



TOWN OF FAIRHAVEN, MASSACHUSETTS

FAIRHAVEN TOWN CLERK
RCUD 2024 MAY 30 PM2:01

CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

PUBLIC MEETING AGENDA

Monday, June 3, 2024 at 6:00 pm

Pursuant to Chapter 20 of the Acts of 2021 (extension), public bodies will continue holding meetings remotely without a quorum of the public body physically present at a meeting location, but will now provide "adequate/alternative" access to members of the public. Access the meeting via remote means in the following manner:

<https://us06web.zoom.us/j/86953155076?pwd=VFdUQkhzdVYrNzJIQktiVi9XSgppZz09>

or CALL 1-929-205-6099

Meeting ID: 869 5315 5076

Passcode: 633695

In-person attendance is permitted for the public at Town Hall at 40 Center Street

1. Chairman's Welcome and Media Notification
2. Quorum/Attendance
3. Approval of the meeting minutes for the May 6, 2024 public hearing
4. Continuances requested in advance:
 - a. CON 023-372: 29 Silver Shell Beach Drive, Map 41, Lot 53
 - b. SE 023-1391, CON 023-291: Bridge Street, Map 36, Lot 15J
5. Reorganization of the Board
6. Attorney, Marc Deshaies to discuss the Conservation Restriction at the G. Bourne Knowles property
7. Request Minor Activity
 - a. Fort Phoenix, Map 01, Lot 001: BPW requests permission to place poles on the beach for seasonal trash bins
 - b. Town Beach, Map 43D, Lots 203A & 207A: BPW requests permission to place poles on the beach for seasonal trash bins
8. Request for Minor Field Change
 - a. SE 023-1431, CON 023-378: 162 Main Street, Map 12, Lot 8
 - b. SE 023-1417, CON 023-355: 88 Fort Street, Map 5, Lots 4 & 5
9. Requests for Extension
 - a. SE 023-1361, CON 023-240: 11 Balsam Street, Map 43C, Lot 129
10. Requests for Certificates of Compliance
 - a. SE 023-1333, CON 023-181: 18 Point Street, Map 28B, Lot 207
 - b. SE 023-1428, CON 023-368: 43 Reservation Road, Map 29A, Lot 351
 - c. SE 023-1078: 4 Washington Street, Map 09, Lot 002

d. 42 Water Street, Map 9, Lot 2A

- 11. Public Hearings** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, s. 40) and/or the Code of the Town of Fairhaven Chapter 192, Wetlands:

Requests for Determination of Applicability

- a. CON 023-427: 4 Monondach Avenue, Map 42A, Lot 212**
Request for Determination filed by Fairhaven Public Works to repair or replace below ground water valves. Work to take place within FEMA Flood Zone VE (El.20') at Assessor's Map 42A, Lot 212.

Notices of Intent

- b. SE 023-14___, CON 023-371: 217 Alden Road, Map 36, Lot 85**
Notice of Intent filed by Shaun DeGrace for a concrete patio (13'x47') with drainage in the back of the house, an extension of the asphalt driveway (30'x15') and add a 6' fence within 100 ft. to the Bordering Vegetated Wetlands (BVW). Work to take place within Buffer Zone to BVW at Assessor's Map 36, Lot 85.
- c. SE 023-1410, CON 023-347: Bonney Street, Assessor's Map 28B, Lots 488 & 489**
Notice of Intent filed by David Menard to construct a single-family residence, sewer and water connections and associated site work located within the 100-year flood plain (F.E.M.A. Zone VE, El.16') and partially within the Buffer Zone of Bordering Vegetated Wetlands (BVW) located at Assessor's Map 28B, Lots 488 & 489.
- d. SE 023-1423, CON 023-364: Bridge Street, Map 30A, Lots 87 & 87A**
Notice of Intent filed by Carricorp Industries, Ltd. proposing a 5,850-sf commercial style building. A driveway and parking lot with approximately 34 parking spaces to service the proposed building. Stormwater from all proposed paved areas will be collected by deep sump catch basins sent to a subsurface infiltration system. Other proposed utilities include municipal water and sewer and an enclosed dumpster with pad. Work to take place within 100 feet of a wetland resource area at Assessor's Map 30A, Lots 87 & 87A.
- e. SE 023-1436, CON 023-390: 6 Emerson Avenue, Map 29A, Lots 119-122**
An after-the-fact Notice of Intent filed by Natalie Reis for the construction of 12'x16' breezeway between the house and garage, an outdoor shower (approximately 70' from the limit of Coastal Beach and in Land Subject to Coastal Storm Flowage (LSCSF), capping the existing stonewall, an outdoor fireplace, a 36'x15' flagstone patio area with new walkways to beach, artificial turf area, regrading, and a gravel driveway larger than proposed on original plan. Work to take place within Land Subject to Coastal Storm Flowage (LSCSF), Flood Zone VE (El. 16'), and work has occurred in Coastal Beach, Barrier Beach, and possibly the Marsh, located at Assessor's Map 29A, Lots 119-122.
- f. SE 023-1453, CON 023-408: 29 Nakata Avenue, Map 43, Lot 119**
Notice of Intent filed by Omar Halabi for demolition and removal of an existing dwelling and construction of a new flood zone compliant single-family dwelling, along with an after-the-fact filing for a concrete patio. The project is located within Buffer Zone to a Salt Marsh, Land Subject to Coastal Storm Flowage, and FEMA Flood Zone VE (El.20') at Assessors' Map 43, Lot 119.

