



## FAIRHAVEN SELECT BOARD

### Meeting Minutes

*August 19, 2024*

FAIRHAVEN TOWN CLERK  
RCUD 2024 SEP 10 AM 11:14

**Present:** Chair Stasia Powers, Vice-Chair Charles Murphy Sr., Clerk Andrew B. Saunders, Members Keith Silvia and Andrew Romano and Town Administrator Angie Lopes Ellison

**Also Present:** Attorney Heather White, Petrini & Associates

Ms. Powers opened the Select Board meeting at 6:31p.m.

#### **PUBLIC HEARING: EVERSOURCE PETITION 15242818**

The Public Hearing opened at 6:33p.m. Ms. Powers read the notice.

Eversource Right of Way Agent Jessica Elder addressed the Board via zoom and reviewed the details of the petition to relocate JO pole 141/2 approximately 10' (feet) east of existing pole 141/2, Jesse Street, Fairhaven.

Public comment: Chris Medeiros of 8 Jesse Street addressed the Board, he said the current pole is at the end of his driveway and he is in favor of moving it.

Mr. Romano asked about the timing of the work and advised Ms. Elder that there is a feast taking place at the end of August in the area of Jesse Street. Mr. Murphy added that he is aware of the area and the need to move the pole. Ms. Elder confirmed the work would happen quickly once approved.

The Public Hearing was closed at 6:38p.m.

**Motion:** Mr. Romano motioned to approve petition 15242818 to relocate JO pole 141/2 approximately 10' (feet) east of existing pole 141/2, Jesse Street. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

#### **PUBLIC HEARING: EVERSOURCE PETITION 17319354**

The Public Hearing opened at 6:39p.m. Ms. Powers read the notice.

Eversource Right of Way Agent Jessica Elder addressed the Board via zoom and reviewed the details of the petition to relocate one (1) JO pole 380/3 approximately 66' (feet) northwest of existing location, Arsene Street, Fairhaven. Vinnie Furtado Public Works Superintendent addressed the Board via zoom and added this is part of the plant upgrade.

No public comments were received.

The Public Hearing was closed at 6:42p.m.

**Motion:** Mr. Romano motioned to approve petition 17319354 to relocate one (1) JO pole 380/3 approximately 66' (feet) northwest of existing location, Arsene Street. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

**Motion:** Mr. Romano motioned to take items D3 and D4 out of order. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

#### **Appointment to Buzzards Bay Water Quality Working Group**

Applicants were not present for this item, the Board tabled.

### **Appointment to Community Preservation Committee**

Jeffrey Lucas addressed the Board about his interest, background and qualifications.

**Motion:** Mr. Romano motioned to appoint Jeffrey Lucas to the Community Preservation Committee for a term to end May, 2026. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **EXECUTIVE SESSION**

**Motion:** Mr. Romano motioned to enter Executive Session pursuant to G.L. c. 30A, § 21(a)(10) To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided: Municipal Light Plant; and Pursuant to G.L. c. 30A, § 21(a)(6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body: 121 Main Street, and Seaport Inn/Bridge St. Landing area lease and to return to Open Session. Mr. Saunders seconded. Roll Call Vote, Mr. Romano in favor, Mr. Saunders in favor, Ms. Powers in favor, Mr. Murphy in favor and Mr. Silvia in favor. The motion passed unanimously (5-0-0).

*Meeting adjourned to Executive Session at 6:50p.m.*

*Open Session resumed at 8:16p.m.*

### **APPOINTMENT AND COMMUNITY ITEMS**

#### **Event Request: 2024 Fairhaven Turkey Trot, November 28, 2024**

Ms. Powers read the request. Applicant not in attendance.

**Motion:** Mr. Romano motioned to approve the 2024 Turkey Trot on November 28, 2024. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

#### **Event Request: LCpl Matthew Rodriguez 5K, Change Date to October 27, 2024**

Change of date for the annual Matthew Rodriguez 5K to Sunday, October 27, 2024 at 9:00a.m.

**Motion:** Mr. Romano motioned to approve the Matthew Rodriguez 5K on Sunday, October 27, 2024 at 9:00a.m. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Appointment to Buzzards Bay Water Quality Working Group**

Elisha Marie Sechrist and Kelly Camara submitted applications for At-Large positions that outlined their interest and experience.

**Motion:** Mr. Romano motioned to appoint Elisha Marie Sechrist to the Buzzards Bay Water Quality Working Group. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

**Motion:** Mr. Romano motioned to appoint Kelly Camara to the Buzzards Bay Water Quality Working Group. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **MINUTES**

**Motion:** Mr. Romano motioned to approve the July 30, 2024 Open Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

**Motion:** Mr. Romano motioned to approve the July 30, 2024 Executive Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

## **TOWN ADMINISTRATOR**

Ms. Ellison reported:

- Staffing Update: Recreation Center Director Kelley Ramirez had a baby boy yesterday. During her maternity leave Martha Reed, the Council on Aging Director will oversee until Ms. Ramirez returns.
- Tree Warden Role: Administrative duties will be handled by Bruce Webb and operational work will be handled by Public Works (PW). Ms. Ellison met with both to review a process they will monitor. PW employees will be training on use of equipment. Outsourced work will be minimal after training.

Planning Director: An interim was identified and then withdrew.

- Temporary Street Closure: Food Truck Night on September 20, 2024 with a rain date of September 27, 2024. Anne Carreiro is leading this initiative as a way to generate revenue with a community event.
- Energy Revenue Options: Working with the wind turbine company on alternate energy options like battery storage or reusable energy to benefit the Town.
- Feasibility Study Update: Due to the costs averaging about fifty to one hundred thousand dollars we will not pursue a feasibility study for broadband.

Bob Espindola of John Street addressed the Board via zoom and asked for details. Ms. Ellison advised she would be reaching out to the Broadband Study Committee (Committee) Chair. Ms. Powers added, discussion in Executive Session and determination was to give the Committee the direction to move forward with a process to explore partnerships.

- Other: Jane Bettencourt submitted resignation from the Board of Assessors citing family commitments. The Police Department obtained a grant for funds for body cameras. The Governor signed an affordable housing bond bill, details and impacts will be worked out with the Building and Planning Departments.

## **ACTION / DISCUSSION**

### **Select Board Meeting Protocols Review**

Ms. Powers advised previous discussions and concerns on access to seek legal counsel and asked the Board if a member had a proposal as to what they would like to see changed.

Atty. White addressed the Board and stated the Board adopted the protocols in 2022 with access through the Town Administrator and if denied then a vote of the full Board. Discussion ensued regarding the duty of counsel to the collective Board, the vote taken by the Board and duty of loyalty to that vote, management of control of access, control on legal bills and a system being in place, potential for conflicts if individual is seeking opinion outside of the protocol. Atty. White recommends not removing entirely and revising to breakdown specifics on the process.

Discussion continued as to process, observation as to the contents of the Special Acts and reference to no one Board member acting individually, how to handle exceptions when need to talk to Labor Counsel regarding the Town Administrator or situation surrounding the Town Administrator or situation when Town Administrator is not available and need to contact to prevent possible litigation.

Atty. White advised that clarity can be added or a provision in the event of an emergency and only for that purpose with a report back to the Board and Town Administrator after. Discussion continued as to a point of contact, what defines an emergency, practicality of time, time between meetings, potential to post for a meeting if needed and the question of whether there is a flat rate for calling/emailing Labor Counsel. Ms. Ellison advised there is a flat fee from Labor Counsel and there have been charges as well that needs to be reviewed. Mr. Silvia said eleven thousand dollars has been spent in three months for Labor Counsel and that the bills were provided to him under a public records request. Ms. Powers asked for that information to be forwarded to the Board.

Atty. White advised that other communities are similar and the specific process depends on the structure and charter. Ms. Powers said as of late there has been a lot to talk with Labor Counsel about and suggested taking votes. Atty. White recommended further discussion on specific legal situations be done in an Executive Session under the appropriate exemption and continue in a limited way if the full board is unaware. She can draft a revised protocol to review at a future meeting and asked the Board to share direction with her.

**Request to Discuss Proposed Apartment Project and Utilization of MGL c 40B: Sun Harbor**

Michael Kehoe of Partridge Snow & Hahn LLP and engineer Andrew Steiner addressed the Board to review a concept proposal at the former Park Motors site at 67 Middle Street. The owner is Sun Harbor Fairhaven, LLC. Mr. Kehoe provided a packet to the Board outlining the proposal and showing an elevation of the project, a poster of which was displayed (*Attachment A*).

Discussion ensued regarding the site, the concept, next steps, a future meeting to seek approval of the Board to submit an application to the state, if approved the need to go to the Zoning Board of Appeals (ZBA) and Conservation Commission, following statutes that apply, use of a third party for financial review and to process applications for rental of units with potential to put Fairhaven residents to have preference, parking below on the first level following activity use regulations, the client would act as landlord with a deed restriction minimum of fifteen years, environmental concerns at the site were addressed earlier in 2024, no previous formal submissions, concerns on the timing of re-adding the waterfront area to the 40R application.

Deven Franco, who works with the owner, said the owner is open to 40 R or 40B and would like to move forward as soon as possible. The Board asked how long the owner would be willing to wait and if that would include waiting for Town Meeting.

Patrick Carr of Pleasant Street addressed the Board and has discussed the project with the owner. He distributed a handout to the Board that contained the initial flyer announcing Visioning Workshops for 40R in November, 2022, The Dodson & Finkler Fairhaven 40R Smart Growth Overlay 3-1 Smart Growth Residential Density Plan/Map (Waterfront Area SGOD), a comparison of 40A, 40B and 40R, the printout of a message from Wayne Hayward (*Attachment B*). Mr. Carr spoke to the sheet showing the differences of 40B and 40R.

Engineer Andrew Steiner addressed the Board about mixed-use, commercial units within the design, flood plain considerations and following the regulations and laws in place. Conservation and Building Codes are not waived. Activity Use Limitation (AUL) was referred to and described as remediation of environmental concerns demonstrated to the state. AULs are on the deed and remains for protection and the AUL remains in 40B or 40R.

Discussion ensued regarding the process discussed with the 40R consultants which creates an overlay district with design standards with Town input and a 40B would be created through the legislature without input, the size of the proposed site is about 1.3 acres. Ms. Franco said she would discuss the questions with the owner.

Bob Espindola of John Street addressed the Board via zoom and asked if Mr. Carr stated if he was speaking as a Planning Board member or on his own and if under 40B will any element of this project be subject to Planning Board review and approval, streamlined Zoning Board of Appeals (ZBA) process, Wetlands Protection Act matters, Board of Health matters and not a separate filing with the Planning Board. He stated under 40B requirements the ZBA is to solicit the input of various other boards.

Mr. Carr said he was not here representing the Planning Board. He referred to the page from Attachment B that shows the difference in 40B and 40R for processes.

Michelle Costen of Spring Street addressed the Board with concerns about the elevation, flood considerations in the design, was the waterfront removed because of a hazard, concerned with the middle class, previously told about fifty or more units at one point two million dollars and this would throw off the median which means high rents and she would prefer 40B because of profit restrictions. Ms. Powers said the units would be rented not sold. Mr. Romano added to be mindful of the difference between median home sale and median income.

