

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.
JAY MCKINNON, E.I.T.

October 9, 2025

Town of Fairhaven
Conservation Commission
40 Center Street
Fairhaven, MA 02719

Attn: Kelly Camara, Conservation & Sustainability Coordinator

Re: Notice of Intent Application

Project Type: Proposed Seawall Reconstruction
Applicants: The 22 Point Street Fairhaven Realty Trust
Site Address: 22 Point Street
Assessors Lots #204, #205 & #218 on Map #28B

Dear Kelly,

Schneider, Davignon, & Leone, Inc., acting as agent for the Applicant hereby submits the enclosed information for the purposes of scheduling a Public Hearing for the above described project.

Specifically, please find the following information:

- \$500.00 - Notice of Intent Application Fee
- \$75.00 – Legal Advertisement Fee
- Notice of Intent Application
- Seawall Reconstruction Plan

If you have any questions or need additional information, please call me at (508) 758-7866 (ext. 203).

Sincerely,
Schneider, Davignon, & Leone, Inc.

David M. Davignon, P.E.

cc: DEP-SE Regional Office (via electronic transmission only)
John & Gia Zolotas
File 3900



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Fairhaven

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

22 Point Street

a. Street Address

Fairhaven

b. City/Town

02719

c. Zip Code

Latitude and Longitude:

28B

f. Assessors Map/Plat Number

N41-37'-39.06"

d. Latitude

W70-52'-21.17"

e. Longitude

204, 205 & 218

g. Parcel /Lot Number

2. Applicant:

a. First Name

b. Last Name

The 22 Point Street Fairhaven Realty Trust

c. Organization

c/o: John S. & Gia Zolotas, 154 Russell Street

d. Street Address

Peabody

e. City/Town

MA

f. State

01960

g. Zip Code

(978) 375-4073

h. Phone Number

i. Fax Number

zolotasg@icloud.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

same as applicant

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

David M.

a. First Name

Davignon, P.E.

b. Last Name

Schneider, Davignon & Leone, Inc.

c. Company

P.O. Box 480, 81A County Road, Unit G

d. Street Address

Mattapoisett

e. City/Town

MA

f. State

02739

g. Zip Code

(508) 758-7866

h. Phone Number

i. Fax Number

dsquared3368@yahoo.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$583.50

a. Total Fee Paid

\$83.50

b. State Fee Paid

\$500.00

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Proposed Seawall Reconstruction - See Project Narrative

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|--|
| 1. ☐ Single Family Home | 2. ☐ Residential Subdivision |
| 3. ☐ Commercial/Industrial | 4. ☐ Dock/Pier |
| 5. ☐ Utilities | 6. ☒ Coastal engineering Structure |
| 7. ☐ Agriculture (e.g., cranberries, forestry) | 8. ☐ Transportation |
| 9. ☐ Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Bristol

a. County

11930

c. Book

b. Certificate # (if registered land)

190

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	n/a 1. linear feet	n/a 2. linear feet
b. ☐ Bordering Vegetated Wetland	n/a 1. square feet	n/a 2. square feet
c. ☐ Land Under Waterbodies and Waterways	n/a 1. square feet n/a 3. cubic yards dredged	n/a 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	n/a 1. square feet n/a 3. cubic feet of flood storage lost	n/a 2. square feet n/a 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	n/a 1. square feet n/a 2. cubic feet of flood storage lost	n/a 3. cubic feet replaced
f. ☐ Riverfront Area	n/a 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: n/a
square feet

4. Proposed alteration of the Riverfront Area: _____

<u>n/a</u> a. total square feet	<u>n/a</u> b. square feet within 100 ft.	<u>n/a</u> c. square feet between 100 ft. and 200 ft.
------------------------------------	---	--

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☒ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	n/a 1. square feet n/a 2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☒ Coastal Beaches	62 (temporary) 1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	n/a 1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☒ Coastal Banks	48 1. linear feet	
g. ☐ Rocky Intertidal Shores	n/a 1. square feet	
h. ☐ Salt Marshes	n/a 1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	n/a 1. square feet n/a 2. cubic yards dredged	
j. ☐ Land Containing Shellfish	n/a 1. square feet	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above n/a 1. cubic yards dredged	
l. ☒ Land Subject to Coastal Storm Flowage	800 1. square feet	
4. ☐ Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2021-15th Edition

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mass-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☒ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☒ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
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WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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Fairhaven

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D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Seawall Reconstruction Plan

a. Plan Title

Schneider, Davignon & Leone, Inc.

