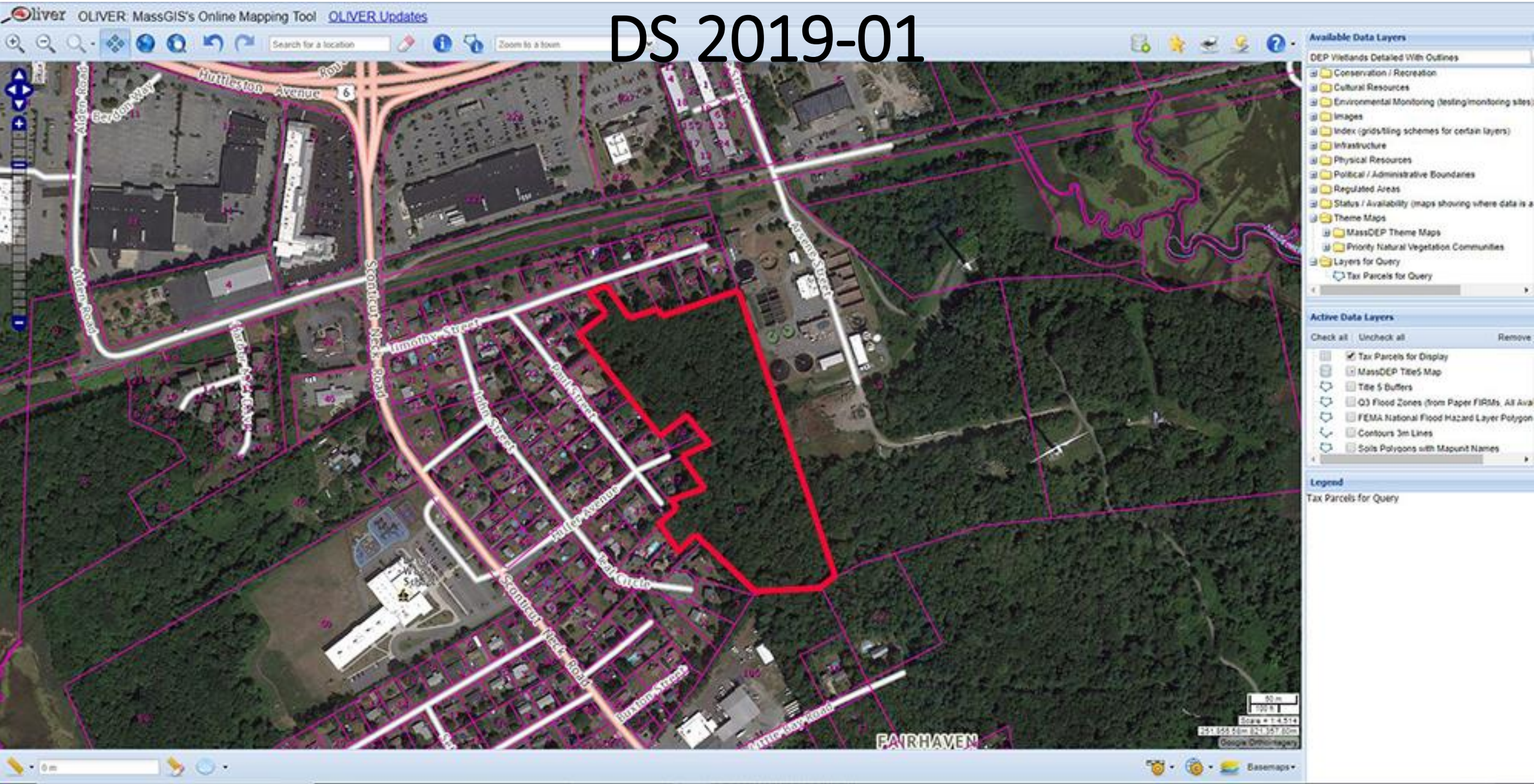
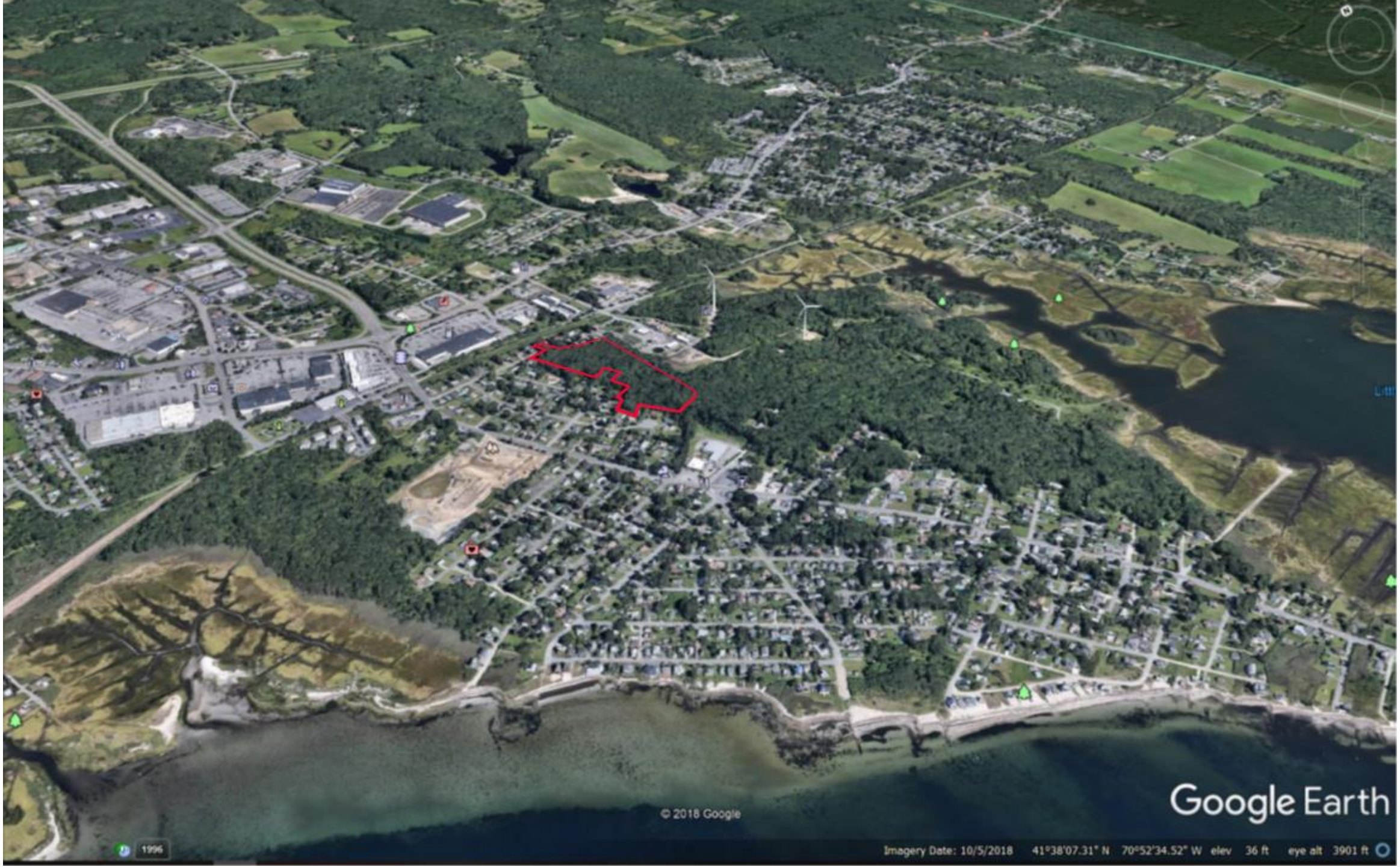
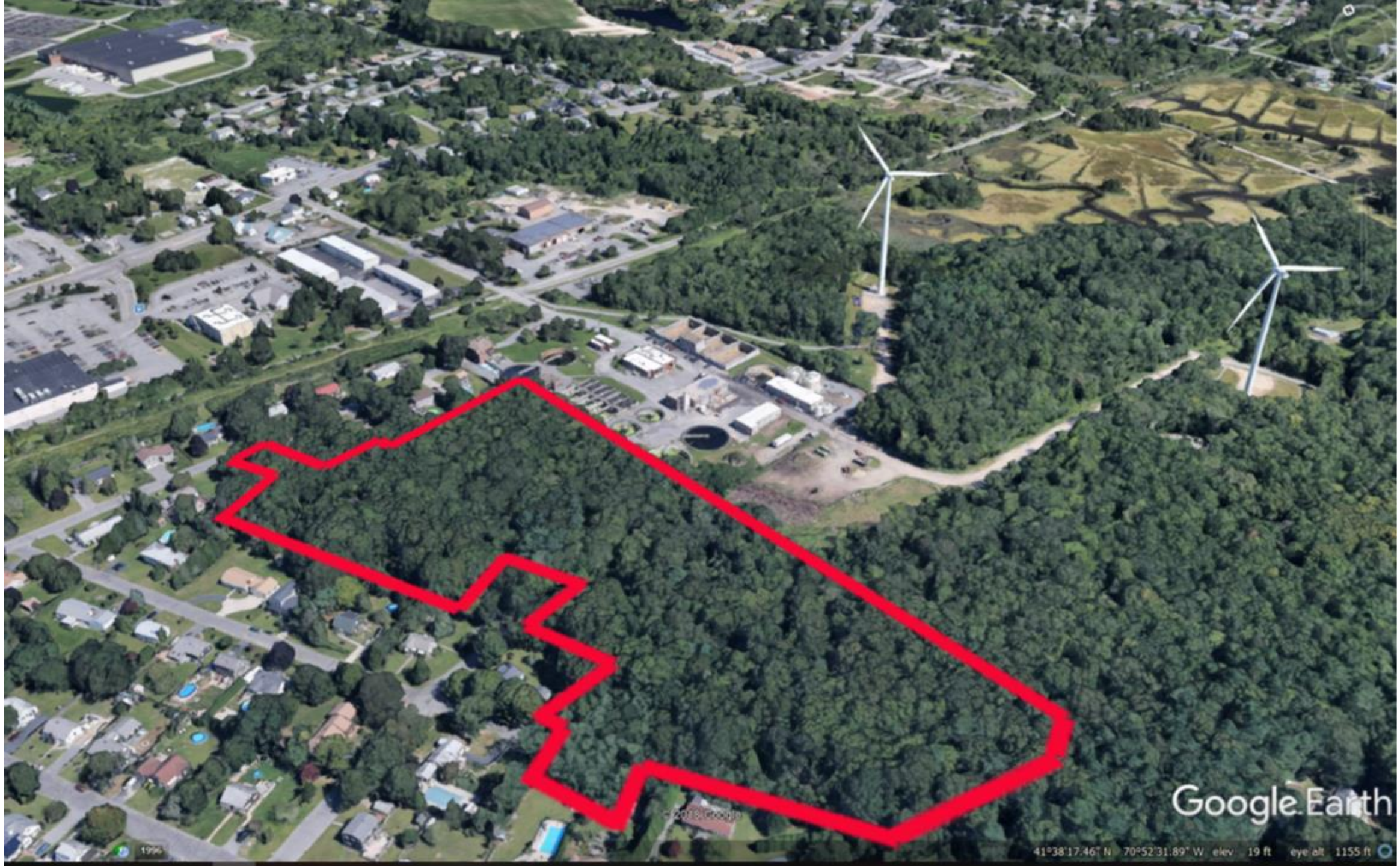
Definitive Subdivision: Hiller & Timothy St. Subdivision DS 2019-01




© 2018 Google
Google Earth
1996
Imagery Date: 10/5/2018 41°38'07.31" N 70°52'34.52" W elev 36 ft eye alt 3901 ft