Bob Grindrod of Center Street addressed the Board via zoom and asked about the stream that exits Cushman Park that runs through the property at 67 Middle Street and asked how many stories will it be. Mr. Kehoe said three stories of apartments with parking at the ground level so close to four stories. The stream has a drainage easement that remains.

Jeffrey Lucas of Farmfield Street addressed the Board and mentioned stormwater run-off effects and if it is subject to peer review, will the twenty-five percent of affordable units be in the same building or disbursed, does the sunset on its affordable housing come in at fifteen years, when he was on Planning it was hard to get to ten percent affordable housing, two projects were previously approved and did not come to fruition, on a heavy rain days Main Street is impassible and wondered what the pervious to impervious percent is. Mr. Kehoe said that 40B has a fifteen-year provision for the affordable housing component. Mr. Steiner said stormwater is a consideration within the project.

Mr. Silvia mentioned that Public Works has a drainage project ready and is waiting for funding.

Ms. Costen addressed the Board again about housing in this area versus Alden Road due to the hazards. She asked to talk about the Governor's Bill, Accessible Dwelling Units and average size.

Mr. Carr addressed the Board again and said with 40B they talk to one entity: Zoning Board of Appeals.

Mr. Kehoe said he would speak with the owner about timeframes and if there are additional questions to send them through the Town Administrator.

#### **Charter Committee Update, Town Administrator Act Language Recommendations**

Morgan Dawicki, Chair of the Charter Committee addressed the Board and asked for feedback on the Town Administrator Act. He asked to board to send suggestions in and consider what concerns the Board has heard, what suggestions the Board has, what is current practice or what should be in practice. Mr. Dawicki said public feedback will be gathered and a public information campaign as well.

Discussion ensued as to the process and gathering the feedback after public concerns were expressed previously, situational feedback, tasking Town Counsel's guidance on what is within a Charter and what is not, seeing a red-lined version of changes, specific sections like who attends and negotiates collective bargaining agreements and setting compensation packages for employees, validate the list with the appropriate resource, consider how changes will be received by Town Meeting, Chapter 150E of Massachusetts General Law regarding Labor Relations: Public Employees, changing the timing of Town Elections and Town Meeting.

Bob Grindrod addressed the Board via zoom, he said Town Meeting had been in February and has been moved due to budget season.

Doug Brady of Pleasant Street addressed the Board via zoom and asked if the Select Board was sending in feedback and what was the deadline. After discussion, Ms. Powers asked for the feedback to be sent in to discuss at the September 9, 2024 meeting before submitting to the Charter Committee. She suggested speaking to former Town Administrators and former Select Board members.

There are currently three openings on the Charter Committee, interested applicants would submit their interest to the Town Moderator.

#### **Deadlines for Flag/Banner Policy and Town Hall Auditorium Policy Requests**

Ms. Powers referred this item to Mr. Romano. Mr. Romano asked about the recommended submission timeline. Ms. Ellison deferred to Ms. Hart who advised the Board how the office determined the deadline which included reviewing other towns' policies, staff needs, scheduling and preparation needs and summer meeting cadence.

Discussion ensued about approvals for annual requests. Ms. Ellison offered a suggestion that the Board transfer annual approvals to the Town Administrator for review and new requests to the Select Board for a vote. A draft of the new policy will be on the next agenda and a message will then be sent to the boards that submit requests to advise them of the changes.

### **Select Board Office Fees**

Ms. Ellison referred the Board to the list from their packet, the Select Board is the final board to complete a review of its fees. Comparisons were done with other area communities in the proposed updated fees.

**Motion:** Mr. Romano motioned to approve the new Select Board fee schedule as presented. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Special Beer and Wine License Request: Food Truck Night: September 20, 2024, rain date September 27, 2024**

Ms. Ellison reviewed this item is for the Food Truck Night on September 20, 2024 (rain date September 27, 2024). The Town holds the license if approved for use that evening, beer and wine only.

**Motion:** Mr. Romano motioned to approve the Special Beer and Wine License for Food Truck Night September 20, 2024, rain date September 27, 2024. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **New Bedford / Fairhaven Bridge Replacement Project Update**

Mr. Saunders addressed the Board about his contact with Ms. Ellison to gain understanding of the Town's position and to draft a letter to the Coast Guard on behalf of the Town with the Town's position. The bridge and replacement project have a long history and the Town cannot afford a catastrophic break which would cause major traffic issues.

**Motion:** Mr. Romano motioned to approve the draft letter to be sent to Mr. Jeffrey Stieb, Senior Bridge Management Specialist, First Coast Guard District. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Declare Surplus Items for Town Auction on September 21, 2024 at Department of Public Works**

Ms. Ellison reminded the Board that due to the Procurement Policy and procurement laws, the Board must deem the items surplus and they will go to the Board of Public Works auction. The Board asked for clarification on the Council on Aging list regarding picture frames. Ms. Hart reviewed and advised they are assorted, empty frames.

**Motion:** Mr. Romano motioned to surplus the items list for 2024 with the amendment to the picture frames. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Creation of Gift Account: July 4<sup>th</sup> Celebration**

Ms. Powers advised the Board that funds came in for the July 4<sup>th</sup> Celebration and a gift account is needed.

**Motion:** Mr. Romano motioned to approve the creation of a gift account for the July 4<sup>th</sup> Celebration. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Election Warrant for State Primaries: September 3, 2024**

Ms. Powers referred to the election warrant for State Primaries on September 3, 2024 submitted by the Town Clerk.

**Motion:** Mr. Romano motioned to approve the Election Warrant for State Primaries on September 3, 2024. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Poll Workers for Elections**

Ms. Powers said the list of poll workers was updated striking both Mr. Andrew Romano and Mr. Myles Romano.

**Motion:** Mr. Romano motioned to approve Poll Workers for elections: Christine Alfonse, Brian Billiter, Lisa Billiter, Maria Branco, Elaine Burgo, Maria Carvalho, Linda Chevalier, Bernadette Costa, Joseph Desrosiers, George Diggle, Nancy Dunlop, Jodi Duval, Anne Ellis, Carole Fauteux, Dennis Gallant, Sr., Paula Gober, Dennis Maltos, Angelica Medeiros, Mark Medeiros, Cathy Melanson, Claire Millette, Kim Mimoso, Patricia Miner, Lisa Moniz, Katherine Monroe, Sara Neto-Kalife, Manuel Rapoza, Susan Roderiques, Cynthia Ross, David Ross, Donna Ross, Nancy Parent, Pauline Parker, Margaret Souza, Nanette Spoor, Joanne St. Amand, Genevieve Suman, Rebecca Suprenant, Joseph Sylvia, Linda Therrien, Michael Thomas and Ronald Valiquette. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **Police for State Primaries: September 3, 2024**

Mr. Romano addressed the Board and those watching the meeting in support of the request and said that the number of police needed has been questioned and explained from his experience with elections that the role of the Police on election day includes many things including: people coming in to vote, parking matters, addressing ballot box malfunctions, issues with ballots, observations needed by the Town Clerk, holding the keys and responding to the poll workers as needed. The Town just received new poll pads and attended mandatory training; the number of police in relation to the number of workers and public is very low and needed even with budget concerns.

**Motion:** Mr. Romano motioned to approve a sufficient number of police officers, but not less than three (3), at the polling location (Recreation Center, 227 Huttleston Avenue) for the September 3, 2024 State Primary, to preserve order, and to protect the election officers and supervisors from any interference with their duties, and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54. Further, move to designate the Police Chief the authority to assign specific police officers according to scheduling and availability. The Town Clerk will advise the Police Chief on the location and time the officers are needed. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

### **BOARD MEMBER ITEMS/ COMMITTEE LIAISON REPORTS**

*Mr. Silvia reported:*

The Economic Development Committee hosted the after-hours event for new businesses, good information and they are working on a directory of vacant properties. The Commission on Disability has the adaptive bike at the Recreation Center to sign out, it is open to all and they will be monitoring availability. The Commission will attend the next Kids Fest; they are also waiting on the American's With Disabilities Act report. The Historical Commission has submitted paperwork for the academy building roof to the Community Preservation Committee.

*Mr. Murphy reported:*

The Sister City Committee did not have a quorum to meet. Lagoa did not have a quorum and discussed the Our Lady of Angels Feast coming up August 31-September 2, 2024.

*Mr. Saunders reported:*

The Livable Streets Committee meets next week; he attended the SRPEDD orientation session and was appointed to the SMMPO, SRPEDD meets the second Tuesday monthly.

*Mr. Romano reported:*

He attended the poll pad training and asked the public to be patient with the poll workers on September 3, 2024. The Belonging Committee did not meet; the Diverse Abilities celebration was wonderful and great speaker like Tony Cabral. The Sustainability Committee meets this week; they are promoting the Save Our Shorebirds and asked for the public to leash their dogs especially on beaches. The Dog Park Committee still has openings. The Touch-A-Truck event was held at the North Fairhaven Improvement Association and he thanked all those who participated: Public Works, Emergency Management Services, Police and Fire. The 40<sup>th</sup> anniversary of Kenny's Farm Stand on August 20, 2024 from 1:00-5:00p.m.

*Ms. Powers reported:*

The Library's chimney project is complete. The Bristol County Advisory Board met and approved the budget, they anticipate all county funds will be spent and no additional rounds of funding. The Financial Policy Review Committee completed their work and will present at the September 9<sup>th</sup> meeting, the documents will be shared ahead of time. Special thanks to Anne Carreiro.

### **CORRESPONDENCE**

City of New Bedford FY25 Water Commodity Rate Notice

### **PUBLIC COMMENT**

Jeffrey Lucas of Farmfield Street asked for an update on Rogers School. Ms. Powers advised nothing to share.

**NEWS AND ANNOUNCEMENTS**

The next regularly scheduled Select Board meeting is on Monday, September 9, 2024 at 6:30p.m.

**Meeting adjourned to Executive Session at 10:49p.m.**

*Respectfully submitted on behalf of the Select Board Clerk (ah)*

**ATTACHMENTS:**

- A. Sun Harbor 40B Presentation document
- B. Handout from Patrick Carr

Approved on September 9, 2024



### **BRIEF OVERVIEW**

Fairhaven is a coastal community with a unique history and natural characteristics. Well balanced and strategic land use will enhance the special character of Fairhaven. Specifically the rejuvenation of existing residential neighborhoods with purposeful infill developments which provide a variety of housing for residents of different ages, abilities and income is crucial. Sun Harbor Fairhaven LLC's (Sun Harbor) proposed 60-unit apartment project is just the type of well thought out infill project that meets the needs of Fairhaven. It will consist of 48 1-bedroom units, 6 1-bedroom plus a den units and 6 2-bedroom units.

Locus was the former site of Park Motors, an Oldsmobile car dealership. It has been abandoned for decades and an eyesore. Around LOCUS are residences, a park and commercial properties. In short it is a perfect site for multi-residence infill.

Locus is serviced by town water and sewer, within walking distance to retail, restaurants, commercial business and the harbor. Under Massachusetts General Laws, Chapter 40B, the housing will be subsidized to make it affordable to a wide range of income groups.

