



ENGINEERING,  
INC.

ENGINEERS  
SURVEYORS

266 MAIN ST.  
WAREHAM, MA 02571

TEL 508.295.6600  
FAX 508.295.6634

January 19, 2022

Town of Wareham  
Planning Board  
Attn: Mr. Richard Swenson, Chairman  
54 Marion Road  
Wareham, MA 02571

RE: Maritime Haven – Response to Peer Review 1/10/2022  
7 Lot Definitive Subdivision Plan  
36, 42, and 48 Robinwood Road  
**G.A.F. Job No. 20-9600**

Dear Chairman Swenson,

G.A.F. Engineering, Inc., on behalf of our client RESI, LLC, has prepared revised plans and provides the following responses to the engineering peer review letter dated January 10, 2022, prepared by Charles L. Rowley, P.E., P.L.S.

This letter has been formatted for clarity by listing the review comment first in standard type followed by our italicized responses.

Plans:

1. Lots 48 and 53 continue to show portions of the required buildable upland circle overlapping an isolated vegetated wetland (Lot 48) and a coastal beach and dune (Lot 53). These conditions are non-compliant with Article 6, Density and Dimensional Regulations, subsection 615 and as such will require a vote of the Board to approve relief.

*Refer to the shape factor waiver letter prepared by Gay & Gay, P.C. dated December 7, 2021, which was previously provided to the Planning Board.*

2. The test pit data shown on Sheet 2 of 9 of the plan set indicates medium sand at a depth of 24 inches. The proposed road has been designed with stone filled trenches on each side to collect and dispose of surface runoff. The trenches are shown as 24 inches deep as well. (See Sheet 8 of the plan set) Since the road profile is variable with the existing grade as shown on Sheet 7 of the plan set, a condition of approval should include the requirement to reach the depth of the

medium sand noted in the soil test logs for the entire roadway length. This will insure contact of the trench stone with the most permeable soil layer. Unsuitable soil should be removed and replaced by similar permeable materials.

*We have no objection to this recommendation. The detail for the crushed stone trench on Sheet 9 specifies a minimum 12" depth of soil removal and replacement beneath and along the sides of the crushed stone.*

3. A supplemental sheet showing the Post Development Watershed Map dated 1/4/2 shows the potential regrading of the site to control runoff that may collect in low areas. It also shows the location of two-yard drains in the vicinity of Lots 53 and 54. At contour 5 southeasterly of the proposed cul-de-sac it is to be adjusted grade wise so that there is a shallow swale through the 5-foot contour. Both of these elements should be shown on the grading plan of the plan set on Sheet 7 of 9. The exact location may be field located for each of the yard drains once the building sites have been established. A note to this effect is recommended for the plans.

*We have added the spot grades and yard drain locations to Sheet 7 as requested. Note 11 on Sheet 7 references the details for the yard drains and determination of final locations once individual lot development are determined.*

4. The roadway cross section (Sheet 7) indicates that a 12-inch layer of gravel will be topped with 4 inches of dense graded material prior to the placement of the binder and wearing surface. A condition of approval should contain a requirement for the gravel to be fine graded to 8 inches below finish pavement grade prior to placement of the dense grade material.

*We have no objection to this recommended condition of approval.*

5. The Board will need to act on the request for any waivers from the requirements of the Subdivision Rules and Regulations that have been requested.

*Informational. No response required.*

6. Although the building sites are not part of the submittals, the actual road construction as well as building site details would be subject to the receipt of an Order of Conditions from the Wareham Conservation Commission.

*We have submitted a Notice of Intent for the roadway construction to the Wareham Conservation Commission and MassDEP. A separate Notice of Intent for each individual lot will be submitted in the future, prior to any request for building permits.*

Sewer Connection:

1. I have read the letter from Attorney Gay and respectfully disagree that the MGL statute cited allows the installation of a private sewer force main in ways that are not specific to the subject property without the proof of deed rights.

I agree that the right to install a sewer or other utilities exists within that portion of Robinwood Road that abuts the subject property. However, MGL Chapter 187, Section 5 is clear that the rights exist only to real estate that abuts the private way or in ways in which the property owner has deeded rights. Reference is made to the opening sentence of 187/5. It makes no distinction between registered and unregistered title of ownership.

No such evidence has been presented that the applicant has deeded rights to install utilities within private ways that do not abut his property other than Plymouth Avenue or Powers Avenue which are now collectively known as Robinwood Road. The route of the proposed sewer line has not been delineated nor have the ways been shown as public or private.

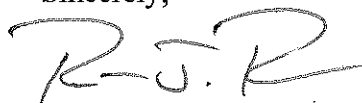
*Refer to the letter from Gay & Gay, P.C. dated January 19, 2022.*

2. Before the Board votes to approve the proposal, I recommend that the route of the sewer be shown on a separate sketch plan, that each street be labeled as public or private and that evidence is presented to show that the project is compliant with the terms of Chapter 187, Section 5 for private ways.

*Refer to the letter from Gay & Gay, P.C. dated January 19, 2022.*

We look forward to further discussion of the project at the upcoming continued public hearing. Please contact me directly if you have any questions.

Sincerely,



Robert J. Rogers  
Project Manager

RJR:lmf

cc: RESI, LLC  
Gay & Gay PC