David M. Davignon, P.E.

b. Prepared By

c. Signed and Stamped by

n/a

1" = 10'

d. Final Revision Date

e. Scale

see list on project narrative

10-8-25

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

612, 613

2. Municipal Check Number

7-23-25

3. Check date

611

4. State Check Number

7-23-25

5. Check date

John S., Gia

Zolotas

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Fairhaven

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant <i>John S. Zolotas</i> 3. Signature of Property Owner (if different) <i>John S. Zolotas</i> 5. Signature of Representative (if any) <i>John S. Zolotas</i>	2. Date <i>7/23/2025</i> 4. Date <i>10/08/25</i> 6. Date
---	---

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

22 Point Street

a. Street Address

611

c. Check number

Fairhaven

b. City/Town

\$83.50

d. Fee amount

2. Applicant Mailing Address:

a. First Name

The 22 Point Street Fairhaven Realty Trust

c. Organization

c/o: John S. & Gia Zolotas, 154 Russell Street

d. Mailing Address

Peabody

e. City/Town

(978) 375-4073

h. Phone Number

i. Fax Number

b. Last Name

MA

f. State

01960

g. Zip Code

zolotasg@icloud.com

j. Email Address

3. Property Owner (if different):

same as applicant

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 5): Seawall Resconstruction	48 ft.	\$4.00/ft.	\$192.00
Step 5/Total Project Fee:			\$192.00 (WPA)

Total Project Fee:	<u>\$83.50 + \$500.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$83.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$500.00</u>
	c. 1/2 Total Fee plus \$12.50

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

JOHN S ZOLOTAS
GIA ZOLOTAS
154 RUSSELL ST
PEABODY MA 01960

611
53-8513/2113

Pay to the
Order of

Commonwealth of Massachusetts
Eighty Three ~ 50/100 \$ 83.50
Dollars

luso american
CREDIT UNION
Peabody, Massachusetts 01960

For

Dep Fee

Gia Zolotas MP

Main Street Distinctly Grey

JOHN S ZOLOTAS
GIA ZOLOTAS
154 RUSSELL ST
PEABODY MA 01960

612
53-8513/2113

Pay to the
Order of

Town of Fairhaven
Five hundred ~ 00/100 \$ 500.00
Dollars

luso american
CREDIT UNION
Peabody, Massachusetts 01960

For

Con Com Fee

Gia Zolotas MP

Main Street Distinctly Grey

JOHN S ZOLOTAS
GIA ZOLOTAS
154 RUSSELL ST
PEABODY MA 01960

613
53-8513/2113

Pay to the
Order of

Town of Fairhaven
Seventy five ~ 00/100 \$ 75.00
Dollars

luso american
CREDIT UNION
Peabody, Massachusetts 01960

For

Lept ad Fee

Gia Zolotas MP

Main Street Distinctly Grey

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.
JAY MCKINNON, E.I.T.

October 8, 2025

Re: Notice of Intent – Project Narrative

Applicants: The 22 Point Street Fairhaven Realty Trust

Site Address: 22 Point Street

Assessors Lots #204, #205 & #218 on Map #28B

Project Purpose:

The purpose of the project is to improve the storm damage prevention capability of the seawall which provides protection against coastal storms for the circa 1940 single-family dwelling.

