

February 11, 2022

To the members of the Planning Board,

Many of the neighbors have been in touch with me and here is compilation of our concerns and why we are asking the Planning Board to deny the project as currently presented.

I would like this correspondence to go on record as a recap of open issues & of newly discovered ones regarding the Maritime Haven commercial project.

1. Lot # **49** with a driveway directly onto Robinwood Rd. poses a threat to the safety and wellbeing of the area residents who's only egress (accept for a paper street at Forest St.) is from Sias Point is Robinwood Rd. This is a commercial project and is being proposed in a residential neighborhood. I request that the Planning Board consider imposing Open Space as per the excerpt below from the Subdivision Rules & Regulations:

F. Open Space

Before approval of a plan the Planning Board may also, in proper cases, require that the plan show a park or parks suitably located for playground or recreation purposes or for providing light an air or access to shores or beaches. The park or parks shall not be unreasonable in area in relation to the land to be subdivided and to the perspective uses of such land. The Planning Board may, by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of not more than three (3) years.

What consideration, if any, was given to the area residents for a commercial project in their neighborhood?

I suggest that Lot # **48** be a park for the new homeowners and area residents to enjoy and will be maintained by the Homeowner's Association.

Where is the easement onto the beach on the Definitive Plan? I was told it is not along either abutter's property.

2. Atty. Gay cited examples of previous waivers on the lot shape. Were those examples of waivers on properties with a severe flooding history? Did anyone check?
3. Will future developers use a November 2020 traffic study as an example of the Planning Board allowing a traffic study done at a time to further their projects during the least busy traffic time that is not indicative when traffic is heaviest ? The Maritime Haven traffic report was done in November during COVID. Is this a precedent that the Planning Board feels protects the neighborhoods ? We are a community that has a sharp increase in the summertime population with delivery trucks, landscapers, guests, people who are not year round residents etc. The forementioned examples are mostly not present in November. **I think the project should be put on hold until a new traffic study in June can be done.**
4. There should be a notation that the Conservation Commission will rule on the illegally filled-in Bull Frog Pond and show where it will need to be put back. I am researching a 2nd pond closer to the street that may have also been filled in without permits.
5. The Planning Board is responsible for protecting the rights of an abutter with Solar. Please see Atty. Friedmann's letter that is posted on the Maritime Haven Planning Board documents site. Will there be a deed restriction on Lot # **51** that would never allow any construction or landscaping that impedes the Solar production from the Solar System on 32 Robinwood Rd., Wareham? Trim and remove anything blocking the solar array now, before Occupancy Permits are issued.

6. Will the Planning Board weigh in on trees to be planted to screen the homes from Robinwood Road and views of the abutters, especially from the inground pool **at 52 Robinwood Rd.** next to the project. Mature trees between the properties should be left standing to protect views and wildlife.

Section V – Design Standards

A. General

The proposed subdivision shall be so designated as to protect the health, safety, convenience and welfare of the occupants of the subdivision and the Town of Wareham. The design shall:

1. Reduce, to the extent reasonably possible, the following:
 - a. Volume of cut and fill;
 - b. Area over which existing vegetation will be disturbed, especially if within 100 feet of a river, pond or other body of water;
 - c. Number of mature trees removed;
 - d. Disturbance of natural drainage patterns or increase in peak rates of stormwater transport from the site;
 - e. Disturbance of important wildlife habitats and scenic or historic environs;
 - f. Visual prominence of man-made elements not necessary for safety or orientation;
 - g. The impact to abutting neighborhood.
2. Increase to the extent reasonably possible, the following:
 - a. Visual prominence of natural features of the landscape;
 - b. Vistas and water views from public ways.

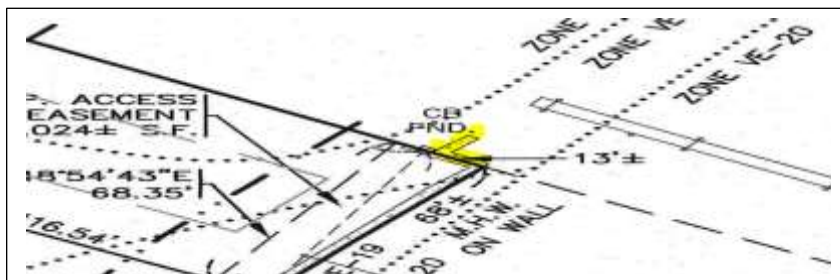
B. Drainage

When can the neighbors ask for a privacy fence along each abutter's property, to be approved by the abutters?

