

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.

June 26, 2026

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
Applicant/Owner: Windmill Acres, LLC
Site Address: 9 Collin's Way
Lot #71R on Assessors Map #28C (Subdivision Lot #9)

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.

Specifically, please find the following materials enclosed:

- \$ 262.50 - Notice of Intent Application Fee
- \$100.00 – Extra NOI Fee (2-checks)
- 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
Robbie Roderiques
File 3072



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):

9 Collin's Way

a. Street Address

Fairhaven

b. City/Town

02719

c. Zip Code

Latitude and Longitude:

N 41-38'-10.85"

d. Latitude

W70-52'-33.19"

e. Longitude

28C

f. Assessors Map/Plat Number

71R (Subdivision Lot 9)

g. Parcel /Lot Number

2. Applicant:

a. First Name

Windmill Acres, LLC

b. Last Name

c. Organization

18 Oliver Street, Unit 2

d. Street Address

Fairhaven

e. City/Town

MA

f. State

02719

g. Zip Code

(508) 962-2938

h. Phone Number

i. Fax Number

robacerod@aol.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):

\$262.50 + \$200.00

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50 + \$200.00

c. City/Town Fee Paid



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

6. General Project Description:

Proposed Construction of a Single Family Dwelling - see attached 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

14583

c. Book

b. Certificate # (if registered land)

74

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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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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	n/a 1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	n/a 1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	n/a 1. square feet _____ n/a 3. cubic yards dredged _____	2. square feet _____

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> 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. <input type="checkbox"/> Isolated Land Subject to Flooding	n/a 1. square feet _____ n/a 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> 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:

n/a _____	n/a _____	n/a _____
a. total square feet	b. square feet within 100 ft.	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. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	n/a 1. square feet n/a 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	n/a 1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> 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. <input type="checkbox"/> Coastal Banks	n/a 1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	n/a 1. square feet	
h. <input type="checkbox"/> Salt Marshes	n/a 1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	n/a 1. square feet n/a 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	n/a 1. square feet	
k. <input type="checkbox"/> 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. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	n/a 1. square feet	
4. <input type="checkbox"/> 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 BWV	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	n/a	
	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/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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Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

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

- 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
Bureau of Resource Protection - Wetlands

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Document Transaction Number

Fairhaven

City/Town

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.

David M. Davignon, P.E.

b. Prepared By

c. Signed and Stamped by

n/a

1"=20'

d. Final Revision Date

e. Scale

see list on project narrative

6-26-26

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:

218676, 218680

5-14-26

2. Municipal Check Number

3. Check date

218671

5-14-26

4. State Check Number

5. Check date

BayCoast

Bank

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


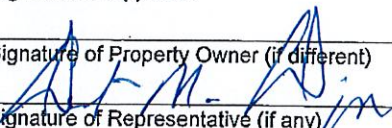
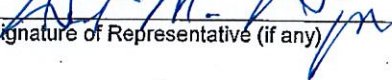
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
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.

	5/14/26
1. Signature of Applicant	2. Date
	
3. Signature of Property Owner (if different)	4. Date
	
5. Signature of Representative (if any)	6-26-26
	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:

5 Collin's Way	Fairhaven
a. Street Address	b. City/Town
218671	\$237.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

_____	_____	
a. First Name	b. Last Name	
Windmill Acres, LLC		
c. Organization		
18 Oliver Street, Unit 2		
d. Mailing Address		
Fairhaven	MA	02719
e. City/Town	f. State	g. Zip Code
(508) 962-2938	robacerod@aol.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

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.

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2a) Construction of a single family house	1	\$500.00	\$500.0

Step 5/Total Project Fee: \$500.00 (WPA)

Step 6/Fee Payments:

Total Project Fee:	<u>\$500.00 (WPA)</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$262.50 + \$200.00</u>
	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.)

