



TOWN OF FAIRHAVEN, MASSACHUSETTS
CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

FAIRHAVEN TOWN CLERK
RCUD 2025 MAR 20 PM2:34

PUBLIC MEETING AGENDA
Monday, March 24, 2025 at 6:00 pm

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at 40 Center Street, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public. MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.

Access the meeting via remote means may do so in the following manner:

Join Zoom Meeting:

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

Meeting ID: 869 5315 5076 Passcode: 633695

Or call 1-929-205-6099

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

1. Chairman's Welcome and Media Notification

2. **Mission statement**

Conservation by definition is the careful maintenance and upkeep of our natural resources to prevent them from disappearing. A natural resource being the physical supply of something that exists in nature, such as soil, water, air, plant and animal. Any perceived or plausible endangerments to these areas and sites shall fall before The Conservation Commission under the laws of Fairhaven and The State. We as a Committee will strive to make mindful and educated decisions with the assistance of our appointed conservation agents.

3. Quorum/Attendance

4. Appoint a Commission member as the liaison for the Community Preservation Committee

5. Approval of the February 24, 2025 meeting minutes

6. Consider acceptance of care, custody, and control of Parcel ID 27-334, Washburn Avenue, Fairhaven, MA pursuant to M.G.L. c. 40, Section 8C.

7. **Josh Crabb – Highways Department**

a. Discuss the permitting process for pavement repair, resurfacing, and reclamation of existing roadways within the right-of-way identified in 310 CMR § 10.02(2)(2)(p)

b. Request for ditch maintenance and pipe clearing work on Cottonwood Street (between Misty Bay and Bass Creek Road).

8. **Camel Street Conservation Restriction:**

Allen Decker, Director of Land Protection with the Buzzards Bay Coalition requests the Commission's approval to hold the Conservation Restriction at Camel Street, which adjoins Widemarsh Salt Marsh. A letter of support for this for the holding of the CR was signed and approved July 8, 2024.

9. **Continuances requested in advance:**

a. SE 023-1333, CON 023-181: 18 Point Street, Map 28B, Lot 207

b. SE 023-____, CON 023-480: 17 Shore Drive, Map 29C, Lots 619 & 620

b. CON 023-484: 2 Oxford Street, Map 13, Lot 001

c. SE 023-1494, CON 023-485: Ebony Street, Map 43C, Lot 389-400

10. Requests for Certificates of Compliance

- a. SE 023-1085: 18 Bernese Street, Map 29A, Lot 287**

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

Requests for Determination of Applicability

- a. CON 023-481: 29 Shore Drive, Map 29C, Lot 613 – *Continued from January 27, 2025 & February 24, 2025***

After-the-fact Request for Determination of Applicability filed by Brian Reis to raise flooded driveway area with gravel located within Flood Zone VE (El.17') at Assessor's Map 29C, Lot 613.

CON 023-487: 6 Charity Stevens Lane, Map 31, Lot 001A

Request for Determination of Applicability filed by Ann Marie Almeida to install a 5-foot-high vinyl fence (31 feet) in backyard located at Assessor's Map 31, Lot 001A.

- b. CON 023-488: 63 Nakata Avenue, Map 43, Lot 102**

Request for Determination of Applicability filed by Joseph & Grace Riccardi to install a new 2000-gallon capacity sewage holding tank (tight tank) to replace existing cesspool. The work lies within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.17'), and within the Buffer Zone to Coastal Bank at Assessor's Map 43, Lot 102.

Notices of Intent

- c. SE 023-1476, CON 023-454: 27 Silver Shell Beach Drive, Map 41, Lot 54**

Notice of Intent filed by Nancy Blouin to place u-shaped driveway in front yard with a garden in the center. Work to take place in Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.19'), Buffer to Coastal Dune and Buffer to Coastal Beach at Assessor's Map 41, Lot 54.

- d. SE 023-1480, CON 023-464: 67 Nakata Avenue, Map 43, Lot 100**

Notice of Intent filed by Joseph Dupre to excavate, grade area at seawall & install 90' x 10' x 6" concrete slab with pitch; slab to be poured on top of existing sea wall. Lot falls within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El. 19'), Buffer Zone to BVW and Coastal Beach at Assessor's Map 43, Lot 100.

- e. SE 023-1481, CON 023-465: 69 Nakata Avenue, Map 43, Lot 99**

Notice of Intent filed by Joseph Dupre to excavate, grade area at seawall & install 90' x 10' x 6" concrete slab with pitch; slab to be poured on top of existing sea wall. Lot falls within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.19'), Buffer Zone to BVW and Coastal Beach at Assessor's Map 43, Lot 99.

12. Violations/Enforcement Orders/Cease and Desist Notices – Updates

- a. EO 023-022: 344-346 New Boston Road, Map 40, Lots 023B & 023C:** Bruce Webb to provide an update on the March 11, 2025 court hearing regarding fines imposed on violators.
- b. 28 Whisper Lane, Map 42A, Lot 178:** Unpermitted clearing in Buffer Zone to Salt Marsh/LSCSF; in process of scheduling site visit.
- c. 364 Huttleston Avenue, Map 34A, Lot 22:** Cease & Desist issued July 20, 2024 for unpermitted work in the Buffer Zone to Bordering Vegetated Wetland. Owner has met with staff and is in the process of filing an RDA.

- d. **59 Reservation Road, Map 29B, Lot 59:** Verbal Cease & Desist on July 22, 2024 for unpermitted work in the Buffer Zone to Bordering Vegetated Wetland, Coastal Dune, and VE (El.20'). Owner to file spring 2025.
- e. **51 Cedar, Map 4, Lot 155:** Unpermitted clearing in the BVW; wetland restoration report submitted November 5, 2024, prepared by Stephen Chmiel. Commission to conduct a site inspection spring 2025.
- f. **EO 023-014: 20 Yankee Lane, Map 39, Lot 16:** Agent to provide updates on phases 1 & 2 and correspondence with the peer reviewer; proposal for Phases 3,4 & 5 submitted. Proposal was agreed upon and signed by Bruce Webb on October 22, 2024. Goddard Consulting to present the restoration plan for phases 3, 4, & 5 dated January 20, 2025.
- g. **SE 023-1127 & SE 023-1340: 1 Bella Vista, Map 43B, Lot 326, 359 & 360:** Provide updates on monitoring efforts. Commission to conduct a site inspection in spring 2025.
- h. **SE 023-1333, CON 023-181: 18 Point Street, Map 28B, Lot 207:** Restoration proposal submitted January 3, 2025; revised restoration plan expected early March 2025.
- i. **0 Perry Street, Map 31A, 434:** Unpermitted clearing, disturbance, and foundation installation in parcel located within the Buffer Zone to Bordering Vegetated Wetlands and NHESP Priority Habitat; owner submitted an after-the-fact Notice of Intent on March 17, 2025 to a construct single-family dwelling, driveway, and associated utilities.
- j. **138 Alden Road, Map 24, Lot 007:** Unpermitted clearing the Buffer Zone to BVW; office sent certified notice of violation on March 13, 2025.

13. General Business

- a. Next scheduled site visits: March 31, 2025
- b. Next Scheduled Public Hearing Date: April 7, 2025
- c. Discuss adopting a Conservation Commission seal stamp to be used for official municipal purposes and documentation, along with the town seal to promote the Commission's history and mission.
- d. Announcement - Fairhaven Sustainability Eco Fair, April 12, 2025

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

15. Motion to adjourn

Brandon Estrella, Chair

Fairhaven Conservation Commission

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