



**FAIRHAVEN SELECT BOARD**  
**Meeting Minutes**  
**March 10, 2025**

FAIRHAVEN TOWN CLERK  
RCUD 2025 MAR 25 AM 11:52

**Present:** Vice-Chair Charles Murphy Sr., Clerk Andrew B. Saunders, members Keith Silvia and Andrew Romano and Acting Town Administrator George Samia

**Present via zoom:** Chair Stasia Powers

Mr. Murphy opened the meeting at 6:01p.m.

**APPOINTMENTS AND COMMUNITY ITEMS**

**Proclamation: David Sobral**

Mr. Murphy read the proclamation for Lt. Sobral. Lt. Sobral addressed the Board and made a brief statement.

**Town Administrator Search: Groux-White Consulting, LLC**

Rick White of Groux-White Consulting, LLC addressed the Board via zoom and provided his background and experience. The Board asked general process questions. Mr. White will be meeting with various department heads this week and asked the Board to provide names of two community members/influencers to be interviewed by Mr. White. Ms. Hart will send the Fairhaven Town profile to Mr. White.

**Building Department Permit Fee Waiver Process: Town Buildings**

Director of Inspectional Services/Building Commissioner Rick Forand addressed the Board about a process for fee waivers for Town Buildings. He recommended charging the fee and if a waiver request is made due to a hardship, the applicant would bring the request for a waiver of the fee to the Select Board to be approved.

**Motion:** Mr. Romano motioned to have all permit fees paid and if there is a hardship, they address it to the Select Board. Mr. Saunders seconded. Roll Call Vote, Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

**Use of Town Hall Auditorium: Fairhaven Dollars for Scholars, May 21, 2025, 6:00-8:30p.m.**

Kathy Lopes addressed the Board and explained the request to also waive the rental fee. The Board discussed waiving the rental fee and paying the fee for the custodian for a total of thirty dollars (\$30) each.

**Motion:** Mr. Romano motioned to waive the rental fee and the custodial fee to be paid by the Select Board. Mr. Saunders seconded. Roll Call Vote, Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

**Flag/Banner Request: Progress Pride and Juneteenth Flags during the month of June**

Mr. Murphy read the application.

**Motion:** Mr. Romano motioned to hand the Progress Pride and Juneteenth Flag in the month of June. Mr. Saunders seconded. Roll Call Vote, Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

**Event Request: Nemasket Group's 12<sup>th</sup> Annual 5K Walk/Run, Saturday, May 3, 2025**

Mr. Murphy read the application.

**Motion:** Mr. Romano motioned to approve the Nemasket Group's 12<sup>th</sup> Annual 5K Walk/Run for Saturday, May 3, 2025. Mr. Saunders seconded. Roll Call Vote, Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

## **EXECUTIVE SESSION**

Patrick Carr addressed the Board, he said he would recuse himself from the executive session due to a conflict of interest and had questions first. He asked whether Ms. Powers discussed formulating the meeting with the Board and if not, how did this meeting come about. The Board advised they are not able to discuss Executive Session details in Open Session. Mr. Carr asked if the Select Board was going to be administering legal advice or legal strategies to the ZBA and referred to the Select Board's protocol 13 about seeking legal advice.

Ms. Powers advised that the joint Executive Session item was based on previous Executive Session discussion and once in the Executive Session tonight, further details can be provided.

John Methia of Shawmut Street asked to address the Board before they enter the Executive Session about Fairhaven Wind. He referred to the points contained in the email he sent the Board (*Attachment A*) and said he hoped no decisions would be made tonight and that it would be just gathering information.

Rick Trapilo addressed the Board and asked why the Executive Sessions are not at the end. Ms. Powers said many things go into developing the agenda and at times the attorneys take part which is a cost to the Town.

Doug Brady of Pleasant Street addressed the Board and asked if item D3 (Discuss Rogers School RFP) would be passed over due to ongoing litigation.

**Motion:** Mr. Romano motioned to enter into executive session pursuant to G.L. c. 30A, s. 21(a)(3) discuss litigation: Fairhaven School Committee v. Fairhaven Zoning Board of Appeals, Mass. Land Court 25MISC000064; 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 (Fairhaven Wind); AND

Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Civil Service); AND

Pursuant to G.L. c. 30A, § 21(a)(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. (Fire Chief Todd Correia) AND to return to open session. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

## **Meeting adjourned to Executive Session from 6:56p.m. to 8:53pm**

Mr. Murphy advised that no decisions had been made in Executive Session regarding Fairhaven Wind and that Mr. Methia's letter would be incorporated into the minutes (*Attachment A*).

## **ACTION / DISCUSSION**

### **Appointment of Acting Deputy Fire Chief Process**

Mr. Murphy said that the Board is taking this item under advisement for the appointment of an Acting Deputy Chief due to several factors including a change in leadership and budgetary considerations.

### **Pledge of Collateral for Southcoast Pickleball LLC: Change to Bay Coast Bank**

Mr. Murphy read the application.

**Motion:** Mr. Romano motioned to have the pledge of collateral for Southcoast Pickleball, LLC changed to Bay Coast Bank. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

### **Discuss Rogers School Request for Proposal (RFP)**

Mr. Murphy addressed the Board and said the issue has been paused due to ongoing litigation and the Town would like to begin the Request for Proposal (RFP) process once able to. Discussion ensued as to maintenance costs, the balance in the accounts for Rogers School, pending litigation and pending resolution through the court and being ready to start the RFP process once we have a court decision and confirm the Town can move forward.

