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 28, 2026

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

Attn: Danielle Kirkwood, Conservation & Planning Coordinator

Re: Notice of Intent Application
Project Type: Proposed Stone Seawall Repair & Stone Jetty Reconstruction
Applicant/Owner: Jeffrey B & Diane E. Hosking
Site Address: 83 Nakata Avenue
Assessors Lots #92 & #93 on Map #43

Dear Danielle,

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
- Site 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 and hard copy)
DMF
Harbormaster Timothy Cox
Jeffrey & Diane Hosking
File 4194

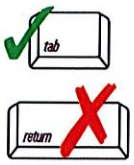
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
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):

83 Nakata Avenue — a. Street Address
Fairhaven — b. City/Town
02719 — c. Zip Code

Latitude and Longitude:
N41-35'-03.11" — d. Latitude
W70-51'-11.27" — e. Longitude
43 — f. Assessors Map/Plat Number
92-93 — g. Parcel /Lot Number

2. Applicant:

Jeffrey B., Diane E. — a. First Name
Hosking — b. Last Name
c. Organization
456 Lincoln Road — d. Street Address
Walpole — e. City/Town
MA — f. State
02081-1209 — g. Zip Code
(508) 942-8314 — h. Phone Number
i. Fax Number
jeffpayless@gmail.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) 758-7855 — h. Phone Number
i. Fax Number
dsquared3368@yahoo.com — j. Email address

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

$771.50 — a. Total Fee Paid
$271.50 — b. State Fee Paid
$500.00 — c. City/Town Fee Paid

Massachusetts Department of Environmental Protection
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A. General Information (continued)

6. General Project Description:

Proposed Stone Seawall Repair & (2) Stone Jetty 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 CMR10.24(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	b. Certificate # (if registered land)
14817	218
c. Book	d. Page Number

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

1. ☐ 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.
2. ☐ 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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Bureau of Resource Protection - Wetlands

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

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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)	(2. linear feet)
b. ☐ Bordering Vegetated Wetland	n/a (1. square feet)	(2. square feet)
c. ☐ Land Under Waterbodies and Waterways	n/a (1. square feet); n/a (3. cubic yards dredged)	(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)	(2. square feet); (4. cubic feet replaced)
e. ☐ Isolated Land Subject to Flooding	n/a (1. square feet); n/a (2. cubic feet of flood storage lost)	(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:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
n/a	n/a	n/a

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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	n/a (1. square feet)	(2. cubic yards beach nourishment)
e. ☐ Coastal Dunes	n/a (1. square feet)	(2. cubic yards dune nourishment)

	Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐ Coastal Banks	n/a (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	2,335 (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.

n/a
a. square feet of BVW

n/a
b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

n/a
a. number of new stream crossings

n/a
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

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* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see https://www.mass.gov/ma-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:

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

North Shore - Plymouth to New Hampshire border:

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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Provided by MassDEP:

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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.

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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.

Site Plan
a. Plan Title

Schneider, Davignon & Leone, Inc.
b. Prepared By

David M. Davignon, P.E.
c. Signed and Stamped by

n/a
d. Final Revision Date

1"=20'
e. Scale

see list on project narrative
f. Additional Plan or Document Title

10-28-26
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:

4729
2. Municipal Check Number

10-15-26
3. Check date

4728
4. State Check Number

10-15-26
5. Check date

Jeffrey B., Diane E.
6. Payor name on check: First Name

Hosking
7. Payor name on check: Last Name

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

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

2. Date: 10/15/2026

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date: 10/28/26

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.

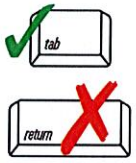
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

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:

83 Nakata Avene	Fairhaven
a. Street Address	b. City/Town
4728	$271.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Jeffrey B., Diane E.	Hosking
a. First Name	b. Last Name

c. Organization

456 Lincoln Road
d. Mailing Address

Walpole	MA	02081-1209
e. City/Town	f. State	g. Zip Code

(508) 942-8314		jeffpayless@gmail.com
h. Phone Number	i. Fax Number	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

B. Fees

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

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.

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NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 5) : Reconstruction of two stone jetties	142 ft.	$4/ft.	$568.00

Step 5/Total Project Fee: $568.00 (WPA)

Step 6/Fee Payments:

Total Project Fee:	$568.00 (WPA) a. Total Fee from Step 5
State share of filing Fee:	$271.50 (WPA) b. 1/2 Total Fee **less** $12.50
City/Town share of filling Fee:	$500.00 (per By-Law) c. 1/2 Total Fee **plus** $12.50

C. Submittal Requirements

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.)

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 27, 2026

Re: Notice of Intent - Project Narrative
Applicant/Owner: Jeffrey B. & Diane E. Hosking
Project Type: Proposed Reconstruction of Stone Jetties & Seawall Repair
Site Address: 83 Nakata Avenue
Lots #92 & #93 on Assessors Map #43

Project Purpose:
The purpose of the project is to reconstruct the storm-damaged stone jetties (a.k.a. groins) as required per "Standard Waterways License Condition No. 5" of Chapter 91 Waterways License No. 7856 (see attached). Specifically, said condition reads *"The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans".*

Site Background:
The subject site is approximately 23,212 sq. ft. in size and is completely developed with a single-family dwelling and manicured lawn areas throughout. The site is bordered easterly by Buzzards Bay, westerly by Nakata Avenue and northerly and southerly by developed residential properties. The site is protected from coastal storms by a vertical concrete seawall and stone rip-rap armor, the latter of which needs minor repair work.