Site Background:

The subject property is approximately 8,685 sq. ft. in size and is developed with a single-family dwelling, various concrete pads, walkways, lawn and recreational sandy areas throughout. The site is bordered easterly by Point Street, westerly by Buzzards Bay and northerly and southerly by developed residential properties. The site is protected from Buzzards Bay by an existing vertical stone/concrete seawall which has been damaged from various winter storms and is the subject of this NOI Application

Wetland Resource Areas:

The entire site falls within Land Subject to Coastal Storm Flowage, Flood Zone VE (El. 16). The top of the Coastal Bank is the seaward face of the existing vertical stone/concrete seawall. The site also contains Coastal Beach.

Work Description:

Prior to any work the contractor will create a temporary gravel access road through the lawn area on the north side of the house from the street to the rear yard – to provide a stable base for the excavator, dump trucks and cement trucks.

Work will commence with the removal of the existing stone/concrete seawall and patio which will be performed using an excavator set up on the landward side of the seawall. All concrete and stones will be loaded into dump trucks and removed from the site for proper off-site disposal.

A trench will then be excavated to elevation 1.0 for the placement of a 12" crushed stone bedding. It should be noted that Mean Low Water is elevation -1.8; therefore, dewatering will not be required.

The forms will then be set up for the footing. Once the footing forms are removed, the wall forms will be set up.

Upon removal of the wall forms, boulders with trap rock bedding will be placed along the front of the concrete wall set with their face at a 1:1 slope.

Once the seawall is complete the fire pit, perimeter pervious patio and flagstone walkway will be installed.

Upon completion of the project all disturbed areas (ie: lawn and sandy beach areas) shall be restored to their preconstruction grades and conditions.

SCHNEIDER, DAVIGNON & LEONE, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.

Alternative Design Options Considered:

Alternative No. 2 was not considered as a better option because it would not improve the prevention of storm damage from existing conditions:

This option would replace the existing stone/concrete seawall (in-kind) with a poured concrete wall in the same zig-zag shaped.

Alternative No. 3 was not considered as a viable option because it would not survive the dynamic wave action that the site is exposed to on a regular basis:

This option would replace the hardscape wall with a soft engineering solution consisting of coir logs covered with sand and beach grass.

Alternative No. 4 was not considered as a better option because the site lacks the room necessary to construct and the budget that this option would require is not available:

This option would replace the existing stone/concrete seawall with a stone rip-rap seawall.

Compliance and Mitigation relative to the WPA:

- The project will improve Storm Damage Prevention for the circa 1940 existing residential dwelling
- Removal and replacement of the vertical stone/concrete seawall with a new wall with a sloped stone rip-rap face will improve storm damage prevention by reducing the erosion of the coastal beach
- The proposed horizontal shape of the new seawall will eliminate the hard vertical corners thereby reducing potential erosion of the coastal beach
- The overnight storage of machinery shall occur only in the lawn or former house foundation areas
- The temporary stockpiling of debris or materials shall occur only occur in the lawn or former house foundation areas

Attachments are enclosed as follows:

- 100-foot Abutters List
- DEP Abutter Notification Form
- Figure 1: U.S.G.S. Quadrangle
- Figure 2: Estimated Habitat Map
- Figure 3: Fairhaven Assessors Map #28B
- Figure 4: Fairhaven F.I.R.M.
- Site Photos
- Site Plan

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PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.

JAY MCKINNON, E.I.T.

October 8, 2025

100 Ft. Abutter's List
To Accompany A
Notice of Intent
Prepared For
The 22 Point Street Fairhaven Realty Trust
Site Location: 22 Point Street
Lot #204 on Assessors Map #28B

<u>Map No.</u>	<u>Lot No.</u>	<u>Owner's Name & Mailing Address</u>
28B	201, 213 & 215	Felice M. Glennon c/o: Celeste Krouse 317 Upham Street Melrose, MA 02176
28B	203	Sheryl A. Coppa 24 Point Street Fairhaven, MA 02719
28B	206 & 219	Brian R. & Nancy Richard 441 Prescott Street New Bedford, MA 02745
28B	207-209 & 220-221 & 223	Antonio & Doreen M. Albuquerque 84 Massasoit Drive Seekonk, MA 02771
28B	227-229	Chanh Le & Hoang Nguyen 11 Bonney Street Fairhaven, MA 02719
28B	242-243	Jennifer R. Brown & Michael J. Neufeld 248 Nevada Street Newton, MA 02460-1258
28B	256-257	Michael Lepage 953 Shawmut Avenue New Bedford, MA 02746

