

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check One: Variance Special Permit Site Plan Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: Air National Guard

Applicant's Address: 1 Seth F. Tobey Road, Suite 101, Wareham, MA

Telephone Number: 978-318-8630

Cell Phone Number: 978-482-8125

Email Address: Danielle.Y.Roberts@USACE.ARMY.MIL

Address of Property/Project: 1 Seth F. Tobey Road, Suite 101, Wareham, MA

Landowner's Name: Wareham Retail Management, LLC

Owner's Address: 30200 Telegraph Rd., Suite 205, Bingham Falls, MI

Telephone Number: 248-479-6138

Contact Person: Wayne A. Shores Telephone Number: 248-318-0593

Map _____ Lot _____ Zone _____

Date Approved _____ Date Denied _____

Comments: _____

EXHIBIT A - LEGAL DESCRIPTION

The land in Wareham, Massachusetts, being shown as LOT 1 on a plan entitled "Approval Not Required Plan of Land, S & H Realty, LLC, Seth F. Tobey Road & Cranberry Highway, Lots 1000-A1A, 1000-A1B & 1000-A1C, Map 87, Town of Wareham, Plymouth County, Commonwealth of Massachusetts, Store #2095-06", Surveyed by Control Point Associates, Inc. 352 Turnpike Road, Southborough, MA 01772, dated January 20, 2016, approved by Gerry L. Holdright, April 11, 2016, however same may be bounded and described, which plan is recorded with Plymouth County Registry of Deeds in Plan Book 60, Page 437. Containing according to said plan 174,370 square feet, or 4.003 acres.

LOT 1 - SURVEYORS LEGAL DESCRIPTION

Beginning at the SE corner of said Lot 1 a point:
 Thence bearing N 67°18'45" W a distance of 140.80';
 Thence bearing N 22°41'14" E a distance of 185.87';
 Thence bearing N 67°18'49" W a distance of 198.85';
 Thence bearing N 22°38'48" E a distance of 413.16';
 Thence bearing N 67°21'12" W a distance of 56.20';
 Thence bearing S 22°38'48" W a distance of 118.81';
 Thence bearing N 67°21'12" W a distance of 92.25';
 Thence bearing N 26°24'11" E a distance of 89.44';
 Thence bearing N 31°39'19" E a distance of 111.14';
 Thence bearing N 56°30'40" E a distance of 87.88';
 Thence along a non-tangent curve to the RIGHT, having a radius of 1613.00' a delta angle of 04°09'14", and whose long chord bears S 27°37'43" E a chord distance of 116.92';
 Thence bearing N 63°16'00" E a distance of 25.00';
 Thence along a non-tangent curve to the RIGHT, having a radius of 1638.00' a delta angle of 02°45'17", and whose long chord bears S 24°11'35" E a chord distance of 78.75';
 Thence along a curve to the RIGHT, having a radius of 395.00' a delta angle of 09°34'56", and whose long chord bears S 18°01'28" E a chord distance of 65.98';
 Thence bearing S 13°14'00" E a distance of 45.75';
 Thence along a curve to the LEFT, having a radius of 405.00' a delta angle of 05°03'48", and whose long chord bears S 15°45'54" E a chord distance of 35.78';
 Thence along a curve to the LEFT, having a radius of 5642.00' a delta angle of 02°04'03", and whose long chord bears S 19°19'50" E a chord distance of 203.58';
 Thence along a curve to the RIGHT, having a radius of 135.00' a delta angle of 24°31'21", and whose long chord bears S 8°06'11" E a chord distance of 57.34';
 Thence along a curve to the RIGHT, having a radius of 135.00' a delta angle of 18°31'46", and whose long chord bears S 13°25'23" W a chord distance of 43.47';
 Thence bearing S 22°41'16" W a distance of 34.03';
 Thence along a curve to the RIGHT, having a radius of 188.00' a delta angle of 07°50'45", and whose long chord bears S 26°36'38" W a chord distance of 25.72';
 Thence bearing S 30°32'01" W a distance of 45.83';
 Thence along a curve to the LEFT, having a radius of 212.00' a delta angle of 07°50'45", and whose long chord bears S 26°36'38" W a chord distance of 29.01';
 Thence bearing S 22°41'16" W a distance of 139.37';
 Thence bearing S 34°12'50" W a distance of 10.98' to the point of beginning.

Said Lot 1 contains 4.00 acres more or less.