Sue Loo of Farmfield Street addressed the Board and asked for clarification as to the ability to start the RFP process if the litigation is still open.

*Ms. Powers joined the meeting at 8:59p.m.*

Ms. Powers said the Town would only move forward with an RFP once advised by Town Counsel.

Discussion ensued as to what staff would be involved in the RFP, how to move the project forward when the time comes, define the process, potentially expand the Rogers Reuse Committee members.

Doug Brady of Pleasant Street addressed the Board and referred to past studies and shared one from studio2sustain (*Attachment B*). He recommended the Board consider a new study as part of the process. Mr. Silvia recommended the Board invite the studio2sustain to address the Board at a future meeting.

### **Board and Committee Handbook Updates**

Mr. Romano referred to the draft policy language update and a memo from the Town Clerk's Office about existing swearing in process for new board members (*Attachment C*). Mr. Romano asked the Board for training recommendations and how to list for specific boards. Page 2 of the current handbook has some language on training, Mr. Romano will look into language updates for training.

**Motion:** Mr. Romano motioned to approve the proposed language and update "Selectmen" to "Select Board".

Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

### **Annual Town Election Warrant**

Mr. Murphy read the notice regarding the Annual Town Election on April 7, 2025.

**Motion:** Mr. Romano motioned to approve sign the election warrant as read. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

### **Police Officers for the Annual Town Election**

Mr. Murphy read the Town Clerk's notice regarding police for the Annual Town Election on April 7, 2025.

**Motion:** Mr. Romano motioned to approve a sufficient number of police officers, but not less than three, at the polling location, Recreation Center, 227 Huttleston Avenue for April 7, 2025 Annual Town Election to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws related to elections as required by section 72 of Mass General Law 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. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

## **TOWN ADMINISTRATOR REPORT**

- Staffing Update: Recreation Center Director, Kelley Ramirez resigned. The Board thanked Ms. Ramirez for her work and improvements at the Center. Barbara Pacoza started as administrative assistant for the Land Use Department.
- Mr. Samia will be working to schedule an additional meeting with the Select Board to review the FY26 budget.

## **MINUTES**

**Motion:** Mr. Romano motioned to accept the Open Session minutes of February 19, 2025. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

**Motion:** Mr. Romano motioned to accept the Open Session minutes of February 24, 2025. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

**Motion:** Mr. Romano motioned to accept the Executive Session minutes of February 19, 2025. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

**Motion:** Mr. Romano motioned to accept the Executive Session minutes of February 24, 2025. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

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

*Ms. Powers reported:*

The Library met for a strategic planning session with a consultant.

*Mr. Romano reported:*

Southeastern Regional Transit Authority (SRTA) met, reviewed their budget and provided information that French Creole is the fourth largest language spoken in the area. Sustainability is focusing on the compost and rain barrel initiatives.

Mr. Romano pointed out that Lt. Sobral made time to speak to each person in attendance at the surprise retirement party and it speaks to his successful career.

*Mr. Saunders reported:*

Marine Resources (MRC) met, they thanked the Board for passing the fee change and they will be reviewing other fees to recalibrate. They are looking into participating with New Bedford on a bill filed by Representative Hendricks about the harbor line. An assessment will be done on the status of Town-owned vessels.

*Mr. Murphy reported:*

Lagoa will be regrouping and has scheduled a meeting on April 7, 2025 at 6:30p.m.

*Mr. Silvia reported:*

The Historical Commission is looking into battlefield grant availability for Fort Phoenix.

Mr. Silvia asked the Board to consider putting out an RFP for legal counsel as an opportunity to review the fees and look for savings. Brief discussion on waiting for the next Town Administrator to be hired first, consider the impact due to new, interim Labor Counsel; the item will be considered for a future agenda.

### **PUBLIC COMMENT**

Grant Menard of Weeden Rd. addressed and thanked the Board for the opportunity to speak. He thanked Ms. Powers for her time on the Board and help to the Town. Mr. Menard said he lives close to the turbines, is passionate about them and has talked with Ms. Powers and Mr. Romano about the repower issue. He continued and said at the September 23, 2024 Select Board meeting, Mr. Shah referred to production and that the turbines are not profitable and looking for a way to stay profitable; referred to repowering and increasing from 1.5MW to 1.85MW.

At the December 16, 2024 meeting, Mr. Shah said the new unit would be capable of 1.85MW and he would run them at 1.85MW. Mr. Menard said Mr. Shah provided a specification document about the 1.5MW units and not the 1.85MW unit. Mr. Menard reached out to the manufacturer and received a copy of the 1.85MW specification document and handed a copy to the Board (*Attachment D*). Mr. Menard referred to past action of Fairhaven Wind like cutting trees on Thanksgiving without a police detail.

**Motion:** Mr. Romano motioned to provide Mr. Menard two additional minutes to speak. Mr. Saunders seconded. Roll Call Vote: Ms. Powers, Mr. Romano, Mr. Saunders, Mr. Murphy and Mr. Silvia all in favor. The motion passed unanimously (5-0-0).

Mr. Menard continued, he said the noise and whooshing continues even when turned down, he has recordings of the noise. He said Mr. Shah referred to other towns with the new unit like Portsmouth, RI and Plymouth, MA. Mr. Menard reported that he called constituents in these towns to ask about their experience and was told Mr. Shah lied to the Board. Plymouth, MA voted no on a repower proposal. Mr. Menard distributed two news articles to the Board regarding these two towns (*Attachment E*). Mr. Menard encouraged the Board to reach out to other towns.