Wetland Resource Areas:
The entire site falls with Land Subject to Coastal Storm Flowage, Flood Zones VE (El. 18 and 19). The site contains coastal resource areas; Coastal Bank (top of the concrete seawall), Coastal Beach, Land Under Ocean and Land Containing Shellfish. The easterly portion of the site falls within the 100 ft. Buffer Zone of the Coastal Bank.

Historical Permit:
The concrete/stone seawall and two stone jetties which are the subject of this application were authorized by the DEP-Waterways Department on 4-13-99 under License Plan No. 7856. Said License has a 99-year term.

Work Description and Construction Methodology:
The Applicant proposes to reconstruct the stone jetties by mimicking the x-sectional views on sheet no. 3 of the Chapter 91 Plans. Construction access to rebuild the stone jetties shall be from the lawn and over the seawall utilizing the existing stone footprint.

Construction shall begin at the seaward end and thence continue incrementally landward. The jetty will be reconstructed using 6,000 lb.-8,000 lb. along the center and 4,000 lb.-6,000 lb. boulders along the sides. The boulders will be set on a bed of trap rock and the top voids will be filled with one-man stones.

The height will be 3.5 ft. (maximum) for the southerly jetty and 3.0 ft. (maximum) for the northerly jetty. The southerly jetty will be 11 ft. wide and 73 ft. long and the northerly jetty will be 8 ft. wide x 69 ft. long, both within the parameters of the License Plan. The southerly jetty will actually be shorter than the licensed structure.

It should be noted that no heavy machinery is proposed to enter onto the Coastal Beach between the jetties.

The seawall repair work consists of simply restoring the original slope/shape using the dislodged boulders/stones - as previously permitted under DEP File No. SE 23-1172, per the x-sectional view on the plan.

The existing lawn shall be used for the stockpile of boulders and trap rock needed for the jetty reconstruction. The construction access path within the lawn will be stripped of loam for the placement of temporary gravel to support the weight of the dump trucks or steel plates or timber mats shall be laid onto the lawn to support said equipment. Upon completion of the project and at the next available growing season, all lawn shall be restored to its preconstruction grades and vegetative conditions.

General Construction Notes:

1. All work shall be performed using an excavator set on the existing lawn and or within the existing Licensed stone jetty footprints.
2. No heavy machinery or construction material will be placed on the Coastal Beach.
3. The use of a barge for this project is not proposed under this NOI.

Summary of Attachments are as follows:

- Chapter 91 License Document & Plan No. 7856
- 100 ft. Abutters List
- DEP Abutter Notification Form
- Figure 1: U.S.G.S. Quadrangle
- Figure 2: Estimated Habitat Map
- Figure 3: Assessors Map #43
- Figure 4: F.I.R.M. Panel No. 25005C0501F
- Site Plan

The Commonwealth of Massachusetts

No. 7856

Whereas,

Estate Of William A. Fitzsimmons

of -- Washington --, in the -- District of Columbia --, has applied to the Department of Environmental Protection for license to -- maintain an existing seawall with a rip-rap face, a stone/concrete groin and a stone groin in Buzzards Bay --

and has submitted plans of the same; and whereas due notice of said application, ~~and of the time and place fixed for a hearing thereon~~, has been given, as required by law, to the -- Board of Selectmen -- of the -- Town of Fairhaven; --

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, ~~subject to the approval of the Governor~~, authorizes and licenses the said

-- Estate Of William A. Fitzsimmons --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- maintain an existing seawall with a rip-rap face, a stone/concrete groin and a stone groin --

in and over the waters of -- Buzzards Bay -- in the -- Town -- of -- Fairhaven -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 7856, (4 Sheets).

PRINTED ON RECYCLED PAPER

The structures hereby authorized shall be limited to the following uses: shoreline stabilization for the protection of existing structures

This license will expire ninety-nine (99) years from the date of issuance.