The project will serve households below 80% of the area's median income. Each unit will be rented on a fair and open basis. The entire project will be income restricted for 15 years, in conformity with Massachusetts laws.





# PROPOSED MULTI-FAMILY PROJECT

67 MIDDLE STREET  
FAIRHAVEN, MA 02719

SCHEMATIC DESIGN

© 2021 DJS Architects, Inc.

**D J S A**  
ARCHITECTS  
508.597.6200 WWW.DJSA.COM

No.	Date	Description

PROPOSED MULTI-FAMILY PROJECT  
67 MIDDLE STREET  
FAIRHAVEN, MA 02719

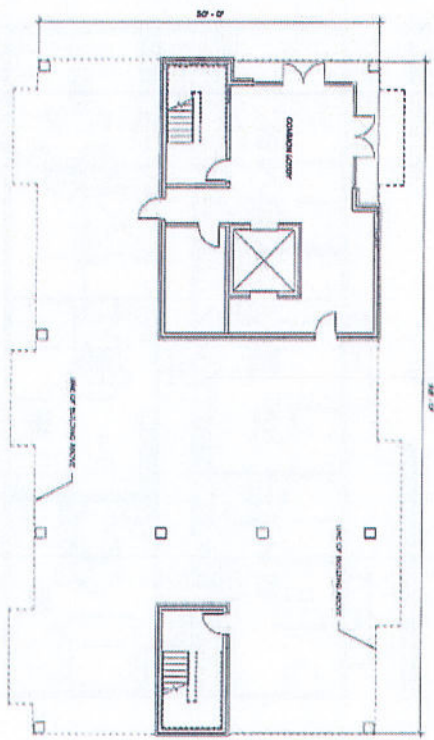
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Project Number:  
25-050

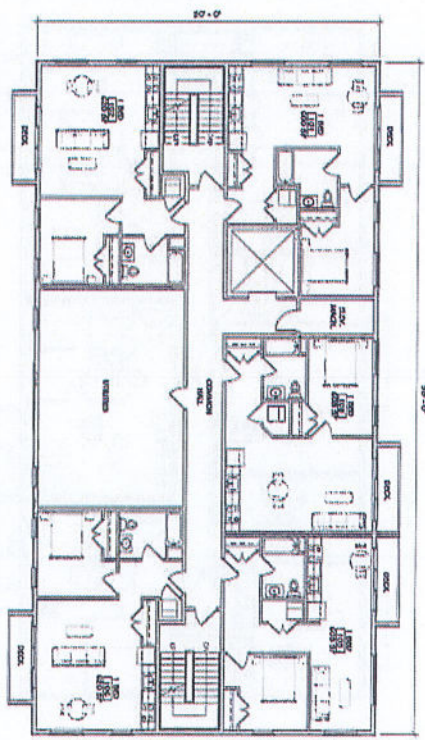
A00



1 GROUND FLOOR PLAN  
1/8" = 1'-0"



2 FIRST FLOOR PLAN  
1/8" = 1'-0"



NOTE: UNIT TYPES AND SIZES ARE APPROXIMATE AND NOT TO SCALE.

**FLOOR PLAN LEGEND**

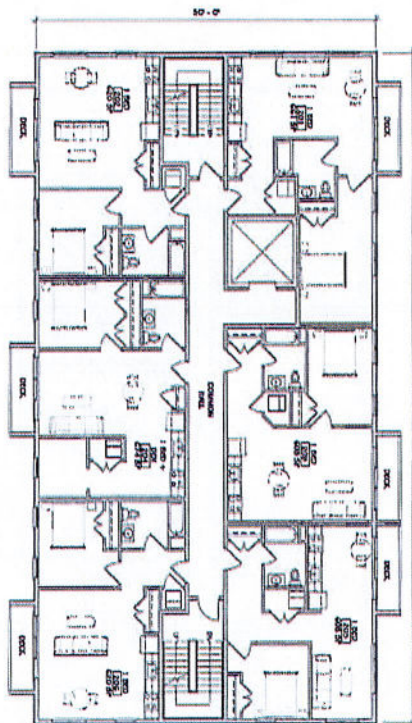
UNIT LEGEND

- ☐ 1 BED
- ☐ COMMON

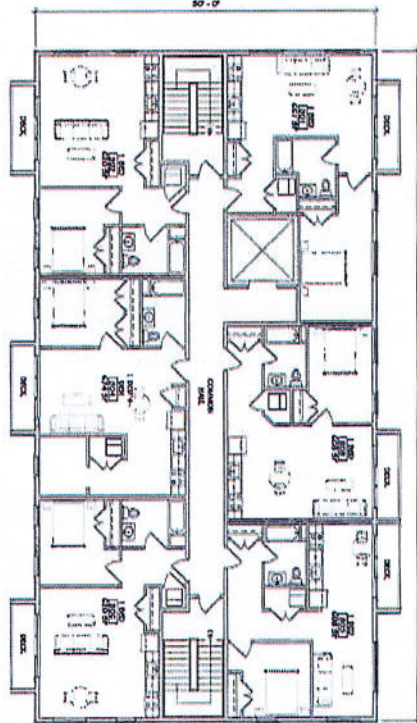
NOTES: 1. ALL UNITS ARE APPROXIMATELY 10' x 10'. 2. ALL UNITS ARE APPROXIMATELY 10' x 10'. 3. ALL UNITS ARE APPROXIMATELY 10' x 10'.

NO.	TYPE	AREA
1	1 BED	1000 SF
2	1 BED	1000 SF
3	1 BED	1000 SF
4	1 BED	1000 SF
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6	1 BED	1000 SF
7	1 BED	1000 SF
8	1 BED	1000 SF
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95	1 BED	1000 SF
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97	1 BED	1000 SF
98	1 BED	1000 SF
99	1 BED	1000 SF
100	1 BED	1000 SF

1 SECOND FLOOR PLAN  
1/8" = 1'-0"



2 THIRD FLOOR PLAN  
1/8" = 1'-0"



NOTES: UNIT LAYOUTS AND SCHEDULES ARE NOT SHOWN IN CONSOLE.

FLOOR PLAN LEGEND



UNIT LEGEND

- ☐ 1 BED
- ☐ 1 BED + DEN
- ☐ COMMON

NO.	TYPE	AREA
101	1 BED	1,000 SF
102	1 BED	1,000 SF
103	1 BED	1,000 SF
104	1 BED	1,000 SF
105	1 BED	1,000 SF
106	1 BED	1,000 SF
107	1 BED	1,000 SF
108	1 BED	1,000 SF
109	1 BED	1,000 SF
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121	1 BED	1,000 SF
122	1 BED	1,000 SF
123	1 BED	1,000 SF
124	1 BED	1,000 SF
125	1 BED	1,000 SF
126	1 BED	1,000 SF
127	1 BED	1,000 SF
128	1 BED	1,000 SF
129	1 BED	1,000 SF
130	1 BED	1,000 SF
131	1 BED	1,000 SF
132	1 BED	1,000 SF
133	1 BED	1,000 SF
134	1 BED	1,000 SF
135	1 BED	1,000 SF
136	1 BED	1,000 SF
137	1 BED	1,000 SF
138	1 BED	1,000 SF
139	1 BED	1,000 SF
140	1 BED	1,000 SF
141	1 BED	1,000 SF
142	1 BED	1,000 SF
143	1 BED	1,000 SF
144	1 BED	1,000 SF
145	1 BED	1,000 SF
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191	1 BED	1,000 SF
192	1 BED	1,000 SF
193	1 BED	1,000 SF
194	1 BED	1,000 SF
195	1 BED	1,000 SF
196	1 BED	1,000 SF
197	1 BED	1,000 SF
198	1 BED	1,000 SF
199	1 BED	1,000 SF
200	1 BED	1,000 SF

PROPOSED MULTI-FAMILY PROJECT  
67 MIDDLE STREET  
FAIRHAVEN, MA 02719  
SCHEMATIC FLOOR PLANS

Scale: 1/8" = 1'-0"

No. Date Description



508-597-2003 WWW.DJS.A.COM

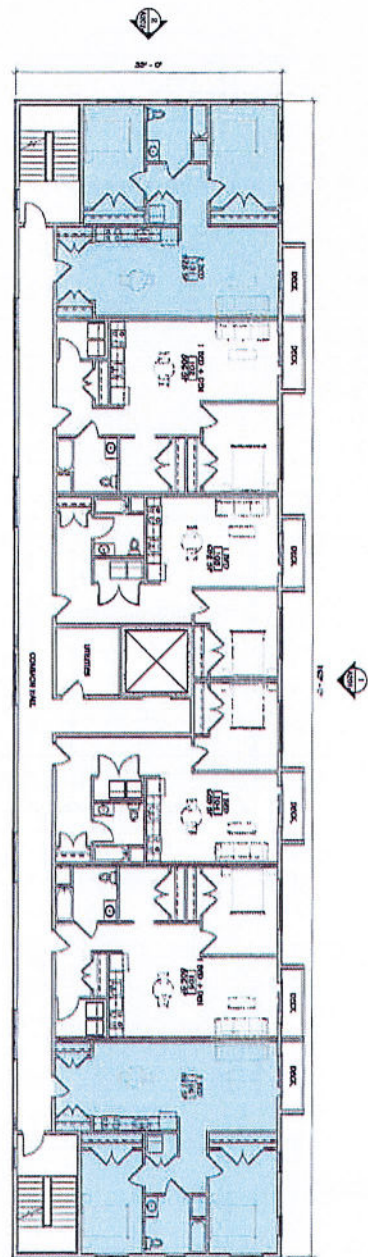
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Project Number:  
23-030

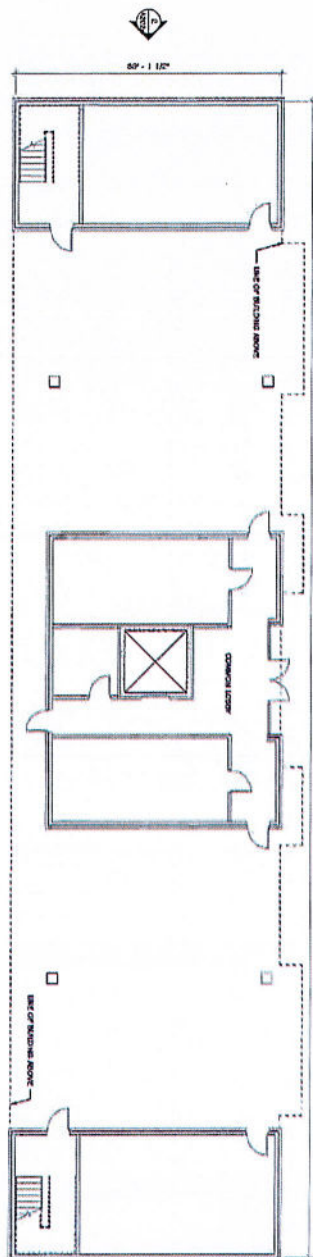


Scale: 1/8" = 1'-0"



1 TYPICAL UNIT PLANS  
1/8" = 1'-0"

NOTES: UNIT LAYOUTS AND DIMENSIONS SHOWN ARE SUBJECT TO CHANGE.