### **NEWS AND ANNOUNCEMENTS**

The next regularly scheduled Select Board meeting is *Monday, March 24, 2025*, at 6:00 p.m.

**Meeting adjourned at 9:55p.m.**

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

### **ATTACHMENTS**

- A. John Methia email to Select Board: Legal Concerns/Wind Turbine Land Lease dated March 9, 2025
- B. Handout from Doug Brady re Feasibility Exploration: studio2sustain
- C. Board and Committee Handbook memo from Town Clerk
- D. Handout of Vensys82 1.85MH
- E. East Bay, RI article and Wicked Local article

Approved on March 24, 2025



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**[fairhavenma] Legal Concerns/Wind Turbine Land Lease (Sent by john methia, john.methia@gmail.com)**

1 message

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Contact form at fairhavenma <cmsmailer@civicplus.com>

Sun, Mar 9, 2025 at 3:34 PM

Reply-To: john.methia@gmail.com

To: Select Board <selectboard@fairhaven-ma.gov>

Hello Select Board,

john methia (john.methia@gmail.com) has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/49/contact>) at fairhavenma.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/49/edit>.

Message:

Dear Members of the Fairhaven Select Board,

I am writing to express serious legal concerns regarding the potential renewal or extension of the land lease and agreement for the Fairhaven wind turbines. A recent Presidential Executive Order mandates a comprehensive federal review of wind energy projects, including onshore wind leases, and explicitly prohibits new or renewed approvals, permits, or leases pending the completion of this review.

The Executive Order states:

"And in light of potential inadequacies in various environmental reviews required by the National Environmental Policy Act to lease or permit wind projects, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, the Administrator of the Environmental Protection Agency, and the heads of all other relevant agencies, shall not issue new or renewed approvals, rights of way, permits, leases, or loans for onshore or offshore wind projects pending the completion of a comprehensive assessment and review of Federal wind leasing and permitting practices."

Additionally, it mandates a full review of all existing wind energy leases, including an evaluation of their environmental and economic impacts:

"Nothing in this withdrawal affects rights under existing leases in the withdrawn areas. With respect to such existing leases, the Secretary of the Interior, in consultation with the Attorney General as needed, shall conduct a comprehensive review of the ecological, economic, and environmental necessity of terminating or amending any existing wind energy leases, identifying any legal bases for such removal, and submit a report with recommendations to the President, through the Assistant to the President for Economic Policy."

Most critically, the Fairhaven wind turbine project falls under federal scrutiny as a "defunct" wind project, as admitted by the developer. The Executive Order explicitly states:

"The Secretary of the Interior, the Secretary of Energy, and the Administrator of the Environmental Protection Agency shall assess the environmental impact and cost to surrounding communities of defunct and idle windmills and deliver a report to the President, through the Assistant to the President for Economic Policy, with their findings and recommended authorities to require the removal of such windmills."

Since the developer has acknowledged that the Fairhaven project is now defunct, it falls squarely within the scope of this federal directive. Any attempt to renew or extend the lease may not only violate this federal order but could also expose the town to legal liability and potential enforcement actions requiring removal of the turbines.

Given the serious legal and regulatory implications, I strongly suggest that the Fairhaven Town Counsel reach out to the U.S. Attorney's Office for the District of Massachusetts for formal guidance on whether renewing or extending the lease could violate federal law.

In light of these clear federal directives, I urge the Select Board to:

Immediately consult legal counsel to determine whether proceeding with any lease renewal or extension violates federal law.

Refrain from signing any lease extension or renewal until a full legal review has been conducted.

Engage with the U.S. Attorney's Office for the District of Massachusetts to obtain further clarification on how the Executive Order applies to the Fairhaven project.

Moving forward with a lease renewal or extension under these circumstances could place the town in direct violation of federal law and at risk of being required to remove the turbines altogether.

I respectfully request that this email be read into the record and included in the official meeting minutes for full transparency and documentation.

I appreciate your immediate attention to this urgent matter and look forward to your response.

Sincerely,  
John Methia  
3 Shawmut Street  
508.728.3650

See Executive Order here:  
<https://www.whitehouse.gov/presidential-actions/2025/01/temporary-withdr...>



