
Camper Trailers inhabited on vacant lots

1 message

David Schwamb <dschwamb@benchmarkcaperealty.com>

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To: "khickey@fairhaven-ma.gov" <khickey@fairhaven-ma.gov>, "selectboard@fairhaven-ma.gov" <selectboard@fairhaven-ma.gov>

Boardmembers,

I am writing this letter in hopes of resolving a five year dispute that until this year I'd been successfully staving off with a visit to the Office of Building Inspections. My problem has been with an individual whom had inherited a small strip of waterfront land that is vacant save for a shed that has both water and electric service supplied to it. My problem is that when I purchased my home on Sconticut Neck Rd and paid more than its worth, I'd never anticipated that there would or could be an individual that would use this waterfront lot as an opportunity to bring a camper trailer to the site and house himself and his extended family within it, number what I'd guess to be at least 15 people. When I'd bought back in 2022, I'd suspected the lot was a place for people to launch their skiffs and clean their catch. The shed in question instead allows the camper to receive electric and water hookup.

In the first 4 seasons of this occurrence, I'd been successful in complaining to the sitting building commissioner and they'd been required to move. I'd think this the last of my issue but next year would come and the same action would be necessary. THIS year however I've gotten resistance from the Building inspectors office who has told me the board doesn't care and unless they told him specifically to move it, he would do nothing.

I am not asking for a new bi-law...the bi-law I believe already exists prohibiting this. And I believe the inspector is tasked with upholding the be-law specifically if someone...me in this instance...complains. Which I have, with great passion (perhaps too much passion as I had also written a letter to the Select Board Chair which to date elicited no response, I've attached that letter simple to demonstrate I perhaps am guilty of assuming I'd more power than I actually possess. I apologize for the pushy tone I'd delivered within it). I simply feel that a person with an empty lot not paying property tax indicative of housing usage should have the same dwelling rights as someone paying for high water view assessment and reassessment post improvements. In other words, I'm feeling I pay too much for someone abutting an unlicensed trailer park. The trailer has since moved, but my angst is in knowing I'll have to go thru this again next season, especially now that the silence from town hall has offered implied acceptance of this practice.

I ask that I be offered some direction as to whether I've any recourse short of selling a home I've just remodelled to my GREAT liking in order to gain some relief.

Thank you all for your attention.

David Schwamb
Benchmark Cape Realty
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Dear Sir(s),

My name is David Schwamb, and I own property at 903 Sconticut Neck Road in Fairhaven. I am writing to express my frustration and concern regarding the Town's handling of recreational vehicles being placed on

vacant lots or even properties that are not licensed campsites, and those properties subsequently being used to accommodate large groups of people for varying periods of time.

I purchased my property in May 2022 and was thrilled to have a waterfront home in what I believed to be a friendly, peaceful community where I could enjoy the quiet surroundings and the quality of life that attracted me to Fairhaven.

Unfortunately, that quiet enjoyment was significantly disrupted shortly after I purchased the property.

A family that owns a summer cottage across the street from me also owns a vacant waterfront lot adjacent to my property. They began placing a camper trailer on that vacant lot and using it as a recreational living space for family members, children, grandchildren, and dogs.

The activity associated with the camper has repeatedly extended beyond their property and into mine. My yard has effectively been treated as an extension of their recreational area, resulting in significant noise, activity, foot traffic, and disruption to my ability to peacefully enjoy my own property.

When this first occurred, I assumed that placing and using a camper on a vacant lot in this manner was not permitted. Having previously lived in Falmouth, where I understood that the use of vacant property for recreational vehicles was strictly regulated, I contacted the then Building Commissioner.

The Building Commissioner investigated the matter and consulted with the Select Board. I was informed that the camper should be removed, and the Building Commissioner communicated that direction to the property owner. The owner was understandably unhappy with the decision but indicated that he would remove it and not bring the camper back.

The following year, the same situation occurred. The camper was brought back, I again contacted the Town, and the owner was again asked to remove it.

Unfortunately, this has become a recurring situation. Each year the camper returns, hooks up to a shed that has been hooked in to town water and electricity (I would have thought illegally). I raise my concerns, and the Town has previously taken steps to have it removed. This year, however, I was informed by the Building Commissioner that he does not have the authority to require the camper to be removed unless the Select Board provides written direction that this type of use is not permitted.

That is why I am now appealing directly to the Select Board.

I believe there is a larger issue here than simply my disagreement with one neighboring property owner. I am concerned about the Town's policy—or lack of a clear and consistently enforced policy—regarding the placement of recreational vehicles on vacant residential or waterfront lots and the use of those lots for extended recreational occupancy and large family gatherings.

As a property owner who has invested substantially in my home and pays property taxes to the Town, I believe neighboring property owners should have some reasonable expectation that vacant property will be used in accordance with Town regulations and in a manner that does not substantially interfere with the quiet enjoyment of surrounding properties.

This is particularly concerning because the property in question is a waterfront lot. The placement of a camper and the repeated use of the property by a large number of people effectively changes the character and use of what would otherwise be a vacant parcel. It also creates an impact on neighboring properties that is very different from the occasional use of a vacant lot by its owner.

I am not asking the Town to prevent this family from enjoying their property. I am asking for **clear, consistent and equitable enforcement of the Town's and State's regulations** and for the Select Board to clarify what is and is not permitted when it comes to recreational vehicles being placed on vacant lots and used for recreational occupancy.

I would respectfully ask the Select Board to:

1. Review the Town's regulations and bylaws concerning the placement and use of recreational vehicles on vacant lots.
2. Determine whether the current use of this particular property is permitted.
3. Provide the Building Commissioner with clear written direction regarding enforcement of those regulations.
4. Establish a consistent policy that can be applied to similar situations throughout Fairhaven, rather than addressing these matters on a case-by-case basis.
5. Consider the rights and reasonable concerns of abutting property owners whose quiet enjoyment and use of their homes may be substantially affected by this type of activity.

I have tried repeatedly to resolve this matter through the appropriate Town officials rather than escalating the situation. Unfortunately, the recurring nature of the problem and the uncertainty regarding the Town's authority to address it have left me feeling that I have no alternative but to bring the matter directly to the Select Board.

I love my property and have greatly enjoyed being part of the Fairhaven community. I simply want to be able to enjoy my home and property without having the vacant waterfront lot next door effectively become a seasonal recreational campground.

I respectfully ask that the Select Board review this matter and provide me with a written response regarding the Town's position on the use of this property and the placement of the recreational vehicle there.

Thank you for your time and consideration. I would be happy to provide photographs, dates, correspondence, or any other documentation that may assist the Board in reviewing this matter.

Respectfully,

David Schwamb
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Fairhaven, MA

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