LOT 2
 A.K.A. "WALMART PARCEL"
 MAP 87
 LOTS 1000-A1A, 1000-A1B
 AND PORTION OF LOT
 1000-A1C
 N/F LANDS OF S & H
 REALTY, LLC
 BK. 28713, PG. 283
 (SEE PLAN REF. 2)
 BK. 47866 PG. 167
 (SEE PLAN REF. 1)

ZONING REGULATIONS - LOT L

ZONING BY-LAWS OF THE TOWN OF WAREHAM, MASSACHUSETTS - REVISED FEBRUARY, 2018
 ZONING DISTRICT - COMMERCIAL GENERAL (CG)

| (CG) GENERAL COMMERCIAL | LOT AREA (SQ. FT.) | MIN. FRONTAGE | MAX. BUILDING SIZE (FOOTPRINT) | MINIMUM YARD SETBACKS | MAX. IMPERVIOUS LOT COVERAGE |
|-------------------------|--------------------|---------------|--------------------------------|--------------------------------|------------------------------|
| | 20,000 | 40,000 | 30,000 | FRONT 20 SIDE 15 REAR 15 | 40% 60% |

PARKING SPOT COUNT - LOT 1 - (VACANT LOT)

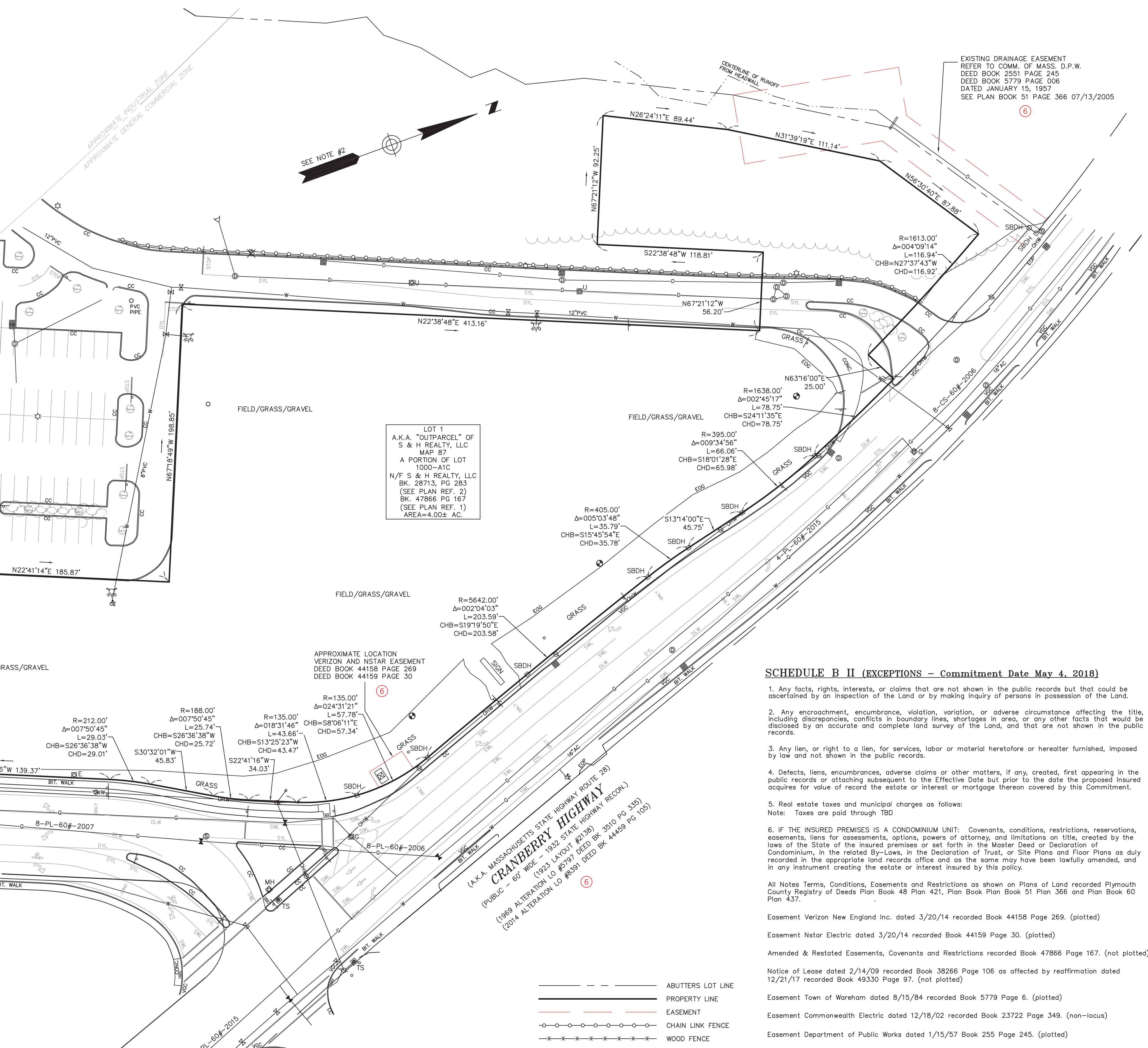
REGULAR PARKING SPOTS - 0
 HANDICAP PARKING SPOTS - 0
 TOTAL PARKING SPOTS - 0

ALTA/NSPS NOTES

- There was no evidence of current earth moving work, building construction or building additions within Lot 1 at the time of this Survey.
- There are no proposed changes in street right of way lines or any observed evidence of recent street or sidewalk construction or repairs within Lot 1 at the time of this survey.
- There was no evidence of site use as a solid waste dump, sump or sanitary landfill at the time of this survey.
- There were no wetland delineation markers observed in the process of conducting the fieldwork at the time of this survey.