# studio2sustain

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<b>Résumé</b>	<b>Kathryn Duff RA CPHC</b> , Founder & Director, studio2sustain inc
<b>Registration</b>	<b>Commonwealth of Massachusetts</b> , Licensed to practice architecture (RA), Registration Number 7778 <b>International Passive House</b> , awarded <b>Consultant/Architect</b> (CPHC) certification, Spring 2015 <b>International Living Future Institute</b> , named <b>Ambassador</b> , Spring 2014
<b>Civic Duties</b>	<b>WHALE</b> (Waterfront Historic Area League), New Bedford, MA, Board of Directors, 2015-present <b>City of New Bedford</b> , Member, City Planning Board, 2012-present, Chairwoman, 2018 – 2020. <b>Lloyd Center for The Environment</b> , Vice-Chairwoman, BOD, 2009-2018. Chair, Properties, 1993-2017. <b>Lloyd Center Capital Campaign</b> , "Transforming a Legacy," Member of Committee, 2014-present <b>REACH Foundation</b> , Member of the Founding Board, 2019 - <b>New Bedford Education Foundation</b> , Founding Member & Chair, Grants & Distributions, 2009 – 2015. <b>Town of Westport</b> , elected Member, Town Planning Board, 1990-1991 <b>Westport Land Conservation Trust</b> , Member, Board of Directors, 1989 - 2002
<b>Education</b>	<b>Harvard University, MArch-II</b> - Master in Architecture, 1987 Studied with critics Jorge Silvetti, Steven Harris and Robert Mangurian. <b>Syracuse University, BArch</b> - Bachelor of Architecture, 1984 Honors Thesis concentrated on 15th and 16th century Florence. Architecture Thesis, sited in Florence, investigated architecture and metaphor: the present and the past. <b>Cleveland Institute of Art</b> , spring 1978 - spring 1979 Participated in a Fine Arts program as a part time student while simultaneously completing high school. Received three gold keys from New York scholastic art competitions.
<b>European Studies</b>	<b>Syracuse University in Florence</b> , fall 1982 - fall 1983 One academic year studying Italian architecture and researching the undergraduate thesis. <b>Syracuse University in London</b> , summer 1981 One summer of study/travel throughout London and England analyzing English architecture and landscapes. <b>International Student Center, Paris</b> , spring 1979 Six weeks in and around Paris studying French painting, primarily the Impressionists.
<b>Employment</b>	<b>studio2sustain inc.</b> , Founder & Director, 2011 – present, <a href="http://studio2sustain.com">studio2sustain.com</a> <i>Fostering sustainability through design, historic preservation, and education</i> studio2sustain inc is an architecture and design practice committed to sustainability. Our work within the City of New Bedford, especially with WHALE, uses adaptive re-use projects within significant historic structures to restore communities and the historic fabric of our seaport city. Our collaborative process fosters innovation, community restoration and design excellence. Recent Projects: Co-Create Center, for WHALE, New Bedford; Veterans Transitional House, for WHALE, New Bedford; WHALE Receivership houses: 318 Pleasant, 305-7 Pleasant, 148 Hawthorn, and 1060 Pleasant. Lloyd Center for Environment Welcome Center, Discovery Center & Waterfront Pavilion; and various regional residential projects. <b>STUDIO of Architecture &amp; Art</b> , June 1990 – 2011 (evolved into studio2sustain inc) Owner/President of STUDIO, involved in various commercial, educational and residential buildings, landscapes and fine art projects. <b>Quansett Nurseries</b> , May 1989 - June 1990 Worked with various indigenous plant species to learn their place in the architectural landscape. <b>William D. Warner, Architects and Planners</b> , August 1987 - April 1989 Project co-manager, responsible for completing construction documents for the Exeter / West Greenwich Junior / Senior High School in West Greenwich, Rhode Island. <b>Schwartz / Silver Architects</b> , September 1986 - February 1987 Member of the design development team for "Domain III", Hartford, CT and "Harborside Landing", Lynn, MA. <b>Skidmore, Owings and Merrill</b> , Boston, Chicago & New York, September 1985 – August 1986, including, during school breaks. Member of design team for "Rowe's Warf" and "Seventy Five State Street," Boston, MA. <b>Harvard University</b> , Spring 1986 Design Teaching Assistant for the visiting critics studio of Ignazio Gardella and Daniele Vitale.
<b>Teaching</b>	<b>Harvard University - Graduate School of Design</b> , 1987 - 1992 Visiting studio design review critic

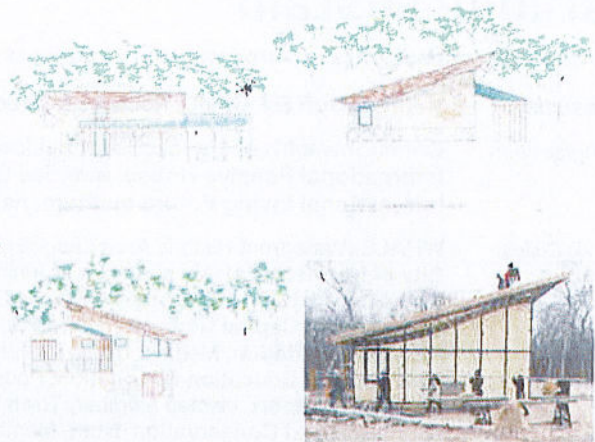


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## **under construction**

Lloyd Center for the Environment Welcome Center.  
A 1,600 SF composting toilet welcome center pursuing this region's first LBC (Living Building Challenge) certification. In addition, this building is the first LBC project in the world to be constructed by students – students building for students. The project is being constructed by Greater New Bedford Vocational Technical High School students. Anticipated completion is Fall 2022. This project was a featured presentation at BE-2022 (Building Energy 2022) conference in Boston in February, 2022.



## **under construction**

Lloyd Center for the Environment Discovery Center. The existing Main Building of the 85-acre Lloyd Center campus underwent a Deep Energy Retrofit (DER) as part of the a 3-phase building renovation/expansion. Phases 1 & 2 are complete, and Phase 3 will begin in 2022. This DER renovated a 1970s residential building into a sophisticated, efficient, healthy and sustainable corporate headquarters. This project is being designed to the standards of the International Passive House EnerPHit program.





