



Tamposi Brothers I, LLC

T: 352.586.9247

32 Pine Hill Rd, Unit A, Nashua, NH 03063

tamposibros@gmail.com

March 17, 2021

BY HAND and ELECTRONIC MAIL

Attn: Sarkis Sarkisian
Wayland Planning Board
41 Cochituate Road
Wayland, MA 01778

Re: Consolidated Definitive Subdivision Plan Application and Conservation Cluster Special Permit Application, 105 Plain Road, Wayland, MA, Assessor's Map 20, Lot 030

Dear Members of the Planning Board:

As you know, Tamposi Brothers I, LLC (the "Applicant") is the owner of the 5.5+/- acre property at 105 Plain Road, Wayland, MA (the "Property"), which is currently being reviewed by the Wayland Planning Board (the "Board") for a Conservation Cluster Special Permit. Below, please find a brief summary of the procedural history of the application:

On May 18, 2020, the Applicant submitted a Conservation Cluster Special Permit Application for the Property to the Board. The Board advertised the public hearing in the Wayland Town Crier for the weeks of July 16, 2020 and July 23, 2020. The public hearing opened on August 4, 2020 and was continued with the assent of the Applicant to August 18, 2020, September 15, 2020, October 6, 2020, October 20, 2020, December 1, 2020, December 15, 2020, January 5, 2021, January 19, 2021 February 2, 2021, March 2, 2021, March 16, 2021, and April 6, 2021.

Substantial testimony has been given during the public hearing by the Applicant, members of the Planning Board, Town staff and departments, Town Counsel, and members of the public. We believe this testimony is an important aspect of any ultimate decision regarding this property, and therefore wish to continue the existing special permit application rather than submit a new special permit application.



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Due to changes in the Site Plan made in response to the public hearing process, the current Site Plan design with a proposed private right of way now requires Definitive Subdivision Plan Approval under the Subdivision Control Law, G.L. c. 41, Sections 81K-81GG, in addition to the Conservation Cluster Special Permit.

Accordingly, the Applicant respectfully requests that the Board please accept the enclosed application for Definitive Subdivision Plan Approval as an addendum to the Conservation Cluster Special Permit application currently under review and issue a public notice to hold a consolidated public hearing on the Definitive Subdivision Plan and Conservation Cluster Special Permit for 105 Plain Road. A consolidated hearing for a Definitive Plan and a Special Permit is allowed under G.L. c. 40A, Section 11, G.L. c. 41, Section 81T, and §301-21 of the Town of Wayland Conservation Cluster Regulations. A withdrawal of the current Special Permit application is not necessary, and the hearing testimony on the Special Permit application that has been given to date should remain on the record.

We ask that the Board please review the enclosed application materials and approve both the Definitive Subdivision Plan and the Conservation Cluster Special Permit. We appreciate the Board's willingness to waive the application fees as indicated at the Board's March 16, 2021 meeting. Furthermore, please note that full-size plan copies and a completed Form O as required by the Subdivision Regulations have already been delivered to the Planning Board as part of the Special Permit filings and are on file with the Planning Board. Should you have any questions or require any additional information, please do not hesitate to contact me directly. Thank you for your attention to this matter.

Sincerely,

Jake Tamposi

Tamposi Brothers I, LLC

Enclosures:

- 1 Full-Size Plan Set (10 Copies already on File with the Planning Board)**
- Form C Application for Approval of Definitive Plan**
- Form D Designer's Certificate**
- Form I Approval with Covenant Contract**
- List of Waivers for Definitive Subdivision**

Form C (Page 1 of 3)

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

File one completed form with the Planning Board and one copy with the Town Clerk, in accordance with the requirements of Mass. G. L. 41. Separate paragraphs are used to indicate alternative provisions. The applicant should select and complete the paragraph or paragraphs pertinent to his case.

Wayland, Massachusetts

March 17 _____, 20 21 _____.