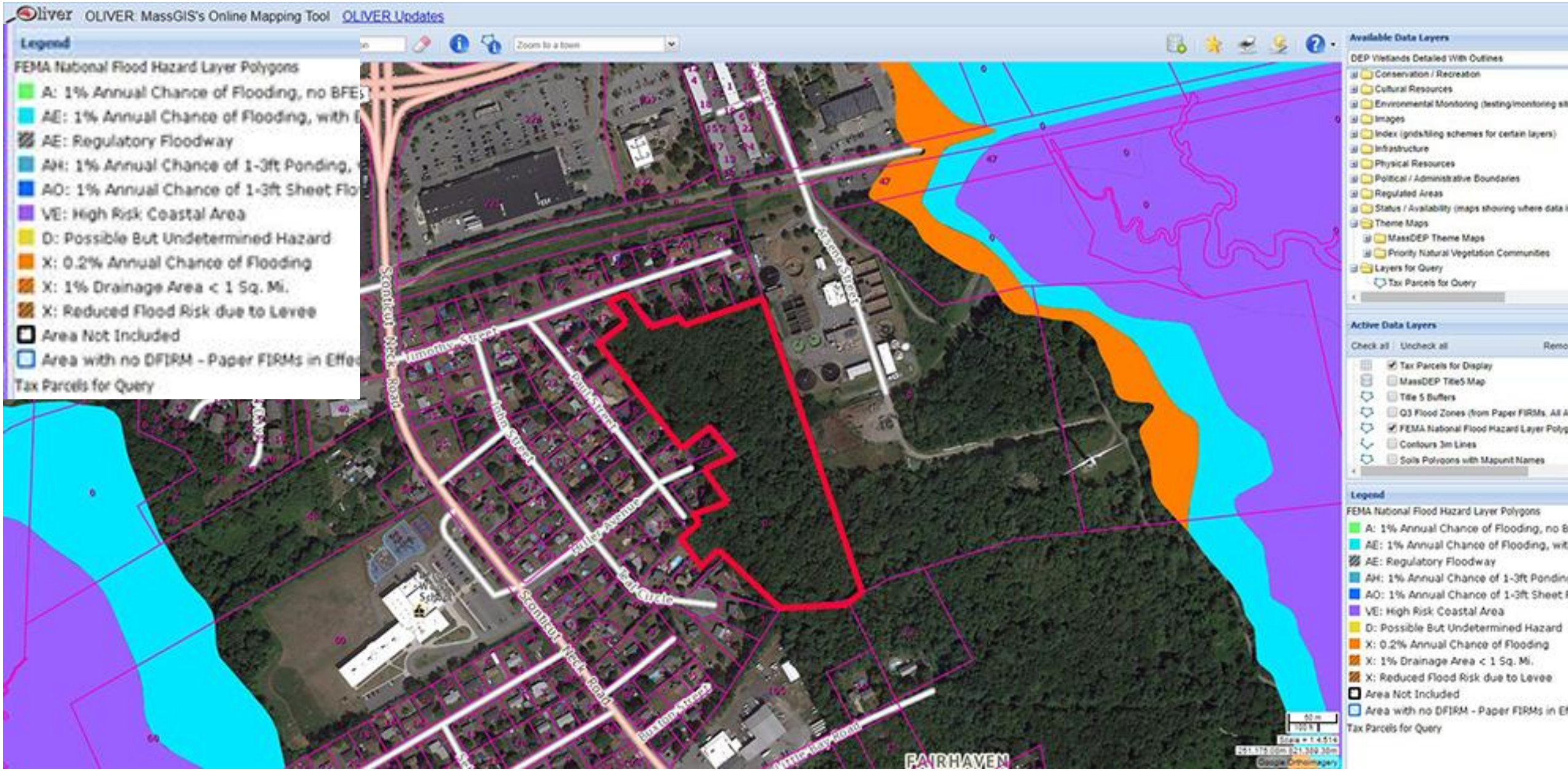

Google Earth
41°38'17.46" N 70°52'31.89" W elev 19 ft eye alt 1155 ft

Google Earth
© 2018 Google

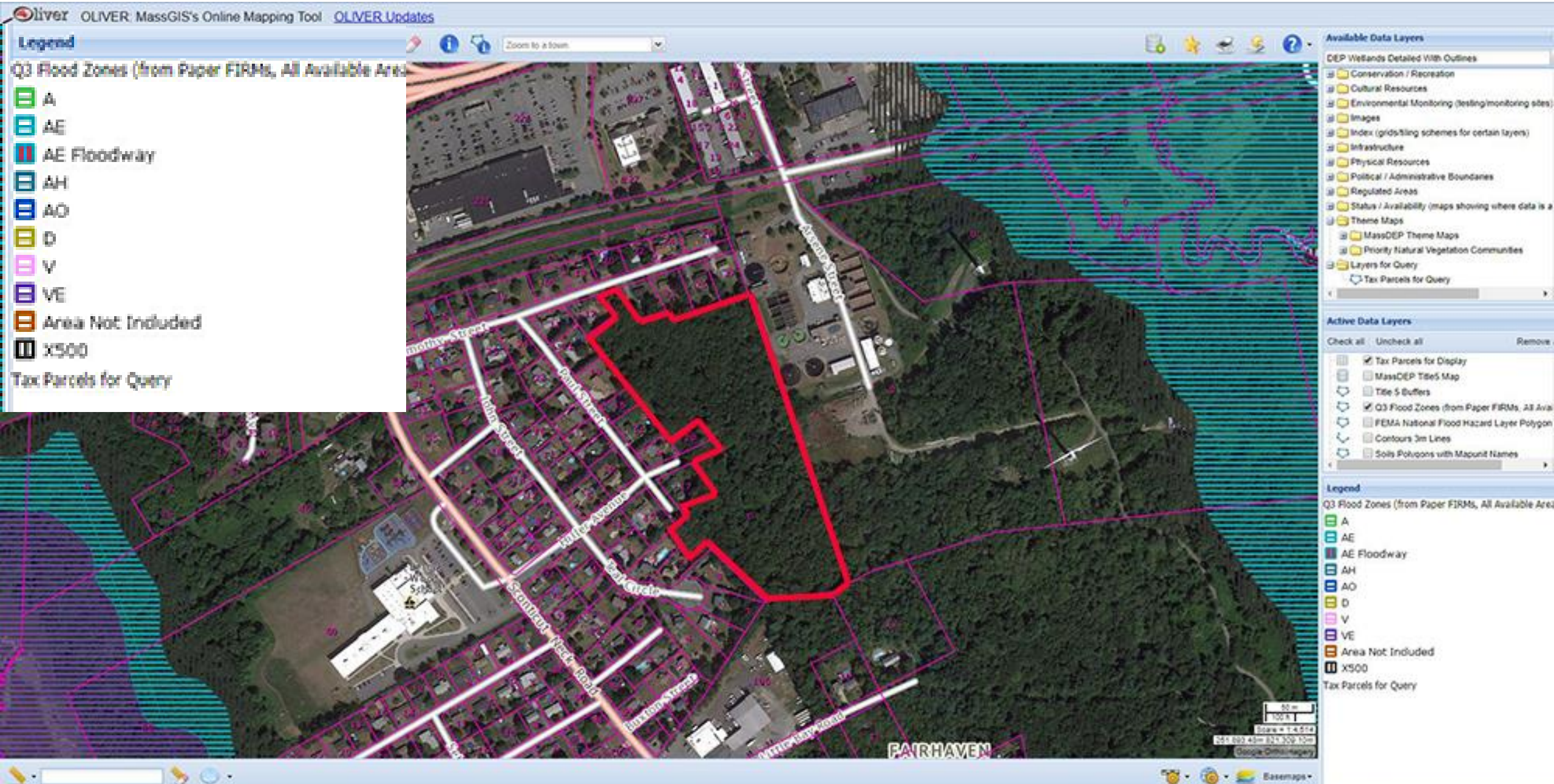
Google Earth

© 2018 Google
Google Earth
1995
41°38'17.64" N 70°52'27.59" W elev 20 ft eye alt 1072 ft

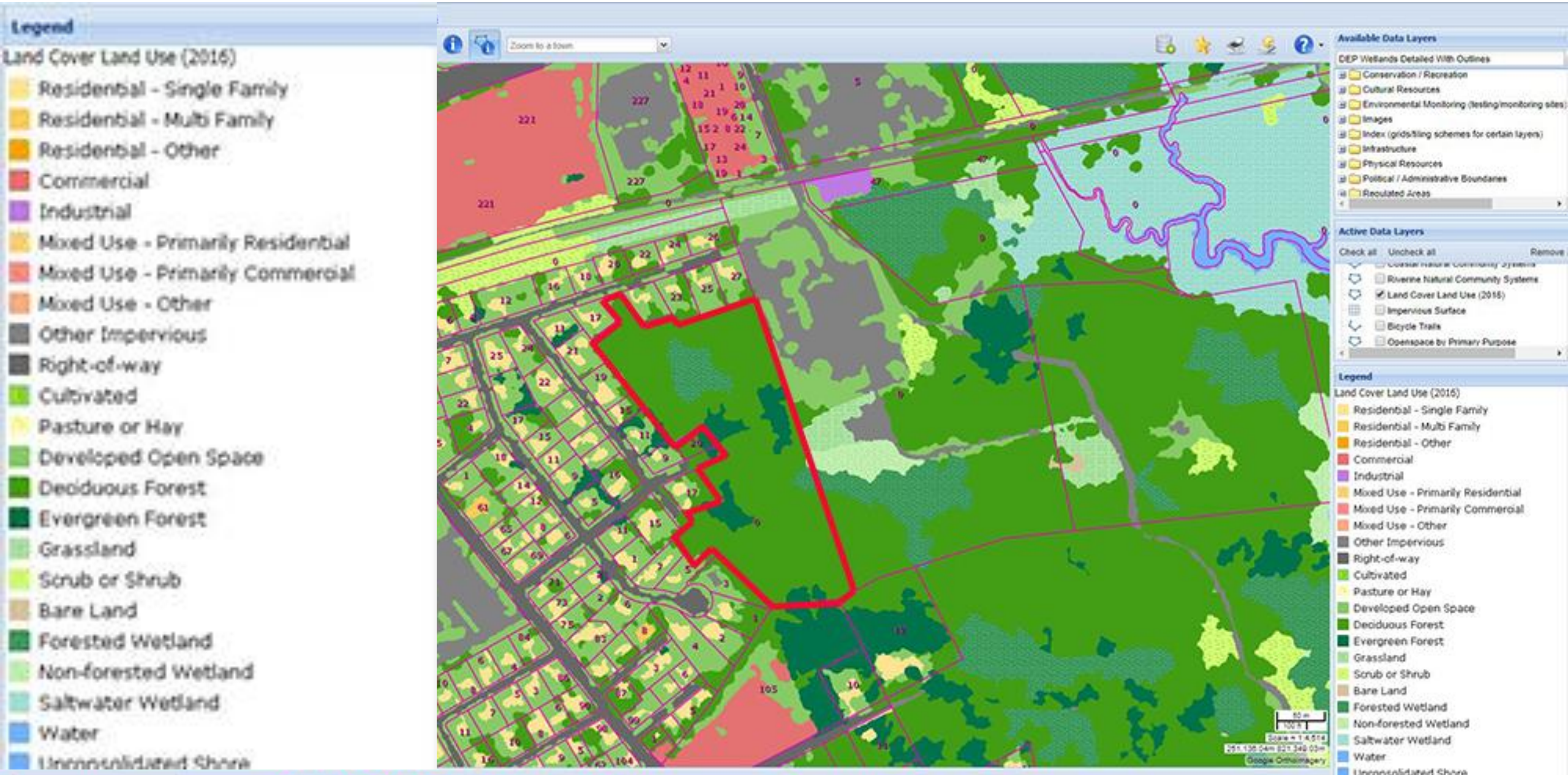
Base FEMA Flood Map - MassGIS



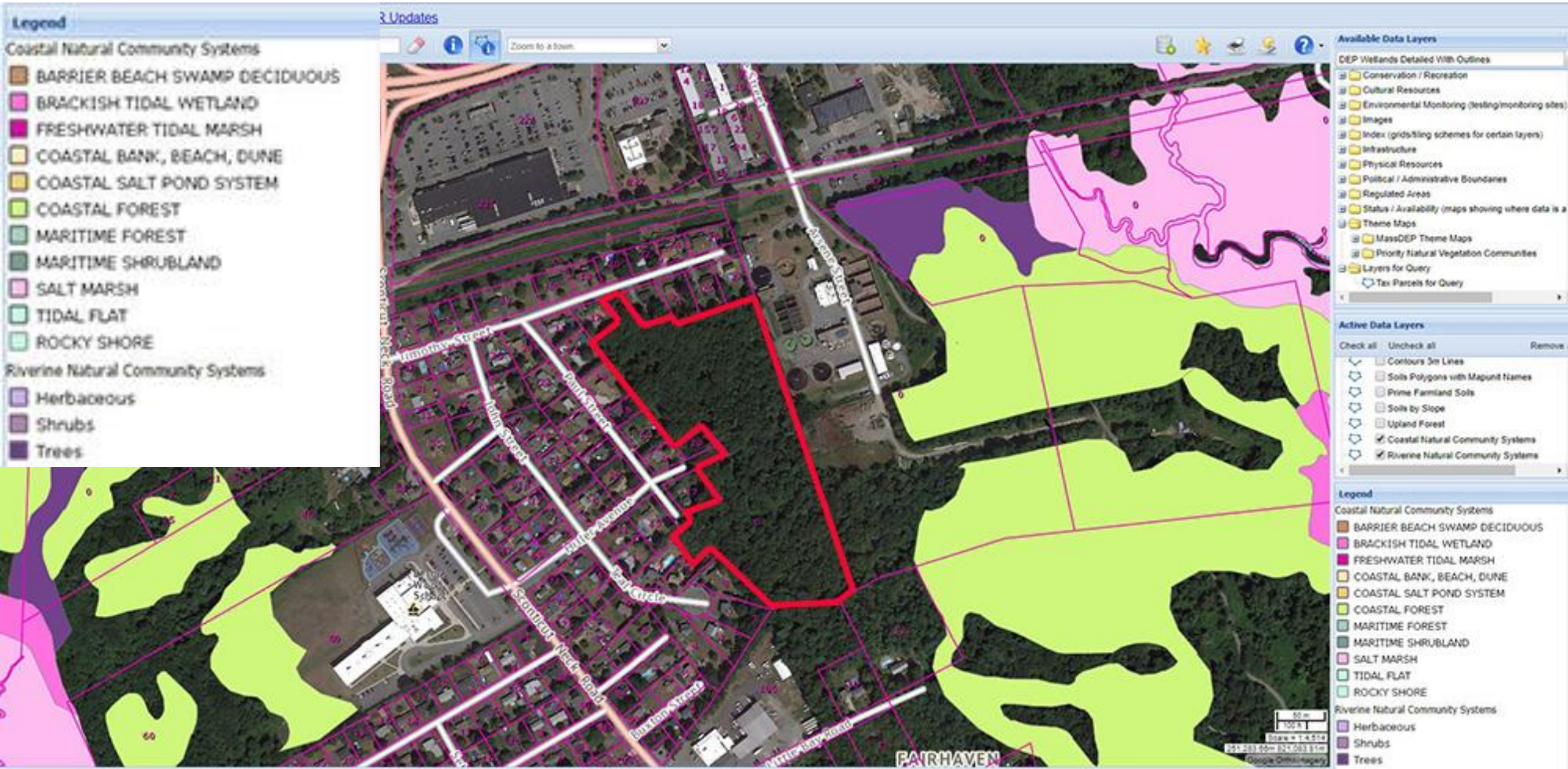
Base Flood Zones – AE (blue stripe) is 100 Year Flood



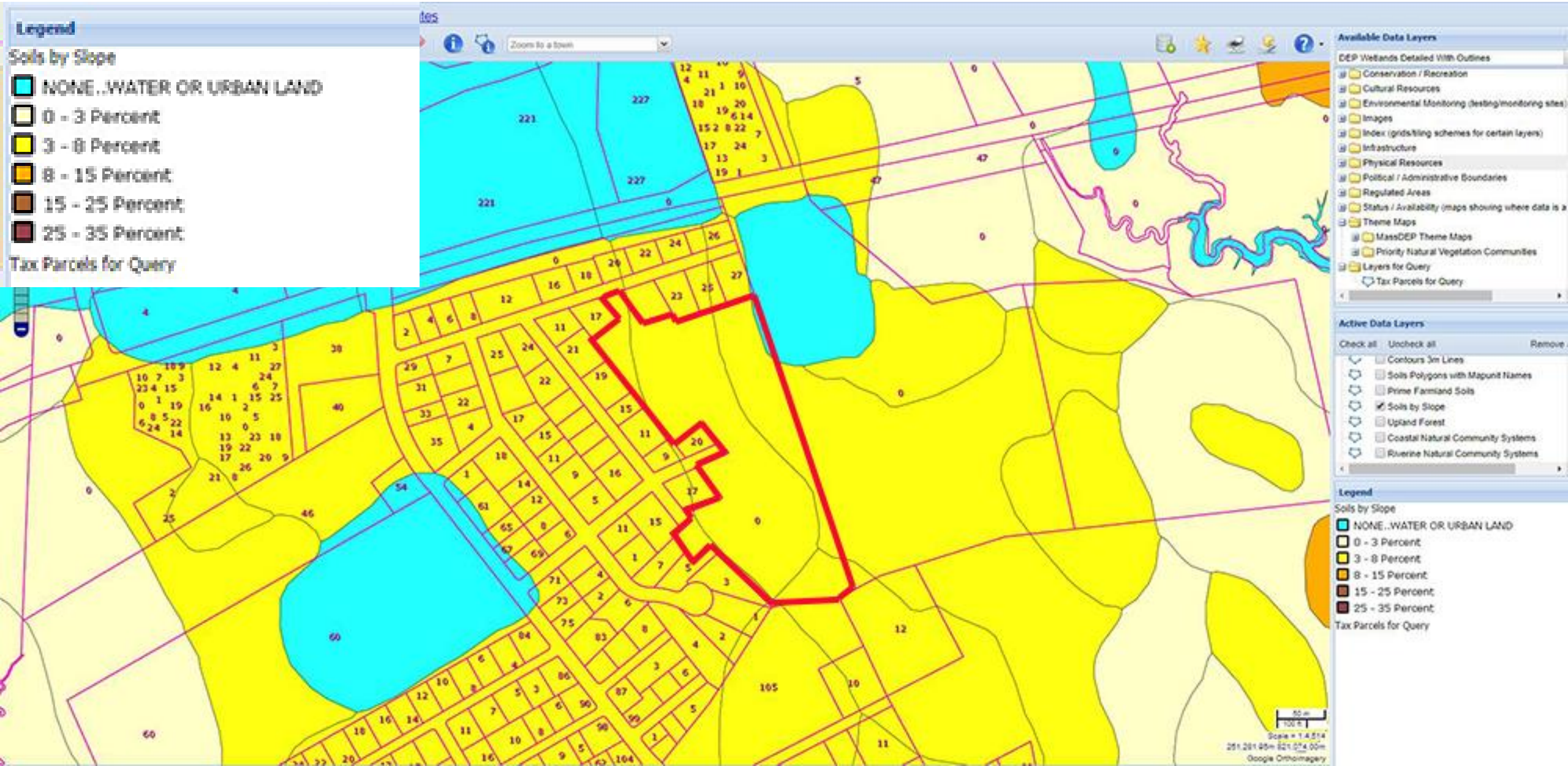
Land Use


Legend
Land Cover Land Use (2016)
Residential - Single Family
Residential - Multi Family
Residential - Other
Commercial
Industrial
Mixed Use - Primarily Residential
Mixed Use - Primarily Commercial
Mixed Use - Other
Other Impervious
Right-of-way
Cultivated
Pasture or Hay
Developed Open Space
Deciduous Forest
Evergreen Forest
Grassland
Scrub or Shrub
Bare Land
Forested Wetland
Non-forested Wetland
Saltwater Wetland
Water
Unconsolidated Shore
Zoom to a town
Available Data Layers
DEP Wetlands Detailed With Outlines
Conservation / Recreation
Cultural Resources
Environmental Monitoring (testing/monitoring sites)
Images
Index (grids/tiling schemes for certain layers)
Infrastructure
Physical Resources
Political / Administrative Boundaries
Regulated Areas
Active Data Layers
Check all
Uncheck all
Remove
Riverine Natural Community Systems
Land Cover Land Use (2016)
Impervious Surface
Bicycle Trails
Openspace by Primary Purpose
Legend
Land Cover Land Use (2016)
Residential - Single Family
Residential - Multi Family
Residential - Other
Commercial
Industrial
Mixed Use - Primarily Residential
Mixed Use - Primarily Commercial
Mixed Use - Other
Other Impervious
Right-of-way
Cultivated
Pasture or Hay
Developed Open Space
Deciduous Forest
Evergreen Forest
Grassland
Scrub or Shrub
Bare Land
Forested Wetland
Non-forested Wetland
Saltwater Wetland
Water
Unconsolidated Shore

