

December 15, 2025

Fairhaven Planning Board
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

RE: Request for Waivers from Fairhaven Subdivision Rules & Regulations
4 Earle St, Fairhaven MA
Applicant: Joel Cordero

Dear Planning Board Members,

On behalf of the applicant, Mr. Joel Cordero, this letter formally requests waivers listed below from the Town of Fairhaven Subdivision Rules and Regulations in association with the submission of the Preliminary Subdivision Plan for the property located at 4 Earle Street. The proposed plan creates one additional buildable lot using and extending the existing private gravel road.

The requested waivers are consistent with prior approvals issued by the Planning Board for this same roadway extension in 2018, and the physical and environmental constraints of the site remain largely unchanged.

Additionally, across from proposed lot #2 there are bordering vegetated wetlands, and the 25-foot No Disturb Zone established by the Fairhaven Conservation Commission extends into the existing right-of-way. Because of this, full compliance with roadway cross-sections, drainage, and construction standards would require substantial disturbance within protected resource buffers, which the applicant aims to avoid.

Requested Waivers & Justification

1. Section 322-16A – General Provisions

- A.7 Waiver to allow center line of roadway to be offset from the street right of way.
- A.13 Waiver of grading and location of elements from the standard cross section.

Justification:

- Earle Street is an existing gravel private way, and the proposed subdivision maintains its alignment and construction standards.
- Full compliance would require excavation and disturbance within the 25-ft. No Disturb Zone, potentially impacting wetlands.

2. Section 322-16B – Street Design Standards

- Waiver of right of way width, travel way, pavement/cape cod berms, sidewalk requirements, minimum reverse curve tangent.
- Street Cross Sections: Waiver of C-1 Table A: residential lane width with curb, residential lane width with cape cod berm, paved sidewalk, minimum centerline radius, hammerhead.

Justification:

- The roadway will remain gravel, consistent with the existing conditions and prior approvals.

- Upgrading to full pavement would push construction limits into the wetland buffer, causing unnecessary disturbance.
- The gravel extension is adequate to provide safe access and emergency vehicle maneuvering.

3. Section 322-27 – Utilities

- A3 Waiver not to require municipal water for proposed lot.

Justification:

- There is no public water main on Earle Street and proposed lot will have an on-site private potable water supply well. All other properties on Earl Street are being serviced with their own potable water supply well.

4. Section 322-32 – Curbing

- Waiver of curbing requirements

Justification:

- The roadway will remain gravel, consistent with the existing conditions and prior approvals.

5. Section 322-37 – Fire Alarms System & Emergency Water Supply Systems**Justification:**

- Earle Street is a low-volume private road serving only three (3) residential lots.

6. Section 322-49 – Acceptance Plan**Justification:**

- Existing street is private and is proposed to remain standard.

Summary

The requested waivers allow the subdivision to:

- Maintain the existing road type of Earle Street
- Avoid disturbance within the 25-foot No Disturb Wetland Buffer
- Mirror the waivers previously granted in 2018
- Comply with the intent of the Subdivision Rules without negatively impacting the environment.

The applicant respectfully requests approval of the waivers listed above in conjunction with the Preliminary Subdivision Plan.

Sincerely,
KBM Design Group



Alfons Koka PE
Partner

cc: Joel Cordero