2 GROUND FLOOR PLAN  
1/8" = 1'-0"

FLOOR PLAN LEGEND

DJS ARCHITECTS  
ARCHITECTS  
608.297.8200 WWW.DJSA.COM

UNIT LEGEND

- ☐ 1 BED
- ☐ 1 BED + DEN
- ☐ 2 BED
- ☐ COMMON

NO.	TYPE	AREA
1	1 BED	200.0 SF
2	1 BED + DEN	200.0 SF
3	2 BED	200.0 SF
4	COMMON	200.0 SF
5	COMMON	200.0 SF
6	COMMON	200.0 SF
7	COMMON	200.0 SF
8	COMMON	200.0 SF
9	COMMON	200.0 SF
10	COMMON	200.0 SF
11	COMMON	200.0 SF
12	COMMON	200.0 SF
13	COMMON	200.0 SF
14	COMMON	200.0 SF
15	COMMON	200.0 SF
16	COMMON	200.0 SF
17	COMMON	200.0 SF
18	COMMON	200.0 SF
19	COMMON	200.0 SF
20	COMMON	200.0 SF
21	COMMON	200.0 SF
22	COMMON	200.0 SF
23	COMMON	200.0 SF
24	COMMON	200.0 SF
25	COMMON	200.0 SF
26	COMMON	200.0 SF
27	COMMON	200.0 SF
28	COMMON	200.0 SF
29	COMMON	200.0 SF
30	COMMON	200.0 SF
31	COMMON	200.0 SF
32	COMMON	200.0 SF
33	COMMON	200.0 SF
34	COMMON	200.0 SF
35	COMMON	200.0 SF
36	COMMON	200.0 SF
37	COMMON	200.0 SF
38	COMMON	200.0 SF
39	COMMON	200.0 SF
40	COMMON	200.0 SF
41	COMMON	200.0 SF
42	COMMON	200.0 SF
43	COMMON	200.0 SF
44	COMMON	200.0 SF
45	COMMON	200.0 SF
46	COMMON	200.0 SF
47	COMMON	200.0 SF
48	COMMON	200.0 SF
49	COMMON	200.0 SF
50	COMMON	200.0 SF
51	COMMON	200.0 SF
52	COMMON	200.0 SF
53	COMMON	200.0 SF
54	COMMON	200.0 SF
55	COMMON	200.0 SF
56	COMMON	200.0 SF
57	COMMON	200.0 SF
58	COMMON	200.0 SF
59	COMMON	200.0 SF
60	COMMON	200.0 SF
61	COMMON	200.0 SF
62	COMMON	200.0 SF
63	COMMON	200.0 SF
64	COMMON	200.0 SF
65	COMMON	200.0 SF
66	COMMON	200.0 SF
67	COMMON	200.0 SF
68	COMMON	200.0 SF
69	COMMON	200.0 SF
70	COMMON	200.0 SF
71	COMMON	200.0 SF
72	COMMON	200.0 SF
73	COMMON	200.0 SF
74	COMMON	200.0 SF
75	COMMON	200.0 SF
76	COMMON	200.0 SF
77	COMMON	200.0 SF
78	COMMON	200.0 SF
79	COMMON	200.0 SF
80	COMMON	200.0 SF
81	COMMON	200.0 SF
82	COMMON	200.0 SF
83	COMMON	200.0 SF
84	COMMON	200.0 SF
85	COMMON	200.0 SF
86	COMMON	200.0 SF
87	COMMON	200.0 SF
88	COMMON	200.0 SF
89	COMMON	200.0 SF
90	COMMON	200.0 SF
91	COMMON	200.0 SF
92	COMMON	200.0 SF
93	COMMON	200.0 SF
94	COMMON	200.0 SF
95	COMMON	200.0 SF
96	COMMON	200.0 SF
97	COMMON	200.0 SF
98	COMMON	200.0 SF
99	COMMON	200.0 SF
100	COMMON	200.0 SF

PROPOSED BUILDING B  
67 MIDDLE STREET  
FAIRHAVEN, MA 02719  
SCHEMATIC FLOOR PLANS  
Scale: 1/8" = 1'-0"

No. Date Description

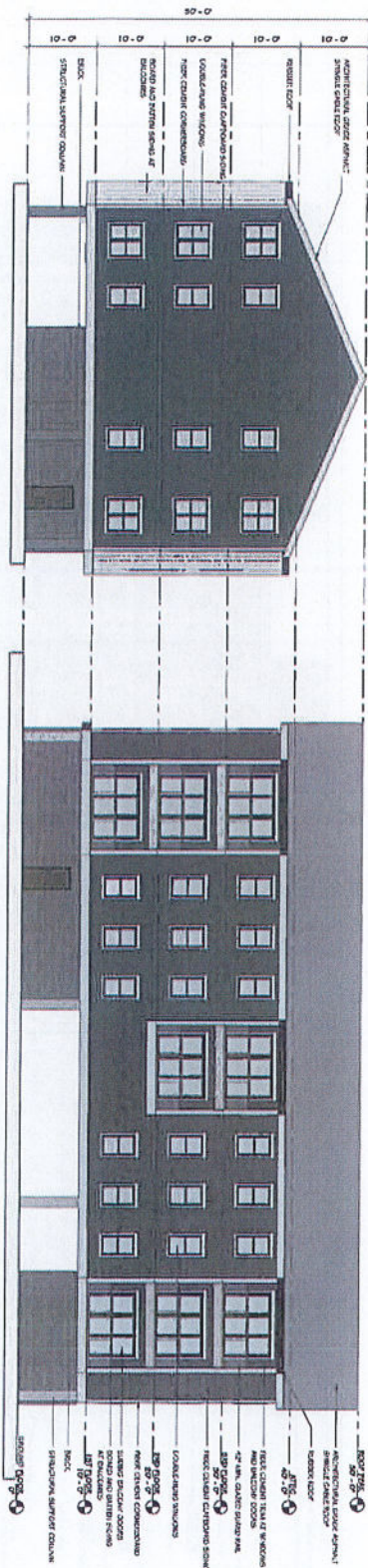
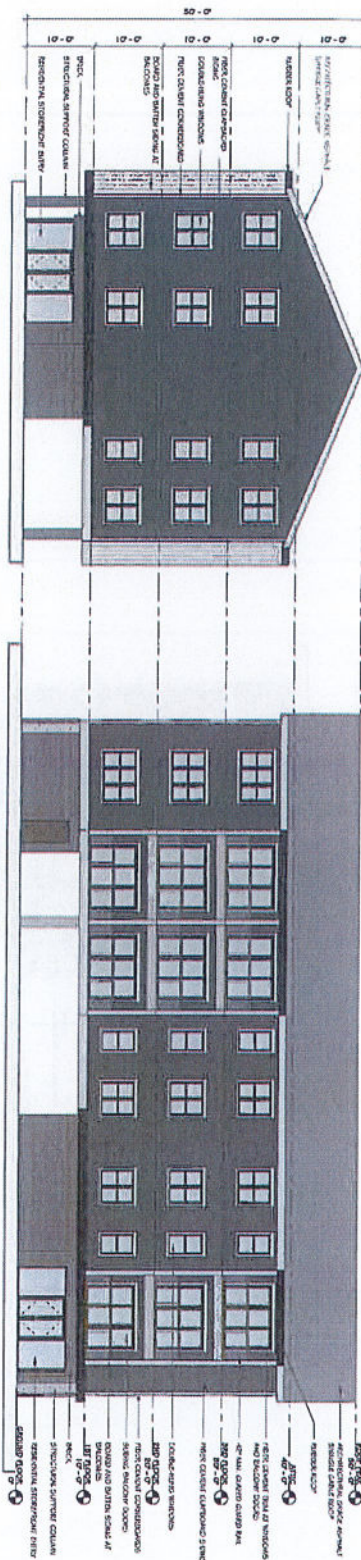
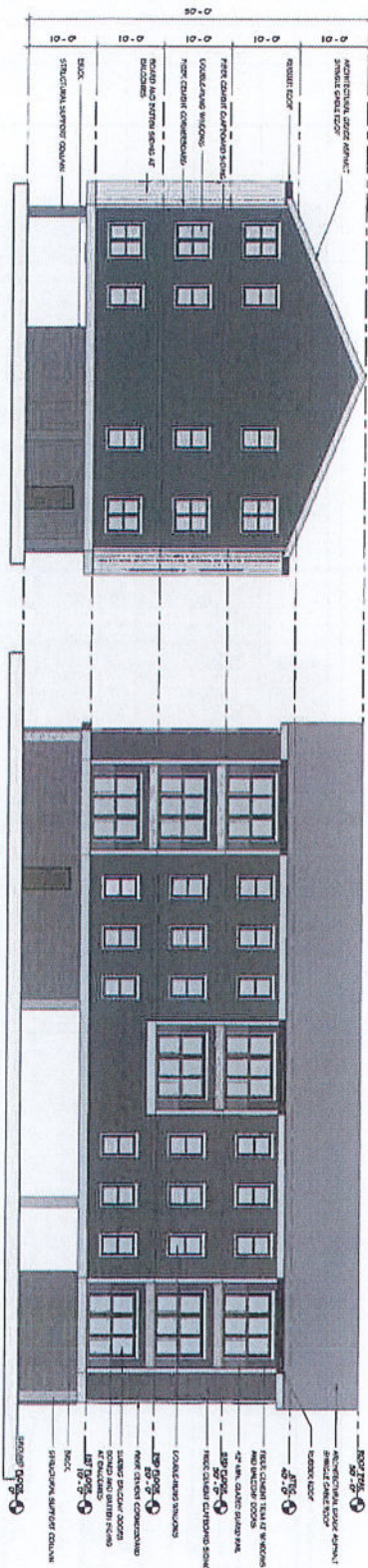
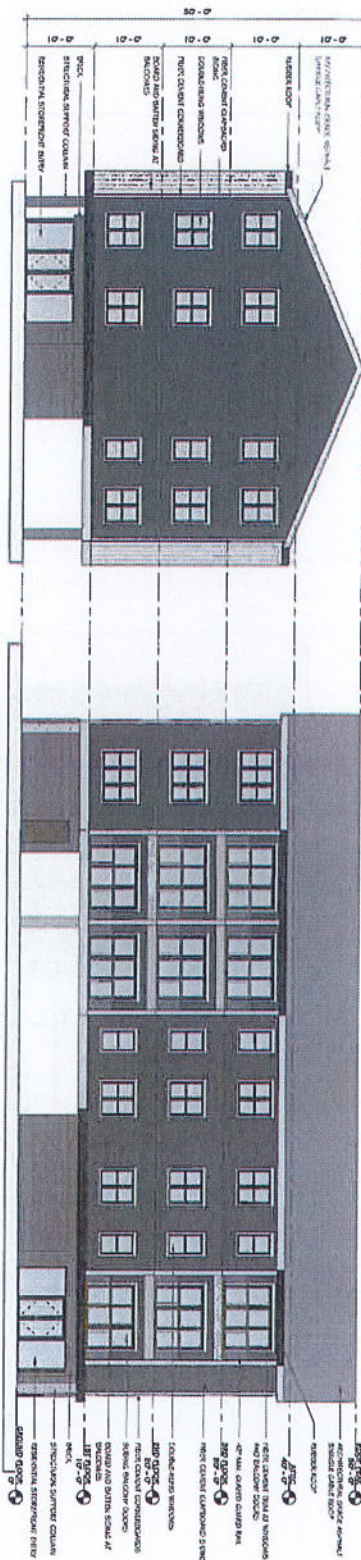
A101C