7. Will the Planning Board step in and protect the neighbors' right to quiet enjoyment with modified construction hours M – F only 8:30 a.m.– 5:30 p.m., no holidays and only interior work in July? No loud music or speaker system to be allowed by contractors working on the site through the period of construction until all homes are occupied?

RE: The proposed street sewer construction – Can that be done in November so it will not that impede residents on those streets from being able to plan parties, guests, weddings and enjoy their summer homes ?

8. I believe there is an encroachment that needs to be addressed by the NORTHERN end sea wall onto my property.



9. I don't believe 4 culverts are sufficient for this site. I am going to hire an engineer to review the plan. I spoke to 2 engineers who had conflicts of interest. Why are there no culverts on my side of the project when the Rain Garden that originally proposed was supposed to fix all the flooding and it was next to my property line and now there are no culverts on that side of the project ? Some municipalities require driveways to be used in run-off calculations regarding sizing the culverts / drainage. Shouldn't impervious materials such as driveways be part of the calculations and not just roof s.f. runoff ?
10. Road mitigation funds TBD and street lights along Robinwood Rd. in front of the project should be added for safety especially due to the increased traffic. It is very dark on Robinwood. Who does a formal Road Inspection Report prior to construction? Robinwood Rd. cannot handle heavy construction vehicles without major damage.
11. The plan does not show the abutters across the street. Were they notified ? Is there a signed return receipt from the owner as required ?

1. The title: "Subdivision Plan of (Subdivision Name)";
2. The date, scale, north point, tax assessor's map and lot number(s) and, if appropriate, legend to explain any graphic representations or symbols on the plan;
3. The name and address of the present owner(s) and applicant(s);
4. The name, address and seal of the Registered Professional Engineer or Registered Land Surveyor who prepared the plan;
5. The names of all abutters as they appear in the most recent tax list, including property owners on the opposite side of any streets abutting the subdivision locus;

2. The applicant, by preparing notices to abutters by Certified Mail Return Receipt Requested. Return receipts are to be addressed to the applicant. The applicant must

vision Rules & Regulations

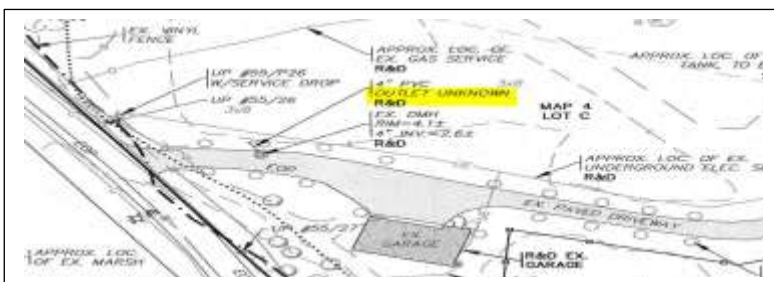
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present the return receipts to the Planning Board and they must match the list of abutters certified by the Board of Assessors prior to the public hearing.

12. Is there a certification on the plan certifying the drainage information to be true ?

drainage from drainage systems that be permitted only if, in the opinion of the Director of Municipal Maintenance or Town Engineer, the existing system has adequate capacity to receive the additional storm water runoff. An estimate of both the rate and volume of runoff prior to and after development shall be submitted along with supporting data. The drainage system shall be designed so that peak run-off and stream flows at the boundaries of the development in a 20-year frequency storm and culverts shall be based on a 50-year frequency storm with consideration given to damage avoidance for a 100-year storm. In any case, the drainage system shall be designed so that abutting properties and ways are not adversely affected by run-off water generated by the development. The applicant's engineer shall so certify the above and the certification shall appear on the plan. Whenever practicable, the drainage system shall coordinate with and connect to the drainage system on surrounding properties or streets.



13. There is a drainage catch basin that currently takes run-off water from Robinwood Rd., as shown above. Where the water goes is marked "unknown." We should know where the water goes to avoid flooding on Robinwood Rd. and this should be corrected if necessary.

Please deny the Definitive Plan until we have a plan that protects the neighborhood and allows a commercial project that not only works for the enrichment of the developers while we live and live an ill-conceived project for future generations in our neighborhood. The plan does not conform with the Rules & Regulations of Subdivision by-law.

Thank you,

Marlene Aron, 32 Robinwood Rd. Wareham, MA 508-740-0000