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## deep energy retrofit & adaptive reuse projects: current and recently completed projects 2021

studio2sustain inc is a professional design & architecture practice fostering sustainable solutions to complex challenges in and around the port city of New Bedford. The most sustainable building is the one that already exists, and New Bedford is a wealth of exceptional historic/cultural fabric. Our work with WHALE (Waterfront Historic Area League), institutions, and non-profit organizations is an opportunity to "build a project – build a community." The following projects represent innovative solutions to energy efficiency, historic preservation and creative adaptive reuse strategies for mixed-use projects. Preservation work is constructed in strict accordance with the Secretary of Interior's Standards for historic preservation:

### recently completed

Co-Creative Center (CCC), 139 & 141 Union Street, New Bedford, MA. A 10,000 SF mixed-use community center developed by WHALE: maker space, public gallery, workshop, artist's housing and creative business start-up space. The CCC complex is a collection of seven buildings constructed and assembled on the site over a period of +/- 100 years – 1850 - 1950. This site is within the historic district & national whaling historic park:

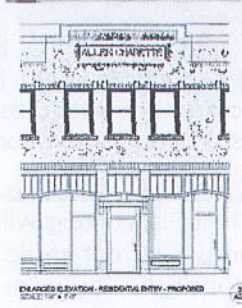
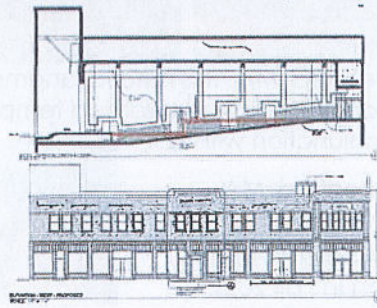
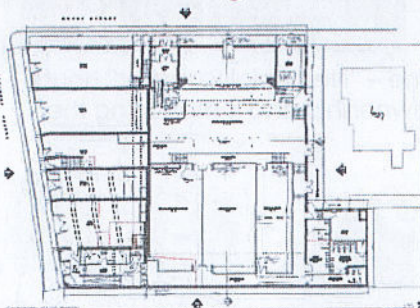


Bristol County Savings Bank, 72 N. Water Street, New Bedford. New Portico Drive-Through and bank headquarters within the historic Candleworks building and site. The Rodman Candleworks building, circa 1810, is a MA Historic Commission (MHC) building with active preservation restrictions on the interior and exterior. Working with the building owner, BCSB, MHC, and City of New Bedford we restored and renovated the lower two levels of the building into bank headquarters and constructed a new "out building" on the historic site for travel-banking.



### preparing for construction – in permitting

Capital Theater urban block development, Acushnet Avenue, New Bedford, MA. Working with CEDC (community economic development corporation) and WHALE, this 1915 mixed-use urban block is being preserved and transformed into a small business incubator, CEDC headquarters, and affordable housing for an underserved new bedford community.



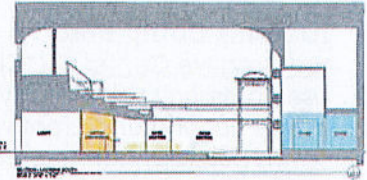
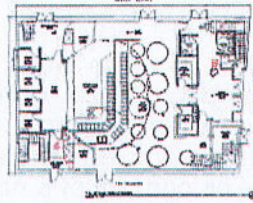
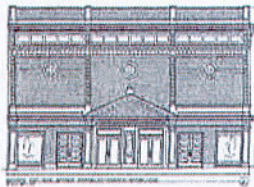


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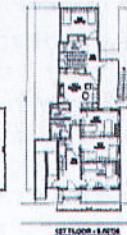
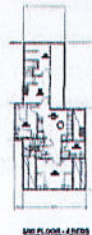
## strand theater – Cape Verdean Association of New Bedford

The Strand Theater is an historic 1914 theater block currently owned by the Cape Verdean Association (CVA) – a non-profit cultural institution in new bedford. Working with WHALE and CVA we uncovered the historic wood structure under the 1950 stucco façade and are currently in process of applying for MHC tax credits, CPA funding and MA Cultural Facilities funding.



## various receivership projects in conjunction with WHALE

1060 Pleasant Street, New Bedford, MA. This 1835 Greek Revival house is being preserved through the MA Attorneys General "Receivership" program. The non-profit VTH inc (Veterans Transitional Housing of New Bedford) has been awarded the home, and WHALE is the developer. We are transforming this historic landmark into transitional veteran's housing for 20 veterans. This project is currently under construction and receiving CPA funding. Completed in Summer 2020.



studio2sustain is honored & thrilled to be working with WHALE to restore the historic fabric and community "soul" by restoring and transforming these structures that were nearly lost to demolition.

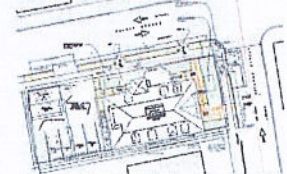
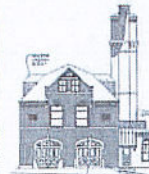
318 Pleasant Street, New Bedford, MA. This large 2-family residence was saved, restored & renovated by WHALE. The property received HCD funds - recently sold to a "First Time Homebuyer."

305-307 Pleasant Street, New Bedford, MA. Across the street, WHALE was awarded temporary ownership of another 2-family property - under construction & receiving CPA funding.



148 Hawthorn Street, New Bedford, MA. This historic landmark home – "Nathaniel Plummer" house – is currently under preservation. WHALE was awarded temporary ownership and is managing the restoration/renovation, in conjunction with s2s.

109 Hillman Firehouse, New Bedford, MA. WHALE is working with the City to save and renovate this historic Firehouse. This project is funded - start construction in Fall 2022.





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## PROPOSAL

Date: 24 June 2022  
To: Doug Brady, Vice-Chair, Rogers School Committee  
Project: Feasibility Exploration – Community Development of Rogers School Site  
RE: s2s Consulting Services – Identify Process & Potential Opportunities for developing the Rogers School site as a Community Development.