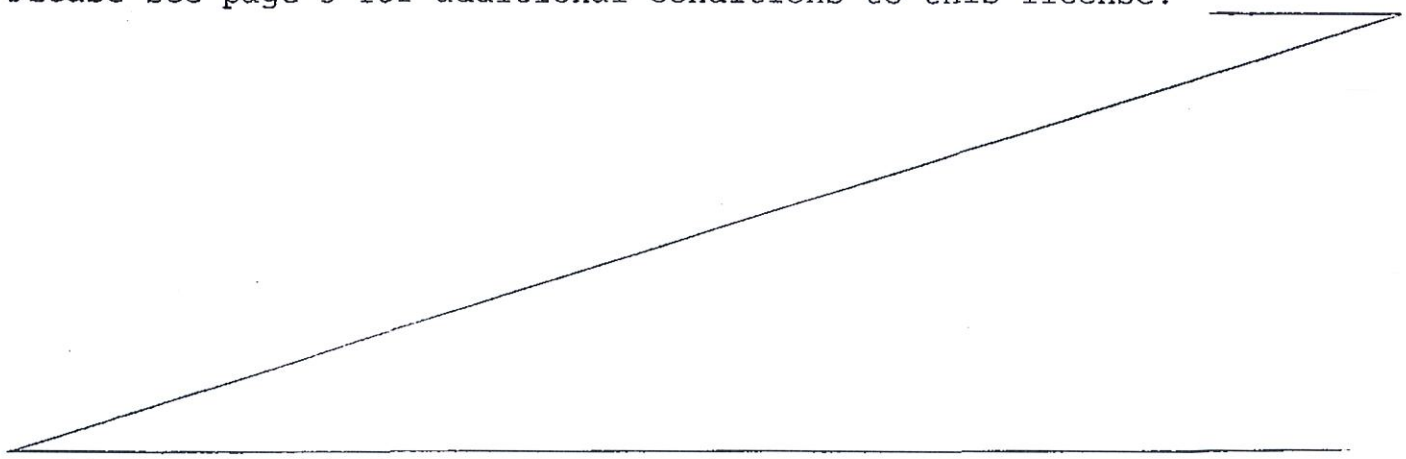
SPECIAL WATERWAYS LICENSE CONDITIONS

In accordance with any license condition, easement, or other public right of lateral passage that exists in the area of the subject property lying between the high and low water marks, the licensee shall allow the public, in the exercise of such rights, to pass freely over the stone groins authorized herein.

If, at any time in the future, a determination is made that the stone groins authorized herein pose a threat to the environment, natural resources, navigation and/or public rights, the Department hereby reserves the right to require complete or partial removal of said groins. Such removal shall take place upon written notice from the department.

The project authorized herein has been completed in conformance with the accompanying License Plan. The issuance of this license, therefore, fulfills the Licensee's obligation to obtain a Certificate of Compliance pursuant to 310 CMR 9.19.

Please see page 3 for additional conditions to this license.



Duplicate of said plan, number 7856 is on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.

2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.

3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.

4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.

5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.

6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.

7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.

8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Water Pollution Control.

9. This License authorizes structure(s) and/or fill on:

_x_ Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.

__ Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.

___ a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.

No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.

10. Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- Estate Of William A. Fitzsimmons -- by paying into the treasury of the Commonwealth -- two dollars and zero cents ($2.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department (65.0 cu. yd. = $130.00).

Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of -- Bristol.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this thirteenth day of April in the year nineteen hundred and ninety-nine.

for Program Chief _____ Department of Environmental Protection

THE COMMONWEALTH OF MASSACHUSETTS

~~This license is approved in consideration of the payment into the~~ treasury of the Commonwealth by the said -- Estate Of William A. Fitzsimmons --

the further sum of -- zero dollars and zero cents ~~($0.00)~~ --

the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

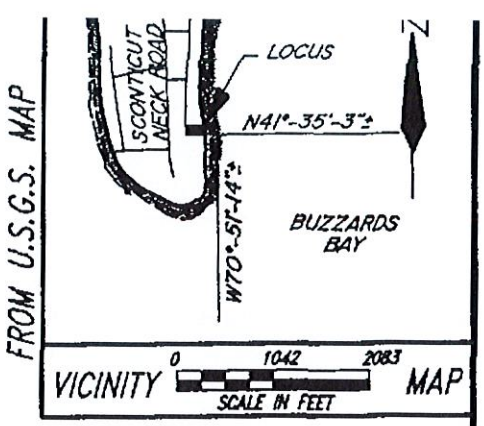
BOSTON,

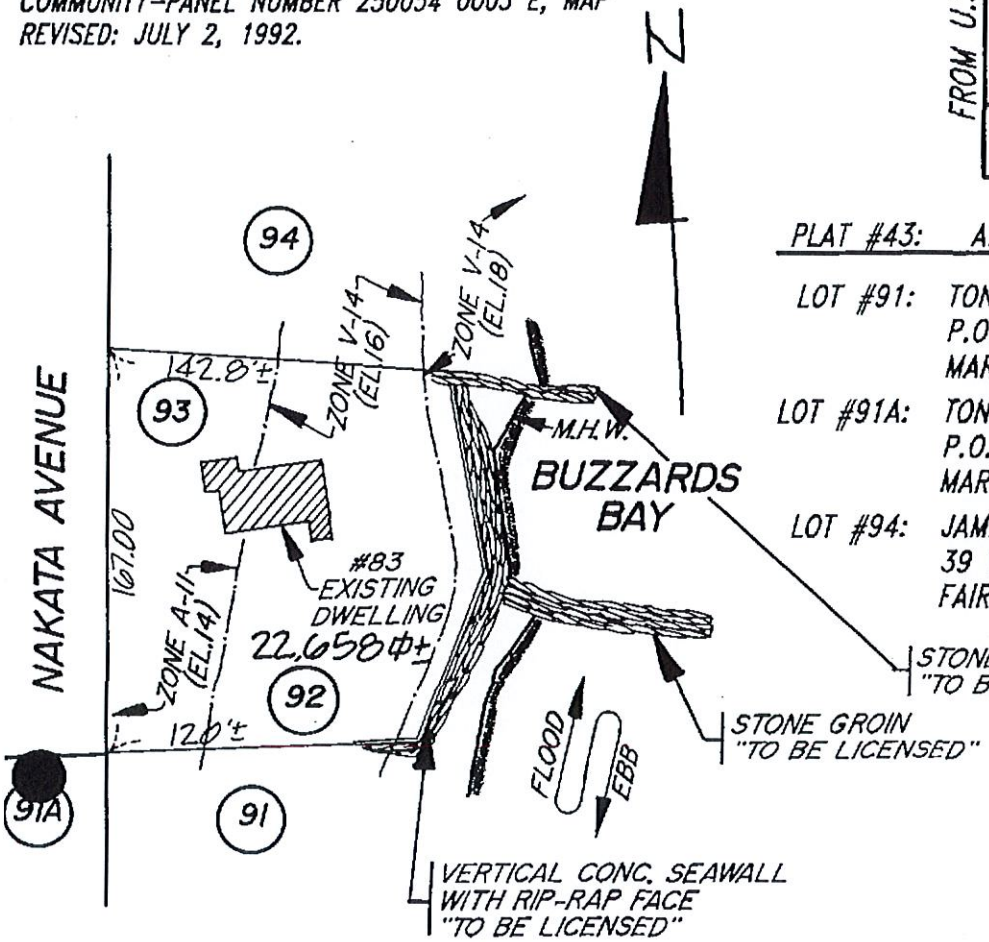
Approved by the Governor.