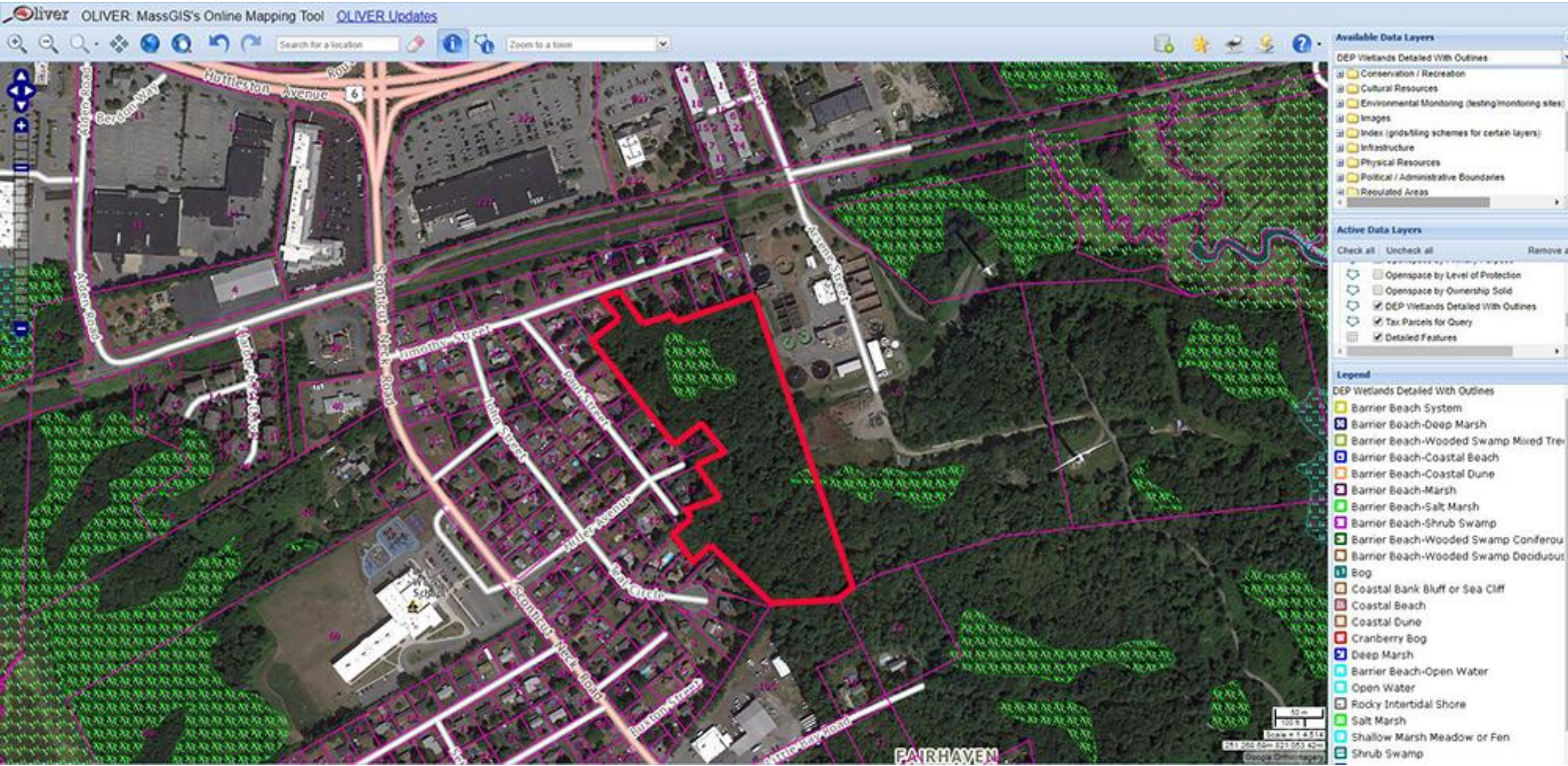
Natural Community



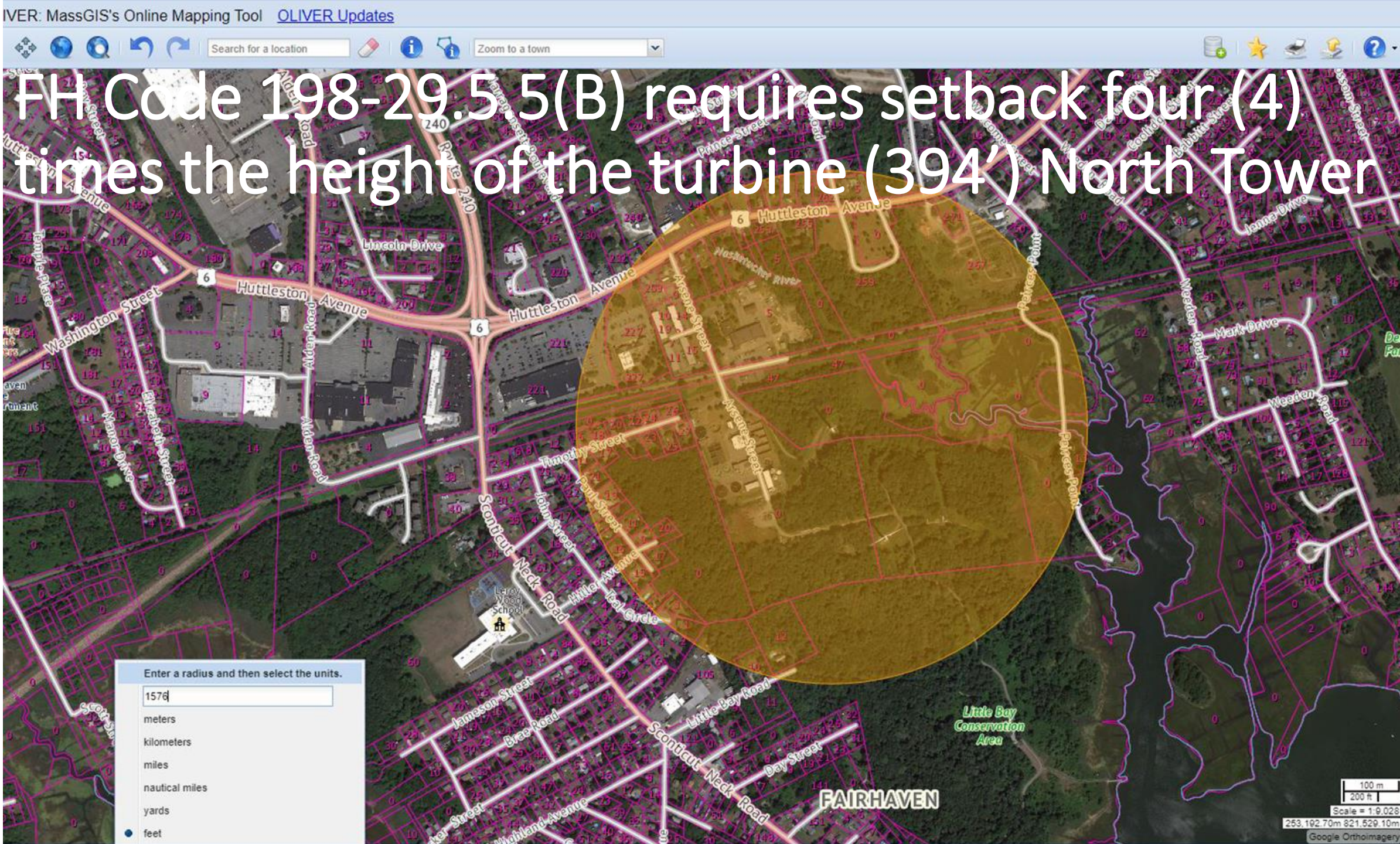
Slope – Site is 3-8% - Slope West to East app. 11’



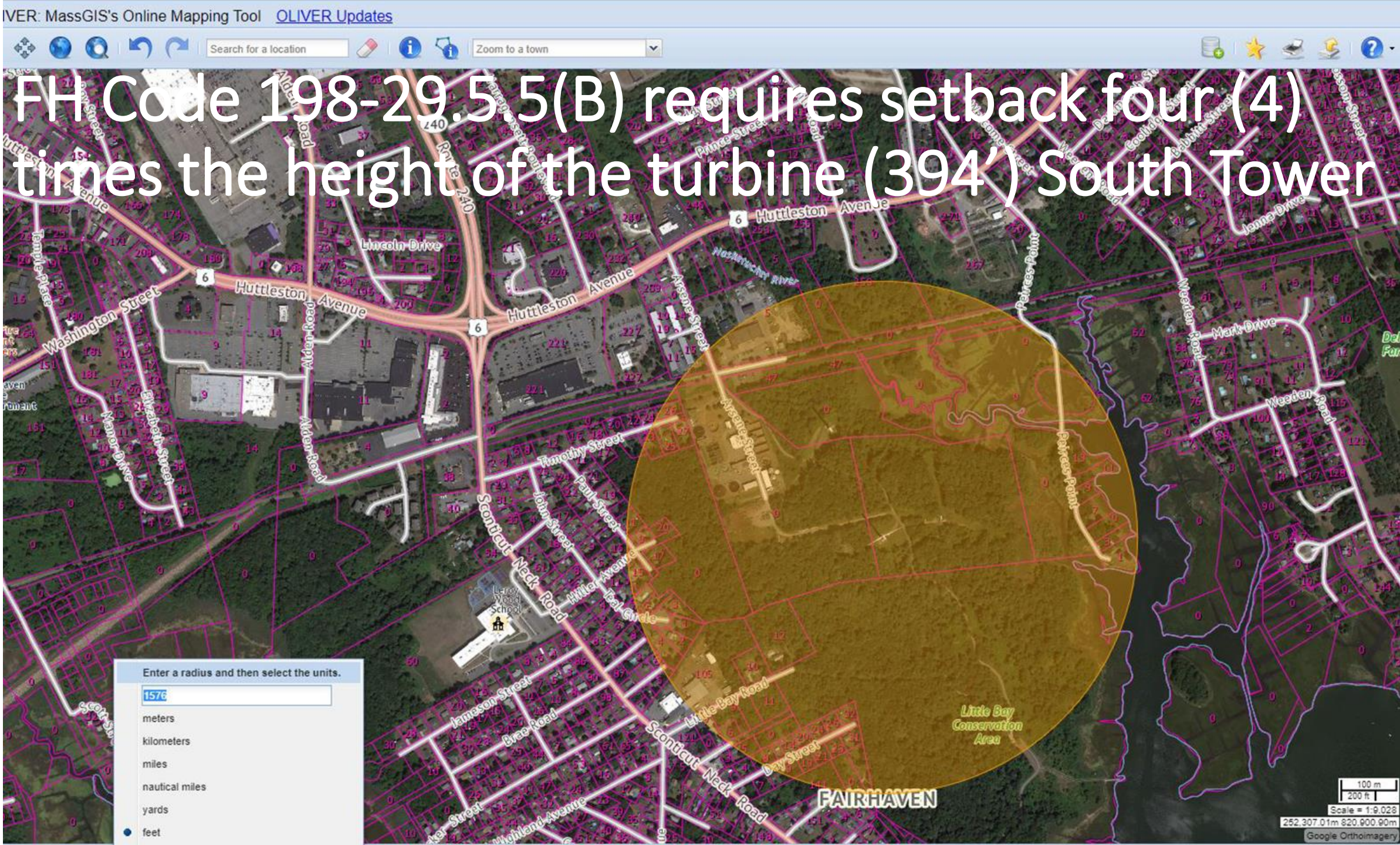
MassGIS Wetlands



FH Code 198-29.5.5(B) requires setback four (4) times the height of the turbine (394’) North Tower



FH Code 198-29.5.5(B) requires setback four (4) times the height of the turbine (394’) South Tower