Dear Doug,

It has been a pleasure learning of you and your team's relentless determination to preserve the Rogers School site and to develop this extraordinary property as a Community Development – supporting & enhancing the Town of Fairhaven.

The challenge is...finding the right CDC (Community Development Corporation) to steward this project. A CDC will provide the leadership and skill to assemble a mix of uses that meets the identified needs of Fairhaven, preserves the historic structures, and provides revenue to sustain the project.



studio<sup>2</sup>sustain has been involved in several of these types of developments, providing the architectural services and participating in community outreach, funding and programming. We are not developers, but we have access to leaders in community development, and this is a starting place to develop an understanding of the efforts and the opportunities of pursuing a Community Development. These are difficult projects, and they require leadership, patience and perseverance. However, these projects can be rewarding for communities – preserving historic structures, restoring the heritages associated with these structures, and meeting the needs of the community.

We are happy to provide some services to preliminarily assess the Community Development opportunities in Southeastern Massachusetts. Our Proposal:

Preliminary Study – A Rogers School Community Development:	
Task:	s2s Fee:
CDC Process & Potential: <ul style="list-style-type: none"><li>▪ Interview five (5) CDC leaders.</li><li>▪ Identify CDC precedents in SE MA</li><li>▪ Identify Arts, Veterans, and Housing needs in SE MA</li></ul>	≈ \$3,000.00
Assess project scope & potential funding: <ul style="list-style-type: none"><li>▪ Identify scale of project – size and scope</li><li>▪ Identify potential funding opportunities</li><li>▪ Develop schematic diagram of site relative to identified uses</li></ul>	≈ \$3,000.00



# studio2sustain

architects consultants environmental evangelists

CDC Opportunity summary:	≈ \$1,500.00
▪ Summarize the components & process of a Community Development	
▪ Summarize the scale of a Rogers School community development	
TOTAL: Preliminary Study of a Rogers School Community Development:	≈ \$7,500.00

Kathryn Duff RA Principal 412 County Street New Bedford MA 02740 508 999 5145 p 508 999 5183 f kathryn@studio2sustain.com

New Bedford and Fairhaven share a harbor, and our collective communities have needs and opportunities that we must share to the benefit of our regional community.



- Respectfully, and I look forward to discussing this with you,

Kathryn Duff RA CPHC PHIUS  
Founder & Director studio2sustain  
inc

Kathryn Duff RA Principal 412 County Street New Bedford MA 02740 508 999 5145 p 508 999 5183 f kathryn@studio2sustain.com



### Proposed Language Change

#### Current:

The Board of Selectmen may remove for stated cause, any of the officers or members of Town boards or committees appointed by them. Causes for removal include such matters as repeated non-attendance at posted meetings, failure to discharge the duties of office, violation of State or Town statutes, failure to follow Town policies, or obstruction of the discharge of the duties of fellow board members. The Board of Selectmen reserves the right to hold a hearing before the removal of a board/committee member, but is under no obligation to do so.

#### Proposed:

The Board of Selectmen may remove for stated cause, any of the officers or members of Town boards or committees appointed by them. Causes for removal include such matters as repeated non-attendance at posted meetings, failure to discharge the duties of office, violation of State or Town statutes, failure to follow Town policies, or obstruction of the discharge of the duties of fellow board members. The Board of Selectmen reserves the right to hold a hearing before the removal of a board/committee member, but is under no obligation to do so

### ATTENDANCE

It is the expectation of all board and committee members to make reasonable efforts to attend scheduled meetings. If a member is unable to attend, the member is expected to communicate with the Chair or Staff Liaison to provide reason for their absence. If a member is unable or unwilling to attend for three or more consecutive meetings, without a prior explained absence, their seat will be considered vacated and the Chair may send a letter to the Select Board requesting to have that member formally removed. A posting for the vacant seat will be placed on the Town website and all appointments to fill vacancies will cover the remaining term of the vacated position.





# TOWN CLERK'S OFFICE FAIRHAVEN, MASSACHUSETTS

TOWN HALL · 40 CENTER STREET · FAIRHAVEN, MA 02719  
TELEPHONE: 508-979-4023 x 3 · EMAIL: [CLERK@FAIRHAVEN-MA.GOV](mailto:CLERK@FAIRHAVEN-MA.GOV)

*Attachment C*

ELISABETH E. HORAN  
INTERIM TOWN CLERK

To: Select Board  
From: Elisabeth E. Horan, Interim Town Clerk  
Date: March 6, 2025  
RE: Process for Swearing In Elected/Appointed Board and Committee Members

The following outlines the process for swearing in newly elected/appointed board and committee members to ensure compliance with state requirements and proper onboarding procedures.

Upon being sworn in and signing the official book, the new board or committee member will receive a boards and committees packet.

The packet contains:

1. Summary of the Conflict of Interest Law
  2. Open Meeting Law Guide
  3. Boards and Committee Handbook
  4. Acknowledgement of COI/OML Receipt 2025
- This form must be completed with the member's contact information and initialed by the member in four key areas:
    - Receipt of the Summary of the Conflict of Interest Law – Confirms that the member has received the summary.
    - State Ethics Online Training Module – Acknowledges that the member has been informed of the training module and provided the website link to complete it.
    - Open Meeting Law Guide – Confirms receipt of the guide, with instructions to return the signed certificate of receipt after reviewing it.
    - Boards and Committees Handbook – Confirms receipt of the handbook, with instructions to return the signed certificate of receipt after reviewing it.
  - Once contents of packet have been explained, the Acknowledgement of COI/OML is copied and placed in the packet.