Project Number  
20-000

DJS ARCHITECTS  
608.297.8200 WWW.DJSA.COM

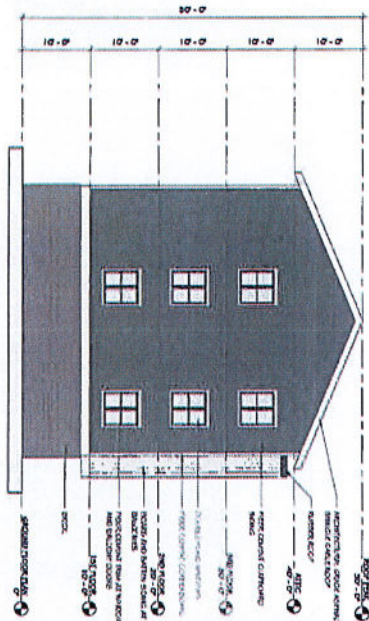






1 BUILDING B FRONT ELEVATION  
1/8" = 1'-0"

108-109



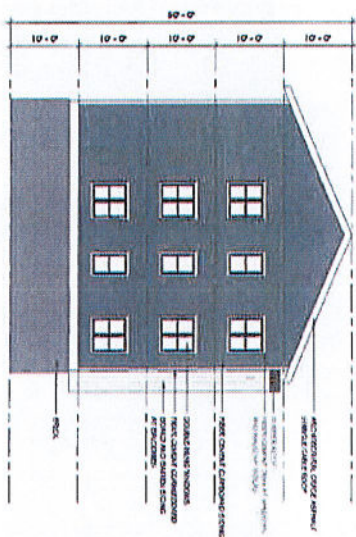
3 BUILDING B SIDE ELEVATION  
 $1/8" = 1'-0"$

 $\partial_{\tau} I = \partial' I$





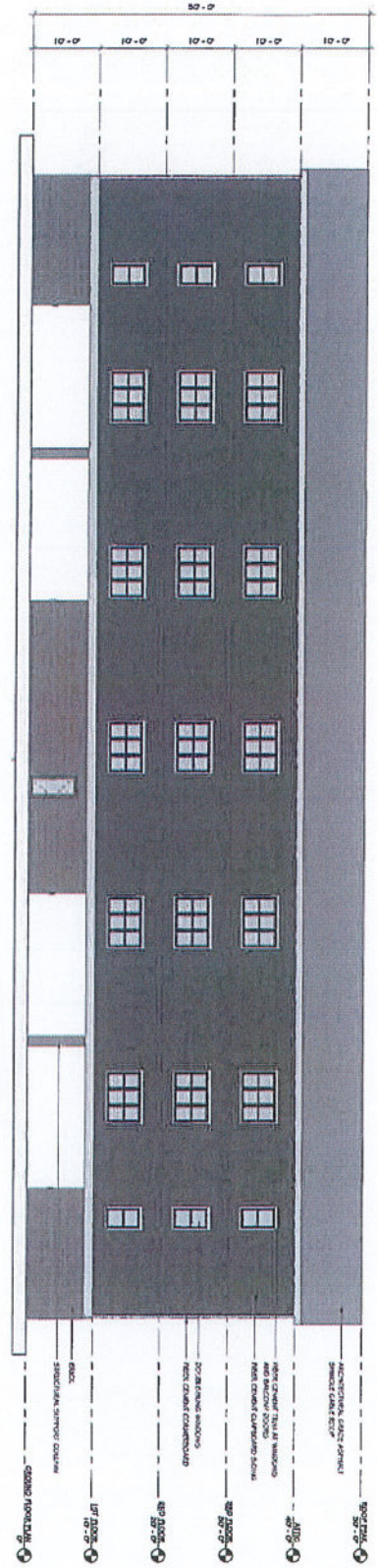
1 BUILDING C FRONT ELEVATION  
1/8" = 1'-0"



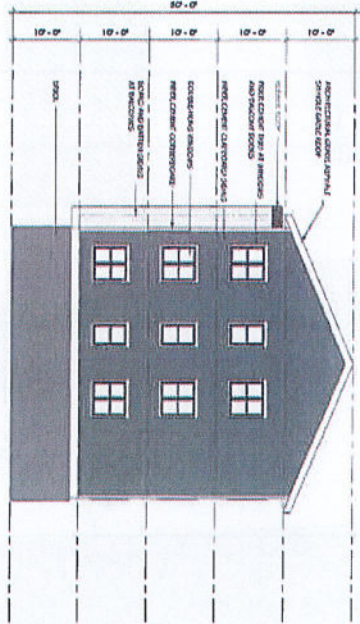
3 BUILDING C SIDE ELEVATION  
1/8" = 1'-0"



1 BUILDING C REAR ELEVATION  
1/8" = 1'-0"



2 BUILDING C SIDE 2 ELEVATION  
1/8" = 1'-0"



A202c

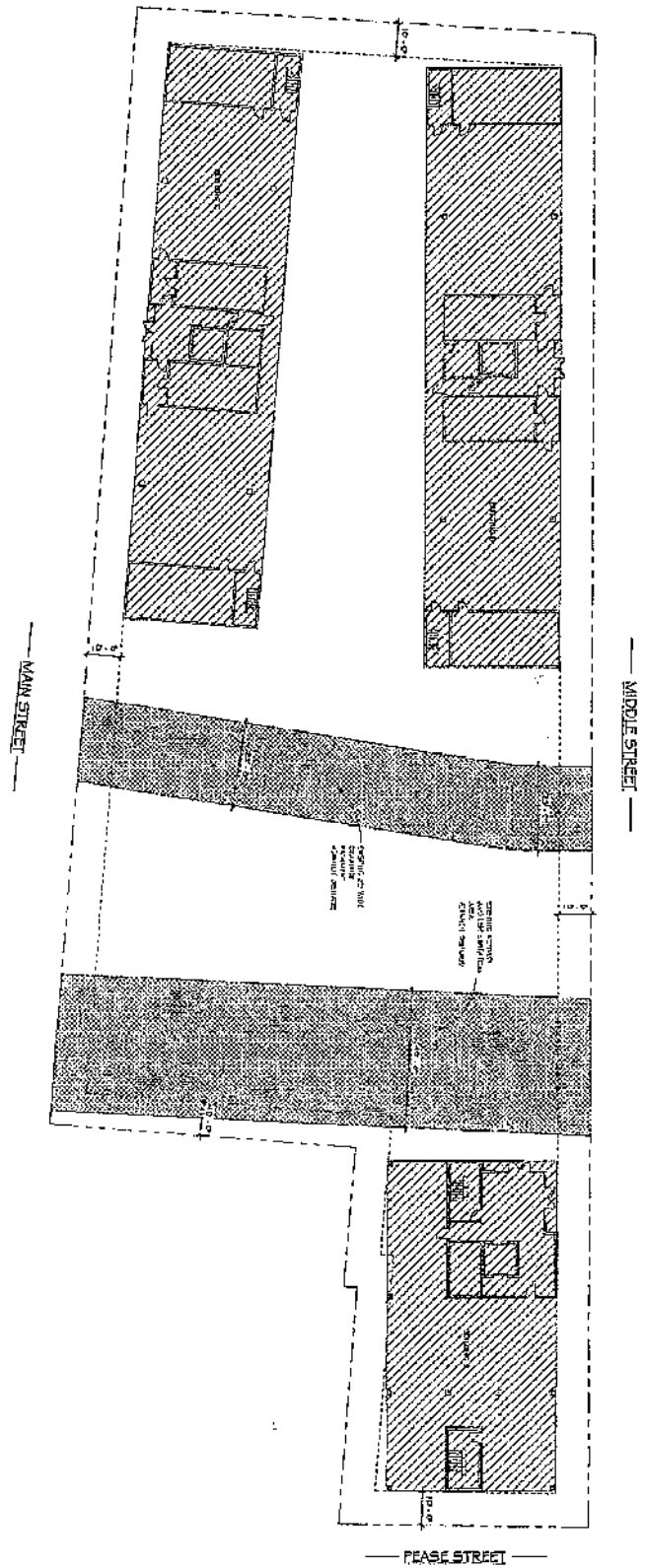
Project Number  
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PROPOSED BUILDING B  
67 MIDDLE STREET  
FAIRHAVEN, MA 02718  
ELEVATIONS  
Scale: 1/8" = 1'-0"

No. | Date | Description

**D J S A**  
ARCHITECTS  
501.637.8203 WWW.DJSA.COM

1 SCHEMATIC SITE PLAN  
1/8" = 1'-0"



**A100**

Project Number  
25-050

**PROPOSED MULTI-FAMILY PROJECT**  
67 MIDDLE STREET  
FAIRHAVEN, MA 02710  
SCHEMATIC SITE PLAN

No.	Date	Description

Note: 1/8" = 1'-0"

**DSA**  
ARCHITECTS  
505.637.7500 WWW.DSA.GOV

**MASSACHUSETTS**  
Department of Housing and Community Development  
**Local Initiative Program**  
**Application for Comprehensive Permit Projects**

**INSTRUCTIONS**

Please submit three copies of the application and attachments. Note: only one set of site plan and sample elevations (attachments 11 and 12 noted on page 22) are required. An application fee, payable to the Department of Housing and Community Development, shall be submitted with the application. The schedule of fees is as follows:

	Project Fee	plus	Per Unit Fee
Municipality	\$1,000		\$30
Non-Profit	\$1,750		\$40
All Others	\$4,000		\$50

Mail to:

**Local Initiative Program  
Department of Housing & Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02114  
Attn: Alana Murphy, Deputy Associate Director**

To complete the application electronically, simply position your cursor on a line and type. Use the tab key to move between questions.

If you have any questions, please refer to the DHCD 40B Guidelines, specifically Section VI. For further assistance, contact Alana Murphy at 617-573-1301 or [alana.murphy@mass.gov](mailto:alana.murphy@mass.gov).

