

December 13, 2021  
(Revised December 14, 2021)  
Project No. 2443

Mr. Kenneth Buckland, Town Planner  
Town of Wareham Planning Board  
54 Marion Road  
Wareham, MA 02571

**RE: WAREHAM - Amended Request for Waivers Letter  
Shell Point Place Definitive Subdivision of Land  
69 Great Neck Road, Wareham, MA**

Dear Members of the Board:

On behalf of the owner/applicant of record, David Andrade, we hereby request the following waivers from the current Planning Board Rules & Regulations Governing the Subdivision of Land and Zoning Bylaws of the Town of Wareham.

Planning Board Rules & Regulations Governing the Subdivision of Land

**1. Section IV.B.26. – Waiver to not require the preparation of a Street Light & Tree Plan.**

The applicant will work with the public utility provider to install an LED street light mast arm on the existing UP 24/52 on Great Neck Road to provide lighting at the intersection in accordance with of Section IV.D. For the remaining portion of Roadway A, the applicant is proposing to install two (2) driveway lanterns at each Lot under a Covenant to be recorded with the Subdivision Plan. The driveway lanterns will be wired to the electric service to each home and will be maintained by the individual homeowners.

With respect to Street Trees within the 40-wide right-of-way, the location of the underground utilities such as gas, electric, telephone and CATV, as well as the required 5-foot sidewalk on one side, does not leave sufficient area to locate trees. On the sidewalk side, the proposed gas service is within the 3-foot grass strip between the front of the sidewalk and the back of the asphalt berm. Most public utility companies do not allow trees or sidewalks over their utilities. There is no room on the sidewalk side of Roadway A to plant trees.

The electric, telephone, and CATV duct bank along with the utility pedestals and manholes will occupy most of the opposite shoulder. The location of the duct bank was governed by the location of the hydrants which share the same side of the road.

Zoning Bylaws of the Town of Wareham.

**1. Article 6 – Density and Dimensional Regulations**

Pursuant to Article 6 - Section 615, the Planning Board has the authority to waive certain elements of the Lot Shape Factor criteria if it is found that granting such relief would not be detrimental to the intent of the Shape Factor regulation.

The applicant is seeking a waiver to allow a 10 foot reduction in the required 150 foot diameter shape circle to 140 feet on Lot 1 as shown on the submitted Definitive Subdivision Plan. In support of the waiver request, we respectfully ask the Board to consider the following site specific circumstances.

1. It is our understanding the intent of Shape Factor criteria is to discourage gerrymandered or “pork chop” lots as well as marginal lots encumbered by excessive bordering vegetated wetland resource areas. Lot 1 as proposed, satisfies both the minimum area and frontage requirements of the Bylaw and is generally rectangular in nature. Direct vital access to the building envelope is available from the proposed subdivision roadway so it could not be considered a “pork chop” lot.

Furthermore, there are no bordering vegetated wetlands on the lot or within the proposed building envelope. While, the southerly portion of the lot lies within a FEMA mapped coastal flood zone (Zone AE – Elevation 14.00), the average existing grade within the building envelope (Elev. 17.0 +/-) is well above the established base flood elevation. There is sufficient buildable upland area to allow the location of a 3-bedroom single family dwelling and septic system outside of the mapped Zone AE.

2. The location of the proposed subdivision roadway intersection at Great Neck Road has been established by the location of the existing shared driveway entrance to 71 Great Neck Road, N/F St. Jacques and the required 30 foot property line radius from the southwesterly corner of 67 Great Neck Road, N/F LeBlanc. Access to Lot 1 will be provided off of the subdivision roadway, so the existing shared driveway will no longer be needed. The portion of the existing shared driveway to 71 Great Neck Road will remain in service. We have maintained the maximum horizontal separation between the subdivision roadway intersection and the existing driveway to 71 Great Neck Road to offset any potential impacts to this adjacent property. A horizontal separation distance of about 128 feet has been provided between the centerlines of the existing driveway and the subdivision road.

A conscious effort has been made to preserve an existing vegetated buffer strip between the easterly sideline of the roadway layout and the adjacent sideline to 67 Great Neck Road. The existing house at 67 Great Neck Road is about 25 feet off the common sideline so maintaining the vegetative screening was also a primary consideration in determining the location of the roadway. The geometry of the subject parcel is unique in that it is simply not wide enough to maintain a 150 feet depth on Lot 1 without sacrificing the vegetative buffer to 67 Great Neck Road.

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In closing, we would note that an extensive effort has been put forth in the initial planning and design of this subdivision given the unique character of the subject parcel and the surrounding neighborhood. Primary consideration has been given to the minimization of impacts to the surrounding properties. The resultant design is one which best fits the existing site conditions in keeping with requirements of the Rules and Regulations and the Bylaws. The granting of the requested waivers would not be detrimental to the adjacent properties and would be consistent with the intent of the current Rules and Regulations and the Zoning Bylaws of the Town.