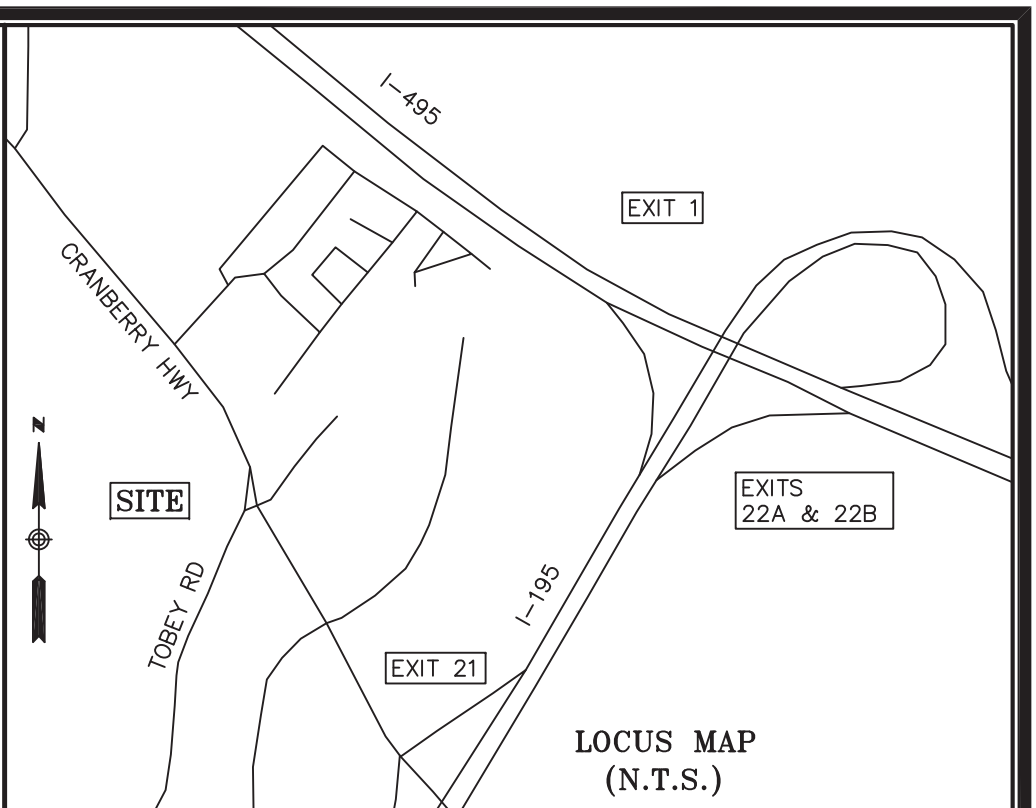
FLOOD ZONE CLASSIFICATION

SITE LIES FULLY WITHIN OTHER FLOOD AREAS (ZONE X) AREAS OF 0.2% ANNUAL CHANCE FLOOD (AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) AS SHOWN ON MAPS NUMBER 25023C0486J AND NUMBER 25023C488J WITH A REVISED DATE OF JULY 17, 2012. SAID MAPS BEING THE CURRENT MAPS FOR THE SUBJECT PROPERTY.



LEGEND

| | | | |
|-----------------------------|----------------------|---------------------------|------------------------|
| CONCRETE BOUND | GAS VALVE | MONITORING WELL | DLY DASHED LINE YELLOW |
| PK FOUND | WATER GATE | BENCHMARK | DYL DOUBLE YELLOW LINE |
| STONE BOUND WITH DRILL HOLE | FIRE HYDRANT | EOP EDGE OF PAVEMENT | DWL DOUBLE WHITE LINE |
| CATCH BASIN | UTILITY POLE | EOG EDGE OF GRAVEL | PVC POLYVINYL CHLORIDE |
| DOUBLE CATCH BASIN | DECIDUOUS TREE | CC CONCRETE CURB | UNDERGROUND ELECTRIC |
| CULVERT | SIGN (SINGLE POSTED) | BC BITUMINOUS CURB | UNDERGROUND CABLE |
| DRAIN MANHOLE | SIGN (DOUBLE POSTED) | VGC VERTICAL GRANITE CURB | TELEPHONE LINE |
| NO LABEL MANHOLE | MHANDSOT HANDHOLE | LSA LANDSCAPED AREA | OVERHEAD WIRES |
| SEWER MANHOLE | WATER SHUT-OFF | SWL SOLID WHITE LINE | TREE LINE |
| ELECTRIC BOX | ELECTRIC SIGNAL | SYL SINGLE YELLOW LINE | INTERMEDIATE CONTOURS |
| ELECTRIC HANDHOLE | POST | DLW DASHED LINE WHITE | INDEX CONTOURS |
| | | | ZONE LINE |