NOTE: For Rental Projects, to complete information on Project Feasibility (Section X), go to the One Stop Application at <http://www.mhic.com> and complete Section 3 Sources and Uses and Section 4 Operating Pro Forma. Submit the sections with the Application

**Application Contents:**

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| I. General Information             | VIII. Surrounding Area              |
| II. Community Support              | IX. Financing                       |
| III. Municipal Contact Information | X. Project Feasibility              |
| IV. Development Team               | XI. Development Schedule            |
| V. Project Information             | XII. Marketing Outreach and Lottery |
| VI. Site Information               | XIII. Checklist of Attachments      |
| VII. Design and Construction       |                                     |

January 2016

**MASSACHUSETTS**  
Department of Housing & Community Development  
**Local Initiative Program**  
**Application for Comprehensive Permit Projects**

**I. GENERAL INFORMATION**

Community: \_\_\_\_\_  
Name of Development: \_\_\_\_\_  
Site Address: \_\_\_\_\_  
Developer: \_\_\_\_\_

1. Type of Housing:  
☐ Single Family house      ☐ Rental  
☐ Condominium              ☐ Age Restricted

2. Project Characteristics:  
☐ New Construction    ☐ Conversion  
☐ Rehabilitation              ☐ Other

3. Total Acres \_\_\_\_\_ Density of Project (units/acre) \_\_\_\_\_

4. Unit Count:

Total Number of Units \_\_\_\_\_  
Market Rate \$ \_\_\_\_\_  
Affordable \$ \_\_\_\_\_

5. Unit Prices/Rents:  
Market Rate \$ \_\_\_\_\_  
Affordable \$ \_\_\_\_\_

Required Signatures for the  
Comprehensive Permit Project Application  
Chief Executive Official  
of Municipality:

Chair, Local Housing Partnership  
(if applicable):

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## II. COMMUNITY SUPPORT

1. Letter of Support from Municipality - Attach a letter containing a short narrative on the basics of the project, the history of the project, the ways in which the community is providing support, and how the development team has addressed any concerns the community has. The letter must be signed by the chief elected official of the community.

2. Letter of Support from Local Housing Partnership - If the community has a housing partnership, please attach a letter from them indicating their support for the project. The letter should summarize how the partnership has been working with the developer.

3. Local Contributions - Check off all that apply and provide a brief description at the end.

- ☐ Land donation (dollar value \_\_\_\_\_)
- ☐ Building donation (dollar value \_\_\_\_\_)
- ☐ Marketing assistance
- ☐ Other work by local staff
- ☐ Density increase
- ☐ Waiver of permit fees
- ☐ Other regulatory or administrative relief (specify) \_\_\_\_\_
- ☐ Local funds (cash)  
Amount \$ \_\_\_\_\_ Source: \_\_\_\_\_
- ☐ HOME funds
- ☐ Agreement by a lender to provide favorable end-loan financing (ownership projects only)
- ☐ Other (specify) \_\_\_\_\_

Briefly explain the contributions: \_\_\_\_\_

4. Municipal Actions and Local Plans - Briefly describe how the project fits with any planning the community has done (e.g. master plan, community development plan, affordable housing plan) and other local land use and regulatory actions that provide the opportunity for affordable housing (including multi-family and overlay districts, inclusionary zoning by-laws and ordinances).

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### III. MUNICIPAL CONTACT INFORMATION

#### Chief Elected Official

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

#### Town Administrator/Manager

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

#### City/Town Planner (if any)

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

#### City/Town Counsel

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

#### Chairman, Local Housing Partnership (if any)

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

#### Community Contact Person for this project

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_



**IV. DEVELOPMENT TEAM INFORMATION (include all development members)**

Developer

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

Contractor

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

Architect

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

Engineer

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

Attorney

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

Housing Consultant

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

Marketing/Lottery Agent

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_  
Tax ID \_\_\_\_\_

### TEAM EXPERIENCE – DEVELOPER/CONTRACTOR QUALIFICATIONS

Complete the charts on the following pages for all housing projects undertaken by the developer and the contractor during the past five years. Include projects currently in construction. Provide owner references for each project, including a current phone number. Alternatively, a resume outlining the experience that covers the items listed on the chart below may be submitted.

1. Developer: \_\_\_\_\_

Project Summary	Project #1	Project #2	Project #3	Project #4
Project Name:				
Community Address:				
Housing Type:				
Number of Units:				
Total Development Costs:				
Subsidy Program (if applicable):				
Date Completed:				
Reference: Name and Telephone #:				

2. Contractor: \_\_\_\_\_

Project Summary	Project #1	Project #2	Project #3	Project #4
Project Name:				
Community Address:				
Housing Type:				
Number of Units:				
Total Development Costs:				
Subsidy Program (if applicable):				
Date Completed:				
Reference: Name and Telephone #:				

3. Other Chapter 40B Experience

Have you or any members of your team had previous Chapter 40B experience with DHCD and/or other subsidizing agencies? ☐ Yes ☐ No

If yes, please explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Bankruptcy / Foreclosure

Have you or any entities you control ever filed for bankruptcy or have had a property foreclosed? ☐ Yes ☐ No

If yes, please explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### DEVELOPER CERTIFICATION

The undersigned hereby certifies that he/she is \_\_\_\_\_ (Title) of \_\_\_\_\_ (Legal Name of Applicant) and that the information requested below for the project known as \_\_\_\_\_ (Project Name) is complete and that all information contained in this application is true and correct to the best of his/her knowledge. The undersigned Developer agrees to execute DHCD model documents, as required. If the Developer is other than a non profit corporation or public entity, the Developer hereby certifies that it shall comply with all reporting requirements described in 760 CMR 56.00 and as set forth in the LIP Guidelines.

Signature of Developer \_\_\_\_\_

Print Name: \_\_\_\_\_

Date \_\_\_\_\_

**V. PROJECT INFORMATION**

1. Type of Housing: Total Number of Units  
Single-Family House \_\_\_\_\_  
Condo \_\_\_\_\_  
Rental \_\_\_\_\_  
Other \_\_\_\_\_
2. Total Number of Units Affordable \_\_\_\_\_ Market \_\_\_\_\_
3. Project Style: Total Number of Units  
Detached single-family house \_\_\_\_\_  
Rowhouse/townhouse \_\_\_\_\_  
Duplex \_\_\_\_\_  
Multifamily house (3+ family) \_\_\_\_\_  
Multifamily rental building \_\_\_\_\_  
Other (specify) \_\_\_\_\_
4. Is this an age-restricted (55+) Development? Yes ☐ No ☐  
If yes, please submit a marketing study that demonstrates an understanding of the region's demographics, market demand and the particular strategies necessary to attract buyers to both market and affordable units.
5. Estimate the percentage of the site used for:  
Buildings \_\_\_\_\_ Parking & Paved Areas \_\_\_\_\_  
Usable Open Space \_\_\_\_\_ Unusable Open Space \_\_\_\_\_
6. Is any portion of the project designed for non-residential use? \_\_\_\_\_  
If yes, explain the non-residential uses. \_\_\_\_\_
7. Sustainable Development Design and Green Building Practices
- In accordance with the Sustainable Development Principles adopted by Governor Patrick's Administration in 2007, DHCD encourages housing development that is consistent with sustainable development design and green building practices. For more information, see Appendix VI.A-1 and VI.B-1 of the 40B Guidelines for a list of links to resources and opportunities related to sustainable development.
- A. How will this development follow Sustainable Development Principles?  
\_\_\_\_\_  
\_\_\_\_\_
- B. How will the project maximize energy efficiency and meet Energy Star Standards?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. What elements of "green design" are included in the project (e.g. reduction of energy and water consumption, increasing durability and improving health)?

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8. Project Eligibility

A. Have you ever applied for a project eligibility letter involving any portion of the site, or are you aware of any prior application for a project eligibility letter involving any portion of the site?

☐ Yes ☐ No If yes, explain.

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B. Has the municipality denied a permit on another proposal for this site within the last 12 months? ☐ Yes ☐ No

9. Outstanding Litigation

Is there any outstanding litigation relating to the site? ☐ Yes ☐ No  
If yes, explain.

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# 10. Unit Composition

Complete the chart below. Include a separate entry for each unit type according to its square foot/age and/or sales price/rent.

Type of Unit	# of Units	# of Bdrms	# of Baths	Gross Sq. Ft.	# of Parking Spaces	Sales Price/Rent	Condo Fee	Handicap Accessible
Affordable	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
Market	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
Other	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____
	_____	_____	_____	_____	_____	_____	_____	<input type="checkbox"/> # _____

**VI. SITE INFORMATION**

1. Total Acreage \_\_\_\_\_ Total Buildable Acreage \_\_\_\_\_

2. Describe the current and prior uses of the subject site:

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Existing buildings on site? Yes ☐ No ☐

If yes, describe plans for these buildings:

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3. Current Zoning Classification:

Residential \_\_\_\_\_ (minimum lot size) \_\_\_\_\_

Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Other \_\_\_\_\_

4. Does any portion of the site contain significant topographical features such as wetlands?

Yes ☐ No ☐ If yes, how many acres are wetlands? \_\_\_\_\_

If yes, attach map of site noting wetland areas.

Is map attached? ☐ Yes ☐ No

5. Is the site located within a designated flood hazard area?

Yes ☐ No ☐

If yes, please attach a map of the site with flood plain designations.

Is map attached? ☐ Yes ☐ No

6. Is the site or any building located on the site listed, nominated or eligible for listing on the National Register of Historic Places? Yes ☐ No ☐

7. Is the site within a Historic District? Yes ☐ No ☐

If yes, describe the architectural, structural and landscape features of the area:

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8. In the past three years, have there been any defaults on any mortgage on the property or any other forms of financial distress?

Yes ☐ No ☐ If yes, please explain: \_\_\_\_\_

9. ☐ Indicate which utilities are available to the site:

Public Sewer	<input type="checkbox"/>	Private Septic	<input type="checkbox"/>	Public Streets	<input type="checkbox"/>
Public Water	<input type="checkbox"/>	Private Wells	<input type="checkbox"/>	Private Ways	<input type="checkbox"/>
Natural Gas	<input type="checkbox"/>	Electricity	<input type="checkbox"/>		
On-site Sewer Treatment Facility	<input type="checkbox"/>				
Other	<input type="checkbox"/>	Explain: _____			

10. Describe any known or suspected hazardous waste sites on or within a ½ mile radius of the project site. \_\_\_\_\_

11. Has a 21E hazardous waste assessment ever been done on this site? If so, attach a summary of the filing. ☐ Yes ☐ No

12. What waivers will be requested under the comprehensive permit? \_\_\_\_\_

13. Describe the current status of site control and attach copies of relevant deeds or executed agreements.

A. ☐ Owned by Developer \_\_\_\_\_

B. ☐ Under Purchase and Sale Agreement \_\_\_\_\_

C. ☐ Under Option \_\_\_\_\_

Seller: \_\_\_\_\_ Buyer: \_\_\_\_\_

Is there an identity of interest between the Buyer and Seller? If yes, please explain:

\_\_\_\_\_

Date of Agreement \_\_\_\_\_ Expiration Date \_\_\_\_\_

Extensions granted? Yes ☐ No ☐ Date of Extension \_\_\_\_\_

Purchase Price \$\_\_\_\_\_



## **VII. DESIGN AND CONSTRUCTION**

### **1. Drawings**

Please submit one set of drawings.