FH Hazard Mitigation Plan – Hurricane Storm Surge

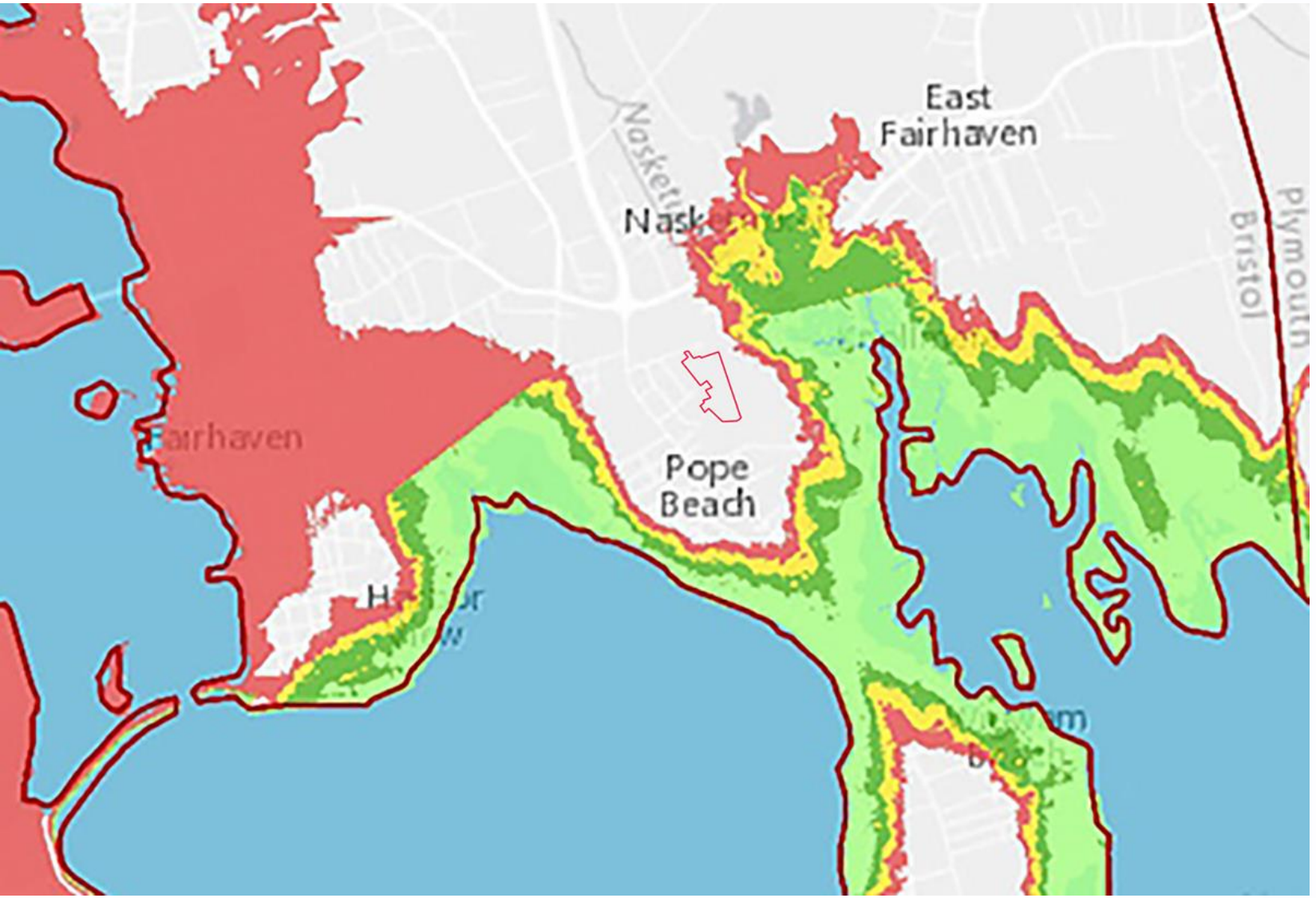
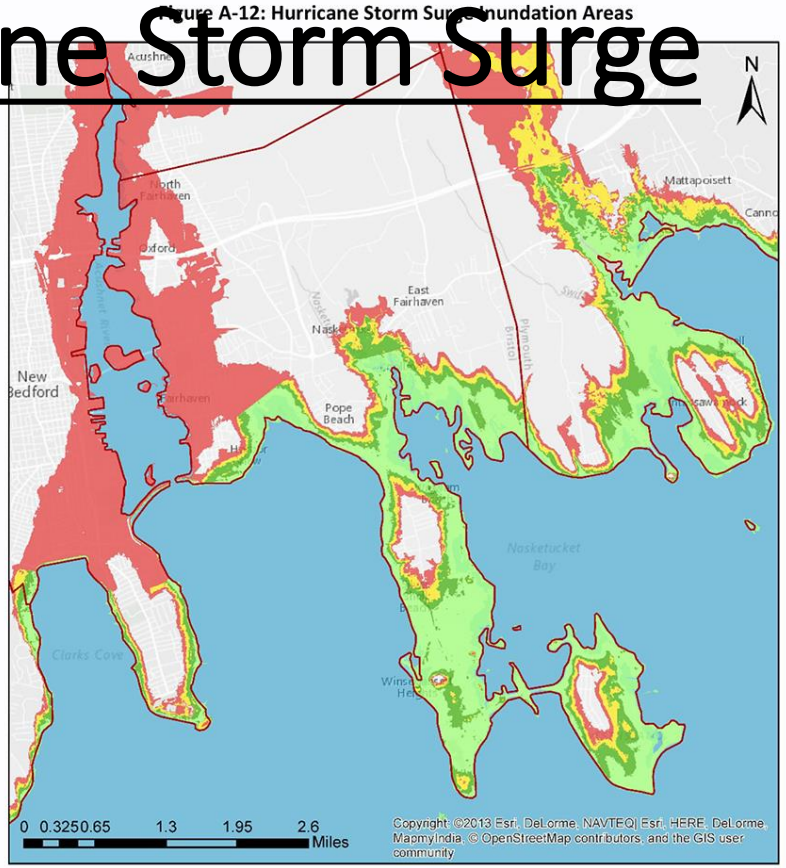


Figure A-12: Hurricane Storm Surge Inundation Areas



Legend

Worst-case Hurricane Surge Inundation Zones

Hurricane Category

- Category 1
- Category 2
- Category 3
- Category 4
- Town Boundary

Source: U.S. Army Corps of Engineers, New England District

FH Hazard Mitigation Plan – Potential Expansion of Flood Hazard Areas Due to Sea Level Rise

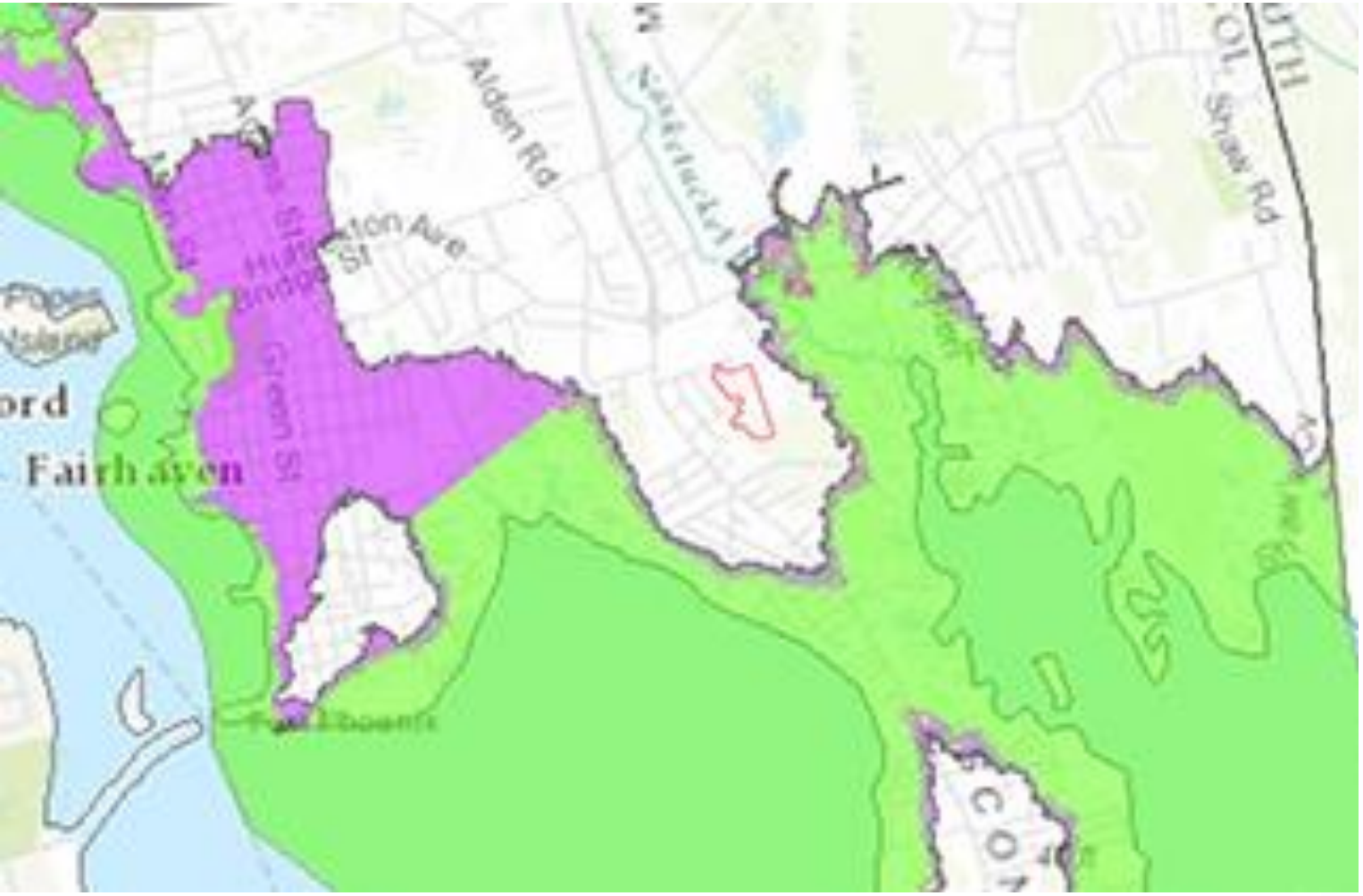
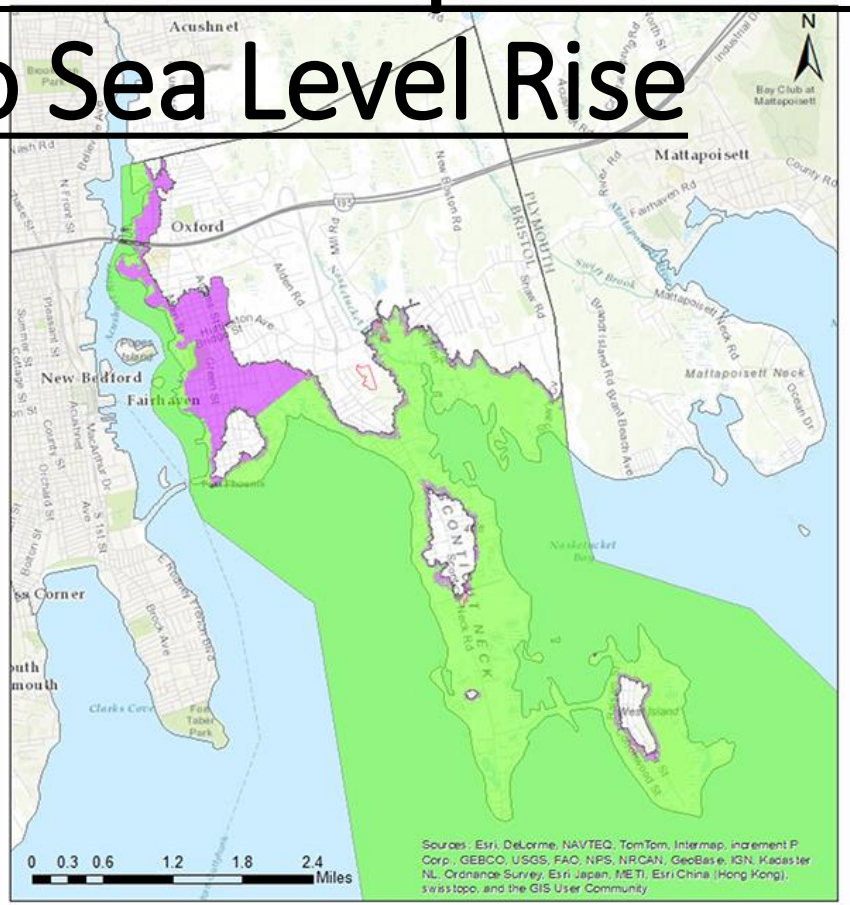


Figure A-2: Potential Expansion of Flood Hazard Areas Due to Sea Level Rise



Legend

- Study Baseline Floodplain
- In Floodplain with 1 ft SLR
- In Floodplain with 2 ft SLR
- In Floodplain with 4 ft SLR
- Town Boundary

Source: CZM, Buzzards Bay National Estuary Program

- **Applicant:** Robert Roderiques;
- **Agents**: Schneider, Davignon, & Leone, Inc. (Engineers); John Mathieu (Attorney)
- **Owner(s):** Jimmy A. Papas and Nickolas L. Papas
- **Project Location:** Map 28C, Lots 71 and 71A. The proposal is to create frontage for the lots by creating new roads off of Hiller Avenue and Timothy Street. (15-acres total).
- **Proposal:** The proposal is to create sixteen (16) buildable lots with two drainage parcels on a 15-acre parcel of land through the definitive subdivision process. (**Based on Plans received May 28, 2019)**

Proposal

- The proposal would create frontage for the 16 buildable lots by constructing three new dead-end roadways off Hiller Avenue and Timothy Street.
  - An approximately 330’ long roadway ending in a hammerhead perpendicular to Timothy Street.
  - An approximately 320’ long roadway ending in a hammerhead extending Hiller Avenue.
  - An approximately 550’ long roadway ending in a cul-de-sac perpendicular to Hiller Avenue.
- There would be two drainage parcels.
  - Drainage Parcel A, off of Hiller Ave Extension, is a constructed drainage pond of 23,478 sf
  - Drainage Parcel B, off of new roadway is mostly wetlands with constructed drainage pond.
- At least 90% of the buildable lots and drainage Parcel A would be cleared of trees and filled up to 7’ deep, in many cases up to the property line and the wetlands (as shown by the proposed fill lines on the plan).

- **Key Planning Issues**
- Fairhaven Zoning Bylaw Section 322.
  - Section 322-14C(18) requires a plan of trees to be retained and those to be removed.
  - Judging by the proposed grading it would appear that at least 90% of the existing vegetation outside of the wetlands is proposed to be removed.
  - Section 322-14D(1) requires an environmental impact analysis.
  - Section 322-14D(8) requires a street lighting plan.

K

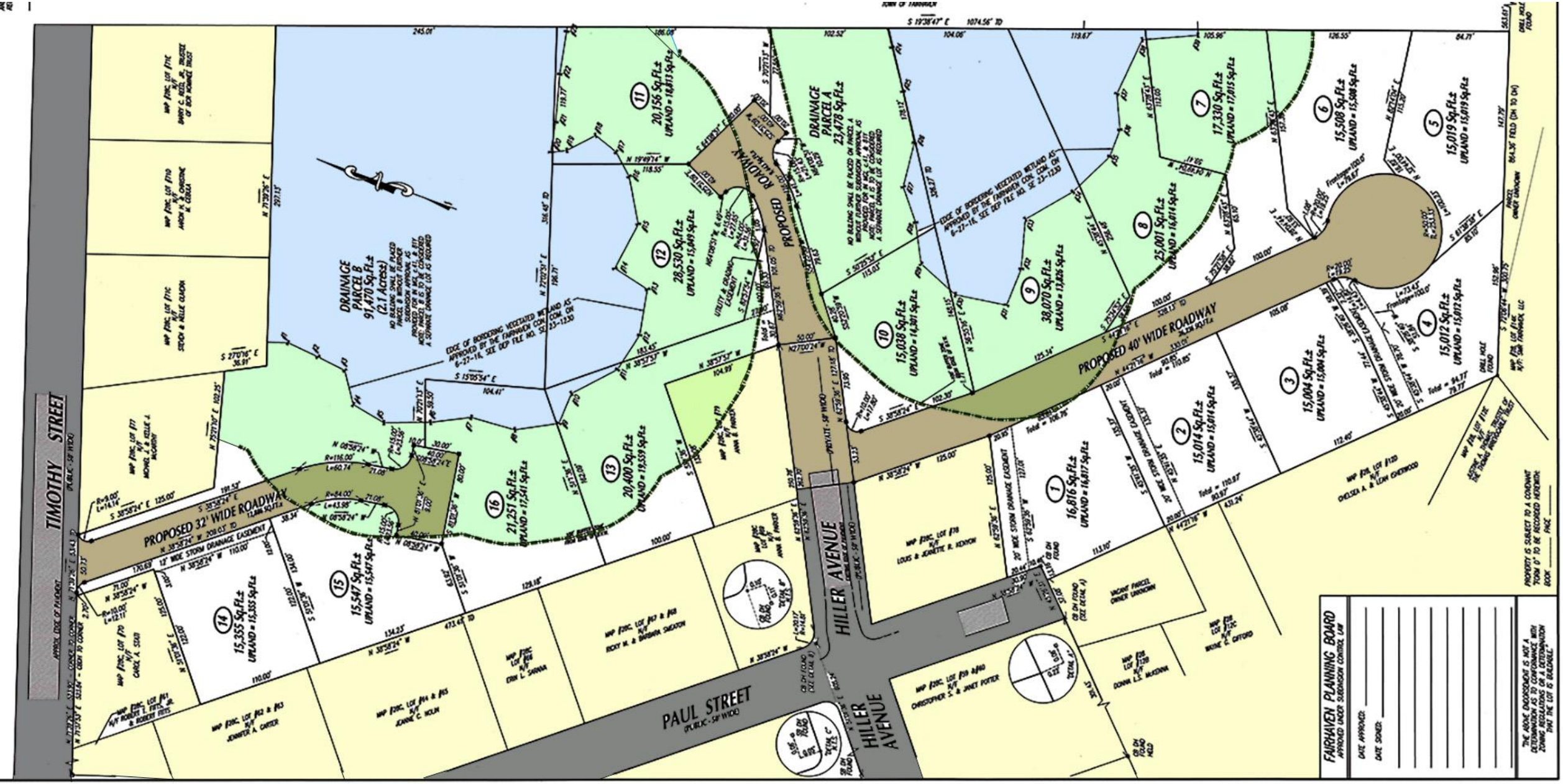
Key Planning Issues – Site Suitability:

- The proposal is on wooded lowlands with a significant amount of wetlands abutting the sewage treatment plant and transfer/recycling center within the buffer of both wind turbines.
- The sewer treatment plant regularly emits noxious fumes detectable in the existing neighborhood. This plan would be closer to the sewer plant and remove most of the existing vegetative buffer between the existing neighborhood and sewage plant.
- If the homes already existed, the turbines would not be allowed to be constructed due to the required buffer.
- The proposal requires a very significant amount of fill throughout almost the entire site to create the roads, driveways and development areas to bring the site out of low-lying land near the water table. How much fill is required? Where will the fill come from?
- Social Justice: Is this site suitable for development?

