

TOWN OF FAIRHAVEN, MASSACHUSETTS
CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719



PUBLIC MEETING AGENDA
Monday, April 28, 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
Located in the Second Floor Auditorium*

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. Approval of the March 24, 2025 meeting minutes
5. Approval of the following Executive Session Minutes: (Record Request - only to be released once litigation has ended & Open Meeting Law review)
 - a. September 5, 2023
 - b. September 25, 2023
 - c. November 6, 2023
6. Request for Extension
 - a. SE 023-1383, CON 023-274: 14 Harbor View, Map 2, Lot 172
7. Requests for Certificates of Compliance
 - a. SE 023-1333, CON 023-181: 18 Point Street, Map 28B, Lot 207
 - b. SE 023-1310, CON 023-112: 1 Windy Way, Map 19, Lot 19
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 & April 7, 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 023-484: 2 Oxford Street, Map 13, Lot 001– Continued from February 24, 2025**
Request for Determination of Applicability filed by Robert & Nina Weeks to install an in-ground pool, spa, and pool house. Portion of property located in Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El. 6') and Buffer Zone to Coastal Beach at Assessor's Map 13, Lot 001.
- c. **CON 023-492: 44 Bayview Avenue, Map 28A, Lot 524**
Request for Determination of Applicability filed by Elizabeth DeMedeiros to erect a 6-foot fence and a driveway behind the house.
- d. **CON 023-493: 55 Bayview Avenue, Map 28A, Lots 464 & 465**
Request for Determination of Applicability filed by Annette McDonald to construct a 8'x16' storage shed; concrete floor will not be used.
- e. **CON 023-494: 5 Beachwood Street, Map 31B, Lot 001H**
Request for Determination of Applicability filed BY John Gomes to remove front steps and replace with pressure-treated deck.

Notices of Intent

- f. **SE 023-1498, CON 497: 2 Bayside Street, Map 42, Lot 34**
Notice of Intent filed by 2 Bayside LLC to enclose an 18'x21' area with break-away panels in compliance with FEMA and Mass Building Code and to obtain post construction authorization for various poured concrete pads. Additionally, the applicant requests an after-the-fact authorization for work which consisted of pouring a 5.5'x25.5' concrete walkway connected new permitted deck to the garage door, a concrete landing step, and a 10.7'x19.3' driveway expansion of the permitted driveway reconstruction. The site is protected from the bay by the existing stone/concrete seawall.
- g. **SE 023-___, CON 023-498: Bridge Street, Westerly Portion of Lot 15B (ANR Lot 1)**
Notice of Intent filed by Karen Goodhue to permit the development of a vacant residential property and construct a single-family home with an attached garage, rear deck and front porch. The lot contains a barn structure with parking areas and lawn with Bordering Vegetated Wetlands (BVW) along its easterly side and also falls within the 100 ft. Buffer Zone of two offsite bordering vegetated wetland Systems.
- h. **SE 023-___, CON 023-499: Bridge Street, Central Portion of Lot 15B (ANR Lot 2)**
Notice of Intent filed by Karen Goodhue to permit the development of a vacant residential property and construct a single-family home with an attached garage, rear deck and front porch. The lot contains a barn structure with parking areas and lawn with Bordering Vegetated Wetlands (BVW) along its easterly side and also falls within the 100 ft. Buffer Zone of two offsite bordering vegetated wetland Systems.
- i. **SE 023-___, CON 023-500: Bridge Street, Easterly Portion of Lot 15B (ANR Lot 3)**
Notice of Intent filed by Karen Goodhue to permit the development of a vacant residential property and construct a single-family home with an attached garage, rear deck and front porch. The lot contains a barn structure with parking areas and lawn with Bordering Vegetated Wetlands (BVW) along its easterly side and also falls within the 100 ft. Buffer Zone of two offsite bordering vegetated wetland Systems.
- j. **SE 023-1494, CON 023-485: Ebony Street, Map 43C, Lots 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.

- k. **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.
 - l. **SE 023-1497, CON 023-495: 35 Welcome Street, Map 31B, Lot 001H**
Notice of Intent filed by Ana Miranda to construct a 16' x 18' addition with attached deck and French drain on the lawn. Property located within Buffer Zone to riverfront & Bordering Vegetated Wetlands (BVW).
 - m. **SE 023-1499, CON 496: 110 Middle Street, Map 12, Lot 17**
Notice of Intent filed by Mark Patel for alteration/repairs to the existing parking lots on the route 6 side of the property. The repairs consist of approximately 31,926 S.F. (6,826 S.F. in the buffer zone) new pavement to be installed. Additionally, requests for installing 2.5 ft solar light, a garden brick planter (53 ft of which is in the buffer zone), a new awning, and (2) accessible ramps and 476 S.F. of pavers over the current cement pad at entryway.
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 March 11, 2025. Farland Corporation signed agreement with the owners; Restoration walkthrough conducted April 15th with Christian Farland.
 - b. **28 Whisper Lane, Map 42A, Lot 178:** Unpermitted clearing in Buffer Zone to Salt Marsh/LSCSF; site visit conducted on April 22nd – staff to work with owner to restore cleared area.
 - 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 by Bruce Webb for unpermitted work in the Buffer Zone to Bordering Vegetated Wetland, Coastal Dune, and VE (El.20'). Staff reached out to owner regarding filing with the conservation office on April 10, 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 in spring 2025.
 - f. **SE 023-1127 & SE 023-1340: 1 Bella Vista, Map 43B, Lots 326, 359 & 360:** Provide updates on monitoring efforts. Site inspection with engineer Rich Rheume and owner of the property was conducted on April 10th – Rich Rheume to present at an upcoming meeting to give overview of the restoration progress.
 - g. **SE 023-1333, CON 023-181: 18 Point Street, Map 28B, Lot 207:** Revised restoration proposal submitted. Bruce Webb to coordinate meeting with Rick Charon & property owner to agree to plan.
 - 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. A Cease and Desist was issued on April 7, 2025 when there was evidence of continued work and additional fill brought to the site.

- 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: May 5, 2025
- b. Next Scheduled Public Hearing Date: May 19, 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