#### **Cover sheet showing written tabulation of:**

- ☐ Proposed buildings by design, ownership type, and size. Identity and describe affordable units and handicapped accessible units.
- ☐ Dwelling unit distribution by floor, size, and bedroom/bath number
- ☐ Square footage breakdown of commercial, residential, community, and other usage in the buildings
- ☐ Number of parking spaces

#### **Site plan showing:**

- ☐ Lot lines, streets, and existing buildings
- ☐ Proposed building footprint(s), parking (auto and bicycle), and general dimensions
- ☐ Zoning restrictions (i.e. setback requirements, easements, height restrictions, etc).
- ☐ Wetlands, contours, ledge, and other environmental constraints
- ☐ Identification of affordable units
- ☐ Identification of handicapped accessible units.
- ☐ Sidewalks and recreational paths
- ☐ Site improvements, including landscaping
- ☐ Flood plain (if applicable)

#### **Utilities plan showing:**

- ☐ Existing and proposed locations and types of sewage, water, drainage facilities, etc.

Graphic depiction of the design showing:

- ☐ Typical building plan
- ☐ Typical unit plan for each unit type with square footage tabulation
- ☐ Typical unit plan for each accessible unit type with square footage tabulation
- ☐ Elevation, section, perspective, or photograph
- ☐ Typical wall section

2. **Construction Information**

<b><u>Foundations</u></b>	# Mkt. Units	# Aff. Units	Attic	# Mkt. Units	# Aff. Units
Slab on Grade	_____	_____	Unfinished	_____	_____
Crawl Space	_____	_____	Finished	_____	_____
Full Basement	_____	_____	Other	_____	_____
<b><u>Exterior Finish</u></b>	# Mkt. Units	# Aff. Units	Parking	# Mkt. Units	# Aff. Units
Wood	_____	_____	Outdoor	_____	_____
Vinyl	_____	_____	Covered	_____	_____
Brick	_____	_____	Garage	_____	_____
Fiber Cement	_____	_____	Bicycle	_____	_____
Other	_____	_____			

**Heating System**

Fuel:    ☐ Oil                      ☐ Gas                      ☐ Electric                      ☐ Other

Distribution method (air, water, steam, etc.): \_\_\_\_\_

**Energy Efficient Materials**

Describe any energy efficient or sustainable materials used in construction:

\_\_\_\_\_

**Modular Construction**

If modular construction will be used, explain here:

\_\_\_\_\_

**Amenities**

Will all features and amenities be available to market buyers also be available to affordable buyers? If not, explain the differences.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## VIII. SURROUNDING AREA

1. Describe the land uses in the surrounding neighborhood:

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2. " What is the prevailing zoning in the surrounding neighborhood?

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3. How does the project's proposed site plan and design relate to the existing development pattern(s) of the immediately surrounding area?

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4. Describe and note distances to nearby amenities and services such as shopping, schools, parks and recreation, or municipal offices.

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5. Explain how developing the site contributes to smart growth development in the area (e.g. mixed use, reuse, concentrated development).

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6. Is the site located near public transit (bus, subway, commuter rail, etc.)? If so, indicate the type, distance to the nearest stop, and frequency of service.

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**IX. FINANCING**

1. Attach a letter of interest from a construction lender.

Are there any public funds to be used for this project? If yes, indicate the source, amount, use and status of funds:

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Describe the form of financial surety to be used to secure the completion of cost certification for this project

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## X. PROJECT FEASIBILITY

The section is for developers of home ownership projects.

Developers of multi-family rental projects must use the One Stop Application at <http://www.mhic.com> and complete Section 3 Sources and Uses and Section 4 Pro Forma.

### Ownership Pro Forma

	Total Costs	Per Unit	Per Sq. Ft.	% of Total
(a) Site Acquisition	\$ _____	\$ _____	\$ _____	\$ _____
<b>Hard Costs:</b>	\$ _____	\$ _____	\$ _____	\$ _____
Earth Work	\$ _____	\$ _____	\$ _____	\$ _____
Site Utilities	\$ _____	\$ _____	\$ _____	\$ _____
Roads & Walks	\$ _____	\$ _____	\$ _____	\$ _____
Site Improvement	\$ _____	\$ _____	\$ _____	\$ _____
Lawns & Planting	\$ _____	\$ _____	\$ _____	\$ _____
Demolition	\$ _____	\$ _____	\$ _____	\$ _____
Unusual Site Conditions	\$ _____	\$ _____	\$ _____	\$ _____
(b) Total Site Work	\$ _____	\$ _____	\$ _____	\$ _____
Concrete	\$ _____	\$ _____	\$ _____	\$ _____
Masonry	\$ _____	\$ _____	\$ _____	\$ _____
Metals	\$ _____	\$ _____	\$ _____	\$ _____
Carpentry	\$ _____	\$ _____	\$ _____	\$ _____
Roofing & Insulation	\$ _____	\$ _____	\$ _____	\$ _____
Doors & Windows	\$ _____	\$ _____	\$ _____	\$ _____
Interior Finishes	\$ _____	\$ _____	\$ _____	\$ _____
Cabinets & Appliances	\$ _____	\$ _____	\$ _____	\$ _____
Plumbing & HVAC	\$ _____	\$ _____	\$ _____	\$ _____
Electrical	\$ _____	\$ _____	\$ _____	\$ _____
(c) Total Construction	\$ _____	\$ _____	\$ _____	\$ _____
(d) General Conditions	\$ _____	\$ _____	\$ _____	\$ _____
(e) Subtotal Hard Costs	\$ _____	\$ _____	\$ _____	\$ _____
(a+b+c+d)	\$ _____	\$ _____	\$ _____	\$ _____
(f) Contingency	\$ _____	\$ _____	\$ _____	\$ _____
(g) Total Hard Costs (e+f)	\$ _____	\$ _____	\$ _____	\$ _____

<b>Soft Costs:</b>	\$	\$	\$	\$
Permits/Surveys	\$	\$	\$	\$
Architectural	\$	\$	\$	\$
Engineering	\$	\$	\$	\$
Legal	\$	\$	\$	\$
Bond Premium	\$	\$	\$	\$
Real Estate Taxes	\$	\$	\$	\$
Insurance	\$	\$	\$	\$
Security	\$	\$	\$	\$
Developer's Overhead	\$	\$	\$	\$
General Contractor's				
Overhead	\$	\$	\$	\$
Construction Manager	\$	\$	\$	\$
Property Manager	\$	\$	\$	\$
Construction Interest	\$	\$	\$	\$
Financing/Application Fees	\$	\$	\$	\$
Utilities	\$	\$	\$	\$
Maintenance (unsold units)	\$	\$	\$	\$
Accounting	\$	\$	\$	\$
Marketing	\$	\$	\$	\$
(h) <b>Subtotal Soft Costs</b>	\$	\$	\$	\$
(i) Contingency	\$	\$	\$	\$
(j) <b>Total Soft Costs (h+i)</b>	\$	\$	\$	\$
(k) <b>Total Development Costs (g+j)</b>	\$	\$	\$	\$

Profit Analysis (should conform to the pro forma)

Sources:

Affordable projected sales \$\_\_\_\_\_

Market sales \$\_\_\_\_\_

Public grants \$\_\_\_\_\_

**(A) Total Sources** \$\_\_\_\_\_

Uses:

Construction Contract Amount \$\_\_\_\_\_

**(B) Total Development Costs** \$\_\_\_\_\_

Profit:

**(C) Total Profit (A-B)** \$\_\_\_\_\_

**(D) Percentage Profit (C/B)** \$\_\_\_\_\_

Cost Analysis (should conform to the pro forma)

Total Gross Building Square Footage \_\_\_\_\_

Residential Construction Cost per Sq. Ft. \$\_\_\_\_\_

Total Hard Costs per Sq. Ft. \$\_\_\_\_\_

Total Development Costs per Sq. Ft. \$\_\_\_\_\_

Sales per Sq. Ft. \$\_\_\_\_\_

(do not include proceeds from public grants)

## **XI. DEVELOPMENT SCHEDULE**

Complete the chart below by providing the appropriate month and year. Fill in only as many columns as there are phases. If there will be more than three phases, add columns as needed.

	Phase 1	Phase 2	Phase 3	Total
Number of affordable units	_____	_____	_____	_____
Number of market units	_____	_____	_____	_____
Total by phase	_____	_____	_____	_____

Please complete the following chart with the appropriate projected dates:

	Phase 1	Phase 2	Phase 3	Total
All permits granted	_____	_____	_____	_____
Construction start	_____	_____	_____	_____
Marketing start – affordable units	_____	_____	_____	_____
Marketing start – market units	_____	_____	_____	_____
Construction completed	_____	_____	_____	_____
Initial occupancy	_____	_____	_____	_____



## **XII. MARKETING OUTREACH AND LOTTERY**

### **Affirmative Fair Housing Marketing Plan:**

Please submit your Affirmative Fair Housing Marketing Plan (AFHMP), prepared in accordance with Section III of the 40B Guidelines, and a description of the lottery process that will be used for this project. This shall describe:

- Information materials for applicants that will be used that provides key project information;
- Eligibility requirements;
- Lottery and resident selection procedure;
- Any preference system being used (Note: if local preference is proposed for this project, demonstration of the need for local preference must be demonstrated and accepted by DHCD);
- Measures to ensure affirmative fair marketing including outreach methods;
- Application materials that will be used; and
- Lottery Agent.

### **XIII. CHECKLIST OF ATTACHMENTS**

The following documentation must accompany each application:

1. ☐ Letter of support signed by Chief Elected Officer of municipality
2. ☐ Letter of support from local housing partnership (if applicable)
3. ☐ Signed letter of interest from a construction lender
4. ☐ Map of community showing location of site
5. ☐ Check payable to DHCD
6. ☐ Rationale for calculation of affordable purchase prices or rents (see Instructions)
7. ☐ Copy of site control documentation (deed or Purchase & Sale or option agreement)
8. ☐ 21E summary (if applicable)
9. ☐ Photographs of existing building(s) and/or site
10. ☐ Site Plan showing location of affordable units
11. ☐ Sample floor plans and/or sample elevations
12. ☐ Proposed marketing and lottery materials

N. B.: Appraisal: DHCD will commission an appraisal, for which the sponsor of the project will pay. We will not issue a Project Eligibility Letter until that appraisal has been completed and accepted by DHCD.



# Visioning Workshops

for the Route 6/240 Plazas, Route 6 from the plazas to Adams Street, and Main Street & Middle Street from Route 6 to Washington Street

**November 4-5, 2022**

The Town of Fairhaven is exploring new mixed-use zoning overlay districts for three areas. The first step is to learn what citizens of Fairhaven want these areas to be like in the future. What should they look like? How should they function? Join us to envision the future.

- **Nov. 4, 3:00-4:30 PM: Walking & Driving Tour**  
Meet at: Senior Center, 229 Huttleston Ave
- **Nov. 4, 5:30-8:00 PM: Listening Workshop**  
at Town Hall Auditorium, 40 Center Street
- **Nov. 5, 9:00 AM-12:00 PM: Visioning Workshop**  
at Town Hall Auditorium, 40 Center Street

Participants are encouraged to attend both the Friday evening and Saturday morning workshops. The tour is optional. Food will be provided at the workshops.