Key Planning Issues - Wetlands:

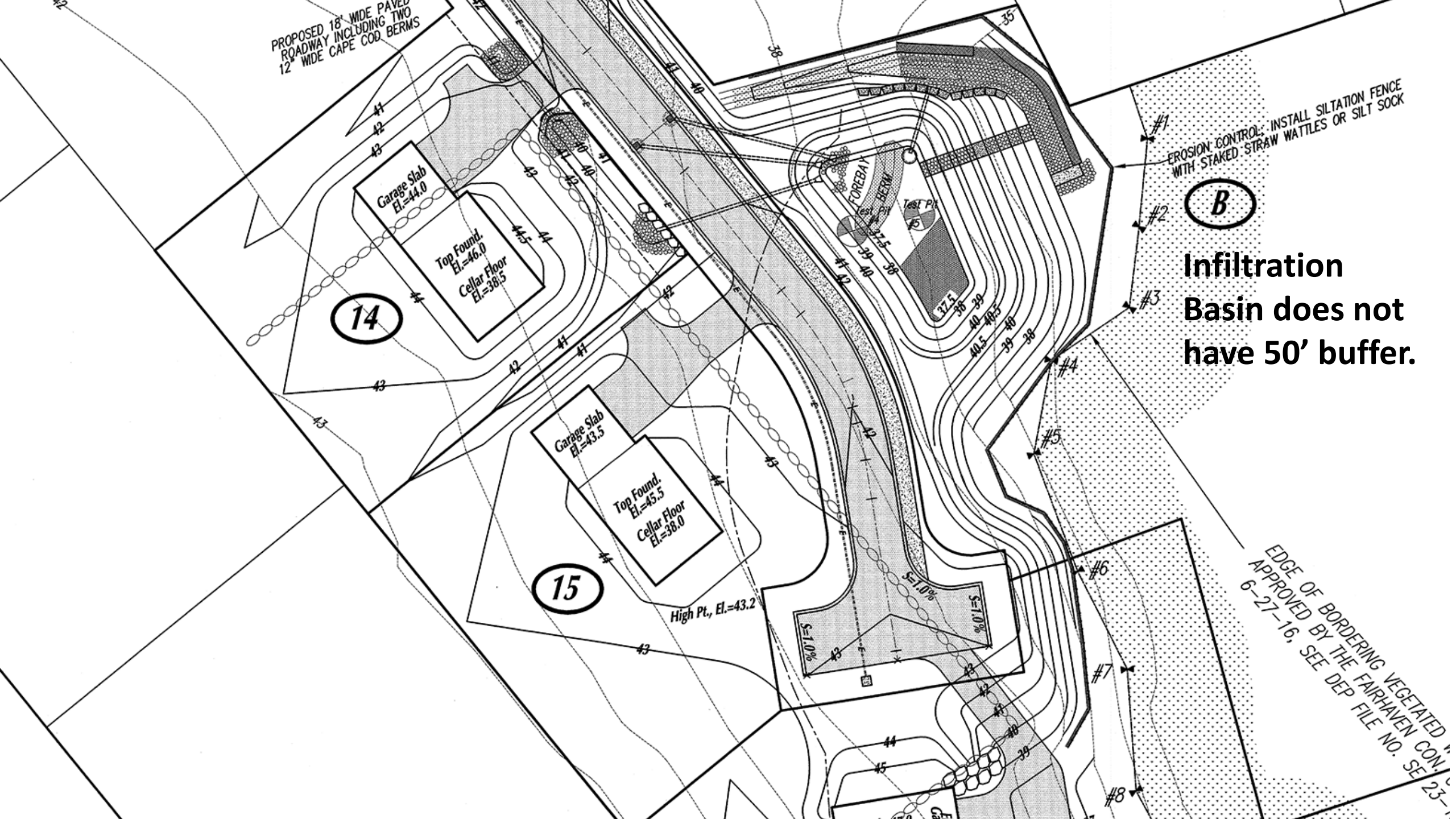
- The Conservation Commission issued a Determination of Applicability based on Preliminary Subdivision plans dated November 8, 2018 that Lots 1, 2, 3, 4 and 14 were not within their jurisdiction. Therefore Lots 5-13 and 15-16 have wetland and/or have buffer zone within the lot.
- The Commission made no determination on these 11 lots and other aspects of the proposed project.
- The Applicant has filed a Notice of Intent with the Conservation Commission to receive a permit to build the roads, storm water management facilities, and utilities associated with a 16-lot subdivision.
- Both proposed detention ponds are located directly next to the wetlands on the property and portions of all three proposed roadways fall within the 100-foot buffer zone to the wetland.
- Peer Review says no infiltration basins are allowed within 50’ of wetlands.
- Virtually any activity on 11 of the 16 proposed lots would require filing a Notice of Intent (NOI).

Wetlands and 100’ Buffer on Site



Key Planning Issues - Storm Water:

- Storm water report prepared by Keri Williams PE
- Peer Review prepared by GCG Associates
- Key Storm Water Concerns:
  - Existing Lots 78 and 79 surrounded by new fill up to 5" higher than existing lots right up to their property line. Likely that storm water will come from the proposed subdivision.
  - 2 retaining walls are proposed next to these two lots (78 & 79), largely located in the proposed right-of-way and on lot line. In general, the layout as shown does not meet the drainage setback and local requirements.
  - The Infiltration Basins need to be set back at least 50 feet from the wetlands. Bigger setbacks will require altering the plan.
  - Existing storm water runoff at end of Hiller Street is not adequately accounted for.



Infiltration Basin does not have 50' buffer.

- Infiltration Basin does not have 50’ buffer.
- Lot 79 hemmed in.
- Lot 78 hemmed in.

SCALE: 1"=200' DATE: MAY 29, 2019

0 200 400 600

Rev.	DATE	BY	DESCRIPTION
1			

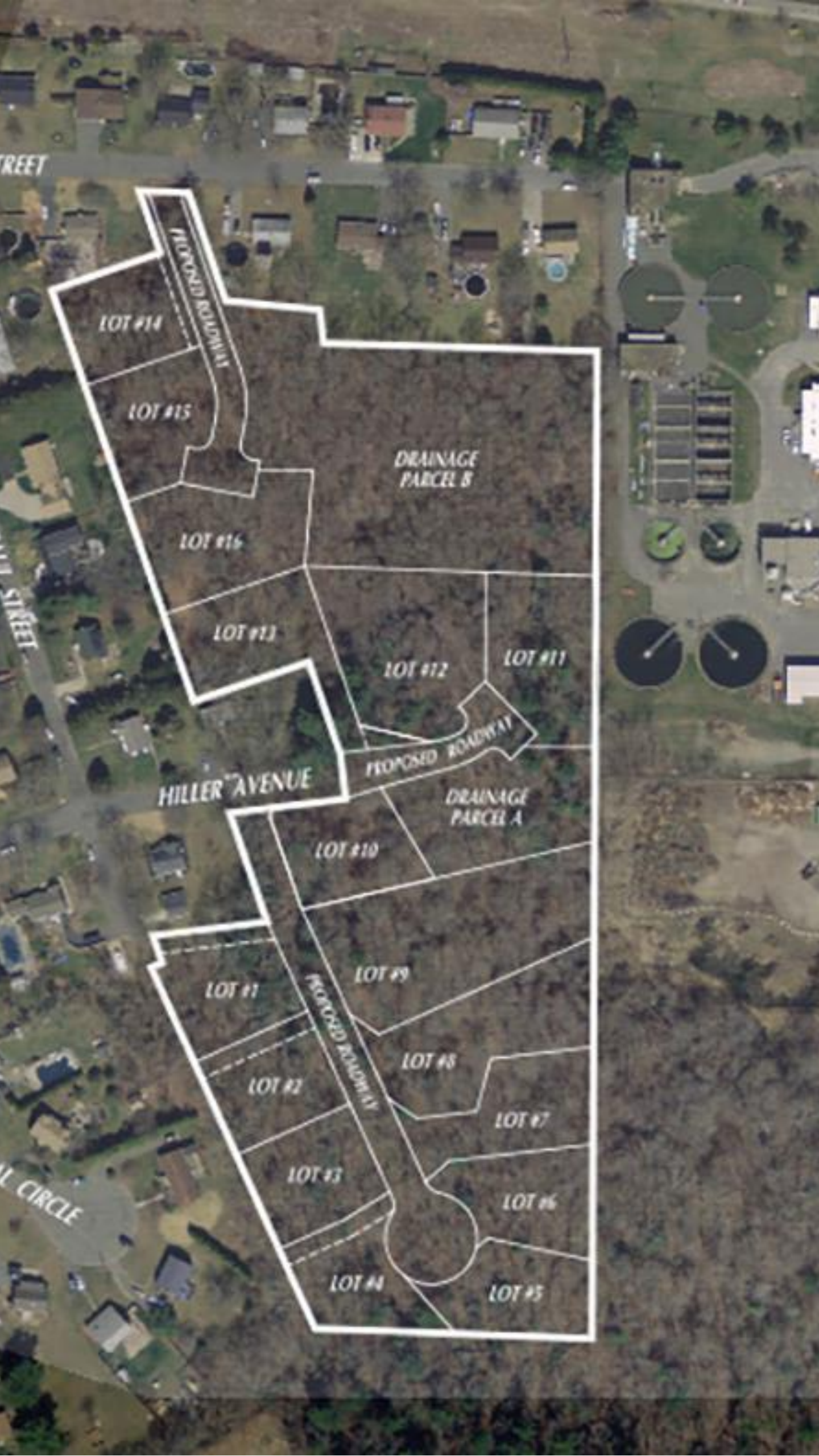
SCHNEIDER, DAVIGNON & LEONE, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
1 COUNTY RD, P.O. BOX 480, MATTAPOISETT, MA 02739
1-508-758-7866

Drawn By: D.M.D. | Check By: N.D.S. | Job No. 3072

NEIGHBORHOOD AERIAL EXHIBIT PLAN

OF DEVELOPMENT TO BE KNOWN AS:
"SCONTICUT NECK WOODS"
OFF
HILLER AVENUE and TIMOTHY STREET
IN
FAIRHAVEN, MA
PREPARED FOR
ROBERT RODERIQUES

TIMOTHY STREET
PROPOSED ROADWAY
LOT #14
LOT #15
LOT #16
LOT #13
DRAINAGE PARCEL B
LOT #12
LOT #11
PAUL STREET
HILLER AVENUE
PROPOSED ROADWAY
DRAINAGE PARCEL A
LOT #10
LOT #9
LOT #1
LOT #2
LOT #3
LOT #4
LOT #5
LOT #6
LOT #7
LOT #8
PROPOSED ROADWAY
TEAL CIRCLE
STREET


PROPOSED ROADWAY
LOT #14
LOT #15
LOT #16
LOT #13
DRAINAGE PARCEL B
LOT #12
LOT #11
PROPOSED ROADWAY
HILLER AVENUE
DRAINAGE PARCEL A
LOT #10
LOT #9
LOT #1
PROPOSED ROADWAY
LOT #8
LOT #2
LOT #7
LOT #3
LOT #6
LOT #4
LOT #5

PROPOSED ROADWAY
LOT #14
LOT #15
LOT #16
LOT #13
DRAINAGE PARCEL B
LOT #12
LOT #11
PROPOSED ROADWAY
HILLER AVENUE
DRAINAGE PARCEL A
LOT #10
LOT #9
LOT #1
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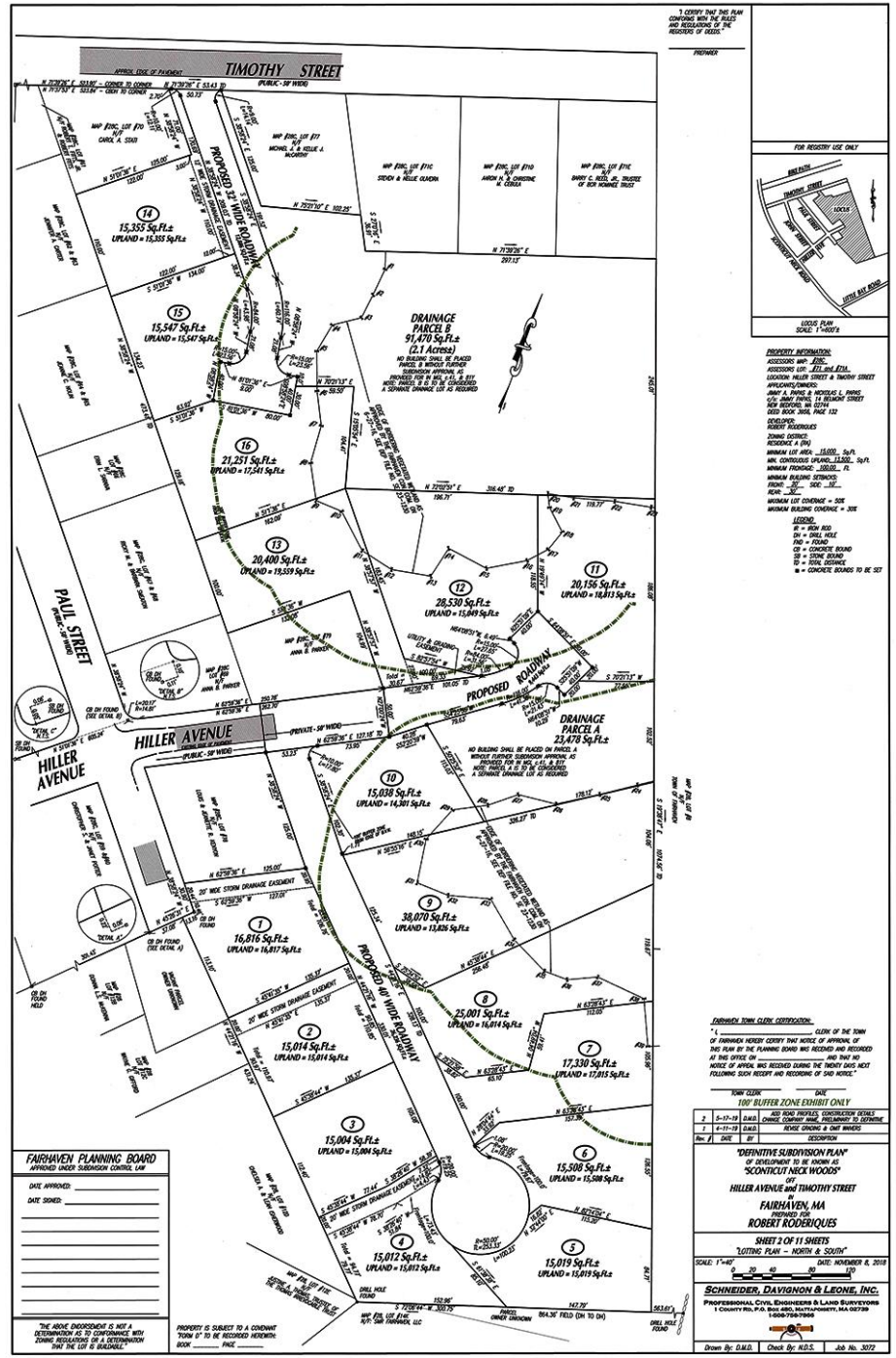
LOT #3
LOT #6
LOT #4
LOT #5
CIRCLE



"I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS."