LOCUS OWNER
 LOT 1
 S & H REALTY, LLC
 DEED BOOK 28713 PAGE 283, AND DEED BOOK 47866, PAGE 167

- NOTES**
- THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP IN MARCH 2018.
 - THE HORIZONTAL DATUM SHOWN HEREON REFERENCES MASSACHUSETTS MAINLAND STATE PLANE COORDINATES NAD83.
 - THE VERTICAL DATUM SHOWN HEREON REFERENCES NAVD88.
 - THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE INFORMATION SHOWN HEREON. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF THE TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

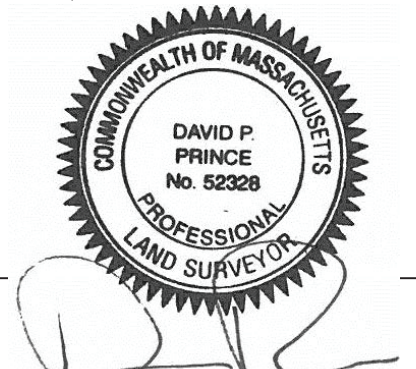
CERTIFICATION
 To
 First American Title Insurance Company
 Airig USA Acquisitions LLC
 Wareham Retail Management LLC
 Flagstar Bank, F.S.B., a Federally Chartered Savings Bank, its successors and assigns
 Title Connect
 Plunkett & Plunkett

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 2-4, 6a, 7b(1), 8, 11, 13, 16, 18 and 20 of Table A thereof. The fieldwork was completed on March 2018 and field checked in June of 2018.

Date of Plat or Map: June 28, 2018

DAVID P. PRINCE, P.L.S.
 REG. NO. 52328
 WSP USA, Inc.

June 29, 2018

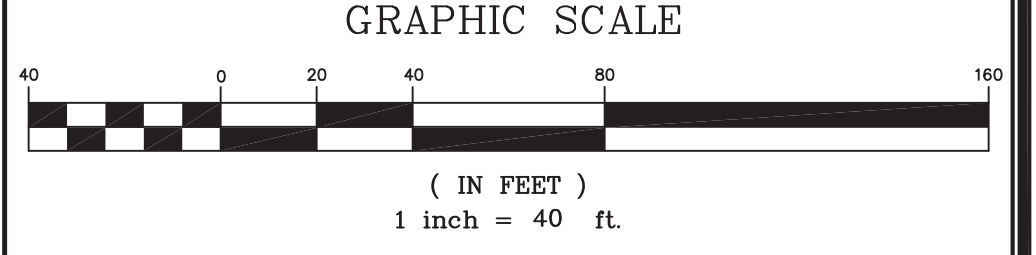


SCHEDULE B II (EXCEPTIONS - Commitment Date May 4, 2018)

- Any facts, rights, interests, or claims that are not shown in the public records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession of the Land.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title, including discrepancies, conflicts in boundary lines, shortages in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the public records.
- Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the public records.
- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or reversion covered by this Commitment.
- Real estate taxes and municipal charges as follows:
 Note: Taxes are paid through TBD
- IF THE INSURED PREMISES IS A CONDOMINIUM UNIT: Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, and limitations on title, created by the laws of the State of the insured premises or set forth in the Master Deed or Declaration of Condominium, in the related By-Laws, in the Declaration of Trust, or Site Plans and Floor Plans as duly recorded in the appropriate land records office and as the same may have been lawfully amended, and in any instrument creating the estate or interest insured by this policy.

All Notes Terms, Conditions, Easements and Restrictions as shown on Plans of Land recorded Plymouth County Registry of Deeds Plan Book 48 Plan 421, Plan Book Plan Book 51 Plan 366 and Plan Book 60 Plan 437.

