> <li>Land subject to coastal storm flowage or slopes in excess of fifteen (15) percent are not to be counted in figuring the number of permissible units of conventional development.</li> </ul>	X
<b>EXISTING FEATURES</b>	
(Scale 1" = 20', 1" = 40', or 1" = 100' where practical and appropriate to the size of the proposal) Must include a minimum of the following:	
<b>1. Existing Natural Features</b> <ol style="list-style-type: none"> <li>Tree line of natural area;</li> <li>Individual trees 18" dbh or over;</li> <li>Bogs or agricultural areas;</li> <li>All wetlands protected under 310 CMR 10.01 (1) (a-d); floodplain (100 year) with base flood elevation data;</li> <li>Contour lines (2' intervals);</li> <li>General soil types.</li> </ol>	X
<b>2. Existing Man-Made Features</b> <ol style="list-style-type: none"> <li>Vehicle accommodation areas; streets, roads, private ways, walkways;</li> <li>Curbs, gutters, curb cuts, drainage grates;</li> <li>Storm drainage facilities including manholes;</li> <li>Utility lines including water, sewer, electric, telephone, gas, cable TV;</li> <li>Fire hydrants and location of dumpsters;</li> <li>Buildings, structures, and signs (free standing) including dimensions of each;</li> <li>Exterior lighting features.</li> </ol>	X
<b>3. Existing Legal Features</b> <ol style="list-style-type: none"> <li>Zoning of property (district lines);</li> <li>Property lines (with dimensions identified);</li> <li>Street right-of-way lines;</li> <li>Utility or other easement lines;</li> <li>Monuments.</li> </ol>	X

<b>DEVELOPMENT PLAN</b>	
Proposed changes to existing natural features, existing man-made features, and existing legal features including the following;	
• Area of each new lot in square feet;	N/A
• Lot dimensions;	N/A
• Location and dimensions of all buildings and freestanding signs as well as the distances from all buildings to lot lines, streets, or street;	X
• Location, dimension, and designated use for all recreation areas;	N/A
• Location and dimension of all open space (indicate whether such open space is to be dedicated to public use or remain private);	N/A
• Streets (including street names) which conform to the design standards of the Planning Board's Rules and Regulations Governing the Subdivision of Land;	N/A
• Curbs and gutters, curb cuts, drainage grates;	X
• Drainage facilities including manholes, pipes, drainage ditches, and retention ponds;	X
• Sidewalks and walkways showing widths and materials;	X
• Outdoor illumination with lighting fixture size and type identified;	X
• Utilities – Water, sewer, electric, telephone, gas, cable TV;	X
• Fire hydrant locations;	X
• Dumpster (trash collection facilities);	X
• New contour lines resulting from earth movement (2' intervals) and indications of types of ground cover and other precautions to stabilize slopes; <i>(Plan provides 1' intervals and spot grades)</i>	X
• Vehicle parking, loading, and circulation areas showing dimensions and layout of parking spaces, travel lanes, aisles, and driveways;	X
• Proposed new plantings by size and location or construction of other devices to comply with screening and shading requirements.	N/A
<b>IMPACT STATEMENT</b> <i>(Refer to Project Narrative)</i>	
<b>Part One:</b> Description of neighborhood and impact of proposed development on all applicable town services including but not limited to schools, sewer service, water system, parks, fire, and police protection;	X
Traffic report of existing and future traffic within and adjacent to proposed development. (Include estimate of both peak and average daily traffic count);	X
Analysis of site in regards to wetlands, coastal wetlands, slopes, soil conditions, 100 year flood plain, and other natural features as Planning Board may request;	X
Environmental Impact Assessment Report relating to proposed plan and copy of environmental impact report if otherwise required in order to illustrate the ecology of the area within the site and any significant off-site impacts;	N/A
Evaluation of open land proposed within cluster, with respect to size, shape, location, natural resource value, and accessibility by residents of the Town or of the cluster;	N/A

<b>Part Two:</b> Description of actions that have been taken to mitigate the impacts described in Part One.	X
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**TOWN OF WAREHAM  
ANR/SUBDIVISION/SITE PLAN REVIEW FORM**

Check one:            ANR \_\_\_\_\_ Form B \_\_\_\_\_ Form C \_\_\_\_\_ Site Plan Review   X  

Date stamped in \_\_\_\_\_ Date decision in due \_\_\_\_\_

Applicant's name(s)   Lowe's Home Centers / ATTN: Travis Spicer  

Applicant's address   1000 Lowe's Boulevard, Mooresville, NC 28117  

Telephone number   (704) 758-4758  

Address of property   763 Main Street, Wareham, MA 02571  

Landowner's name   W/S Wareham Properties LLC, C/O WS Asset Management Inc.  

Owner's address   33 Boylston Street, Chestnut Hill, MA 02467  

Telephone number   (704) 758-4758  

Contact person \_\_\_\_\_ Telephone \_\_\_\_\_

Map #   85   Lot #   1002.A2   Zone   Commercial Strip (CS)  

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments (state reasons for denial or stipulations of approval)

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Conditions for: \_\_\_\_\_

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STREET NAME PROPOSED AND ACCEPTED: \_\_\_\_\_

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Conditions for: \_\_\_\_\_

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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 + \$80.00 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 + \$80.00 advertising fee.

\$1,500.00 + \$50.00 per lot if Form B has not been submitted, plus \$1.00 per linear foot of road + \$80.00 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