RSVP by emailing Paul Foley,  
Director of Planning &  
Economic Development:  
[pfoley@fairhaven-ma.gov](mailto:pfoley@fairhaven-ma.gov)



**Rte. 6/240 Plazas**



**Rte. 6 Corridor**

**Main St & Middle St**

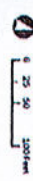


# Fairhaven 40R Smart Growth Overlay 3-1 Smart Growth Residential Density Plan/Map (Waterfront Area SGOD)

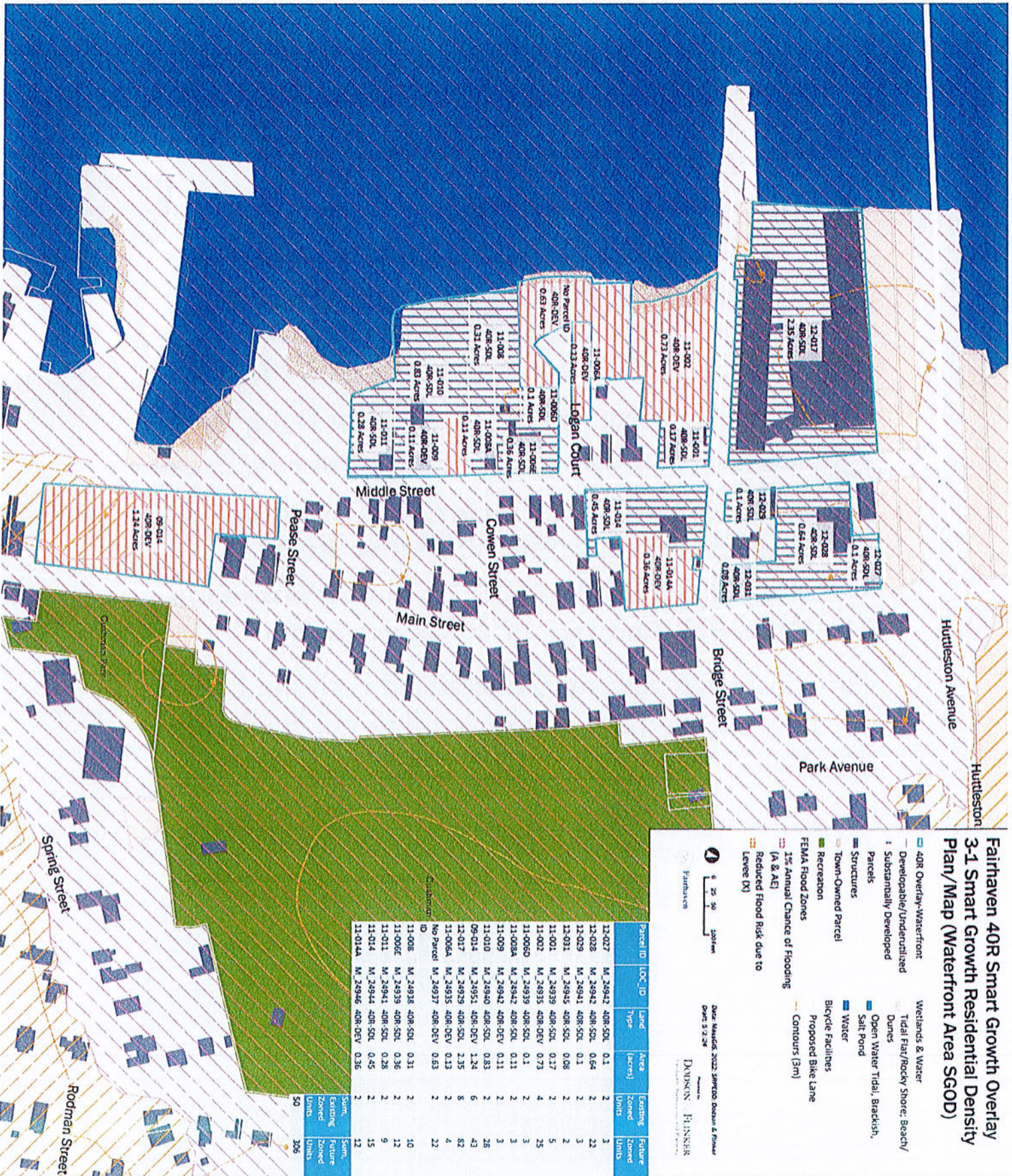
- 40R Overlay-Waterfront
  - Developable/Underutilized
  - Substantially Developed
- Wetlands & Water
  - Tidal Flat/Rocky Shore, Beach/Dunes
  - Open Water Tidal, Brackish, Salt Pond
- Structures
- Town-Owned Parcel
- Recreation
- FEMA Flood Zones
- 1% Annual Chance of Flooding (A & AE)
- Reduced Flood Risk due to Levee (X)
- Wetlands & Water
  - Tidal Flat/Rocky Shore, Beach/Dunes
  - Open Water Tidal, Brackish, Salt Pond
- Bicycle Facilities
- Proposed Bike Lane Contours (3m)

Date: March 2023, SPP&D Division 6, Planner  
DRAFT 3.2.24

FAIRHAVEN PLANNING



Parcel ID	LOC ID	Land Type	Area (acres)	Existing Zoned Units	Future Zoned Units
12-027	M_24942	40R-SOL	0.1	2	3
12-028	M_24942	40R-SOL	0.64	2	22
12-029	M_24941	40R-SOL	0.1	2	3
12-031	M_24945	40R-SOL	0.08	2	2
11-001	M_24939	40R-SOL	0.17	2	5
11-002	M_24935	40R-DEV	0.73	4	25
11-006	M_24939	40R-SOL	0.1	2	3
11-008A	M_24942	40R-SOL	0.11	2	3
11-009	M_24942	40R-DEV	0.11	2	3
11-010	M_24940	40R-SOL	0.83	2	26
09-014	M_24951	40R-DEV	1.24	6	43
12-017	M_24935	40R-SOL	2.35	8	82
11-006A	M_24937	40R-DEV	0.13	2	4
No Parcel ID	M_24937	40R-DEV	0.63	2	22
11-008	M_24938	40R-SOL	0.31	2	10
11-006E	M_24939	40R-SOL	0.36	2	12
11-011	M_24941	40R-SOL	0.28	2	9
11-014	M_24944	40R-SOL	0.45	2	15
11-014A	M_24946	40R-DEV	0.36	2	12
Sum:				Existing Zoned Units	Future Zoned Units
				50	306





### What is the difference between a 40R and 40B?

A Comprehensive Permit (or 40B) Project is usually a developer-driven project that is NOT permitted under local zoning for both the proposed use and density. It is required to have 25% of the proposed units designated as "affordable housing units" as defined under MGL. A 40B. 40B projects are reviewed by the Zoning Board of Appeals and are exempt from all local zoning regulations.

A 40R Smart Growth Overlay District is a locally-adopted zoning district that encourages higher density housing developments. It requires 20% of the housing units to be designated as affordable. A 40R Smart Growth Overlay District provides communities more control over the location, density and design of these projects. The Planning Board is the permit granting authority and all local zoning regulations apply. The following image includes Chapter 40A (Zoning statute) in comparison to 40B and 40R, outlining the differences in the control a community has over location, density and design of development:

## Comparing 40A, 40B and 40R

	40A	40B	40R
Location Control	✓	✗	✓
Design Control	✓	✗	✓
Density Control	✓	✗	✓
Affordable Housing Requirement	✗	✓	✓
Increase Tax Base	✓	✓	✓
Financial Incentives*	✗	✗	✓

\* One-time Zoning Incentive Payment of \$10-600k for adopting overlay, based on number of units. \$3,000 per unit when permits are issued.



Wayne Hayward

Tune in to Channel 18 Monday evening to see your Select Board conduct the play "Chicken Little. The sky is falling".

Scene 1. A local land owner rep will use the threat of 40B housing unless you approve the hasty 40R zoning amendment, immediately. That's the solution. Even though most real, land developers steer away from affordable housing, usually want nothing to do with the associated strict regulations that regulate profit, nothing to do with yearly oversight by Mass Housing, nothing to do with apartment owners or renters and their constant annual oversight of affordability requirements, nothing to do with turning over their books to state regulators and generally just leave 40B to the professionals. I have heard the 40B threats from locals for 30 years, but they just never seem to materialize. Darn!

Scene 2. Select Board members, who never cared about zoning in the past, as you can tell by the persons they appoint, in their role will rehearse, then perform "OH MY GOD 40B HOUSING!" We better approve 40R and the 1,700 units or YOU'RE GOING TO GET THE DREADED 40B HOUSING UNITS IN FAIRHAVEN ON YOUR WATERFRONT!

Chapters 40Y, 40B, 40R. All meant to put an end to your current Chapter 40A regulations that protect your neighborhoods for decades. So much for Home Rule in Massachusetts. A land owner possibly influencing the upcoming zoning process, with behind the scenes help by elected and appointed officials, who swear the town boards have NOTHING TO DO WITH 40R. Nothing to do with us!

Maybe the Select Board should call the developer's bluff and just say, YES! We will take the 40B units please. We need the housing and thank you. But no, this isn't at the core really about 40B. It is about 40R. The 40B proposal's timing is impeccably perfect, if you notice. Probably the work of our current, self-proclaimed Town Planner. Follow the money. \$1,500/unit to the developer. \$1,500/unit to Fairhaven Town Hall, Inc.

Fairhaven has not reached the 10% affordable housing quota, just like about every other town in Massachusetts and is currently 224 units short. Build them and get it over with. Spare the town from the other 1,476 units with thousands of people jammed into Alden and Bridge St. with no sidewalks, parks, trees or playgrounds. Plenty of landfill, oil changes, 115 kV electric towers, industrial uses and cannabis shops. Please keep stores like Walmart and their associated parking. (They are the largest revenue corporation in the USA and they're not going anywhere). The tenants moving into 40B subsidized housing or 40R affordable housing will continue to need a reasonable place to shop.

Scene 3. The Select Board win a future Grammy Award. The town sooner or later gets 1700 units. 3000 more people. Town Hall receives one-time cash, like ARPA, that can only be spent on one-time purchases. You still might need Prop 2 1/2 overrides, as this money cannot be used for town operating expense. Only boats, desks, cabinets, curtains, submarine, etc. Sell your small-town soul for another boat...

Scene 4. Thousands of additional Accessory Dwelling Units are allowed in every shed, garage, basement, attic, RV trailer and treehouse. Unregulated business Short Term Rentals start numbering in the hundreds and thousands, stripping all of Sconticut Neck and West Island of affordable homes.

Scene 5. A ribbon cutting by your elected leaders, proudly proclaiming the "City of Fairhaven". All THEIR money problems now solved. Elected officials cheering on all the NEW patrons and foot traffic for THEIR bars, THEIR restaurants, THEIR real estate offices and THEIR storage containers. A lot of work, but THEIR efforts are paying off and THEIR money problems are solved. That is after all why many of them are sitting on multiple boards in the first place.

Scene 6 Season Finale. After the last 2 1/2 years your town government is decimated. YOUR problems however will have just begun. You begin your search of a new small town, somewhere to raise a family, not worry about a business sprouting from the three bedroom home abutting yours. Exit the city. Fairhaven will have plenty of housing, just like most cities do. Some from people exiting.