_____

~~Governor~~

NOTES: ALL ELEVATIONS REFER TO MEAN LOW WATER DATUM. SOUNDINGS ARE IN FEET AND TENTHS AND REFER TO DEPTHS BELOW THE PLANE OF MEAN LOW WATER. HISTORIC MEAN HIGH WATER IS UNKNOWN. LOT NUMBERS IN CIRCLES REFER TO FAIRHAVEN ASSESSORS PLAT #43. FLOOD ZONES ARE AS DELINEATED ON FIRM COMMUNITY-PANEL NUMBER 250054 0003 E, MAP REVISED: JULY 2, 1992.





PLAT #43: ABUTTORS LIST

LOT #91: TONY & FLORENCE T. KENZERSKI
P.O. BOX 261
MARLBORO, MA. 01752

LOT #91A: TONY & FLORENCE T. KENZERSKI
P.O. BOX 261
MARLBORO, MA. 01752

LOT #94: JAMES K. & DAWN M. NICOLSON
39 WALNUT STREET
FAIRHAVEN, MA. 02719

0 40 80 160
SCALE IN FEET

LOCUS VIEW

COMMONWEALTH OF MASSACHUSETTS
ARTHUR C. THOMPSON
No. 8893
REGISTERED PROFESSIONAL ENGINEER

PLANS ACCOMPANYING PETITION OF
ESTATE OF WILLIAM A. FITZSIMMONS
TO LICENSE AND MAINTAIN A VERTICAL CONCRETE SEAWALL WITH A RIP-RAP FACE, A STONE/CONCRETE GROIN AND AND A STONE GROIN IN
BUZZARDS BAY
TOWN OF FAIRHAVEN
COUNTY OF BRISTOL, MA.
JUNE 26, 1996 SCALE AS NOTED
THOMPSON SURVEYING & ENGINEERING, INC.
525 MILL STREET

