



TOWN OF FAIRHAVEN, MASSACHUSETTS  
**CONSERVATION COMMISSION**

Town Hall · 40 Center Street · Fairhaven, MA  
02719



**PUBLIC MEETING AGENDA**  
**Monday, April 7, 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=VFdUQkhzdVYrNzJIQktlVi9XSzGppZz09>

**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. **Continuances requested in advance:**
  - a. **CON 023-484: 2 Oxford Street, Map 13, Lot 001**
5. Appoint Commission member as the liaison for the Community Preservation Committee
6. Attorney James Marsh to provide additional documentation for the 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. **Requests for Certificates of Compliance**
  - a. **SE 023-1333, CON 023-181: 18 Point Street, Map 28B, Lot 207**
  - b. **SE 023-1180: 32 Nakata Avenue, Map 43, Lots 201D & 244**
8. **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 & March 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.



**b. CON 023-489: 180 Balsam Street, Map 43B, Lot 39**

Request for Determination of Applicability filed by Louise Merrick to install an aluminum perimeter fence within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.16') at Assessor's Map 43B, Lot 39.

**Notices of Intent**

**c. SE 023-1476, CON 023-454: 27 Silver Shell Beach Drive, Map 41, Lot 54 – *Continued from February 24, 2025 & March 24, 2025***

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; top of slab to be equal to height of existing seawall. Parcel 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; top of slab to be equal to the height of existing seawall. Parcel 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.

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

Notice of Intent filed by Mike Ristuccia for proposed septic with wastewater denitrification system. Property contains Bordering Vegetated Wetlands, Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El. 17'), and NHESP Priority Habitats at Assessor's Map 43C, Lots 389-400.

**g. SE 023-1495, CON 023-480: 17 Shore Drive, Map 29C, Lots 619 & 620**

Notice of Intent filed by Morris Goldstein to construct single-family dwelling with an open pile-type foundation in compliance with FEMA and Mass Building Code; building to have breakaway panels and a finished slab set slightly above existing grades. The house will be located within Flood Zone VE (El. 17') at Assessor's Map 29C, Lots 619 & 620.

**h. SE 023-1496, CON 023-490: 0 Perry Street, Map 31A, 434 (Earle Street)**

Notice of Intent filed by David Vermette to construct a single-family home with associated driveway, grading, and utilities. The applicant also proposes to stabilize a portion of the lot previously disturbed and cleared. The parcel contains NHESP Priority Habitat and Buffer Zone to Bordering Vegetate Wetlands at Assessor's Map 31A, Lot 434.

**i. SE 023-\_\_\_\_, CON 023-491: 60 Highland Avenue, Map 28A, Lot 164 & 165 – *Applicant requested to officially withdraw without prejudice.***

Notice of Intent filed by Laura Tykodi to construct a single-family dwelling on a pier foundation within the Buffer Zone to a Bordering Vegetated Wetland and within Land Subject to Coastal Storm Flowage. The house will be serviced with municipal water and sewer at Assessor's Map 28A, Lots 164 & 165.

**9. Violations/Enforcement Orders/Cease and Desist Notices – Updates**

- a. EO 023-022: 344-346 New Boston Road, Map 40, Lots 023B & 023C:** Magistrate's hearing regarding fines imposed on violators scheduled for April 8, 2025.

- 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 in process of filing with the office. Owner has meet with staff and 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'). Reached out to owner to apply for after-the-fact determination.
- e. **51 Cedar, Map 4, Lot 155:** Unpermitted clearing in the BVW; wetland restoration report submitted November 5, 2024, prepared by Stephen Chmiel. Staff to schedule site visit in April 2025.
- f. **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.
- g. **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.
- h. **0 Perry Street, Map 31A, 434 (Earle Street):** 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.
- i. **138 Alden Road, Map 24, Lot 007:** Unpermitted clearing the Buffer Zone to BVW; office sent certified notice of violation on March 13, 2025.
- j. **Mill Road, Map 39, Lot 36:** Notice of Violation sent out April 1, 2025 for multiple abandoned vehicles, construction equipment/machinery, and diesel/oil containers dispersed throughout the wetlands.

#### 10. General Business

- a. Next scheduled site visits: April 14, 2025
- b. Next Scheduled Public Hearing Date: April 28, 2025

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

#### 12. Motion to adjourn

**Brandon Estrella, Chair**

Fairhaven Conservation Commission

Posted by the Town Clerk: [www.fairhaven-ma.gov](http://www.fairhaven-ma.gov)