



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION COMMISSION



PUBLIC MEETING AGENDA Monday, August 25, 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=VFdUQkhzdVYrNzJIQktiVi9XSzGppZz09>

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. Approval of the June 16, 2025 & July 7, 2025 meeting minutes

5. Continuances requested in advance:

6. Discussion:

- a. Osprey Nest request – Resident, Eric James to discuss proposed osprey nest on Marsh Island. Buzzards Bay Coalition (BBC) holds the Conservation Restriction on the north half of Marsh Island, which is owned by the Fairhaven-Acushnet Land Trust (FALPT) and both organizations are in support of the osprey pole installation.

7. **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 023-512: 2 Mark Drive, Map 32, Lot 19G – Continued from June 16, 2025 & July 7, 2025**
Request for Determination of Applicability filed by Tyler Bates to install new 15' x 50' concrete driveway in existing front lawn area. Parcel falls within Buffer Zone to BVW.

b. CON 023-525: 7 Silver Shell Beach Drive, Map 41, Lot 47

Request for Determination of Applicability filed by Brian Kelly to construct a 6' x 22' deck with sonotubes within area of existing lawn. Property located within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El. 17').

c. CON 023-527: 11 Bayview Avenue, Map 28A, Lot 483

Request for Determination of Applicability filed by Steven Lawrence to install (7) sonotubes to support a small expansion of an existing deck within area of existing lawn. Property located within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El. 16').

Notices of Intent

d. CON 023-490, SE 023-1496: 0 Perry Street, Map 31A, Lot 434 (*Earle Street*) – Continued from April 7, 2025 & April 28, 2025 & May 19, 2025

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.

e. CON 023-503, SE 023-1503: 17 Turner Avenue, Map 2, Lots 275-277 – Continued from June 16, 2025

Notice of Intent filed by Douglas & Kamryn Dubois to demolish existing cottage and construct a 32' x 56' 2-story single-family dwelling in compliance with FEMA and Mass Building Code. In addition, the applicant requests to construct a 28' x 32' (896 S.F.) 1-story guest house (ADU). Work to take place within LSCSF, FEMA Flood Zone VE (El. 15').

f. CON 023-1512, SE 023-1512: 215 Alden Road, Map 36, Lot 2A

Notice of Intent filed by Connie Martin to construct a 900 S.F. addition to the existing home. The entire project is within the 200' riverfront areas of an un-named stream that is located off site to the north.

g. CON 023-522, SE 023-1508: 0 Huttleston Avenue, Map 34A, Lot 21

Notice of Intent filed by Teixeira's Construction to construct new single-family dwelling served by town water & sewer. Work to take place in the 50'-100' buffer to the Bordering Vegetated Wetlands.

h. CON 023-524, SE 023-1509: 168 Balsam Street, Map 43B, Lot 33 & 34 – Continued from August 4, 2025

Notice of Intent filed by Kirk & Renee Pinto for the removal & reconstruction of a stone/concrete seawall and restoration of eroded shoreline areas. Work to take place on a Coastal Bank and within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.17').

i. CON 023-526, SE 023-1511: 110 Middle Street (Seaport Inn), Map 12, Lot 17

Notice of Intent filed by Uday Patel to install floating docks and piles (~40 – 12-inch wooden piles to be installed to support 302 linear feet of six-foot-wide floats and 600 linear feet of 4-foot-wide finger floats). Work to take place within Land Under the Ocean & Land Subject to Coastal Storm Flowage, FEMA Flood Zone AE (El.6').

8. Violations/Enforcement Orders/Cease and Desist Notices

- a. **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. Owner in contact with the office and has hired a delineator for the property.
- b. **29 Shore Drive, Map 29C, Lot 613:** Unauthorized & unpermitted driveway consisting of millings or Reclaimed Asphalt Pavement (RAP) in the buffer zone to coastal beach, coastal dune, and Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.17').

9. Staff Updates

- a. *Natural Heritage of Fairhaven Series: The Sights and Sounds of Wetlands* Monday, September 8, 2025 at 6:30pm in the UU Auditorium located at 105 Green Street
- b. Fort Phoenix Beach Cleanup September 20, 2025 from 9:00am-12:00pm

10. General Business

- a. Next scheduled site visits: Tentatively scheduled for September 2, 2025
- b. Next Scheduled Public Hearing Date: September 15, 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 J. Estrella, Chair

Fairhaven Conservation Commission

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