- Easement Verizon New England Inc. dated 3/20/14 recorded Book 44158 Page 269. (plotted)
- Easement Nstar Electric dated 3/20/14 recorded Book 44159 Page 30. (plotted)
- Amended & Restated Easements, Covenants and Restrictions recorded Book 47866 Page 167. (not plotted)
- Notice of Lease dated 2/14/09 recorded Book 38266 Page 106 as affected by reaffirmation dated 12/21/17 recorded Book 49330 Page 97. (not plotted)
- Easement Town of Wareham dated 8/15/84 recorded Book 5779 Page 6. (plotted)
- Easement Commonwealth Electric dated 12/18/02 recorded Book 23722 Page 349. (non-locus)
- Easement Department of Public Works dated 1/15/57 Book 255 Page 245. (plotted)
- Easement Department of Public Works dated 2/5/57 recorded Book 2553 Page 324. (plotted)
- Taking for Road relocation dated 4/3/69 recorded Book 3510 Page 335 and dated 12/29/67 recorded Book 3417 Page 467. (plotted LO 5797)
- Taking Commonwealth of Massachusetts DPW dated 6/12/11 recorded Book 44459 Page 105. (plotted LO 8391)
- Restriction Department of Natural Resources dated 4/15/71 recorded Book 3743 Page 726. (non-locus)
- Order of Conditions recorded Book 44059 Page 119 as affected by Certificate of Compliance dated 3/22/16 recorded Book 46713 Page 16. (not plotted)
- Release from Title Cape Cod Five Cent Savings Bank of any interest held relative to the insured premises by means of Mortgage interest in adjoining Lot 2 by means of Mortgage dated 8/30/16 recorded Book 47389 Page 55 and Assignment of Leases & Rents recorded Book 47389 Page 71. (not-plotted)



| REVISION | DATE | DESCRIPTION |
|-------------|------|--------------------------------|
| ---/---/--- | | Modified the certified parties |

ALTA/NSPS SURVEY
 1 SETH TOBEY ROAD
 WAREHAM, MASSACHUSETTS
 PREPARED FOR
STONEFIELD ENGINEERING & DESIGN, LLC



| | | | | | |
|-------------|------------|-------|---------------|-----------|---------|
| Drawn By | ES | Date | JUNE 28, 2018 | Job No. | 190075N |
| Surveyed By | BB SD | Scale | 1" = 40' | Sheet No. | 1 OF 1 |
| Checked By | DPP | | | | |
| Book No. | SEE COPIES | | | | |



2019 00083964

Bk: 51752 Pg: 187 Page: 1 of 2
Recorded: 10/04/2019 03:44 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

MASSACHUSETTS QUITCLAIM DEED

28 AND TOBEY, LLC, a Massachusetts Limited Liability Company, of 2680 Cranberry Highway, Wareham, Plymouth County, Massachusetts 02751,

for consideration paid and in full consideration of **ONE MILLION THREE HUNDRED FIFTY THOUSAND and 00/100 (\$1,350,000.00) DOLLARS**

grants to **WAREHAM RETAIL MANAGEMENT LLC**, a Michigan Limited Liability Company, of 30200 Telegraph Road, Suite 205, Bingham Farms, Michigan 48025,

with QUITCLAIM COVENANTS:

The land in Wareham, Massachusetts, being shown as LOT 1 on a plan entitled "Approval Not Required Plan of Land, S & H Realty, LLC, Seth F. Tobey Road & Cranberry Highway, Lots 1000-A1A, 1000-A1B & 1000-A1C, Map 87, Town of Wareham, Plymouth County, Commonwealth of Massachusetts, Store #2095-06", Surveyed by Control Point Associates, Inc. 352 Turnpike Road, Southborough, MA 01772, dated January 20, 2016, approved by Gerry L. Holdright, April 11, 2016, however same may be bounded and described, which plan is recorded with Plymouth County Registry of Deeds in Plan Book 60, Page 437.

Containing according to said plan 174,370 square feet, or 4.003 acres.

Subject to restrictions and easements in a Notice of Lease with Wal-Mart Stores East, LP dated January 8, 2010 and recorded with Plymouth County Registry of Deeds in Book 38266, Page 106.

Subject to an Easement to Verizon New England Inc. dated March 17, 2014 and recorded with said Registry in Book 44158, Page 269.

Subject to an Easement to Nstar Electric Company and Verizon New England, Inc. dated March 17, 2014 and recorded with said Registry in Book 44159, Page 30.

Subject to a Taking by the Department of Public Works, Division of Highways, acting on behalf of the Commonwealth of Massachusetts dated June 12, 2014 and recorded with said Registry in Book 44459, Page 105.

Return to:

Wareham Retail Management, LLC
30200 Telegraph Road
Bingham Farms, MI 48025

CANCELLED

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 10/04/2019 03:44 PM
Ctrl# 129054 17293 Doc# 00083964
Fee: \$6,156.00 Cons: \$1,350,000.00

Property Address: 1, Seth F Tobey Road, Wareham, MA

Subject to Amended and Restated Easements with Covenants and Restrictions Affecting Land dated November 14, 2016 and recorded with said Registry in Book 47866, Page 167.


Said parcel is conveyed subject to, and with the benefit of, easements, restrictions and agreements of record insofar as the same are in force and applicable.

The above conveyance does not constitute all, nor substantially all, of the Grantor's assets, and Grantor has not elected to file as a corporation for Federal income tax purposes.

For GRANTOR'S title see deed dated September 12, 2017 and recorded with the Plymouth County Registry of Deeds in Book 48964, Page 181.