TO THE WAYLAND PLANNING BOARD:

1. The undersigned, being the owner* of all land including within a proposed subdivision shown on the accompanying plan entitled Definitive Plan, Cluster Plan of Land of Emmeline Path prepared by Sullivan Connors, and Associates
and dated April 20, 2020, Rev 2/9/21, submits such plan as a definitive plan of the proposed subdivision and makes application to the Board for final approval thereof.
2. The land within the proposed subdivision is subject to the following easements and restrictions:
Conservation Restriction for proposed open land
3. There are appurtenant to the land within the proposed subdivision the following easements and restrictions over the land of others:
N/A
4. A preliminary plan of the proposed subdivision has not been submitted to the Board.

A preliminary plan of the proposed subdivision, to which the accompanying plan conforms, was approved by the Board on _____, 20 _____.

A preliminary plan of the proposed subdivision was approved by the Board on _____, 20, with modifications, which modifications have been incorporated in the accompanying plan.
5. This applicant agrees, if the definitive plan is approved, to perform and complete all work on the ground within the proposed subdivision required by the Rules and Regulations of the Wayland Planning Board as in force on the date of this application (or if applicable on the date of an application of a Preliminary Plan) and as modified and supplemented by the work specifications and other requirements of the Board set forth in the statements attached hereto.

FORM C (Page 2 of 3)

6. The applicant further agrees to complete all said required work on the ground within two years from the date of final approval of the definitive plan by the Board, unless a new application is filed with and approved by the Board extending such time.
7. The applicant further agrees, if the definitive plan is approved, to cause said plan to be recorded or registered in the Middlesex District Registry of Deeds within thirty (30) days after the return of said plan to the applicant by the Board, and agrees not to sell, or to offer to sell, any of the lots within the subdivision until said plan is so recorded or registered.
8. The applicant further agrees, if the definitive plan is approved, to convey to the Town, promptly, at any time thereafter when requested so to do by the Board, in form satisfactory to the Board, title to the water mains and sewers and the prescribed easements therefor.
- 9a. The applicant further agrees, before final approval of the definitive plan, to cause to be filed within the Board a bond, in form satisfactory to the Board, conditioned on the completion of all required work on the ground in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work, and executed by the applicant as principal and an indemnity or surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the Town Treasurer of cash or United States Government Bonds in an amount equal to the penal sum of the bond.

or

- 9b. The applicant requests the Board to approve the definitive plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required work on the ground necessary to serve such lot adequately has been completed to the satisfaction of the Board.
10. This application is accompanied by an original drawing of the proposed definitive plan in accordance with the requirements of the Rules and Regulations of the Board, a designer's certificate, and approved cost estimates for all work to be covered by bond.

FORM C (Page 3 of 3)

11. The owner's title to the land is derived under deed from Shaun McConnon
dated 12/10/2019
20, _____, and recorded in Middlesex District Registry of Deeds, Book 73882,
Page 41, or under Certificate of Title No. _____,
registered in Middlesex Land Registry District, Book _____, Page _____.



Applicant

Tamposi Brothers I, LLC

Address 32 Pine Hill Rd. Unit A, Nashua, NH 03063

*If there is more than one owner, all must sign.

Note: This application is not deemed to have been submitted until the following endorsement has been completed by a member of the Planning Board.

Accepted this _____, day of _____, 20 _____, as
duly submitted under the Rules and Regulation of the Wayland Planning Board.

Wayland Planning Board

By _____

FORM D

DESIGNER'S CERTIFICATE

Wayland, Massachusetts

March 18, 2021

TO THE WAYLAND PLANNING BOARD:

I hereby certify that the accompanying plan, entitled Definitive Plan, Cluster Plan of Land
of Emmeline Path, Wayland, MA

and date April 20, 2020, revised February 9, 2021, is true and correct to the accuracy required
by the Rules and Regulations of the Board.



Registered Professional Engineer
Or Registered Land Surveyor

SULLIVAN COUNSELL & ASSOC.