## TECHNICAL DATA

### PRODUCT BENEFITS

- ▼ Dispensing with a gearbox means lower repair and maintenance costs and a higher yield.
- ▼ High-quality permanent magnets prevent electrical excitation losses, which additionally increases the energy yield.
- ▼ The air-cooling system used for the generator and the VENSYS frequency converter saves on additional components, cooling agents and maintenance work.
- ▼ The blade pitch system with a toothed belt drive is lubrication-free, resistant to wear and requires little maintenance.

A large, detailed image of a wind turbine nacelle and its three blades, serving as a background for the text. The nacelle is white with a large circular opening on the side, and the blades are also white.

# VENSYS 82

1.85 MW



# VENSYS 82

1.85 MW

## Operating data

Rated power	1.85 MW
Cut-in wind speed	3 m/s
Cut-out wind speed	25 m/s
Operating temperature	-20 °C to +40 °C
(De-rating possible from 30 °C)	

## Sound power

Optimized for maximum performance 105.8 dB(A)  
(Sound-reduced operating modes available)

## Rotor

Diameter	82 m
Swept area	5,281 m <sup>2</sup>
Rotational direction	Clockwise
Rated speed	18.25 rpm
Blade type	EBT 40
Power control	Pitch
Primary braking system	Single-blade adjustment, triple redundant

## Generator

Type	Synchronous generator with permanent magnet excitation
Construction type	Direct drive

## Yaw system

Construction principle	Geared electric motors
Braking system	Hydraulic brake calipers

## Converter

Type	IGBT full power converter
Frequency	50 Hz / 60 Hz

## Tower

Hub heights	58.7 m   83.7 m   100 m
Material	Steel tube tower

## Wind class

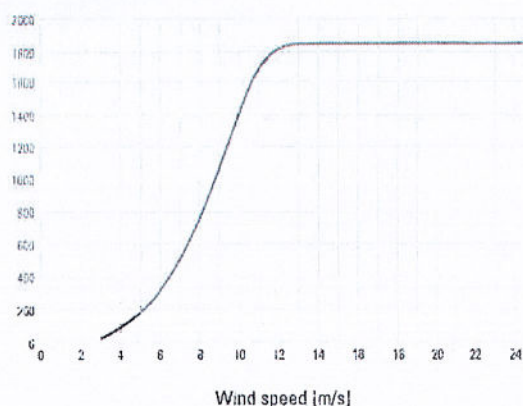
All hub heights	IEC IIA
-----------------	---------



## POWER CURVE VENSYS 82

Wind speed [m/s]	AEP [MWh]
5.0	2,904.3
5.5	3,666.0
6.0	4,446.8
6.5	5,221.8
7.0	5,972.6
7.5	6,686.3
8.0	7,354.0
8.5	7,969.9

Power [kW]





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## Frustrations about Portsmouth wind turbine boil over at meeting

Abutters accuse Town Council of failing to represent their interests



(<https://epsilon.creativecirclecdn.com/eastbayri/original/20180313-133352-php46cETf.jpg>)

A view of the Portsmouth wind turbine from Butts Street, off Sprague Street. Activated in August 2016, the turbine replaced one that broke down in 2012. Some neighbors say they're still experiencing excessive noise and shadow flicker generated by the new machine.

RICHARD W. DIONNE, JR.

Posted Tuesday, March 13, 2018 1:35 pm

By Jim McGaw

PORTSMOUTH — Abutters who have complained about noise and shadow flicker produced by the wind turbine expected to hear some answers from the machine's owner at Monday night's Town Council meeting.

A Feb. 12 discussion (<http://www.eastbayri.com/stories/new-portsmouth-turbine-same-old-complaints,46783>) on the turbine ended with Mark DePasquale, chairman of Green Development, LLC of North Kingstown, agreeing to follow up with homeowners and make a detailed report on March 12.

But Mr. DePasquale was nowhere to be found Monday. Just before the meeting, he delivered a message to Town Administrator Richard Rainer, Jr., saying he could not attend because his company was busy preparing for the snowstorm that was to hit the area hours later.

Without Mr. DePasquale in the room, abutters focused their ire on council members, whom they accused of failing to represent their interests in helping to mitigate some of the issues. (Council member Paul Kesson recused himself from the discussion, saying he's one of the residents being impacted by the turbine.)



Council President Keith Hamilton, however, said the town no longer owns the turbine, so any mitigation issues should be brought directly to Green Development. "If you feel your property rights are being infringed upon, that's between you and (Mr. DePasquale)," said Mr. Hamilton, a comment that was met with some catcalls from the audience.

"That's very disappointing," said John Vegas of 259 Sprague St., one of five residents who's contacted Green Development in the past month.

He and several other residents say they need the town behind them in order for Green Development to take meaningful action. While the turbine now has a different owner, it's still located on town land, they noted.

"I feel I have no leverage with Mr. Depasquale," Mr. Vegas said. "You don't seem to be interested and I'm not sure why. It was a different tone at the (Feb. 12) meeting."

#### 'Landlord is responsible'

David Souza, who owns property at 74 Sprague St. and 25 Lowell St., also urged the council to take action. He told the council he's seen flicker from the turbine on Route 24 — "That's a safety issue," he said — and that the noise is constant.

"You can't say you're not responsible. The landlord is responsible for anything that happens on that property," he said. "We're not asking you to tear it down. We have to live there (and) this guy is not working with us. Something has to be done, because it's affecting our street, it's affecting everything. You people are our point people to do this."

