

Safe Streets For All - Letter of Support Request

Robert Cabral <rcabral@srpedd.org>

Wed 9/7/2022 1:08 PM

to: Kenneth Buckland <kbuckland@wareham.ma.us>;

Hi Ken,

I hope all is well. SRPEDD is currently writing a region-wide application for the Safe Streets For All (SS4A) Grant. We are looking for letters of support to enhance our application on the behalf of the region, and we were wondering if a representative from Wareham would be interested in signing one for us.

A little bit about the grant: SS4A will be allocated under Congress's Bipartisan Infrastructure Law. Funds from this grant will be applicable to a wide range of transportation options, from intersection improvements to traffic calming, to non-motorized transportation enhancements. Please see this link, which includes some examples of the types of projects that would be feasible under this grant: <https://www.transportation.gov/grants/SS4A>.

Additionally, if we are successful, the SS4A will have two phases – the first of which covers planning for future safety improvements, and the second which allows for the potential to allocate funds towards project implementation.

Let me know if you are interested, and we can provide a sample letter that you can modify as you feel is appropriate. Additionally, please do not hesitate to let us know if there are any roads / intersections of importance that you'd like me to forward to the transportation staff. If we receive the grant, SRPEDD will be putting forth a task force, and I can reach out to you about participation on that, as well.

Thanks again,
Robert

Robert Cabral (he/him)
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SRPEDD

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SRPEDD
Southwest Region
Planning & Economic Development District

RE: [Town of Wareham MA] Paper Roads In Wareham (Sent by MichaelMarzullo, mrmarzullo@comcast.net)

Michael A> Marzullo <mrmarzullo@comcast.net>

Tue 8/30/2022 12:14 PM

To: Kenneth Buckland <kbuckland@wareham.ma.us>;

Hi Mr. Buckland

Thank you for the information, and your valuable insight and wisdom.

Respectfully

Michael Marzullo

Sent from [Mail](#) for Windows

From: [Kenneth Buckland](#)

Sent: Tuesday, August 30, 2022 9:46 AM

To: [Michael Anthony Marzullo](#)

Subject: Re: [Town of Wareham MA] Paper Roads In Wareham (Sent by MichaelMarzullo, mrmarzullo@comcast.net)

Accepted streets are plowed and maintained because they allow public access. Unaccepted streets are treated differently if they have public access:

https://www.wareham.ma.us/sites/g/files/vyhlif5146/f/news/2017_spring_town_meeting_article.pdf

A right-of-way [ROW] is an easement that runs with the property. You can eliminate lot lines with a simple plan filing but a change in a ROW requires a public hearing before the Planning Board. A regulated resource area doesn't stop the rights of access, it just controls the construction that could be made to improve the access within the ROW.

I have not done or seen the research of the land records to determine who has rights of access on Murphy or other ways in your neighborhood. Maybe that is something you could do.

Kenneth Buckland

Director of Planning and Community Development

Town of Wareham

508.291.3100 x 6501

From: Michael Anthony Marzullo <mrmarzullo@comcast.net>

Sent: Monday, August 29, 2022 4:55:32 PM

To: Kenneth Buckland

Subject: Re: [Town of Wareham MA] Paper Roads In Wareham (Sent by Michael Marzullo, mrmarzullo@comcast.net)

Hi Mr. Buckland

Yes, absolutely. I would greatly appreciate it if you put the signage question on the agenda of the Road Commission to discuss.

I appreciate you sending me the link to the accepted list of streets for plowing and municipal maintenance purposes, but does not mention anything about acceptance for public access. One would assume all those streets listed are public thoroughfares, however, they both become unconstructed paper streets before crossing Murphy (formerly Webster) which makes it questionable to me whether any continuation as a paper street conveys a right of way, especially a continuation into a protected wetland resource area.

I would think that a Town the size of Wareham would have some department with a master plan or master map that delineated all public roads, private roadways, and rights of way.

I crossed referenced this list of roads with all the paper streets on the assessor's map, which is the same as the subdivision map plan 12124F. The only two paper street names that show up on that list are Columbia and Wankinko. Both of the paved portions of those streets terminate before or at Murphy (formerly Webster),

and to my way of thinking, that's where the public right of way ends as well. What is noteworthy to me is that Murphy Street (formerly Webster Street) is absent from this list of accepted roads.

It is not paved, basically compacted gravel, but does have water and sewer beneath it. Does not being on the list of accepted ways means the Town does not have to maintain it or plow it?

Again, thank you for your time and attention. I really appreciate it.

Best regards

Michael Marzullo

On 08/29/2022 1:26 PM Kenneth Buckland <kbuckland@wareham.ma.us> wrote:

Mr. Marzullo

I tell everyone that asks that a right of way is created with rights of access granted to certain properties and the way they may determine who has rights to pass and repass may be found in the land records.

A Town-accepted way, e.g. Columbia Street, is a way that is open to the public. Accepted ways may be found

at https://www.wareham.ma.us/sites/g/files/vyhlf5146/f/uploads/accepted_streets_january_2022_0.pdf

If you want I could put the question of signage on the next agenda of the Road Commission.