File: 3900

P.O. Box 480, 81A COUNTY ROAD, UNIT G, MATTAPOISETT, MA 02739

PHONE 1-508-758-7866

PAGE 1 OF 1

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the Fairhaven Wetlands Bylaw**

*(this form must be completed and copies sent by certified mail
to all abutters within 100 feet of the site of the project)*

In accordance with the Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and the Fairhaven Wetlands Bylaw (Chapter 192), you are hereby notified of the following:

1. The applicant's name is The 22 Point Street Fairhaven Realty Trust
2. The applicant has filed the following type of permit application with the Fairhaven Conservation Commission:
☐ Request for Determination of Applicability
☒ Notice of Intent
☐ Request to Amend an existing Order of Conditions
☐ Notice of Resource Area Delineation
3. The address or location of the site where the activity, project, or delineation is proposed is:
22 Point Street
4. The proposed work includes the removal and reconstruction of a stone/concrete seawall together with associated site work. Said work to be performed on a Coastal Bank, within Land Subject to Coastal Storm Flowage, Flood Zone VE (E1. 16) and within the 50' Buffer Zone of a Coastal Beach.

5. Copies of the above application may be examined at the Conservation Office, located in Town Hall, 40 Center Street, Fairhaven, MA 02719, between 9:00 AM and 4:00 PM, Monday through Friday. Copies may be obtained at the office if notified in advance or from the applicant.
6. Applications will also be uploaded to www.fairhaven-ma.gov/conservation-commission/pages/current-filings. If you are unable to access or view the application electronically, please contact the Conservation Office at 508-979-4023, ext. 128.
7. Notice of the public hearing including its date, time, and place will be published at least five business days in advance in the Fairhaven Neighborhood News, and will be posted on the Fairhaven Town Website and at the Fairhaven Town Hall not less than 48 hours in advance.

PLEASE NOTE:

Since you are receiving this notice, you may have wetland resource areas or wetland buffers on your property. Therefore, construction, cutting, clearing, or grading may require a permit. For clarification or for more information, call the Conservation Agent at 508-979-4082 or visit our website.



SCONTICUT NECK QUAD.

U.S.G.S. QUADRANGLE MAP

SCALE: 1"=2,083'

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
P.O. Box 480, 81A COUNTY RD, UNIT G, MATTAPOISETT, MA 02739
1-508-758-7866



Notice of Intent Application

Applicant: The 22 Point Street Fairhaven Realty Trust

Town of: Fairhaven

Site Address: 22 Point Street

Locus = Assessors Lots #204, #205 & #218 on Map #28B

FIGURE 1



ESTIMATED HABITAT MAP

Not to Scale

SCHNEIDER, DAVIGNON & LEONE, INC.

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P.O. Box 480, 81A COUNTY RD, UNIT G, MATTAPOISETT, MA 02739
1-508-758-7866