BayCoast
BANK
508-678-7641
P.O. Box 1311, Fall River, MA 02722

Official Bank Check

218671

53-7223 / 2113

May 14, 2026

Pay to the
Order of: **Commonwealth of Massachusetts**

\$237.50

Two Hundred Thirty-Seven and 50/100*****

Memo Lot # 9

[Signature]
Authorized Signature



BayCoast
BANK
508-678-7641
P.O. Box 1311, Fall River, MA 02722

Official Bank Check

218676

53-7223 / 2113

May 14, 2026

Pay to the
Order of: **Town of Fairhaven**

\$262.50

Two Hundred Sixty-Two and 50/100*****

Memo Lot # 9

[Signature]
Authorized Signature



BayCoast
BANK
508-678-7641
P.O. Box 1311, Fall River, MA 02722

Official Bank Check

218680

53-7223 / 2113

May 14, 2026

Pay to the
Order of: **Town of Fairhaven**

\$200.00

Two Hundred and 00/100*****

Memo Lot # 9

[Signature]
Authorized Signature



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.

June 26, 2026

Re: Project Narrative - Notice of Intent

Applicant/Owner: Windmill Acres, LLC
Site Address: 9 Collin's Way
Lot # 71R on Assessors Map #28C

Project Purpose:

The Applicant requests that the Fairhaven Conservation Commission issue an Order of Conditions permitting the development of a vacant residential property known as Subdivision Lot #9 at "Sconticut Neck Woods".

Existing Site Conditions and Wetland Resource Areas:

The site is bordered westerly by Collin's Way, easterly by the Fairhaven Sewer Treatment Plant and northerly and southerly by undeveloped subdivision lots.

The site is currently cleared with an existing erosion control barrier, work which was conducted under a Superseding OOC issued under DEP File No. SE 23-1297. The subject lot contains a Bordering Vegetated Wetland (B.V.W.) along its easterly side also approved under said DEP File Number.

Project Description:

Proposed House and Shed:

The Applicant proposes to construct a 2-story, single-family house in the same general location as depicted on the subdivision plan. The house will be designed with a walk-out basement to minimize the volume of fill closest to the wetland.

The project will also include a 12' x 12' utility shed which shall be supported by sono-tubes or a concrete slab.

Proposed Driveway:

The Applicant proposes to construct a paved driveway which will have its stormwater runoff directed into Collin's Way to be conveyed to the Stormwater Management System per the subdivision design.

Proposed Utilities:

The Applicants propose to; connect to the municipal water system with the installation of 1" poly water service pipe from the house to the existing water shutoff gate located at the street layout, to connect to the existing municipal sewer system with the installation of 6" SDR-35 sewer pipe from the house to the existing sewer stub located at the street layout, and to connect to the electric, telephone and cable lines via the installation of underground electric conduits.

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.

Proposed Filling and Grading:

The Applicants propose to install fill and grade the site as shown on the plan to properly direct stormwater away from the house.

Roof Runoff:

The Applicant proposes to direct all roof runoff into a cultec chamber recharge system.

Proposed Dewatering:

If the project requires dewatering, a ring of hay bales or double row of silt socks will be installed towards the street.

Erosion Control Measures:

Prior to construction, the contractor shall install an erosion control barrier consisting of a staked siltation fence, straw wattles or silt socks as shown and detailed on the Site Plan. The installation of said barrier shall be inspected by the Conservation Commission Agent prior to continuation of any work. Upon completion of all site work, all disturbed areas will be stabilized with loam and seed or landscape shrubs and mulch.

Attachments are enclosed as follows:

- Copy of Legal Ad Submitted to the Standard Times
- 100 ft. Abutters List Confirmed by Assessor's Office
- DEP Abutter Notification Form
- Definitive Subdivision Plan
- Figure 1: U.S.G.S. Quadrangle
- Figure 2: Estimated Habitat Map
- Figure 3: Fairhaven Assessors Map #28C
- Figure 4: FIRM Panel No. 25005C0394H

Fairhaven Conservation Commission
Public Hearing Notice

Notice is hereby given that the Fairhaven Conservation Commission will hold a public hearing pursuant to the Mass. Wetlands Protection Act (M.G.L. c. 131, s. 40) and the code of the Town of Fairhaven Chapter 192, Wetlands on a Monday, July 20, 2026 beginning at 6:00 p.m. at the Town Hall located at 40 Center Street, Fairhaven, Massachusetts for the following four (4) Notice of Intent Applications.

