

April 23, 2021

Fairhaven Planning Board Members

40 Center Street

Fairhaven, MA 02719

Subject: DS 2021-02-Hermeneau Fredrick Ave

Dear Mr. Chairman and Committee Members,

I live at 294 Sconticut Neck Road which abuts the property and Fredrick Ave which is proposed for access to the property. I request that the planning board deny all requested waivers for this project.

If a motion for a vote is put forth, I request that the following be included if possible:

1. The abutters, property owners 294 Sconticut Neck Road and our neighbors across from us at 290 Sconticut Neck Road) of Fredrick Ave are relieved of their duty to maintain the street.
2. The hours of work be limited to Monday – Friday 7am to 6pm, and no work on weekends and holidays.
3. The applicant be required to hire an insurance company to inspect all abutting houses for condition before and after construction for any damage related to construction. The applicant will be held responsible for repair or reimbursement of any damage. I am particularly concerned with our fieldstone chimney because Frederick Ave has outcroppings of rocks that may need to be moved when utilities are put in place. (see picture below)
4. Section 322-14.D A complete Environmental Impact Analysis should be completed.
5. Section 322-26 Waiver of stormwater management- as an environmental and public interest and the fact that it is within the 100 feet coastal flood zone with possible vernal pools the waiver should not be granted. A complete storm water review should be completed.
6. Section 322-14.D Waiver of Class1 bituminous concrete paving. The street should be paved. Other gravel streets in the area are actively (Billy's Way) being paved with town funds and as a taxpayer and in the public interest this waiver should not be granted. The run off from the gravel road and developed lot will increase runoff into the coastal flooding zone and any vernal pools located near the project. Other properties may be developed using this access point.
7. Section 322-7 Compliance with Zoning. This decision should be held in a separate hearing at the Zoning Board of Appeals.
8. The street will be maintained as a private way.
 - a. What is the difference between a paper street (as current), an accepted street and a private way?
 - b. Can vehicles park on Fredrick way upon completion of the project?

- c. Does maintaining it as a private way provide the applicant any special privileges in relation to the street?

With the current Covid -19 situation and the zoom meeting format many of the neighbors have not participated in the hearing process. I have spoken to some of them and they share the concerns that I have put forth in this letter.

Additional requests and comments may arise as the process moves forward and this letter shall not limit my comments in open meetings or other correspondence.

Sincerely,



James Irving

Sconticut Neck Road

Fairhaven, MA 02719