g. SE 023-___, CON 023-412: 21 Goulart Memorial Drive, Map 42, Lot 22

Notice of Intent filed by David & Jayne Lynch to redeposit sand that migrated during a storm and place crushed shell on the driveway. Proposing to install 165 ft. of dune fencing on the southeast side of the driveway. Work to take place within Barrier Beach, Coastal Dune, riverfront, and FEMA Flood Zone VE (El. 20') at Assessor's Map 42, Lot 22.

h. SE 023-1459, CON 023-417: 27 Nakata Avenue, Map 43, Lot 120

Notice of Intent (after-the-fact) filed by Katie Medeiros for concrete repair on patio, replace existing deck, restore grass area to grade, convert driveway to crushed shell, install 75 feet of shadowbox style fence, and repair 50 feet of existing post and beam fence. Work to take place within Land Subject to Coastal Storm Flowage (LSCSF) – FEMA Flood Zone VE (El.20') and Buffer Zone to Salt Marsh and Coastal Beach at Assessor's Map 43, Lot 120.

i. SE 023-1458, CON 023-420: Rear Sycamore Street, Map 20, Lots 4 & 325

Notice of Intent filed by Bennett Amos of RemBac Environmental LLC to conduct a study in East Zone 4 (EZ4) of the New Bedford Harbor Superfund Site (NBHSS). The two-year study aims to evaluate the efficacy of a cost-effective and environmentally sustainable technology that employs activated carbon and PCB-degrading microorganisms to both sequester and degrade sediment-associated PCBs in situ. Work to take place within EZ4, specifically parcels 20-4 and 20-325.

j. SE 023-1457, CON 023-421: 93 Raymond Street, Map 29D, Lots 94 & 95

Notice of Intent filed by James and Kathleen Grace to demolish existing cottage and build FEMA compliant 2-story single family dwelling with an enclosed porch and second floor deck. Project to include removal of approximately 373 sq. ft. of paved driveway and replace with 268 sq. ft. of paved driveway to relocate lost parking space. The site falls within Land Subject to Coastal Storm Flowage (LSCSF), with northerly portion within Flood Zone VE (El.17'), and southerly portion within Flood Zone AE (El. 14'), located at Assessor's Map 29D, Lots 94 & 95.

12. Violations/Enforcement Orders/Cease and Desist Notices

- a. 4 Jeannette Street, Map 34A, Lot 062D:** Application submitted and will be heard June 17, 2024
- b. EO 023-019 & 023-020: 6 & 8 Jeannette Street, Map 34a, Lots 62K & 62P:** Agent to provide update on the May 10, 2024 site visit
- c. EO 023-022: 344-346 New Boston Road, Map 40, Lots 023B & 023C:** Agent to provide an update on scheduling a site visit with the Commission and the property owner
- d. 17 Diamond Street, Map 29, Lot 45:** Unpermitted clearing in the Buffer Zone to Land Subject to Coastal Storm Flowage (LSCSF) – Notice of Violation sent May 2024
- e. 26 Rivet Street, Map 31A, Lot 051 & 049:** Unpermitted work in the Buffer Zone to BVW – Notice of Violation sent March 2024
- f. 0 Beachwood Street, Map 28B, Lot 122:** Agent to provide update on unpermitted work in the form of vegetative clearing and depositing of fill in the Isolated Vegetative (IVW) and Land

Subject to Coastal Storm Flowage (LSCSF)I; discuss possible EO – Notice of Violation sent July 2023

- g. EO 023-014: 20 Yankee Lane, Map 39, Lot 16:** Agent to provide updates on phases 1 & 2 and correspondence with the peer reviewer
- h. SE 023-309, 023-1101, 023-1127, 023-1161: 1 Bella Vista, Map 43B, Lot 326, 359 & 360:** Agent to provide updates on monitoring efforts
- i. 29 Shore Drive, Map 20C, Lot 613:** Agent to provide update on the removal of an unpermitted seawall
- j. 32 Point Street, Map 28B, Lot 132:** Agent to discuss issuing an EO
- k. 12 Goulart Memorial Drive, Map 42, Lot 15C:** Agent to discuss issuing an EO
- l. 14 Oxford Street, Map 13, Lot 003:** Request to lift cease and desist
- m. SE 023-1341, CON 023-194: North Street, Map 15, Lot 43:** Ratify Cease and Desist issued May 20, 2024; Review OOC for fencing compliance
- n. 30 Cherry Street, Map 15, Lot 47:** Discuss mulch and garden beneath perimeter fencing

13. General Business

- a.** Next scheduled site visits: June 10, 2024
- b.** Next Scheduled Public Hearing Date: June 17, 2024

14. Any other business that may properly come before the Commission not reasonably anticipated 48 hours in advance of the meeting.

15. Motion to adjourn

Karen Isherwood, Vice Chair (Acting Chair)

Fairhaven Conservation Commission

Posted by the Town Clerk: www.fairhaven-ma.gov