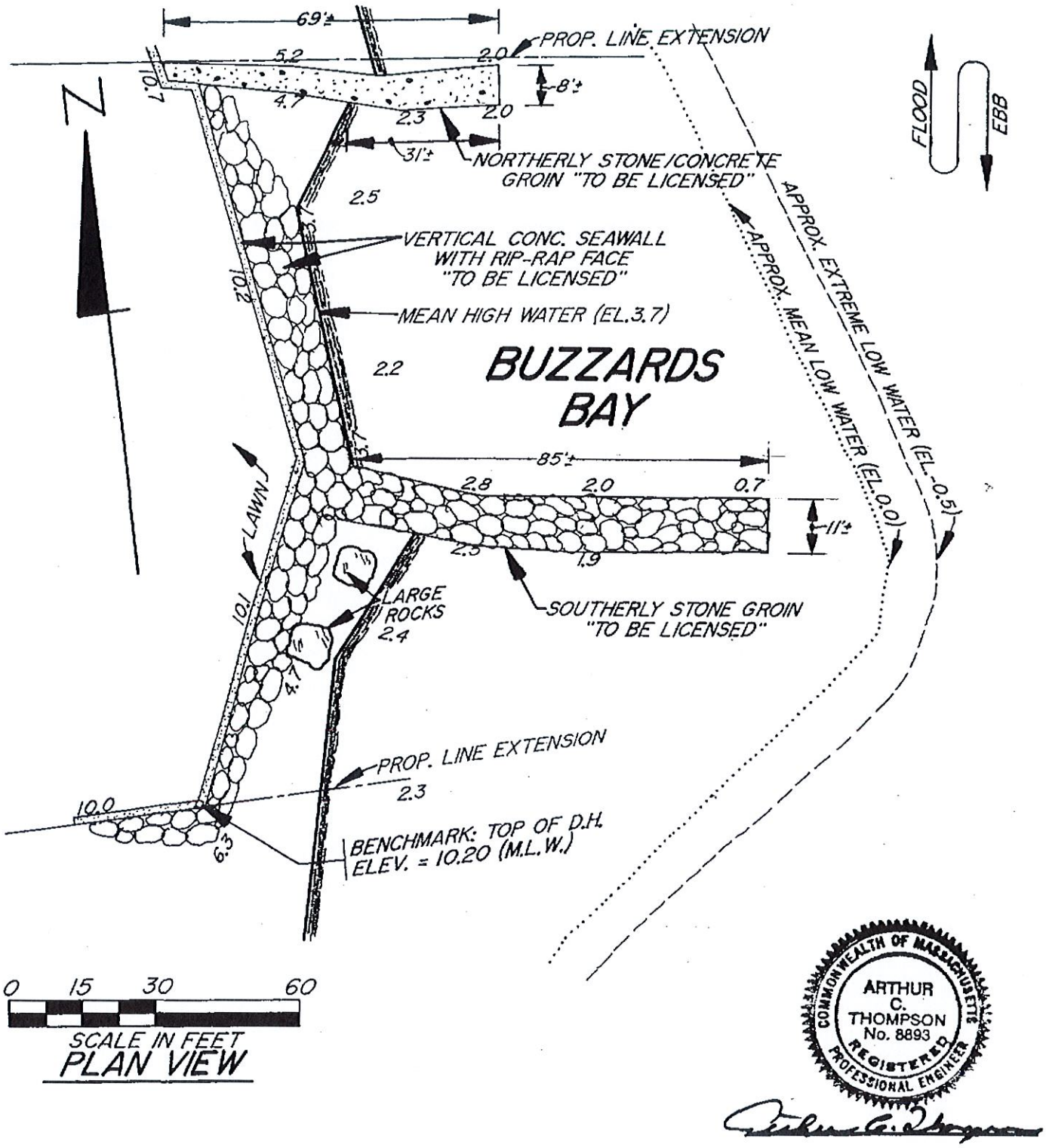
NO.	REVISION DATE	DESCRIPTION

SHEET 1 OF 4 SHEETS

LICENSE PLAN NO. 7856
Approved by Department of Environmental Protection of Massachusetts
Mitch Fiencina
ADR 13 1999

FAIRHAVEN

WW16-536



PLAN VIEW

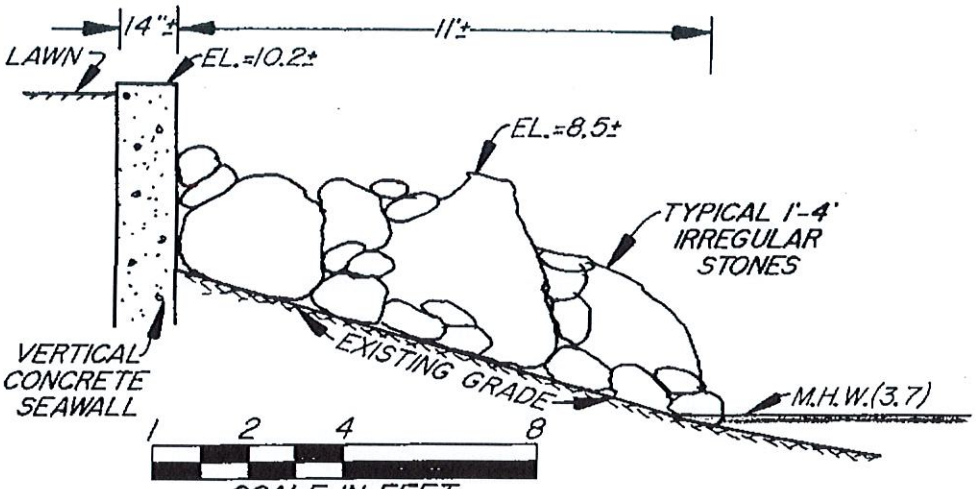
COMMONWEALTH OF MASSACHUSETTS
ARTHUR C. THOMPSON
No. 8893
REGISTERED PROFESSIONAL ENGINEER

NO.	REVISION DATE	DESCRIPTION

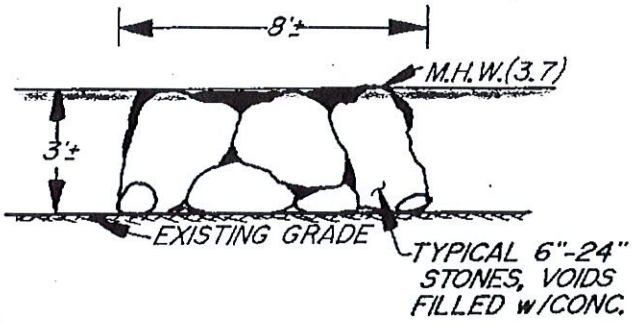
SHEET 2 OF 4 SHEETS

ESTATE OF WILLIAM A. FITZSIMMONS
FAIRHAVEN, MA.
BUZZARDS BAY
JUNE 26, 1996 SCALE AS NOTED

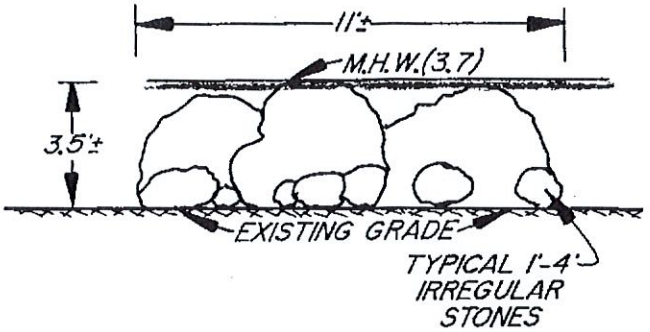
LICENSE PLAN NO. 7856
Approved by Department of Environmental Protection
Date: APR 13 1999