Address

121 Boston Post Rd
Sudbury MA

FORM I (Page 1 of 2)

APPROVAL WITH COVENANT CONTRACT

Know all by these present that whereas the undersigned has submitted an application dated March, 20 21, to the Wayland Planning Board for application of a definitive plan of a certain subdivision entitled Definitive Plan Cluster Plan of Land of Emmeline path Wayland, MA and dated April 20, 2020 rev. 2-9-2021 20____, and has requested the Board to approve such plan without requiring a performance bond,

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Wayland Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Wayland as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the work on the ground necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

3. The undersigned represents and covenants that undersigned is the owner* in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgage have assented to this contract prior to its execution by the undersigned.

*If there is more than one owner, all must sign.

FORM 1 (page 2 of 2)

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this 17th day of March, 2021.

Anna Tampi
Applicant
32 Pine Hill Rd, Unit A, Nashua, NH
Address

Description of Mortgages: None

(Give complete name and Registry of Deeds reference.)

Assents of mortgages:
NIA

Hillsborough, ~~COMMONWEALTH OF MASSACHUSETTS~~ state New Hampshire, ss. March 17, 2021.

Then personally appeared the above named Joseph Tampi and acknowledged the foregoing instrument to be Personal Knowledge free act and deed, before me.

Allison Fusco
Notary Public

My commission expires: 6/6/23



Emmeline Path Definitive Subdivision Waivers

Section	Provision	Waiver Required	Justification
Section III.B.2. b	Filing Fees	Yes	Waiver requested to avoid double payment of fees that were paid with original submission.
Section IV.A.4	One Dwelling per Lot	Yes	Waiver requested to the extent necessary to carry out Zoning Bylaw Section 1803.1.3.3., which states: "Notwithstanding any provision of this Zoning Bylaw to the contrary, the Planning Board may permit by Special Permit attached and detached dwelling units to be erected on single lot(s)." The Zoning Bylaw controls in the event of a discrepancy between the Bylaw and Regulations.
Section IV.B.1.b.	Provision shall be made for the proper projection of streets, if adjoining property is not subdivided	Yes	Waiver requested as the adjoining properties are either not able to be subdivided or have multiple points of existing access.
Section IV.B.1.d.	A minimum separation of fifty (50) feet from the subdivision boundary to the right-of-way shall be required.	Yes	Waiver requested to in order to utilize the approximate location of the existing driveway and curb cut.
Section IV.B.2.	Limited Residential Street Pavement Width minimum 22 feet	Yes	Waiver requested to reduce impervious surface and allow the proposed roadway to provide 18 feet of travel way with a low mountable berm on the sides (3-inches tall

			by 12 inches wide) to create a total paved clear width of 20 feet
Section V.2.b.	The right-of-way shall be cleared according to the requirements of the standard road cross-section	Yes	Waiver requested to minimize clearing to the extent necessary to build the private way
Section V.2.e.	Pavement	Yes	Waiver requested to allow to allow for planted, non-paved island and reduce pavement of private way.
Section V.4	Walkways	Yes	Waiver requested to reduce impervious surface and keep with character of scenic road without sidewalks
Section V.12	Street Signs	Yes	Waiver requested to avoid changes to scenic road area.
Section V.13	Street Lights	Yes	Waiver requested to avoid street light spillover onto neighboring properties.



Town of Wayland
 41 COCHITUATE ROAD
 WAYLAND MASSACHUSETTS 01778
 www.wayland.ma.us TEL 508-358-3788

WAYLAND ASSESSORS
 RCVD 2021 MAR 17 PM 3:59

OFFICE STAFF
 Bruce Morgan MAA, Director of Assessing
 Matthew Lanefski, MAA, Assistant Assessor
 Mary-Ann Wohlfarth, Sr. Admin. Coordinator

BOARD OF ASSESSORS
 Jayson Brodie, Chair
 Zachariah Ventress, Vice Chair
 John A. Todd
 Molly Upton