PREPARER

FOR REGISTRY USE ONLY

LOCUS PLAN
SCALE: 1"=600'±

PROPERTY INFORMATION:
ASSESSORS MAP: #28C
ASSESSORS LOT: #71 and #71A
LOCATION: HILLER STREET & TIMOTHY STREET
APPLICANTS/OWNERS:
JIMMY A. PAINS & NICHOLAS L. PAINS
c/o JIMMY PAINS, 14 BELMONT STREET
NEW BEDFORD, MA 02744
DEED BOOK 3656, PAGE 132
DEVELOPER:
ROBERT RODERIQUES
ZONING DISTRICT:
RESIDENCE A (RA)
MINIMUM LOT AREA: 15,000 Sq.Ft.
MIN. CONTIGUOUS UPLAND: 13,500 Sq.Ft.
MINIMUM FRONTAGE: 100.00 FT.
MINIMUM BUILDING SETBACKS:
FRONT: 30' SIDE: 10'
REAR: 30'
MAXIMUM LOT COVERAGE = 50%
MAXIMUM BUILDING COVERAGE = 30%

LEGEND:
IR = IRON ROD
DH = DRILL HOLE
FND = FOUND
CB = CONCRETE BOUND
SB = STONE BOUND
TO = TOTAL DISTANCE
■ = CONCRETE BOUNDS TO BE SET

FAIRHAVEN TOWN CLERK CERTIFICATION:
"I, _____ CLERK OF THE TOWN OF FAIRHAVEN HEREBY CERTIFY THAT NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD WAS RECEIVED AND RECORDED AT THIS OFFICE ON _____ AND THAT NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT FOLLOWING SUCH RECEIPT AND RECORDING OF SAID NOTICE."

TOWN CLERK DATE

100' BUFFER ZONE EXHIBIT ONLY

Rev. #	DATE	BY	DESCRIPTION
2	5-17-19	D.M.D.	ADD ROAD PROFILES, CONSTRUCTION DETAILS CHANGE COMPANY NAME, PRELIMINARY TO DEFINITIVE
1	4-11-19	D.M.D.	REVISE GRADING & CART WAVERS

"DEFINITIVE SUBDIVISION PLAN"
OF DEVELOPMENT TO BE KNOWN AS
"SCONTICUT NECK WOODS"
OFF
HILLER AVENUE and TIMOTHY STREET
IN
FAIRHAVEN, MA
PREPARED FOR
ROBERT RODERIQUES

SHEET 2 OF 11 SHEETS
"LOTTING PLAN – NORTH & SOUTH"

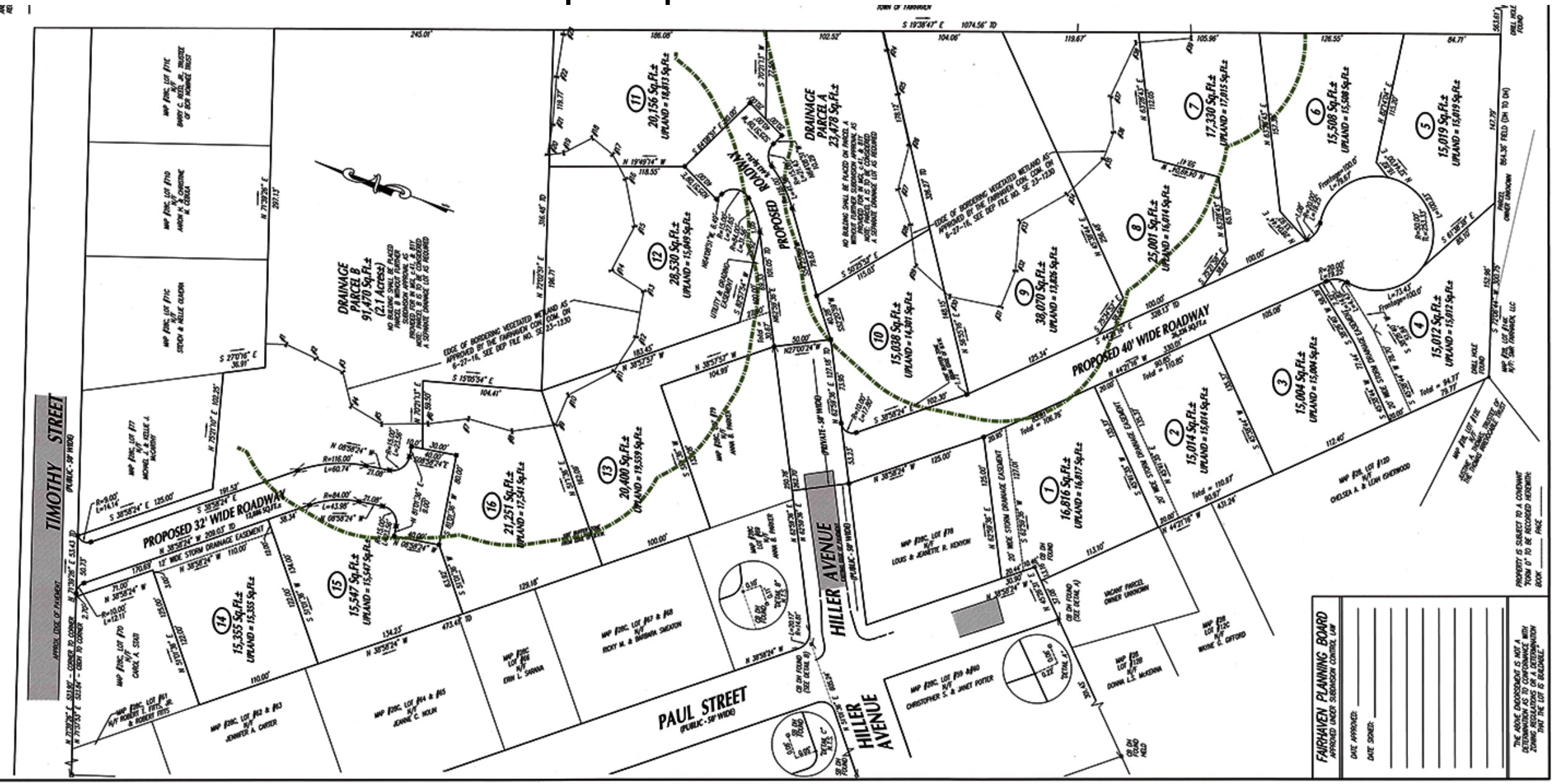
SCALE: 1"=40' DATE: NOVEMBER 8, 2018

0 20 40 80 120

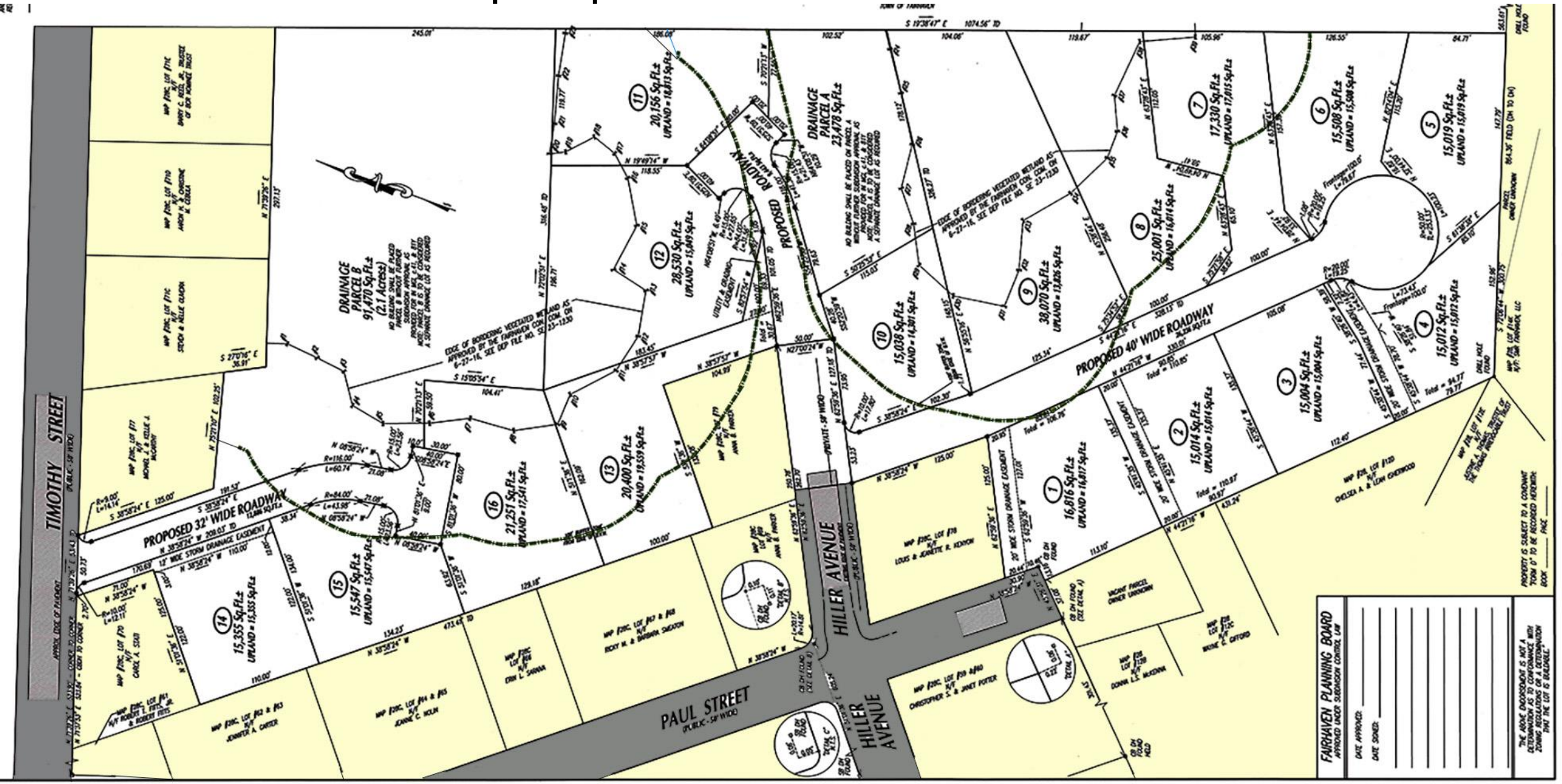
SCHNEIDER, DAVIGNON & LEONE, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
1 COUNTY RD., P.O. Box 480, MATTAPOISETT, MA 02739
1-508-758-7966

Drawn By: D.M.D. Check By: N.D.S. Job No. 3072

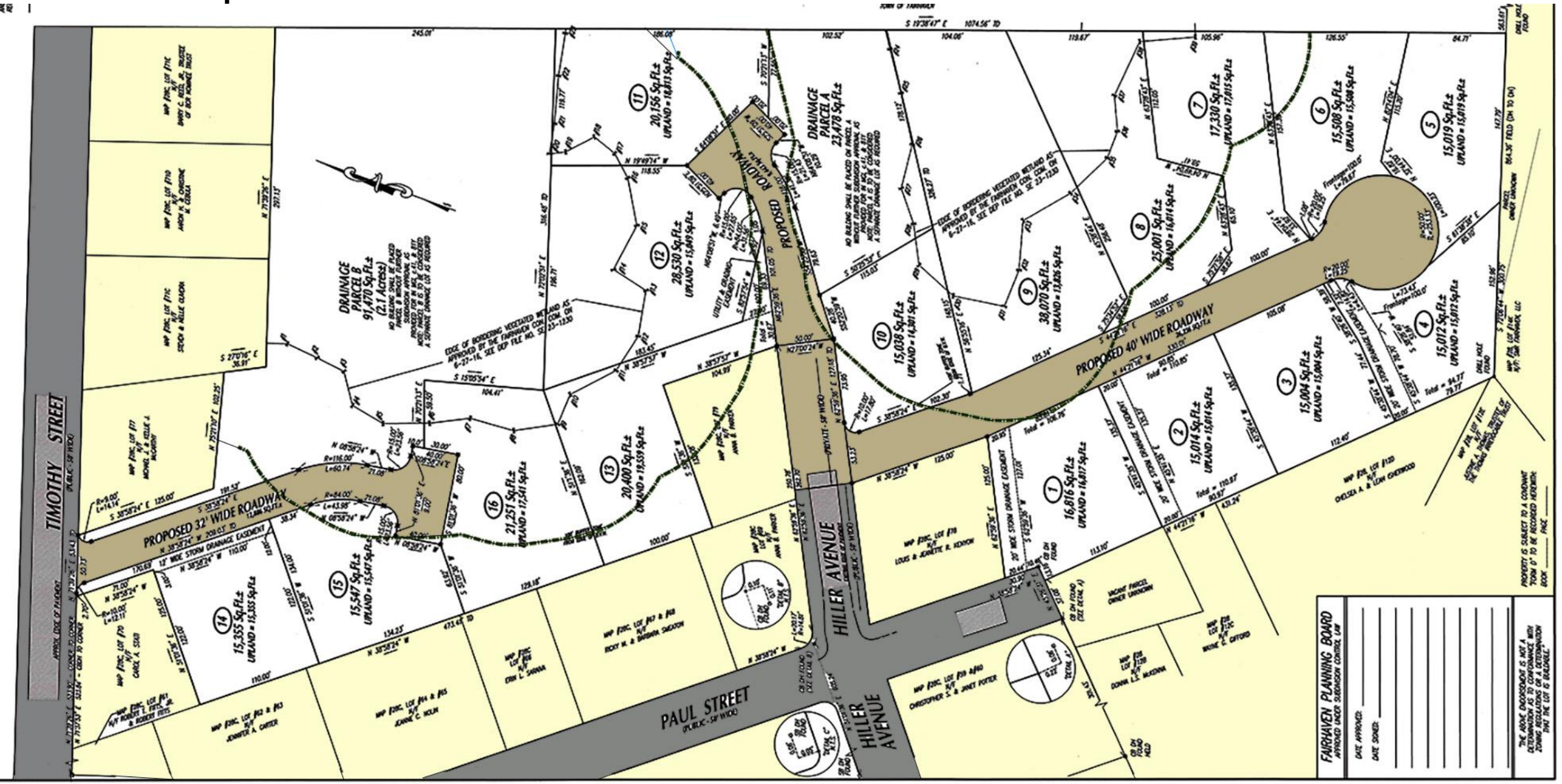
Site Plan for proposed 16-Lot Subdivision