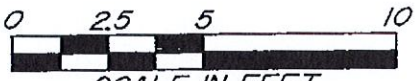
TYP. SEAWALL X-SECTION



NORTHERLY STONE/CONC. GROIN

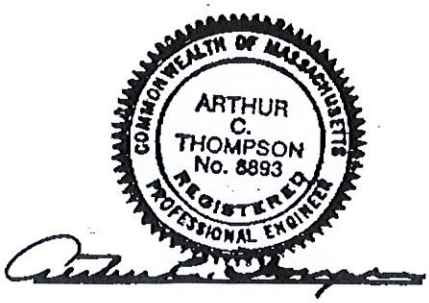


SOUTHERLY STONE GROIN



TYP. STONE GROIN X-SECTIONS

NOTE: APPROXIMATE VOLUME OF STONE/CONC. GROIN BELOW MEAN HIGH WATER = 10 CU.YDS.±
APPROXIMATE VOLUME OF STONE GROIN BELOW MEAN HIGH WATER = 50 CU. YDS.±
APPROXIMATE VOLUME OF STONE SEAWALL BELOW MEAN HIGH WATER = 5 CU.YDS.±

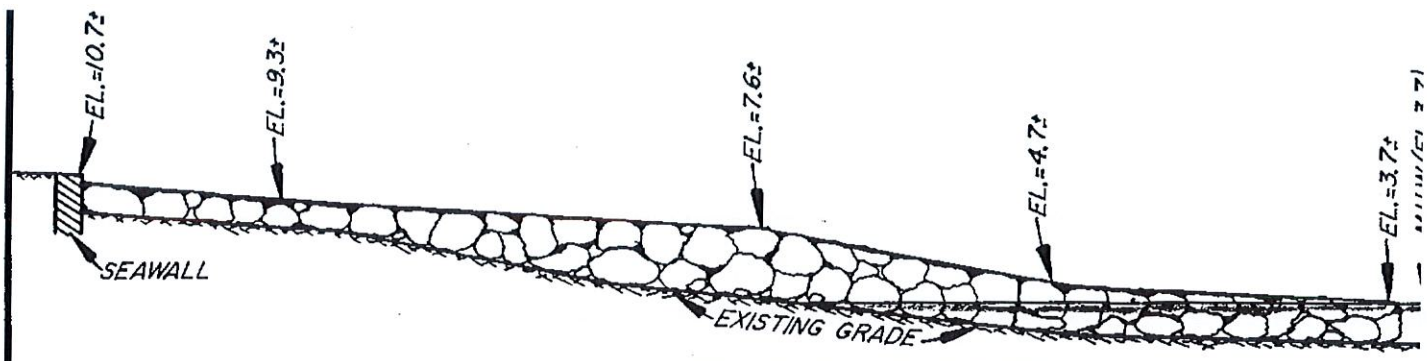


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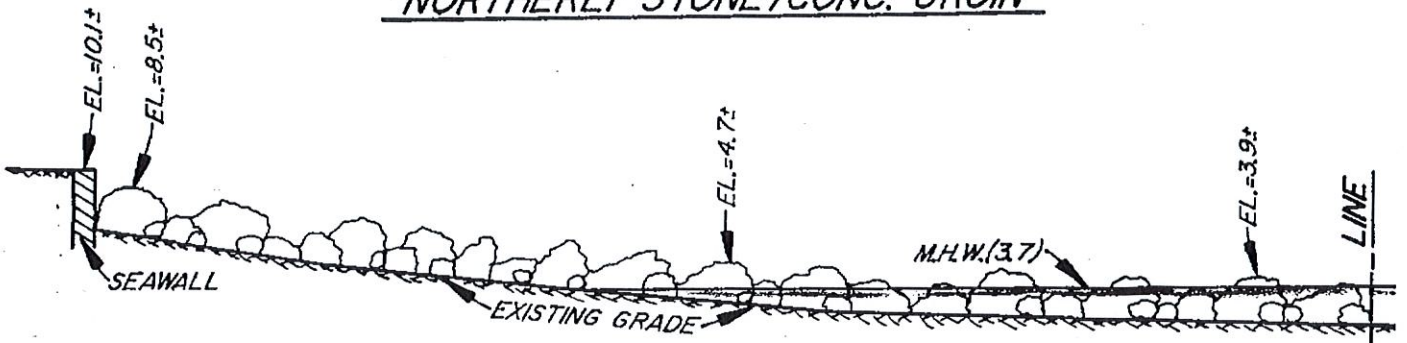
SHEET 3 OF 4 SHEETS

ESTATE OF WILLIAM A. FITZSIMMONS
FAIRHAVEN, MA.
BUZZARDS BAY
JUNE 26, 1996 SCALE AS NOTED

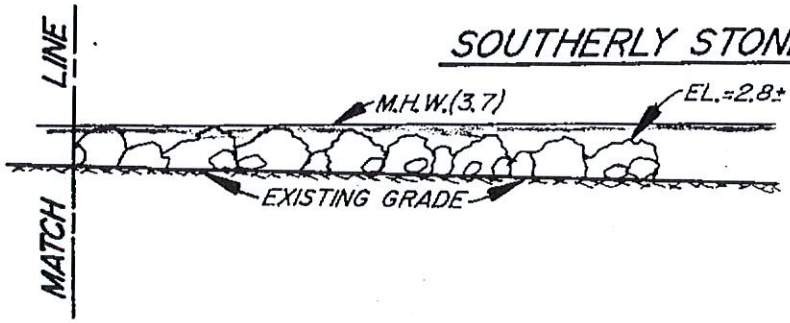
LICENSE PLAN NO. 7856
Approved by Department of Environmental Protection
Date: APR 13 1999



