

Settlers Glen, LLC
20 North Park Avenue Suite 4
Plymouth, MA 02360

March 10, 2022

Onset Water District
Attn: Mr. Ken Fontes, Chairman
15 Sand Pond Road
Onset, MA 02558

Re: Settlers Glen Water Connection Approval Request

Dear Mr. Fontes,

I am writing to request that the “ability to serve” and water connection permit process be completed by the Onset Water District and a water permit be issued for the 8” water main line in Red Brook Road, Wareham MA.

As you are aware, we held a hearing with the Zoning Board of Appeals (ZBA) in Wareham to clarify the connection fees and water system scope for our site fronting on Red Brook Road. It was determined by the ZBA that the looped water main would be completed to the property line of Cranberry Highway and the fees be capped at \$42,840.00 plus the 20 service fees of \$3,540.00 each. For a total fee of \$113,640.00. { see attached decision dated February 8, 2022 }

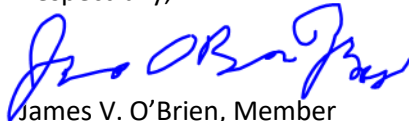
Mr. Candeias was provided with the updated site plans showing the looped water main to the property line of Cranberry Highway last week. In addition, he has signed the application for the State MassDOT work and plan scope. These two plans fulfil the entire system to be evaluated. Obviously assumptions can be made as to how your system across Cranberry Highway connects to the system on our site. He responded with the attached e-mail indicating he still did not have enough information to review the ability to serve. {see e-mail dated February 28, 2022}

Understanding your organization does not want to recognize the ZBA as the permit granting authority is problematic to say the least. However, we could come to an agreement that we simply pay the \$113,640.00 in agreed upon fees identified by the ZBA to allow connection to Red Brook Road. If the Board persists in determining that I am responsible for work not identified in my Comprehensive Permit for the site, then determine what those additional fees would be, and I will put those funds in escrow with my attorney while we have a court of law adjudicate the matter properly.

I hope your commission would advance the project review, and issue whatever permits are necessary to connect to Red Brook Road so we can start the project accordingly. At this stage, the delays are causing significant financial hardship and appear to be avoidable.

Please let me know if we can proceed as described above or when I can come in to discuss with the commission accordingly.

Respectfully,



James V. O'Brien, Member

Settlers Glen, LLC

Cc: Michael P. O'Shaughnessy, Esq.
Ivo P. Coll, Manager Settlers Glen, LLC
David Candeias, Onset Water Superintendent
Files

8-1007C

WAREHAM TOWN CLERK
2022 FEB 9 AM 10:41



**Town of Wareham
Planning and Community Development**

54 Marion Road
Wareham, MA 02571-1428

Phone: (508) 291-3100 x6500
Fax: (508) 291-3116

Kenneth Buckland, Director
Sonia Raposo, Dept. Assistant
Aaron Shaheen, Assistant Town Planner

February 8, 2022

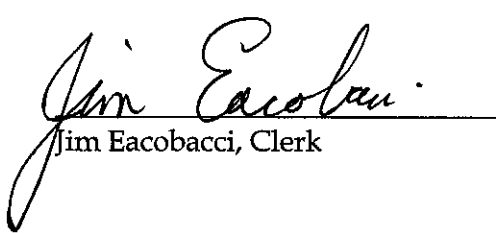
Michele Bissonnette, Town Clerk
Town Hall
54 Marion Road
Wareham, MA 02571

RE: Water Enforcement Permit, for ZBA Petition #2-21 Settler's Glen, 3128B Cranberry Hwy, Assessor's Map 8, Lot 1007C

The Wareham Zoning Board of Appeals held a Hearing on January 12, 2022 and January 26, 2022 to consider the request by James O'Brien, for a Water Enforcement Permit for the project called Settler's Glen, located at 3128B Cranberry Hwy, Wareham, MA 02571 under ZBA file #2-21.

The Board voted 5-0-0 to approve the enforcement with the following conditions:

1. The looped 8" water main will be installed by the applicant, through the easement, to the property line at Cranberry Highway.
2. The applicant will be responsible for the rate sheet of fees published at the time the comprehensive permit was issued showing an amount of \$42,840.00 for the Red Brook Road 8" water main tap and the 20 1" service fee taps of \$3,540.00 each in total to satisfy the system expansion and fee requirements. No other fees shall apply."


Jim Eacobacci, Clerk

I hereby certify that 20 days have elapsed after the decision was filed in the office of the Town Clerk of Wareham and no appeal has been filed in accordance with Section 17, Chapter 40A of the Massachusetts General Laws.


Michele Bissonnette
Town Clerk



James V. O'Brien <jvocorp@gmail.com>

Re: Settlers Glen, Revised Plans

David Candeias <superintendent@onsetwater.com>

Mon, Feb 28, 2022 at 9:15 AM

To: Brian Grady <brian@gafenginc.com>, "James V. O'Brien" <jvocorp@gmail.com>

Cc: sosborne@osd-ec.com

Brian,

The plans do not show a second water main connection on Cranberry Highway as requested by the Onset Water Department. The water main on Sheet 4 is capped and restrained at the back of the sidewalk on Cranberry Highway.

Per Onset's general procedures and specifications, Paragraph 1.C. Review, "[a]ny required changes must be incorporated on the drawings and resubmitted."

The proponent has not made the changes required by the department. At this time, OSD, as the District's engineer, is not able to complete the evaluation of the impact of the proposed project on the existing system and to generate an ability to serve letter. After the ability to serve evaluation has been completed, OSD will draft a letter which will include an estimate of impact fees.

Thank you,

David Candeias

On 02/26/2022 10:56 AM Brian Grady <brian@gafenginc.com> wrote:

Mr. Candeias,

Attached is a pdf of the revised plan for Settlers Glen reflecting the determination of the Wareham Zoning Board of Appeals. A full set went out in the mail to you yesterday. Please let me know if you have any questions or need additional information.

Thanks,

*Brian R. Grady, R.S.***G.A.F Engineering, Inc.**

266 Main Street Wareham, MA 02571

Office: 508.295.6600 | Fax: 508.295.6634

E-mail: brian@gafenginc.com