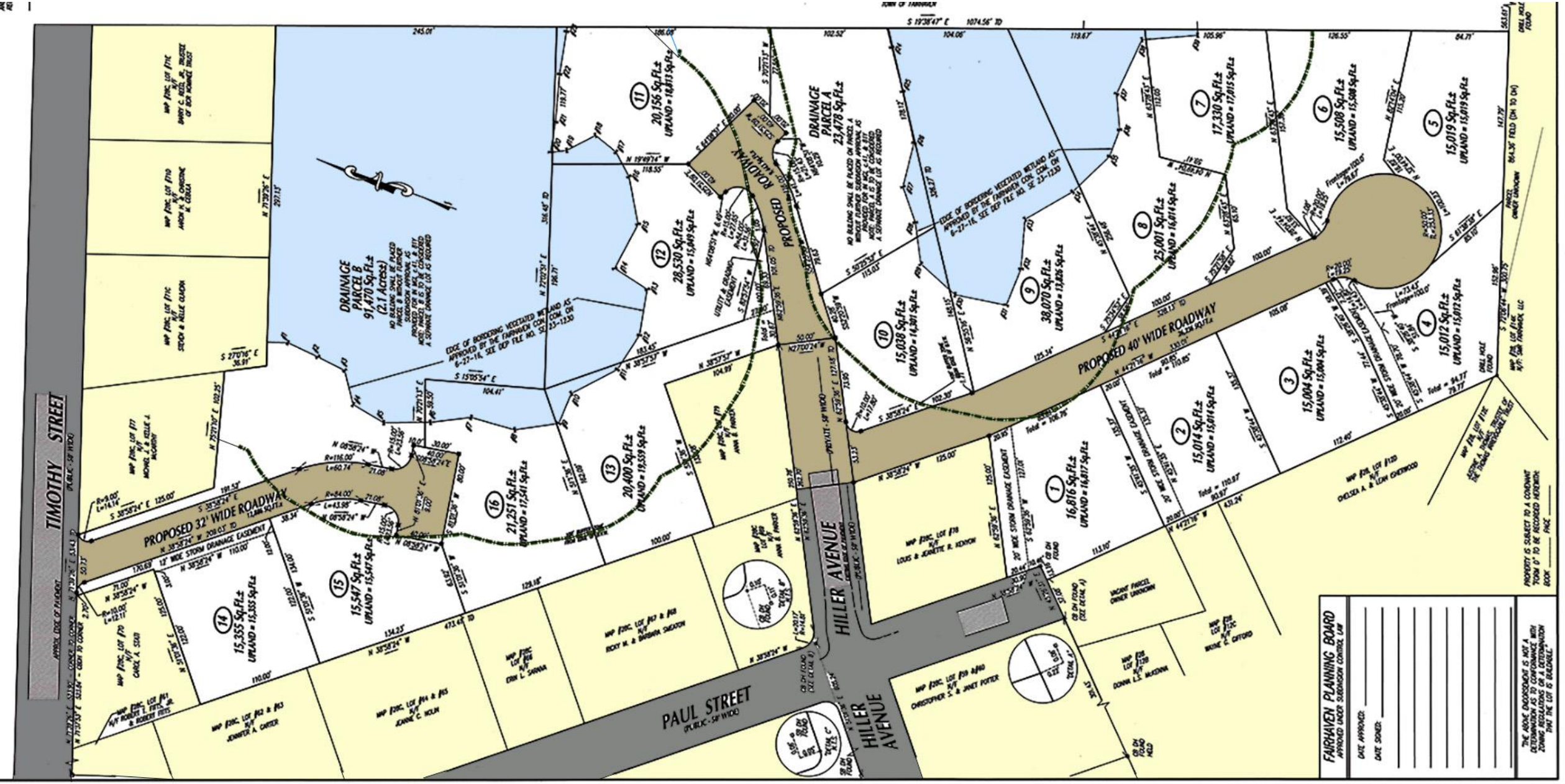
Site Plan for proposed 16-Lot Subdivision



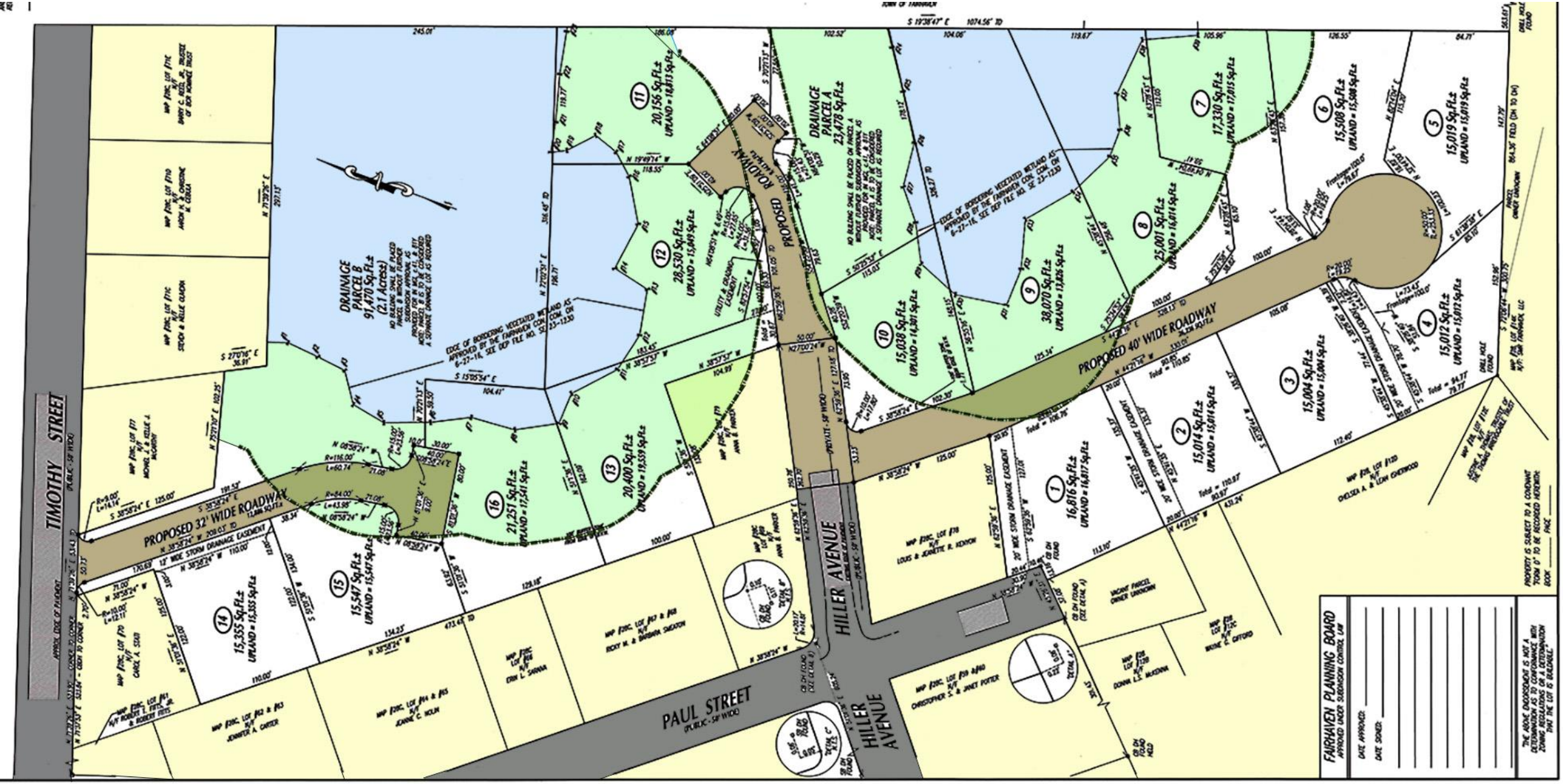
Proposed 16-Lot Subdivision new roads

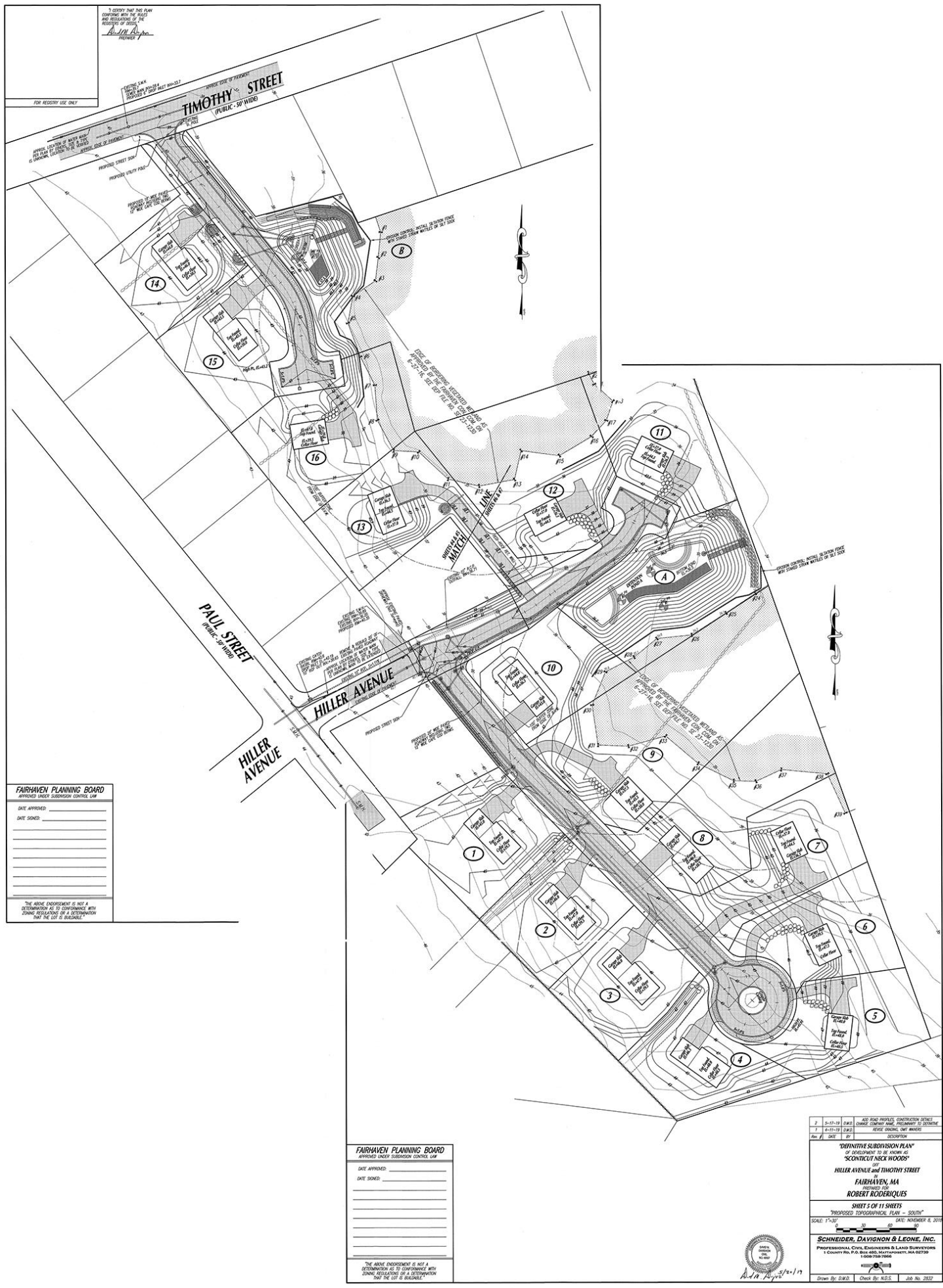


Wetlands on Site



Wetlands and 100’ Buffer on Site





FAIRHAVEN PLANNING BOARD
APPROVED UNDER SUBDIVISION CONTROL LAW

DATE APPROVED: _____

DATE SIGNED: _____

"THE ABOVE ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING REGULATIONS OR A DETERMINATION THAT THE LOT IS BUILDABLE."

FAIRHAVEN PLANNING BOARD
APPROVED UNDER SUBDIVISION CONTROL LAW

DATE APPROVED: _____

DATE SIGNED: _____

"THE ABOVE ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING REGULATIONS OR A DETERMINATION THAT THE LOT IS BUILDABLE."