A Notice of Intent was filed by Windmill Acres, LLC, for each of the subject properties: 5 Collin's Way (Assessors Lot #71T on Map #28C) a.k.a Subdivision Lot #7, 7 Collin's Way (Assessors Lot #71S on Map #28C) a.k.a Subdivision Lot #8, 9 Collin's Way (Assessors Lot #71R on Map #28C) a.k.a Subdivision Lot #9 and 11 Collin's Way (Assessors Lot #71Q on Map #28C) a.k.a Subdivision Lot #10.

The Applicant proposes to construct a single-family dwelling, in-ground swimming pool, paved driveway and shed and to perform associated site work within the 100 ft. Buffer Zone of a Bordering Vegetated Wetland.

Pursuant to Ch. 20 of the Acts of 2021 the meeting will be conducted in person and via remote means. The remote access information can be obtained by calling the Conservation Commission Office at (508) 979-4023, ext. 128.

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.

June 26, 2026

100 Ft. Abutter's List
To Accompany An
Notice of Intent
Prepared For
Windmill Acres, LLC
Site Location: 9 Collin's Way

<u>Map No.</u>	<u>Lot No.</u>	<u>Owner's Name & Mailing Address</u>
28	8	Town of Fairhaven 40 Center Street Fairhaven, MA 02719
28C	78	Louis Kenyon c/o: Dr. Louis Kenyon 10230 Heritage Bay Boulevard, Unit 426 Naples, FL 34120
28C	71Z (Subdivision Lot 1)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719
28C	71Y (Subdivision Lot 2)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719
28C	71X (Subdivision Lot 3)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719
28C	71T (Subdivision Lot 7)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719
28C	71S (Subdivision Lot 8)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719
28C	71Q (Subdivision Lot 10)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719
28C	71P (Drainage Parcel A)	Windmill Acres, LLC 18 Oliver Street, Unit 2 Fairhaven, MA 02719

P.O. Box 480, 81A County Road, Unit G, Mattapoisett, MA 02739

Phone 1-508-758-7866

Page 1 of 1

Subject: Re: Abutters List
From: Joanne Correia <jcorreia@fairhaven-ma.gov>
Date: 1/7/2026, 6:23 PM
To: Heather Lambert <Heather@sdlengineering.com>

Hi Heather,

I apologize I did not respond to this sooner, I am helping after hours and I am just swamped.

Please accept this email as confirmation and certification that I have reviewed all the abutter's lists and the owners and mailing addresses are correct according to our assessment records.

Please let me know if you have any questions or if I can be of further assistance to you.

Kind regards,
Joanne

On Thu, Dec 18, 2025 at 2:49 PM Heather Lambert <Heather@sdlengineering.com> wrote:

Hi Joanne,

Please see attached Abutters Lists along with the Radius Maps we created for Hiller Ave - Windmill Acres & we need to have the lists Certified.

Should you have any questions please feel free to contact the office.

Thank You,

Heather

--

Please note that we have moved locations! We are now located at 81A County Rd., Unit G, Mattapoisett.

Heather Lambert

Schneider, Davignon & Leone, Inc.
81 A County Road, Unit G
PO Box 480
Mattapoisett, MA 02739
508-758-7866

**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 Windmill Acres, LLC

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:
9 Collin's Way, Subdivision Lot #9, Assessors Lot #71R on Map #28C, Fairhaven, MA.

4. The proposed work includes the construction of a single-family dwelling, the construction of a paved driveway, the installation of utilities together with associated filling and grading.

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.

