

Narrative Accompanying Definitive Subdivision Application (Two Lot Residential Subdivision) Island View Road – Sconticut Neck

Background / Applicant:

The current contract purchasers of the property, Peter and Olga Armanetti (the applicant), are submitting a definitive subdivision plan seeking to finalize a two (2) lot subdivision of the property along Island View Road. **A preliminary subdivision plan was unanimously approved by the Planning Board on March 8, 2022.** It has taken more than three years since that approval to get Conservation approval for the project. This protracted process was a result of not having a Conservation Agent employed during the initial application phase, a peer reviewer, who by his own admission, attempted to stall/block the project for personal reasons, a revolving door of board members and turnover of three Chair positions on the Conservation Commission, and then once finally approved by the local Conservation Commission on April 22, 2024, that Order of Conditions was appealed by a “citizens group” to MA DEP. It took an additional year but this appeal was denied by MA DEP, who ruled in favor of the applicant with a Superseding Order of Conditions dated April 30, 2025.

- If approval of the proposed subdivision is granted, the applicant intends to construct a single-family home on one of the two lots, and to occupy this home, year-round, as their primary residence.
- The applicants are familiar with the area, and are already members of the community, having owned a seasonal home on Sconticut Neck, located several blocks from the subject property, since 2008. Mr. Armanetti’s family has also owned a property on Sconticut Neck, abutting Jack’s Cove and Long Island, since the mid-19th century (circa 1840).

Location:

The property is located on the north side of Island View Road, bordered by Sconticut Neck Road, to the west, Nakata Avenue, to the east, and Rustic Way, to the north. Island View Road is a traveled way, with a surface of compacted gravel, approximately twenty (20) feet wide. This way has never been plotted or approved as a right of way / street / road on a plan of record, but has been used as an ongoing means of vehicular and pedestrian access for many decades by the owners and visitors to many of the properties in the area, primarily including the series of year-round homes and seasonal cottages which are located on the east side of Nakata Avenue. The road is maintained by the Town, plowed, and trash and the USPS uses the road to service the houses along Nakata Avenue.

Existing Zoning:

The entire property is designated within the Rural Residence (RR) zoning district.

Subject Property:

In total, the subject property is comprised of +/- 5.16 acres of land. Approximately ten percent of the site is comprised of the area that has been improved (surfaced with compacted gravel) as a traveled way (known as Island View Road).

From a topographic standpoint, the site is flat, from north to south, as well as from west to east, sloping down very slightly to the east, where the subject property intersects with and abuts Nakata Avenue. The site is rectangular in shape, and measures +/- 850 feet long, from west to east, along Island View Road, by +/- 265 feet deep, from south to north.

Approximately sixty percent of the property is comprised of unimproved upland area, with clusters of wooded areas primarily comprised of deciduous trees and shrubs, interspersed with some scrub pine and evergreen vegetation. Approximately forty percent of the property is comprised of (previously delineated) bordering vegetated wetlands (BVW). The wetland areas are concentrated in the center and the eastern portions of the site. The upland areas are concentrated in the western, western center, and the eastern center portions of the site.

Proposed Subdivision:

The proposed subdivision (and accompanying conceptual development plan) is designed for two (2) building lots, each of which would be improved with a single-family dwelling. The property is eligible for and meets all of the requirements for such subdivision and for its subsequent development as set forth in Chapter 322 of the Town of Fairhaven Code (the *Rules and Regulations Governing the Subdivision of Land, Town of Fairhaven, Massachusetts*) and as set forth in Section 198-18 (the *Intensity of Use Schedule*) of the Town of Fairhaven Zoning Bylaw. See table below:

Requirement	Lot # 1			Lot # 2		
	Required	Proposed	Complies (Yes / No)	Required	Proposed	Complies (Yes / No)
Min. Lot Area	30,000 S.F.	62,564 S.F.	Yes	30,000 S.F.	130,445 S.F.	Yes
Min. Frontage	140 Feet.	361 Feet.	Yes	140 Feet.	387 Feet.	Yes
Min. Contiguous Upland Area	24,000 S.F.	36,180 S.F.	Yes	24,000 S.F.	88,240 S.F.	Yes
Min. Front Yard Setback	30 Feet	+/- 35 Feet	Yes	30 Feet	+/- 45 Feet	Yes
Min. Side Yard Setback (West Side)	20 Feet	+/- 70 Feet	Yes	20 Feet	+/- 170 Feet	Yes
Min. Side Yard Setback (East Side)	20 Feet	+/- 255 Feet	Yes	20 Feet	+/- 195 Feet	Yes
Min. Rear Yard Setback	30 Feet	+/- 105 Feet	Yes	30 Feet	+/- 130 Feet	Yes
Max. Lot Coverage	25 %	+/- 3.0 %	Yes	25 %	+/- 1.2 %	Yes
Max. Building Coverage	15 %	+/- 2.0 %	Yes	15 %	+/- 1.0 %	Yes
Max. Dwelling Units Per Lot	1	1	Yes	1	1	Yes