NORTHERLY STONE/CONC. GROIN



SOUTHERLY STONE GROIN





PROFILE VIEWS

COMMONWEALTH OF MASSACHUSETTS
ARTHUR C. THOMPSON
No. 8893
REGISTERED PROFESSIONAL ENGINEER

Arthur C. Thompson

NO.	REVISION DATE	DESCRIPTION

SHEET 4 OF 4 SHEETS

ESTATE OF WILLIAM A. FITZSIMMONS
FAIRHAVEN, MA.
BUZZARDS BAY
JUNE 26, 1996 SCALE AS NOTED

LICENSE PLAN NO. 7856
Approved by Department of Environmental Protection
Date: APR 13 1999

RECEIVED
BOARD OF ASSESSORS

OCT 15 2026

FAIRHAVEN, MA

Town of Fairhaven
Massachusetts
BOARD OF ASSESSORS

40 Center Street
Fairhaven, MA 02719

Amanda Robinson, Chair
Daniel Lane, Member
Sharon Simmons, Member

Bruce Cabral, Principal Assessor
Phone: (508) 979-4023, x-8111
Facsimile: (508) 979-4079
Email: bcabral@fairhaven-ma.gov

ABUTTERS LIST REQUEST FORM

A $25.00 Fee per request is required for preparation of the list. Payment is due at the time of submission of this form. Please allow 10 days from the submission of the form for the Assessors' office to complete the processing of your request. In conformance with MGL c40A §11, this information is needed so that an official abutters list as required, is used in notifying the abutters. All abutters list are considered expired after 30 days.

Date of Request: 10 / 15 / 26

Assessors Parcel ID: MAP 43 LOT 92-93

Property Address: 83 Nakata Ave

Distance Required from Parcel # listed above (Circle One): 500 300 (100)
(Note: if a distance is not circled, we cannot process your request)

Purpose: (PLEASE CHECK OFF ALL THAT APPLY)

✓ Conservation Commissions

___ Zoning Board of Appeals

___ Planning Board

___ Other Explain: _____

Property Owner: Jeffrey B. & Diane E. Hosking

Property Owner's Mailing Address: 452 Lincoln Rd.

Town/City: Walpole State: MA Zip: 02081

Property Owner's Telephone # 508 - 942 - 8314

Requestor's Name (if different from Owner) Heather Lambert

Requestor's Address: PO Box 490, Mattapoisett, MA 02739

Requestor's Telephone # 508 - 758 - 7866

Requestor's Email: Heather@SDLengineering.com

Office Use Only: Date Fee Paid / / Paid in Cash $_____

Paid by Check $_____ Check # _____ Town Receipt # _____

100 feet Abutters List Report

Fairhaven, MA
October 21, 2026

Subject Properties:

Parcel Number:	43-092	Mailing Address:	HOSKING JEFFREY B & DIANE E
CAMA Number:	43-092		456 LINCOLN ROAD
Property Address:	83 NAKATA AVE		WALPOLE, MA 02081
Parcel Number:	43-093	Mailing Address:	HOSKING JEFFREY B & DIANE E
CAMA Number:	43-093		456 LINCOLN ROAD
Property Address:	83 NAKATA AVE		WALPOLE, MA 02081

Abutters:

Parcel Number:	43-090	Mailing Address:	GRAVES G ROBERT JR TRUSTEE
CAMA Number:	43-090		GRAVES FAMILY IRR TRUST
Property Address:	NAKATA AVE		5 STEPPINGSTON LN
			SANDWICH, MA 02563
Parcel Number:	43-091	Mailing Address:	TRETHEWEY RICHARD S
CAMA Number:	43-091		170 WASHINGTON STREET
Property Address:	NAKATA AVE		ST AUGUSTINE, FL 32084
Parcel Number:	43-091A	Mailing Address:	TRETHEWEY RICHARD S
CAMA Number:	43-091A		170 WASHINGTON STREET
Property Address:	NAKATA AVE		ST AUGUSTINE, FL 32084
Parcel Number:	43-094	Mailing Address:	NICOLSON DAWN M
CAMA Number:	43-094		79 NAKATA AVENUE
Property Address:	79 NAKATA AVE		FAIRHAVEN, MA 02719
Parcel Number:	43-095	Mailing Address:	NICOLSON DAWN M
CAMA Number:	43-095		79 NAKATA AVENUE
Property Address:	79 NAKATA AVE		FAIRHAVEN, MA 02719
Parcel Number:	43-157	Mailing Address:	BRIGHTMAN PETER D TTE BRIGHTMAN
CAMA Number:	43-157		FAMILY TRUST
Property Address:	1 MARY ST		1 MARY STREET
			FAIRHAVEN, MA 02719
Parcel Number:	43-158	Mailing Address:	HOSKING JEFFREY B & DIANE E
CAMA Number:	43-158		456 LINCOLN ROAD
Property Address:	NAKATA AVE		WALPOLE, MA 02081
Parcel Number:	43-159	Mailing Address:	MOSS JAMES L III & JOANNE A TTE
CAMA Number:	43-159		JAMES L III & JOANNE A MOSS LIVING
Property Address:	84 NAKATA AVE		TR
			8 FRANCESCO AVENUE
			FRANKLIN, MA 02038

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 or hand delivery to all abutters within 100 feet of the property where the project is located)

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 Jeffrey B. & Diane E. Hosking

2. The applicant has filed the following 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:

   83 Nakata Avenue, Lots #92 & #93 on Assessors Map #43, Fairhaven, MA.

4. The proposed work includes the repair of a stone seawall and reconstruction of two stone jetties, structures which were authorized under Chapter 91 Waterways License Plan No. 7856.