Rev. #	DATE	BY	DESCRIPTION
2	5-17-19	D.M.D.	ADD ROAD PROFILES, CONSTRUCTION DETAILS CHANGE COMPANY NAME, PRELIMINARY TO DEFINITIVE
1	4-11-19	D.M.D.	REVISE GRADING, OMIT MANNERS

"DEFINITIVE SUBDIVISION PLAN"
OF DEVELOPMENT TO BE KNOWN AS
"SCONTICUT NECK WOODS"
OFF
HILLER AVENUE and TIMOTHY STREET
IN
FAIRHAVEN, MA
PREPARED FOR
ROBERT RODERIQUES

SHEET 5 OF 11 SHEETS
"PROPOSED TOPOGRAPHICAL PLAN – SOUTH"

SCALE: 1"=30' DATE: NOVEMBER 8, 2018

0 30 60 90

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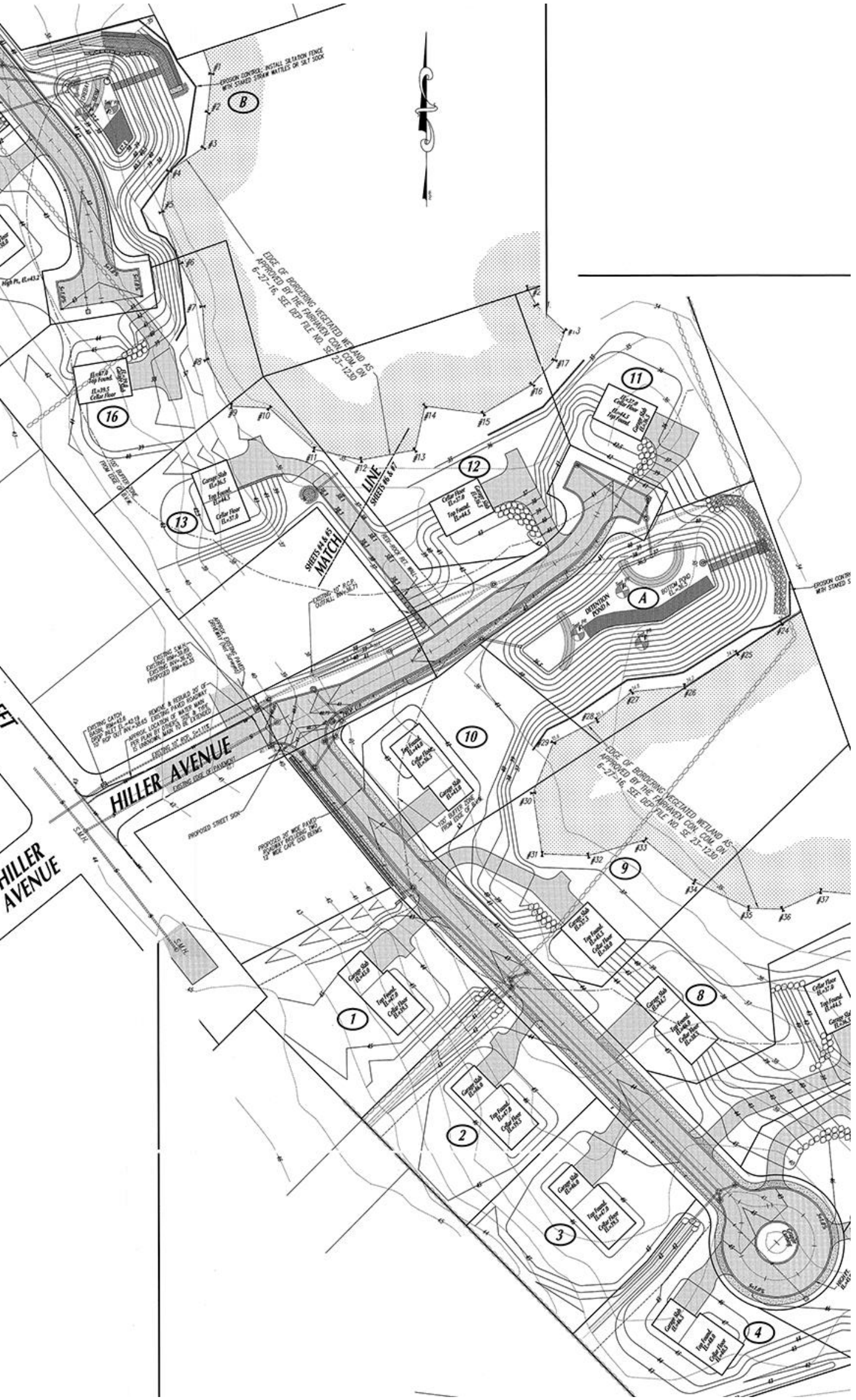
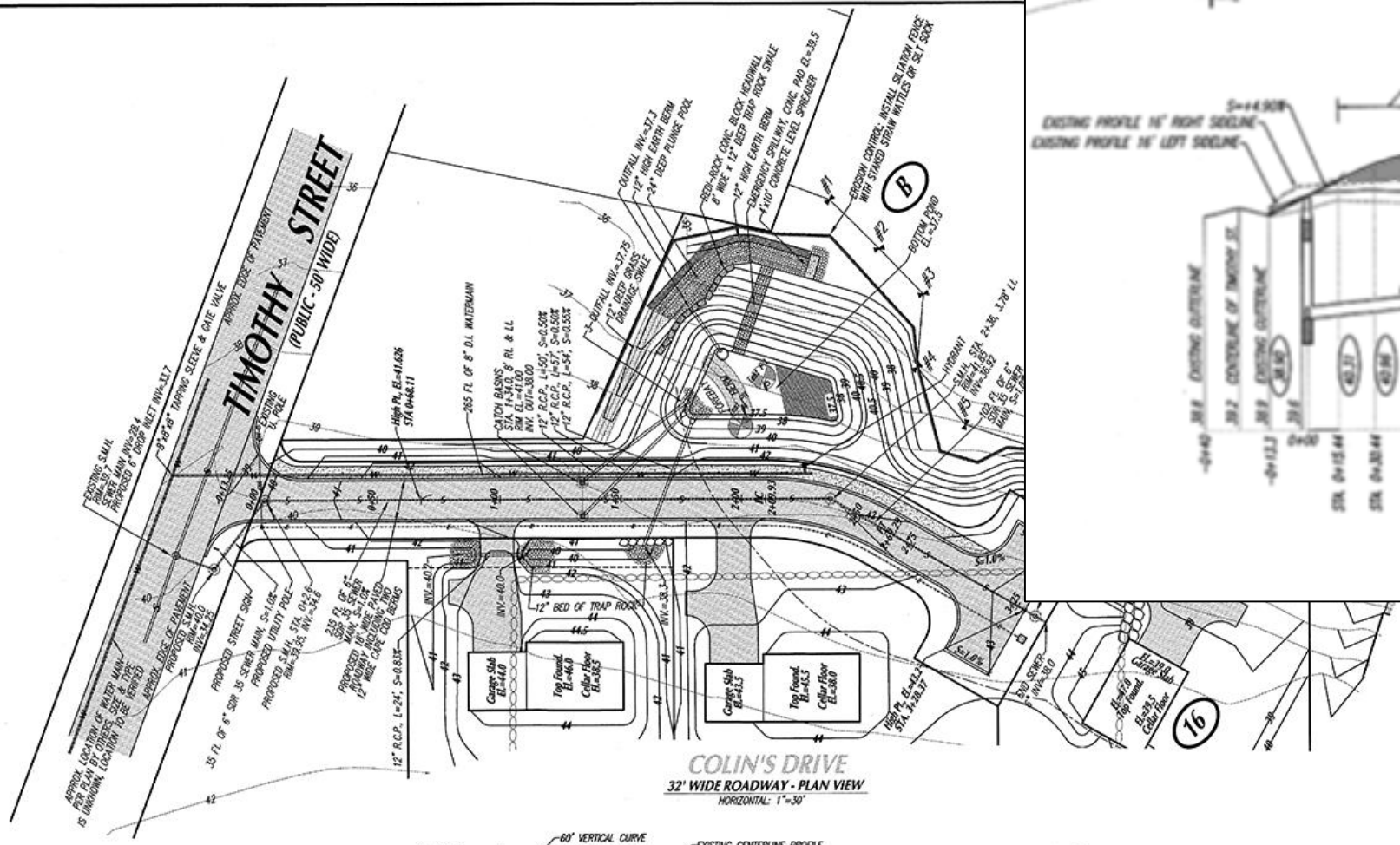
1 COUNTY RD, P.O. BOX 480, MATTAPOISETT, MA 02739
1-508-758-7866

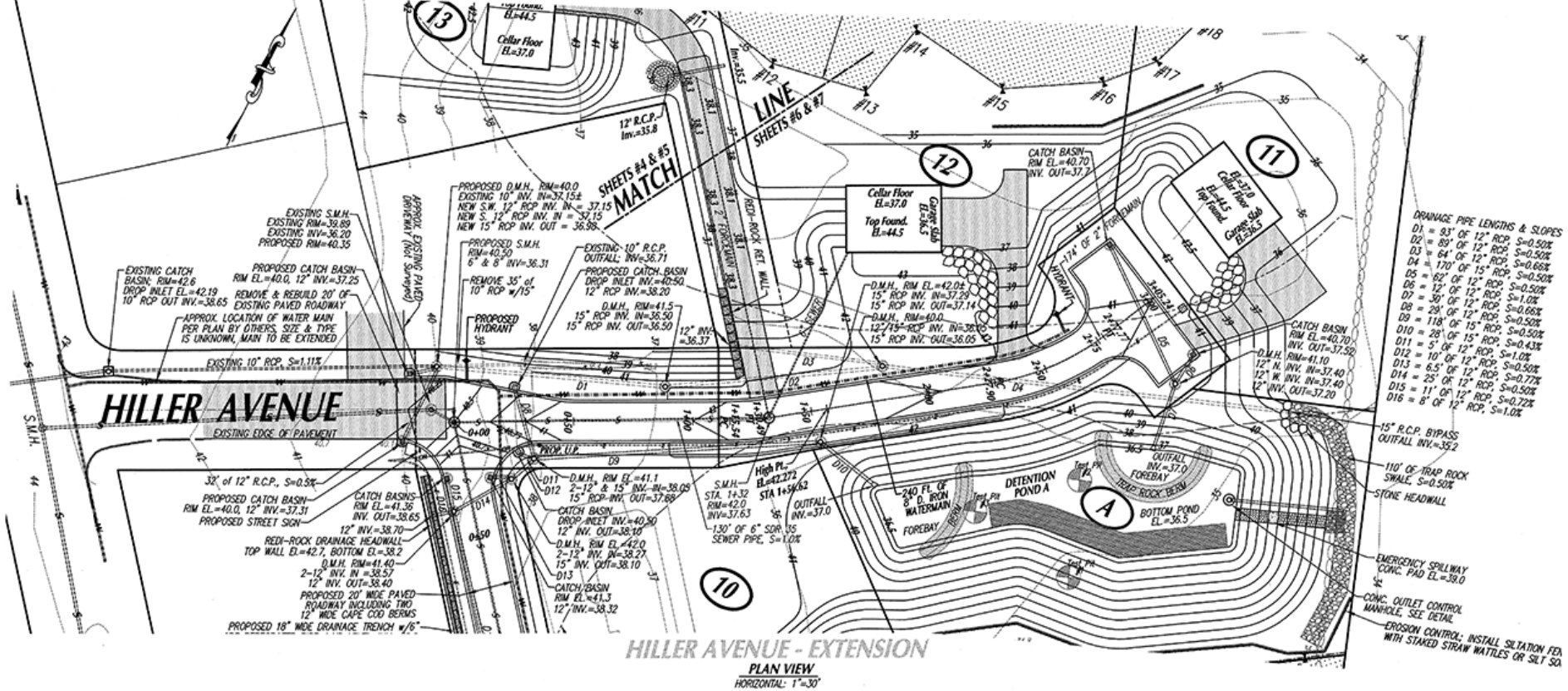
Drawn By: D.M.D. | Check By: N.D.S. | Job No. 2832

TIMOTHY
(PUBLIC - 50' WIDE)
PAUL STREET
(PUBLIC - 50' WIDE)
HILLER AVENUE
HILLER AVENUE
EDGE OF BORDERING VEGETATED WETLAND AS APPROVED BY THE FAIRHAVEN CON. COM. ON 6-27-16. SEE DEP FILE NO. SE 23-1230
EDGE OF BORDERING VEGETATED WETLAND AS APPROVED BY THE FAIRHAVEN CON. COM. ON 6-27-16. SEE DEP FILE NO. SE 23-1230
LINE SHEETS #4 & #5
SHEETS #4 & #5 MATCH
DETENTION POND A
EROSION CONTROL: INSTALL SEDIMENTATION FENCE WITH STAKED STRAW WATTLES OR SILT SOCK
FAIRHAVEN PLANNING BOARD
APPROVED UNDER SUBDIVISION CONTROL LAW



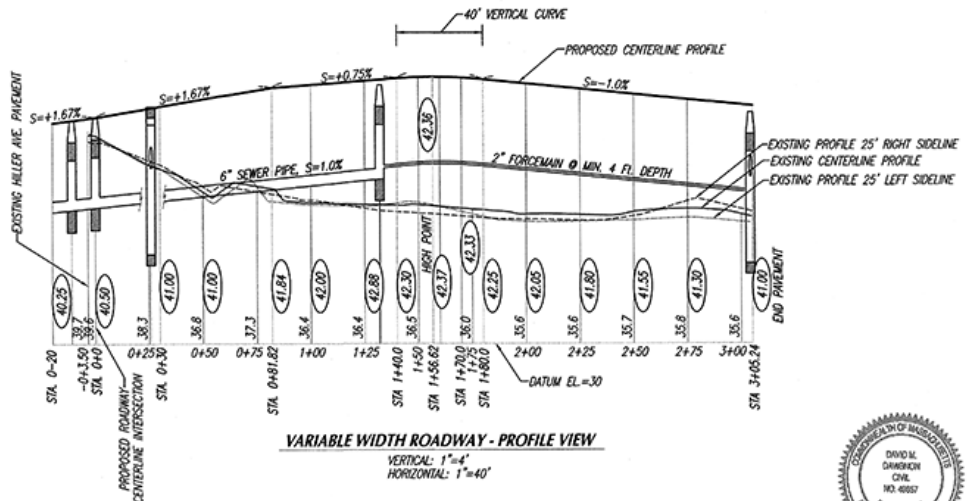
HILLER AVENUE
HILLER AVENUE
MATCH LINE
SHEETS #4 & #5
SHEETS #6 & #7
EDGE OF BORDERING VEGETATED WETLAND AS APPROVED BY THE FAIRHAVEN CON. COM. ON 6-27-16, SEE DEP FILE NO. SE 23-1230
EDGE OF BORDERING VEGETATED WETLAND AS APPROVED BY THE FAIRHAVEN CON. COM. ON 6-27-16, SEE DEP FILE NO. SE 23-1230
DETENTION POND A
BOTTOM POND
PROPOSED STREET SIGN
EROSION CONTROL: INSTALL SILTATION FENCE WITH STAKED STRAW MATTLES OR SILT SOCK
1
2
3
4
8
9
10
11
12
13
16
A
B


TIMOTHY STREET
(PUBLIC - 50' WIDE)
COLIN'S DRIVE
32' WIDE ROADWAY - PLAN VIEW
HORIZONTAL: 1"=30'
EXISTING PROFILE 16' RIGHT SIDELINE
EXISTING PROFILE 16' LEFT SIDELINE
60' VERTICAL CURVE
EXISTING CENTERLINE PROFILE
PROPOSED CENTERLINE PROFILE
6" SEWER PIPE, S=1.0%
HIGH POINT
LOW POINT
DATUM EL.=30
END PAVEMENT
END OF LAYOUT
32' WIDE ROADWAY - PROFILE VIEW
VERTICAL: 1"=4'
HORIZONTAL: 1"=40'



HILLER AVENUE - EXTENSION

PLAN VIEW
HORIZONTAL: 1"=30'



VARIABLE WIDTH ROADWAY - PROFILE VIEW
VERTICAL: 1"=4'
HORIZONTAL: 1"=40'

FAIRHAVEN PLANNING BOARD
APPROVED UNDER SUBDIVISION CONTROL LAW

DATE APPROVED: _____

DATE SIGNED: _____

"THE ABOVE ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING REGULATIONS OR A DETERMINATION THAT THE LOT IS BUILDABLE."

Rev. #	DATE	BY	DESCRIPTION
2	5-17-19	D.M.D.	ADD ROAD PROFILES, CONSTRUCTION DETAILS CHANGE COMPANY NAME, PRELIMINARY TO DEFINITIVE
1	4-11-19	D.M.D.	REVISE GRADING & OMIT WAIVERS

"DEFINITIVE SUBDIVISION PLAN"
OF DEVELOPMENT TO BE KNOWN AS
"SCONTICUT NECK WOODS"
OFF
HILLER AVENUE and TIMOTHY STREET
IN
FAIRHAVEN, MA
PREPARED FOR
ROBERT RODERIQUES

SHEET 8 OF 11 SHEETS
"PROPOSED ROAD PROFILE PLAN – NORTH"

SCALE: AS NOTED DATE: NOVEMBER 8, 201
0 20 40 80 120

SCHNEIDER, DAVIGNON & LEONE, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
1 COUNTY RD, P.O. BOX 480, MATTAPOISETT, MA 02739
1-508-758-7866

COMMONWEALTH OF MASSACHUSETTS DAVID M. DAVIGNON CIVIL NO. 40057 REGISTERED PROFESSIONAL ENGINEER
5/20/19

Drawn By: D.M.D.	Check By: N.D.S.	Job No. 3072