Witness my hand and seal this 4th day of October 2019.

28 AND TOBEY, LLC

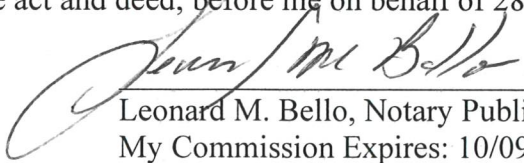
By:  SR
SCOTT V. ROBERTSON, SR., Managing
Member

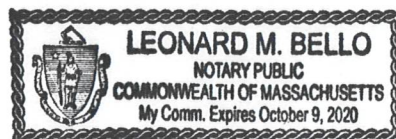
By: 
I. HOWARD ROBERTSON, Managing
Member

COMMONWEALTH OF MASSACHUSETTS

Plymouth, SS.

On this 4th day of October 2019, before me, the undersigned notary public, personally appeared SCOTT V. ROBERTSON, SR, Manager and I. HOWARD ROBERTSON, Manager, and proved to me through satisfactory evidence of identifications, which were **State Driver's Licenses**, to be the persons whose names are signed on this document and acknowledged the foregoing instrument to be their free act and deed, before me on behalf of 28 and Tobey, LLC.


Leonard M. Bello, Notary Public
My Commission Expires: 10/09/2020





Town Of Wareham Assessors Office

Request for Abutters List

Contact Information

Phone 914.960.1025
Email sverlin@alrigusa.com

Date of Request

3/20/23

Property Information

Owners Name Wareham Retail Management LLC
Property Location 1 Seth F Tobey Rd, A-1, Wareham MA 02571
Map/Lot Parcel ID 87-1, Book/Page 51752-0187

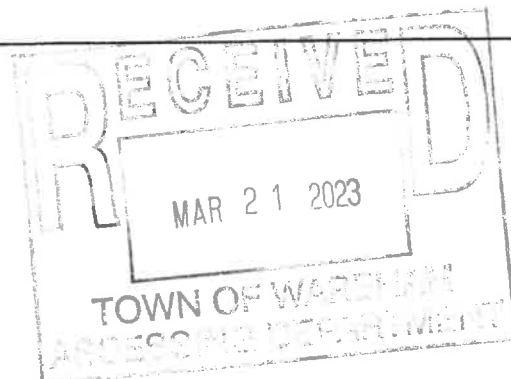
Distance Required

Direct

100'
300'
500'

Which Board are you appearing before?

PLEASE ALLOW 7-10 DAYS FOR PROCESSING



| TOWN OF WAREHAM ABUTTERS | | | |
|--------------------------------------|---|-----------------------------|-------------------------|
| MAP 87 LOT 1 | | | |
| OWNER WAREHAM RETAIL MANAGEMENT LLC, | | | |
| | | | |
| | | | |
| MAP & LOT | OWNERS | STREET ADDRESS | TOWN & STATE ZIP CODE |
| 108-0-.A | 2406 CRANBERRY HIGHWAY LLC | 280 AYER RD | HARVARD, MA 01451 |
| 108-0-1002.B1 | WAREHAM DEVELOPMENT LLC + JB WAREHAM LLC + BOURNE ACQUISITION LLC + 2527 LLC | 670 N COMMERCIAL ST | MANCHESTER, NH 03801 |
| 108-0-1004.AA | CJE & R CO INC, | PO BOX 92, | WAREHAM, MA 02571 |
| 108-0-1004.A1 | MAYFLOWER COOPERATIVE BANK, C/O ROCKLAND TRUST/FACILITIES DEPT | 288 UNION ST, | ROCKLAND, MA 02370 |
| 85-0-JDC3 | MFP WAREHAM LLC | PO BOX 12648 | HIALEAH, FL 33012 |
| 87-0-2 | S&H REALTY LLC, C/O WALMART ATTN: PROPERTY TAX DEPT | PO BOX 8050 MS 0555 | BENTONVILLE, AR 92716 |
| 87-0-1 | WAREHAM RETAIL MANAGEMENT LLC, | 30200 TELEGRAPH RD STE 205, | BINGHAM FARMS, MI 48025 |
| 87-0-1000.A2 | BLISS FAMILY FOUNDATION TO, C/O PETER LATHAM | PO BOX 721, | WAREHAM, MA 02571 |
| 87-0-1000.B | COMMERCE ROAD TERMINAL LLC | 3901 WEST BROAD ST | RICHMOND, VA 23230 |
| 85-0-JDC1 | LCR WAREHAM MARKETPLACE LLC | 6 IRONWOOD RD | WIDHAM, NH 03087 |
| | | | |
| CERTIFIED ABUTTERS AS THEY APPEAR ON | | | |
| OUR TAX ROLLS AS OF 3/21/2023 | | | |
| <i>My Name's Mine</i> | | | |
| ASSESSORS OFFICE | | | |
| | | | |
| | | | |
| REQUESTED BY | | | |
| SVERLIN@ALRIGUSA.COM | | | |
| 914 960-1025 | | | |