5. Copies of the above application may be examined at the Conservation Office, located in Town Hall, 40 Center Street, Fairhaven, MA 02719, between 8:00 AM and 6:00 PM Monday, 8:00 AM - 4:30 PM Tuesday, Wednesday, Thursday and 8:00 AM - 11:30 AM 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. 8129.

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.



U.S.G.S. QUADRANGLE MAP

SCONTICUT NECK QUAD.

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: Jeffrey B. & Diane E. Hosking
Town of: Fairhaven
Site Address: 83 Nakata Avenue
Locus = Assessors Lots #92 & #93 on Map #43

FIGURE 1



ESTIMATED HABITAT MAP

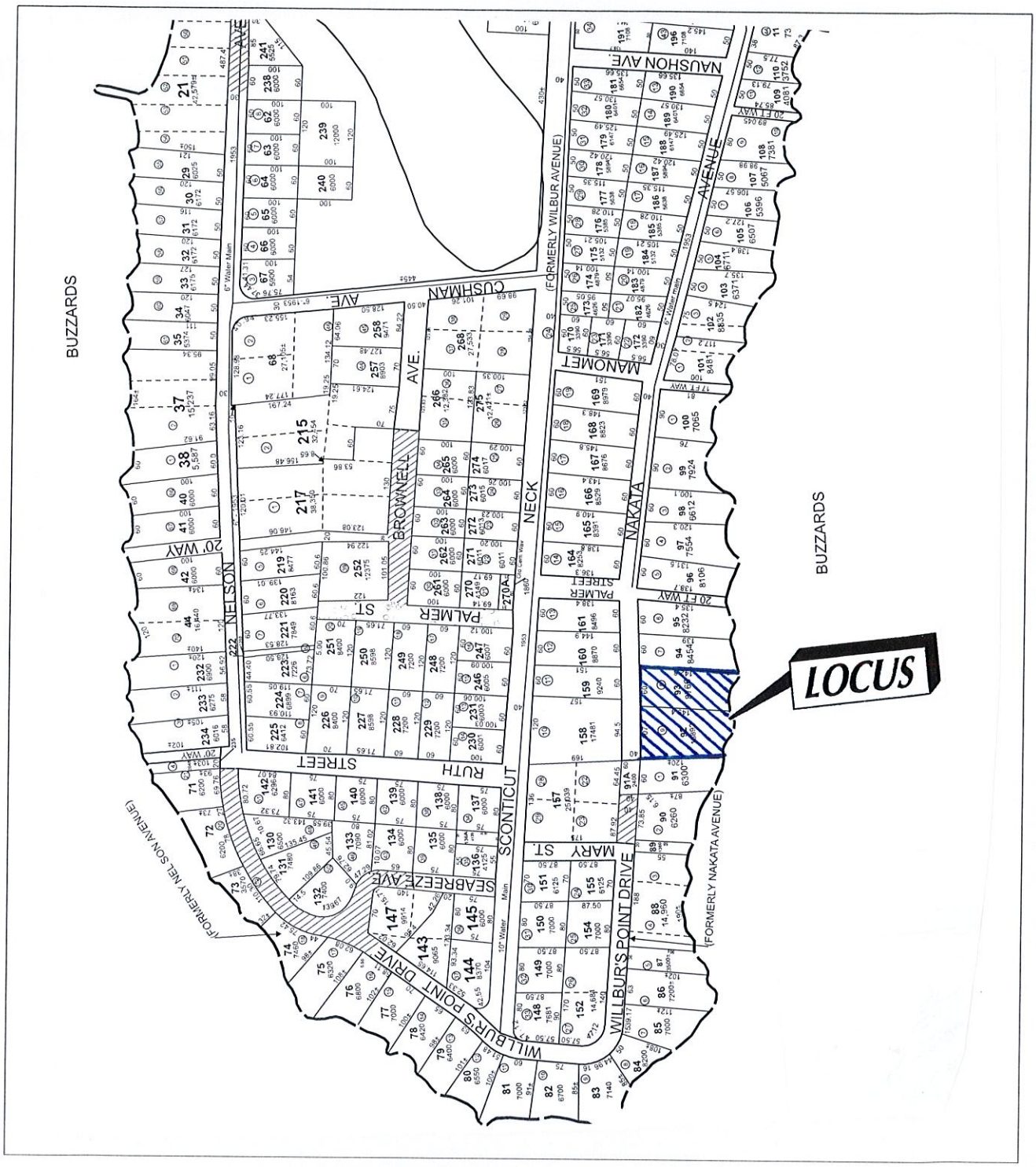
Not to Scale

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: Jeffrey B. & Diane E. Hosking
Town of: Fairhaven
Site Address: 83 Nakata Avenue
Locus = Assessors Lots #92 & #93 on Map #43

FIGURE 2



ASSESSORS MAP #43

Not to Scale

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: Jeffrey B. & Diane E. Hosking
Town of: Fairhaven
Site Address: 83 Nakata Avenue
Locus = Assessors Lots #92 & #93 on Map #43

FIGURE 3



PANEL NO.
250023C0503F

FAIRHAVEN F.I.R.M.

Not to Scale

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

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Town of: Fairhaven
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FIGURE 4