Notice of Intent Application

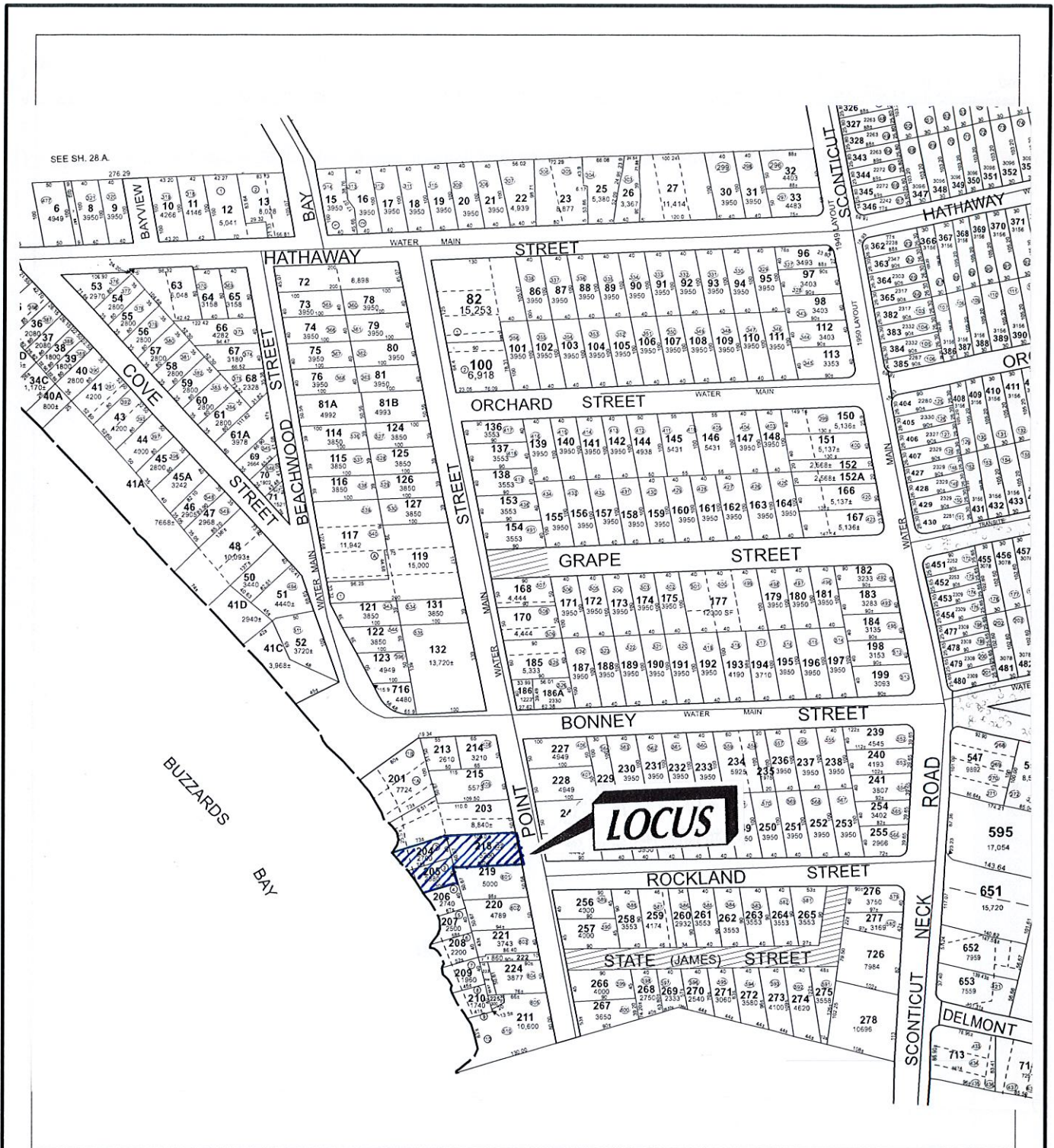
Applicant: The 22 Point Street Fairhaven Realty Trust

Town of: Fairhaven

Site Address: 22 Point Street

Locus = Assessors Lots #204, #205 & #218 on Map #28B

FIGURE 2



ASSESSORS MAP #28B

Not to Scale

SCHNEIDER, DAVIGNON & LEONE, INC.