General Map Layers Town of Wareham, MA Find address or place

Public Notification

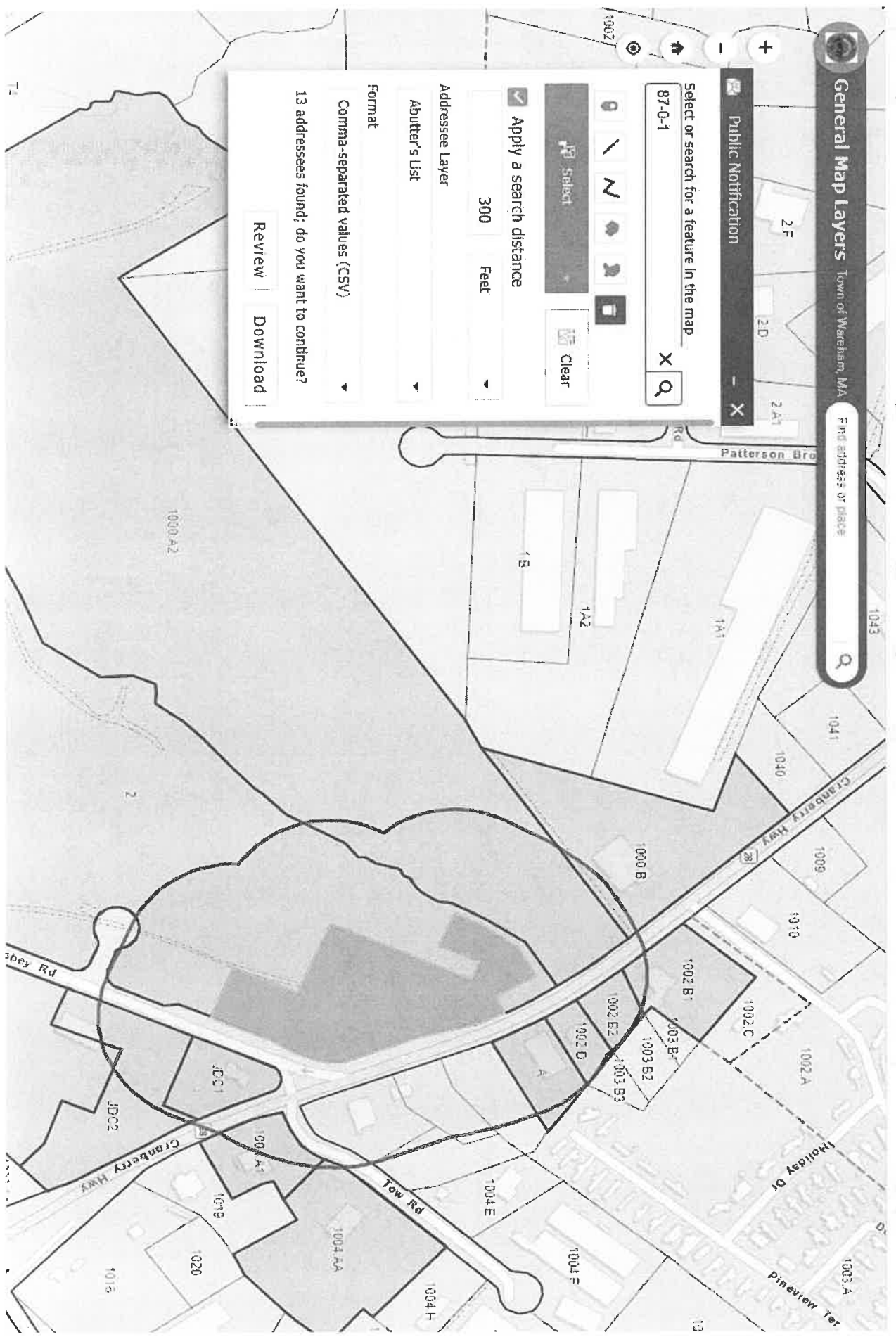
Select or search for a feature in the map
87-0-1 X Q