This is the second turbine that's been built on land near Portsmouth High School. The first was a shorter structure the town built in 2009 after voters approved a \$3 million bond issue. In 2012, however, the machine shut down due to a faulty gearbox supplied by a company that went bankrupt.

In November 2014 the council voted to enter into a contract with Wind Energy Development LLC (now Green Development) to allow the town to pay off the remaining debt of \$1.45 million that was left on the turbine. In exchange, the town agreed to buy energy generated from the current turbine, which was built by WED and activated in August 2016.

At a council meeting in January 2016 (<http://eastbayri.staging.communityq.com/stories/new-portsmouth-wind-turbine-will-reach-new-heights,18006?>), representatives said the new turbine would be quieter than the old one and wouldn't produce any additional shadow flicker. Abutters, however, say the opposite is true.

"He lied to you, his lawyer lied to you," said Denise Wilkey, of 3140 East Main Road, referring to Mr. DePasquale and attorney Stephen Brusini. She said she can no longer open her windows during the warmer months due to the noise the turbine produces.

Ms. Wilkey is among the residents who has brought her concerns to Green Development directly, but she said nothing's been done. "That's a wall. That's a dead end," she said. "I don't understand how you can just sit there and say, 'Not our problem.'"

"We don't own the wind turbine. We can't make mitigations ..." Mr. Hamilton began to say before Ms. Wilkey cut him off.

"That's not what I pay \$6,000 in taxes for — to not be represented, to not be respected," she said.

The decision to green-light the second turbine was necessary to pay off the town's remaining debt, Mr. Hamilton said, and the deal with Mr. DePasquale's company "was the best deal at the time."

Council member David Gleason said he wasn't involved in the decision to build the first turbine and that it shouldn't have been installed at that location since there were homes to the north. He supported the second turbine, however, because it was a "name-brand product" and didn't use a gearbox. He visited the company's North Kingstown complex and was convinced that the new turbine would be a better fit for Portsmouth, he said.

"Did we make the right decision? Probably not," Mr. Gleason said.

#### 'Sorry we voted for this'

Council member Elizabeth Pedro agreed, and said the town should work to bring the abutters and Mr. DePasquale together and offer up the council chambers as meeting space.

"I'm so sorry we voted for this," she said.

Mr. Rainer agreed to reach out to Mr. DePasquale in hopes of setting up the meeting.

In the meantime, Mr. Hamilton urged residents who have been impacted by the turbine to keep contacting Mr. DePasquale to "hold his feet to the fire." Residents should also let Mr. Rainer know ([rrainer@portsmouthri.com](mailto:rrainer@portsmouthri.com) or 401/683-3255) whenever they do contact Green Development, Mr. Hamilton said.

## Keywords

Portsmouth wind turbine, Portsmouth Town Council, Wind Energy Development, Green Development

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# WICKEDLOCAL.com

**KINGSTON REPORTER**

## Shutting down wind power in Kingston



**Kathryn Gallerani**

Wicked Local

Published 5:52 a.m. ET May 26, 2021

**KINGSTON** – The shadow flicker and noise concerns of the past won't be revisited upon Kingston residents.

**The Board of Selectmen unanimously voted 5-0 Tuesday night against supporting Green Development LLC of Rhode Island's proposal to replace Kingston's controversial Independence wind turbine with a new one.**

Selectmen Chairman Kim Emberg read portions of emails from Kingston residents and some nonresidents who live near Green Development's turbine in Portsmouth, Rhode Island, before proceeding without hesitation to oppose replacing the Independence.

Instead, she and the other board members agreed that the next step should be looking into how much it will cost to decommission and remove the wind turbine, which had been in operation by Kingston Wind Independence LLC from 2012 through 2019.

"I'm just curious," Emberg said, after asking Green Development how much it would cost to decommission and remove it. "I think that's what I'm interested in doing, personally."

Selectman Jess Kramer was clear that her vote was final and that the proposal would not be given further consideration.

“I would say the cost to the town would be to the residents of our town, and I’m unequivocally opposed to any turbine on that site spinning again,” she said.

Selectman Dick Arruda said the solar project planned for the town’s capped landfill shows the town’s commitment to green energy while generating revenue, and that they should focus on that project and “forget about the monster.”

Green Development’s director of business development, Hannah Morini, presented the company’s plans for the turbine to the board, having previously presented those plans to the town’s Green Energy Committee in mid-April. The Green Energy Committee was in support of the proposal.

Green Development proposed to remove the existing turbine before replacing it with a \$1.5 megawatt Vensys turbine for the sale of electricity to the town and to help establish a decommissioning fund for future removal.

Tuesday night, in response to the concerns of Kingston residents at that meeting, Morini presented new plans intended, she said, to ensure that neighbors are not subjected to unacceptable levels of flicker.

The proposal was to reduce the flicker effect on residents by curtailing its operation by 80 to 100 hours a year while asking the town to reduce its lease payments to the town by \$5,000 per year.

Emberg invited anyone who still wanted to speak to do so after she and other board members made their choice clear. Their decision was applauded.

Schofield Road resident Valerie Massard, a professional municipal planner in Duxbury and other towns for many years, said she has seen other turbine projects fail and be declared a public nuisance and offered to help move forward with decommissioning the existing turbine.

The selectmen also plan to discuss new flicker regulations with the Planning Board.



*Follow the Kingston Reporter on Facebook and Kathryn Gallerani on Twitter @kgallreporter.*