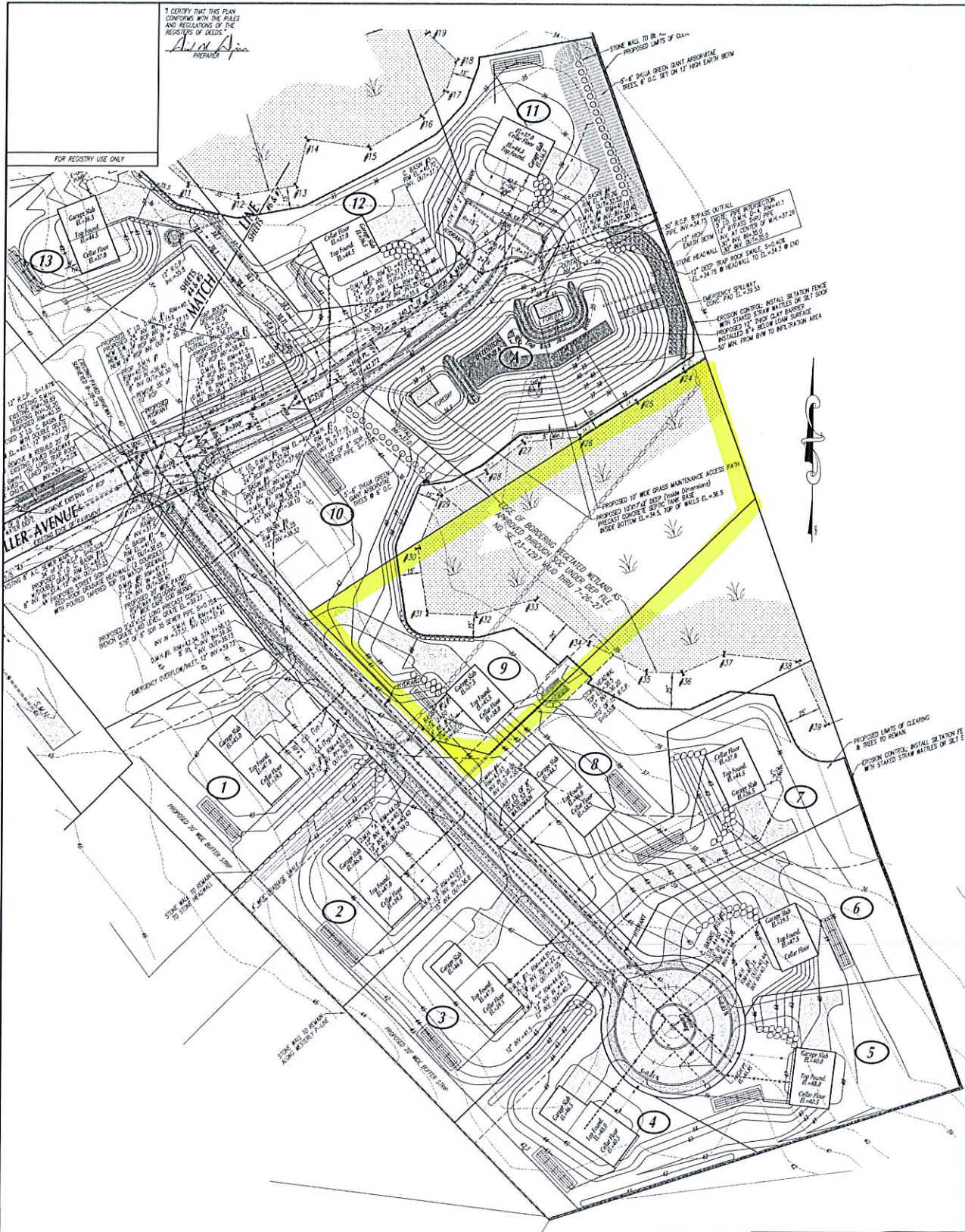
7. Notice of the public hearing including its date, time, and place will be published at least five business days in advance in the Standard Times, and will be posted on the Fairhaven Town Website and at the Fairhaven Town Hall not less than 48 hours in advance.

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.