Certification of Abutters

Date of request 3/17/2021

Please plan your submission accordingly. The Assessors' office has 10 business days to certify an abutters list Per MGL Ch. 66, S.10

Address to be certified 105 Plain Rd Parcel ID 20/030
(Map/Lot)

Owner's Name Tamposi Brothers F, LLC
(PLEASE PRINT)

Owner's Mailing Address 32 Pine Hill Rd, Unit A, Nashua, NH 03063

Name of Applicant same Telephone: ~~978-419-1720~~ 978-419-1720
(PLEASE PRINT)

Mailing Address of Applicant same City/Town same State same Zip _____

Signature of Applicant [Signature]

Reason for List (check one) Conservation Health Planning Zoning Board of Selectmen

****Please check with the Board/Commission for their guidelines regarding the number of feet required for notification. Each Board/Commission has its own regulations for their abutters listing. There's no fee for certification, however the list/s of abutters must be provided by the person or company requesting certification.**

For use by Assessors

This is to certify that at the time of the last assessment for taxation made by the Town of Wayland, the names and addresses are the assessed owners to these parcels.

Certified By: [Signature] Date: 3/18/21

CC: Conservation Health Planning Zoning Board of Selectmen



300 foot Abutters List Report

Wayland, MA
March 17, 2021

Parcel Number: 20-031A CAMA Number: 20-031A Property Address: 106 PLAIN RD	Mailing Address: STAITI MICHAEL J & SANDRA JEAN TRUSTEE PLAIN RD FAMILY TRUST U/D/T 106 PLAIN RD WAYLAND, MA 01778 ✓
Parcel Number: 20-031B CAMA Number: 20-031B Property Address: 106B PLAIN RD	Mailing Address: STAITI MICHAEL J & SANDRA JEAN TRUSTEE PLAIN RD FAMILY TRUST U/D/T 106 PLAIN RD WAYLAND, MA 01778 ✓
Parcel Number: 20-031C CAMA Number: 20-031C Property Address: 106C PLAIN RD	Mailing Address: STAITI MICHAEL J & SANDRA JEAN TRUSTEE PLAIN RD FAMILY TRUST U/D/T 106 PLAIN RD WAYLAND, MA 01778 ✓
Parcel Number: 20-032 CAMA Number: 20-032 Property Address: 110 PLAIN RD	Mailing Address: SHELTON STANLEY W & DOROTHY F TRUSTEES PLAIN RD OPEN SPACE B REALTY TRUST 110 PLAIN RD WAYLAND, MA 01778 ✓
Parcel Number: 20-033 CAMA Number: 20-033 Property Address: 116 PLAIN RD	Mailing Address: DONNELLY III, JOHN J DONHERTY, DONNELLY, STEPHANIE 116 PLAIN RD WAYLAND, MA 01778
Parcel Number: 20-040 CAMA Number: 20-040 Property Address: 6 DRAPER RD	Mailing Address: ROSENFELD PHILIP I ROSENFELD JUDITH I 6 DRAPER RD WAYLAND, MA 01778 ✓
Parcel Number: 24-149 CAMA Number: 24-149 Property Address: 101 PLAIN RD	Mailing Address: HALEY DANIEL P HALEY MELISSA R 101 PLAIN RD WAYLAND, MA 01778 ✓
Parcel Number: 24-151 CAMA Number: 24-151 Property Address: 50 MICHAEL RD	Mailing Address: TOWN OF WAYLAND CONSERVATION COMMISSION 41 COCHITUATE RD WAYLAND, MA 01778 ✓
Parcel Number: 25-015 CAMA Number: 25-015 Property Address: 50A MICHAEL RD	Mailing Address: TOWN OF WAYLAND CONCOM 41 COCHITUATE RD WAYLAND, MA 01778 ✓
Parcel Number: 25-016 CAMA Number: 25-016 Property Address: 43 RICH VALLEY RD	Mailing Address: LIS JOHN S JR 43 RICH VALLEY RD WAYLAND, MA 01778 ✓
Parcel Number: 25-017 CAMA Number: 25-017 Property Address: 46 RICH VALLEY RD	Mailing Address: SKLAR SIDNEY J & RAZEL F TRUSTEES R SKLAR REALTY TRUST 46 RICH VALLEY RD WAYLAND, MA 01778 ✓