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Notice of Intent Application

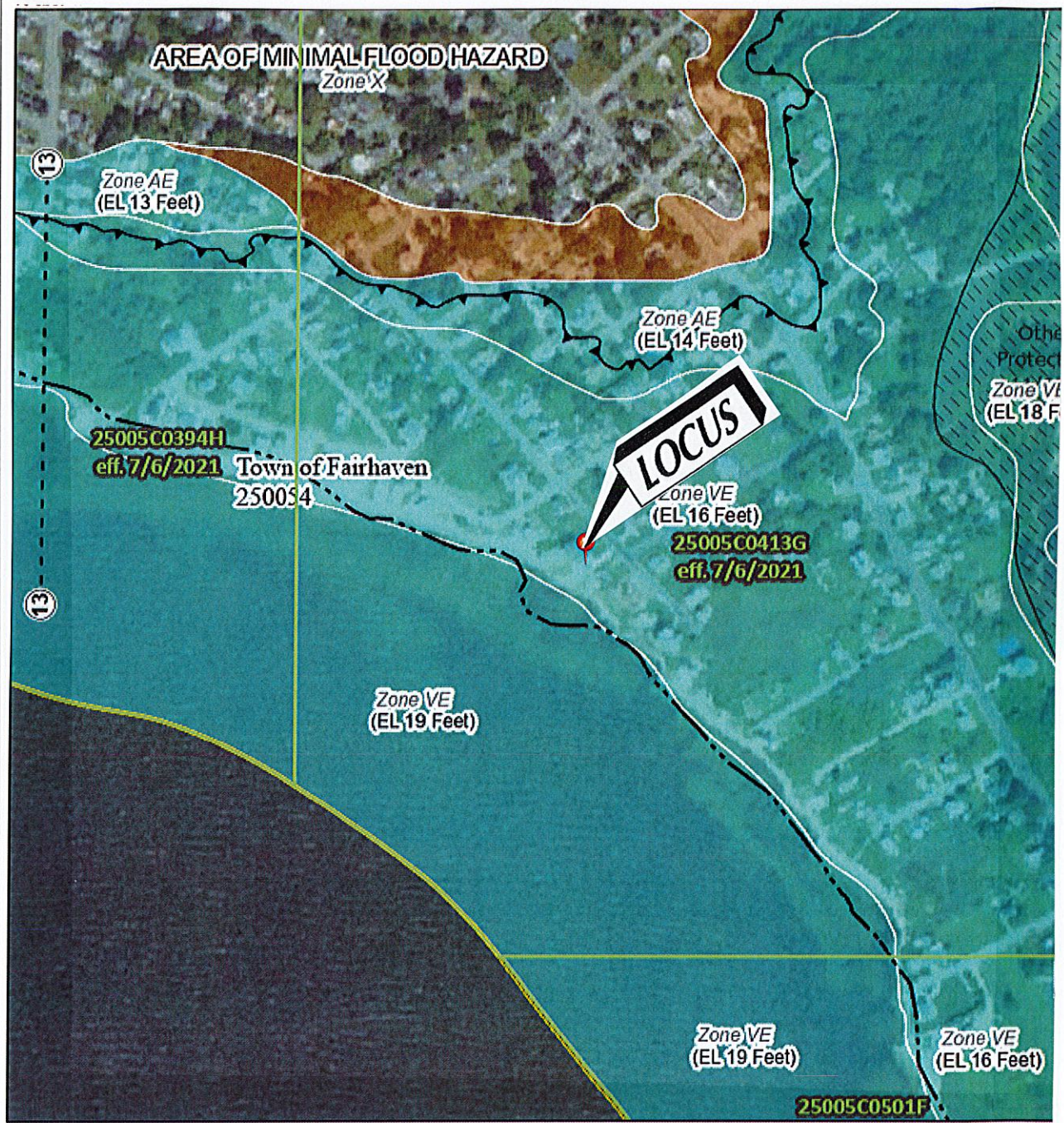
Applicant: The 22 Point Street Fairhaven Realty Trust

Town of: Fairhaven

Site Address: 22 Point Street

Locus = Assessors Lots #204, #205 & #218 on Map #28B

FIGURE 3



PANEL NO.
250023C0413G

FAIRHAVEN F.I.R.M.

Not to Scale

SCHNEIDER, DAVIGNON & LEONE, INC.

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Notice of Intent Application

Applicant: The 22 Point Street Fairhaven Realty Trust

Town of: Fairhaven

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FIGURE 4