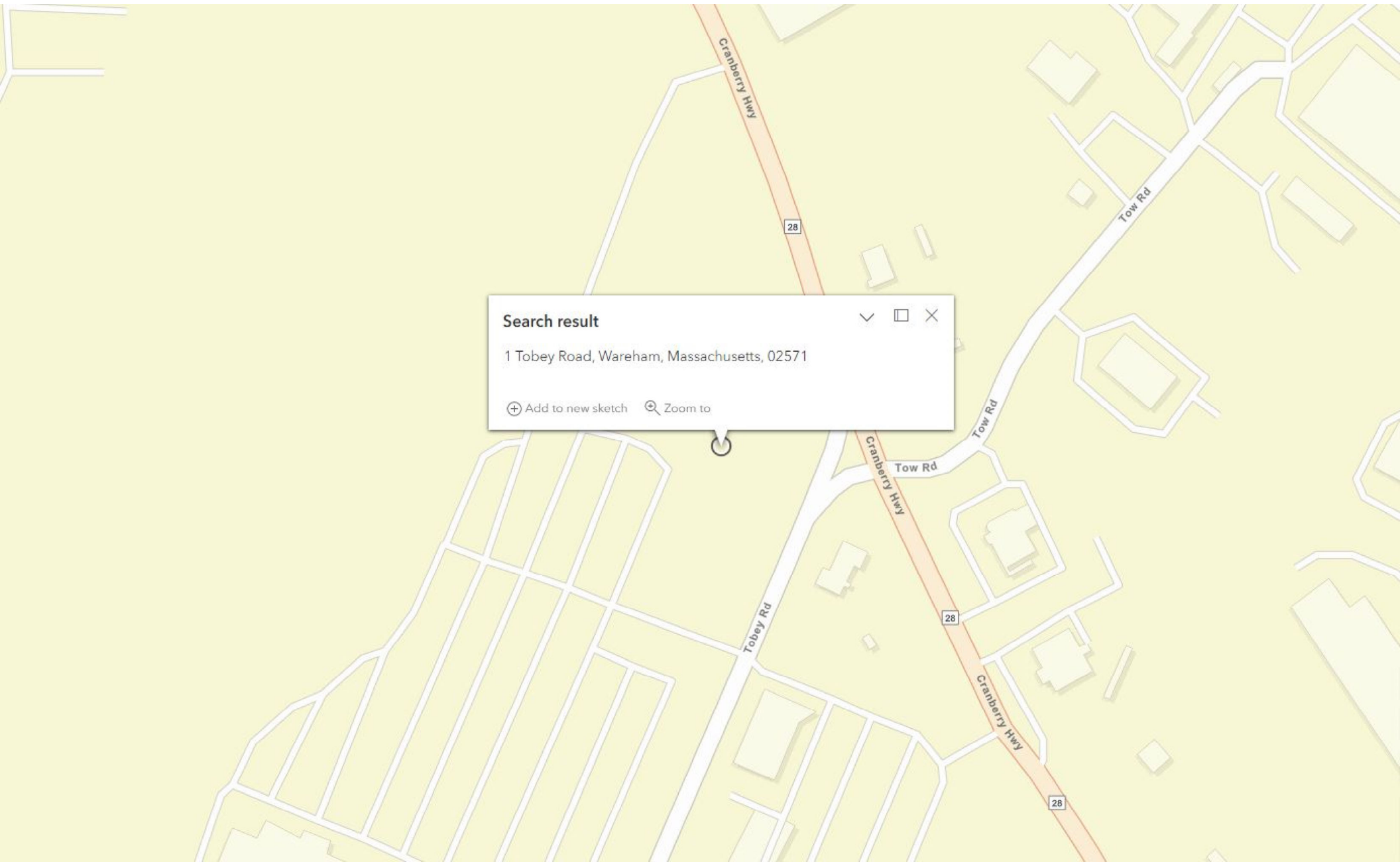
Apply a search distance
300 Feet

Addressee Layer
Abutter's List

Format
Comma-separated values (CSV)

13 addressees found; do you want to continue?
Review Download





Search result



1 Tobey Road, Wareham, Massachusetts, 02571

- Add to new sketch
- Zoom to









The Massachusetts Air National Guard is seeking the approval from the Town of Wareham to install exterior window graphics for security purposes. The MA Air Guard requires several security features at their recruiting stations. They require a door entry system, security cameras, NVR System, power roller shades, and exterior window graphics. Each feature is an important piece to the overall security of the facility and ultimately the safety of the Service Members.



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

Paul Turner
Director of Inspectional Services

November 16, 2022

Mr. Christopher Markaarian
87A New Salem Street
Wakefield, Massachusetts 02180

Revision of letter dated September 21, 2022

RE: 1 Seth Toby Road/ Map # 87, Lot 1

I have reviewed your sign application to add window coverings to 100% of your unit's glass area at 1 Seth Tobey Road, Wareham, MA.

Your application is being denied under the following section of the Wareham Zoning By-Laws:

Article 11: SIGNS, 1172 Signs in Business and Commercial Districts

9. Window signs. Window signs shall not exceed more than 25% of the glass area of any window or door of a business. [Amended October 2022 Town Meeting].

Therefore, a Variance must be secured in order to proceed with your request.

The subject dwelling is located in IND Zoning district.

Respectfully,

Paul Turner
Building Commissioner
Zoning Enforcement Officer

It is the owners' responsibility to check with other departments, i.e. Health, and conservation, etc. to ensure full compliance.

In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.