Kenneth Buckland

Director of Planning and Community Development

Town of Wareham

508.291.3100 x 6501

From: Michael Anthony Marzullo <mrmarzullo@comcast.net>

Sent: Monday, August 29, 2022 12:25:53 PM

To: Kenneth Buckland

Subject: Re: [Town of Wareham MA] Paper Roads In Wareham (Sent by Michael Marzullo, mrmarzullo@comcast.net)

Hi Mr. Buckland

In regards to my previous inquiry from 6/29/2021 about the paper streets dividing our 2.78 acres on 9 Murphy Street. We have posted this land with "No Trespassing" signs, only to have most of them torn down or uprooted. Other upland residents or summer inhabitants of those cottages around the end of paved Columbia Street and Barnes Street have taken it upon themselves, that they have the right to stake down their watercraft on our land, above mean high water, and without any mooring permits, to do so. We have been working in coordination with the Harbor Master, Garry Buckminster to get that resolved. They also believe that all the paper streets that cross our property from Murphy, formerly Webster, to Marks Cove, are Public Right of Ways, even though most of the crossing is occurring off of any paper streets, which can easily be verified by looking on the satellite imagery on Google Maps or Google Earth. This clearly shows trespassing over the salt marsh, which we own, to Marks Cove.

We have even been told, that you explicitly told them this, as a matter of fact. If this is in fact what you or the Planning Department believes, or has promoted to the public, can you please direct me to the Town Meeting, where the acceptance of these paper streets as Public Rights of Ways occurred?

To my knowledge, the only Public right of way is Swift Beach Road, to the beach, and the gravel road extension of Murphy Street across Wankinko to the beach. It would be extremely helpful to us, and other Swift Beach owners, inhabitants, and visitors, if the Town of Wareham would erect a sign at that intersection "Public Right of Way" and a sign at the end of Columbia Street, stating "Not a Public Right of Way." This would end a lot of confusion, and it is my humble opinion, that it should be incumbent upon the Town of Wareham to clarify this, once and for all.

Thank you for your time and hopefully, due to your tremendous influence, you can raise the issue with any or all departments that can further explore or rectify this issue, and hopefully, you will keep me informed.

Best regards

Michael Marzullo

On 06/29/2021 8:58 AM Kenneth Buckland <kbuckland@wareham.ma.us> wrote:

This land is under Land Court jurisdiction, which keeps the title very clean but is very difficult to work through. A developer tried to remove the old subdivision and re divide the property, but was unable to find all of the owners of the land. There is one unknown owner that is needed to get the approval of Land Court. So it remains as is.

There are no plans to build any of the streets shown.

Good luck.

Kenneth Buckland

Director of Planning and Community Development

Town of Wareham

508.291.3100 x 6501

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com> on behalf of Contact form at Town of Wareham MA <cmsmailer@civicplus.com>

Sent: Monday, June 28, 2021 8:27:56 PM

To: Kenneth Buckland

Subject: [Town of Wareham MA] Paper Roads In Wareham (Sent by Michael Marzullo, mrmarzullo@comcast.net)

Hello kbuckland,

Michael Marzullo (mrmarzullo@comcast.net) has sent you a message via your contact form (<https://www.wareham.ma.us/user/17213/contact>) at Town of Wareham MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.wareham.ma.us/user/17213/edit>.

Message:

Hi Mr. Buckland

I have a few questions, regarding "Paper Roads" that I would love to get your expert opinion about.

First a little background.

My wife and I purchased an approximate 2.75 parcel in the Swift's Beach area last Summer, sandwiched between Murphy St (formerly Webster St) and Marks Cove, and at the end of Columbia St. shortly after it turns into a paper road. This large parcel is comprised of 24 small lots, separated by 6 paper roads and largely located in the marsh or wetland area.

Currently, the buildable lot portion that has been approved to build a large single-family and has all the zoning requirements to build a two-family or duplex, with 210 of frontage, but lacking the 45,000 of the contiguous square footage of the lot due to the existence of a "Paper Road," separating it from over another acre of our parcel.

This is Plan (12124F) from 1939 was developed after the great hurricane of 1938, but prior to the advent of the Mass. Department of Environmental Protection and FEMA. As I'm sure you know multiple large hurricanes wreaked havoc on this area from 1954 thru 1991. It is very hard to imagine now that back then the area was occupied by many dozen of small cabins.

Now in 2021 and all of these small lots that were separated by these planned out "Paper Roads" which are squarely located within a coastal flood plain, under wetland protection are realistically probably never going to be completed as real roads.

How could we proceed to have them eliminated, in theory, or actuality especially since we own the property on both sides of them many of them?

Are there any future plans in the Master Plan to complete Murphy St., formerly Webster, and connect it to Columbia St., below Barnes?

Thank You in advance for any sage advice or answers you have to offer.

Respectfully

Michael Marzullo

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