Information / Factors Supporting Approval of the Proposed Subdivision:

In addition to meeting all of the applicable criteria set forth in the local subdivision and zoning regulations, the proposed subdivision has been designed in a manner to minimize the impact of the subdivision (and the subsequent development of the proposed dwellings) on the land, and to facilitate the safe and appropriate use of the property, including:

General Compliance –

- All of the building lots shown on the proposed subdivision plan comply with the applicable provisions of the Zoning Bylaw of the Town of Fairhaven, Massachusetts (as required in Section 322-7 of the *Rules and Regulations Governing the Subdivision of Land, Town of Fairhaven, Massachusetts*).
- The design of all of the elements of the proposed subdivision (including the street – designed to “Residential Lane” specifications) meets or exceeds the “Design Standards” (as set forth in Section 322-15 of the *Rules and Regulations Governing the Subdivision of Land, Town of Fairhaven, Massachusetts*) (subject to the below / prospective exception).

Siting of Lots and Prospective Dwellings – Wetland and Overall Land Preservation -

- The subdivision and the prospective siting of the two single family dwellings that are contemplated for the property will not result in any encroachment into or filling of any of the wetland habitat that has been delineated within the property.
- The (two) building lots have been designed / plotted in a manner where the existing wetland areas will be maintained in contiguous blocks, such that they will be preserved to continue to provide habitat for birds and for other wildlife, and will also provide a visual buffer to and from the (to be developed) homes from adjacent homes and streets.
- The (two) building lots have been designed in a manner where each of the (two) prospective driveways and dwellings have been sited along the western center and southern center of the site, in close proximity to the property frontage (and the road). This minimizes the amount of the site that is required to be cleared and graded, which also provides for the preservation of additional upland land in its existing condition.

- By locating the proposed leaching field for the septic system that will serve the home proposed to be located on Lot # 2 directly adjacent to the proposed leaching field for the septic system that will serve the home proposed to be located on Lot # 1, concentrated within the northern (upland) portion of the site, the overall amount of clearing and excavation for these (two) septic systems will be consolidated and substantially minimized. By also locating and routing the pipe connecting the septic tank to the leaching field within the (previously disturbed) area of Island View Road, as opposed to routing it through the (undisturbed) property, will allow this septic system to be located much further away from any of the wetlands within the property and will also result in a substantially reduced amount of clearing and grading within the currently undisturbed upland area of the property. Although this will add a substantial amount to the overall cost of the septic system, it is a much more environmentally sensitive design approach.

Safe and Efficient Access (Roads and Driveways) -

- The property has adequate access to / from a public way (Sconticut Neck Road) and the proposed road within the subdivision (Island View Road) as well as the proposed driveways that will provide access to the (two) building lots, meets or exceeds the applicable design standards (as required in Section 322-16 and Section 322-18 of the *Rules and Regulations Governing the Subdivision of Land, Town of Fairhaven, Massachusetts*).
- The improved surface of Island View Road is +/- twenty (20) feet in width. This makes the way (Island View Road) one of the wider and better improved “roads” in this area of Sconticut Neck and in the vicinity of Wilbur’s Point.
- The way is also flat and straight (with one minimal radius curve, close to its midpoint between Sconticut Neck Road and Nakata Avenue). This allows for clear / unimpeded lines of sight for vehicles and pedestrians using the way, and clear / unimpeded lines of sight for drivers in vehicles that will be accessing the (two) driveways proposed to serve the (two) lots, which have been located to be separated by +/- 400 linear feet.
- The driveway which is proposed to serve Lot # 1 will also be located +/- 180 linear feet from the intersection of Island View Road and Sconticut Neck Road, and the driveway proposed to serve Lot # 2 will also be located +/- 210 linear feet from the intersection of Island View Road and Nakata Avenue.
- The subdivision, once approved and of record, will formalize Island View Road as a right of way, thereby providing a legal and safe means of vehicular and pedestrian access, not just to the dwellings to be built within the property, but also to the owners of and visitors to the series of homes in the area, including those located along Nakata Avenue.

END OF TEXT



**Picture of Island View Road running from
Sconticut Neck Road to Nakata Avenue**