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



300 foot Abutters List Report

Wayland, MA
March 17, 2021

Subject Property:

Parcel Number: 20-030
CAMA Number: 20-030
Property Address: 105 PLAIN RD

Mailing Address: LLC, TAMPOSI BROTHERS I
32 PINE HILL ROAD
NASHUA, NH 03063 ✓

Abutters:

Parcel Number: 19-080
CAMA Number: 19-080
Property Address: 3 DECATUR LN

Mailing Address: SCHAMBERG, STEVEN I SCHAMBERG,
GALIT TRUSTEES
3 DECATUR LN
WAYLAND, MA 01778 ✓

Parcel Number: 19-081A
CAMA Number: 19-081A
Property Address: 6 HIDDEN SPRINGS LN

Mailing Address: CHEN CHUN-YU T/E KWON YOUNG-
SOON
6 HIDDEN SPRINGS LN
WAYLAND, MA 01778 ✓

Parcel Number: 19-081B
CAMA Number: 19-081B
Property Address: 14 HIDDEN SPRINGS LN

Mailing Address: JOHNSON STEPHEN D & NANCY U
TRUSTEES STEPHEN AND NANCY
JOHNSON TRUST
14 HIDDEN SPRINGS LN
WAYLAND, MA 01778 ✓

Parcel Number: 19-081C
CAMA Number: 19-081C
Property Address: 22 HIDDEN SPRINGS LN

Mailing Address: RINEHART, LESLEY RINEHART,
MICHAEL
22 HIDDEN SPRING LANE
WAYLAND, MA 01778 ✓

Parcel Number: 19-081D
CAMA Number: 19-081D
Property Address: 26 HIDDEN SPRINGS LN

Mailing Address: DURKIN, JOHN E.
DURKIN, JUDY A.
26 HIDDEN SPRINGS ROAD
WAYLAND, MA 01778 ✓

Parcel Number: 19-083
CAMA Number: 19-083
Property Address: 87 PLAIN RD

Mailing Address: TOWN OF WAYLAND CONSERVATION
COMMISSION
41 COCHITUATE RD
WAYLAND, MA 01778 ✓

Parcel Number: 20-029
CAMA Number: 20-029
Property Address: 117 PLAIN RD

Mailing Address: SMITH ALAN EDWARD
111 PLAIN RD
WAYLAND, MA 01778 ✓

Parcel Number: 20-029A
CAMA Number: 20-029A
Property Address: 111 PLAIN RD

Mailing Address: SMITH ALAN EDWARD
111 PLAIN RD
WAYLAND, MA 01778 ✓

Parcel Number: 20-031
CAMA Number: 20-031
Property Address: 104 PLAIN RD

Mailing Address: JACQUINET ERIC DEBRUE MARIE T/E
104 PLAIN RD
WAYLAND, MA 01778 ✓

MAN



www.cai-tech.com

3/17/2021

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Page 1 of 3

Form C (Page 1 of 3)

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March 17 _____, 20 21 _____.

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WAYLAND TOWN CLERK
2021 MAR 13 PM 1:53

FORM C (Page 2 of 3)

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FORM C (Page 3 of 3)

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20, _____, and recorded in Middlesex District Registry of Deeds, Book 73882,
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Applicant

Tamposi Brothers I, LLC

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Note: This application is not deemed to have been submitted until the following endorsement has been completed by a member of the Planning Board.

Accepted this 18 day of March, 20 21, as
duly submitted under the Rules and Regulation of the Wayland Planning Board.

Wayland Planning Board

By