If you have any questions or require additional information, please contact me at (508) 758-2749.

Very truly yours,  
**Field Engineering Co., Inc.**



Kenneth J. Motta  
Senior Project Manager

cc: David Andrade, Applicant

Attachments: Exhibit Plan – Shell Point Place dated 12/13/2021 & revised 12/14/21

Revisions			
No.	Description	Date	App'd
1	REVISED PER PUBLIC HEARING	12/14/21	KJM
Date: 12/13/2021			

Scale: 1"=40'

Drawn By: PGT  
Designed By: KJM  
Checked By: RMF

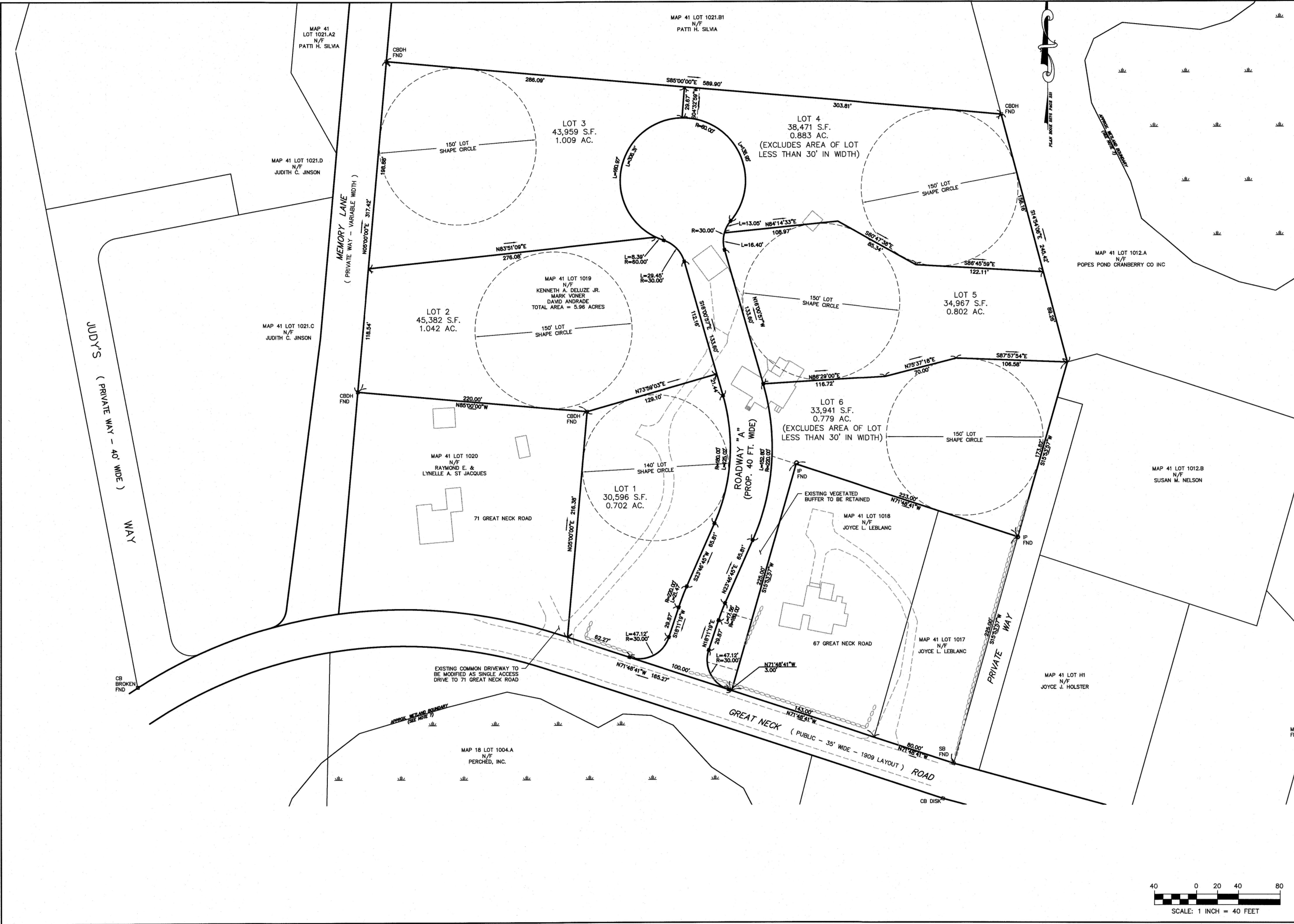
Issued For: PERMITTING

EXHIBIT PLAN  
SHELL POINT PLACE  
DAVID ANDRADE  
69 GREAT NECK ROAD  
WAREHAM, MASSACHUSETTS

Drawing Title: EXHIBIT PLAN

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Sheet No. EX-1



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