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.
A.L.A.
PREPARED

FOR REGISTRY USE ONLY



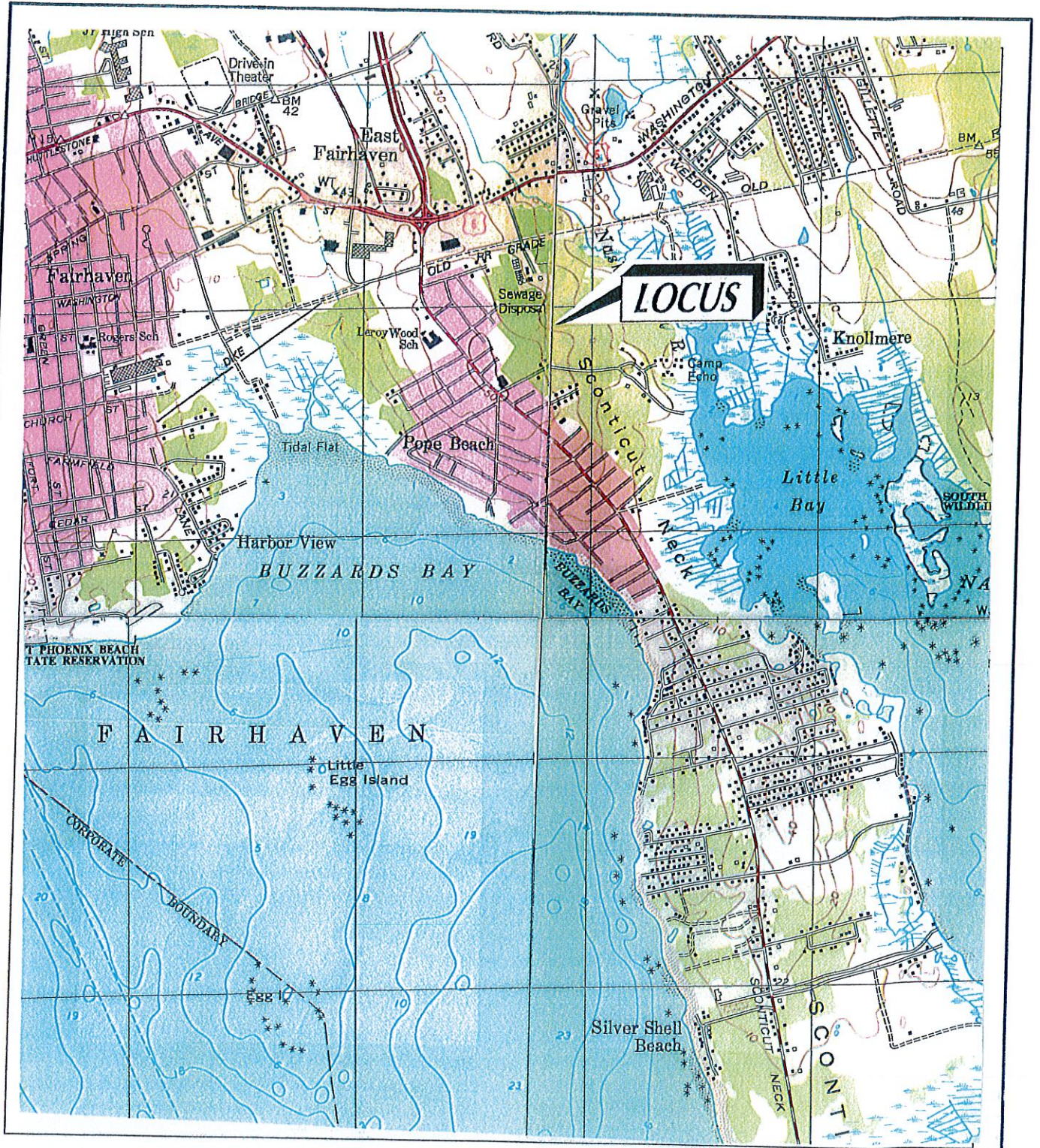
FAIRHAVEN PLANNING BOARD
APPROVED UNDER SUBDIVISION CONTROL LAW

DATE APPROVED: _____
DATE SIGNED: _____

THE ABOVE ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING REGULATIONS OR A GUARANTEE THAT THE LOT IS BUILDABLE.

NO.	DATE	BY	DESCRIPTION
1			'DEFINITIVE SUBDIVISION PLAN' OF DEVELOPMENT TO BE KNOWN AS 'SCONTICUT NECK WOODS' OFF HILLER AVENUE and TIMOTHY STREET IN FAIRHAVEN, MA PREPARED FOR ROBERT RODRIQUEZ d/b/a WINDMILL ACRES LLC
SHEET 7 OF 11 SHEETS 'PROPOSED UTILITY PLAN - SOUTH'			
SCALE: 1"=40'		DATE: MARCH 24, 2025	
SCHNEIDER, DAVIGNON & LEONE, INC. PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS P.O. BOX 480, 81A COUNTY RD., UNIT G, MATTAPOISETT, MA 02739 1-508-758-7668			
Drawn By: D.W.D. Check By: D.W.D. Job No. 3072			





U.S.G.S. QUADRANGLE MAP

SCALE: 1"=2,083'

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

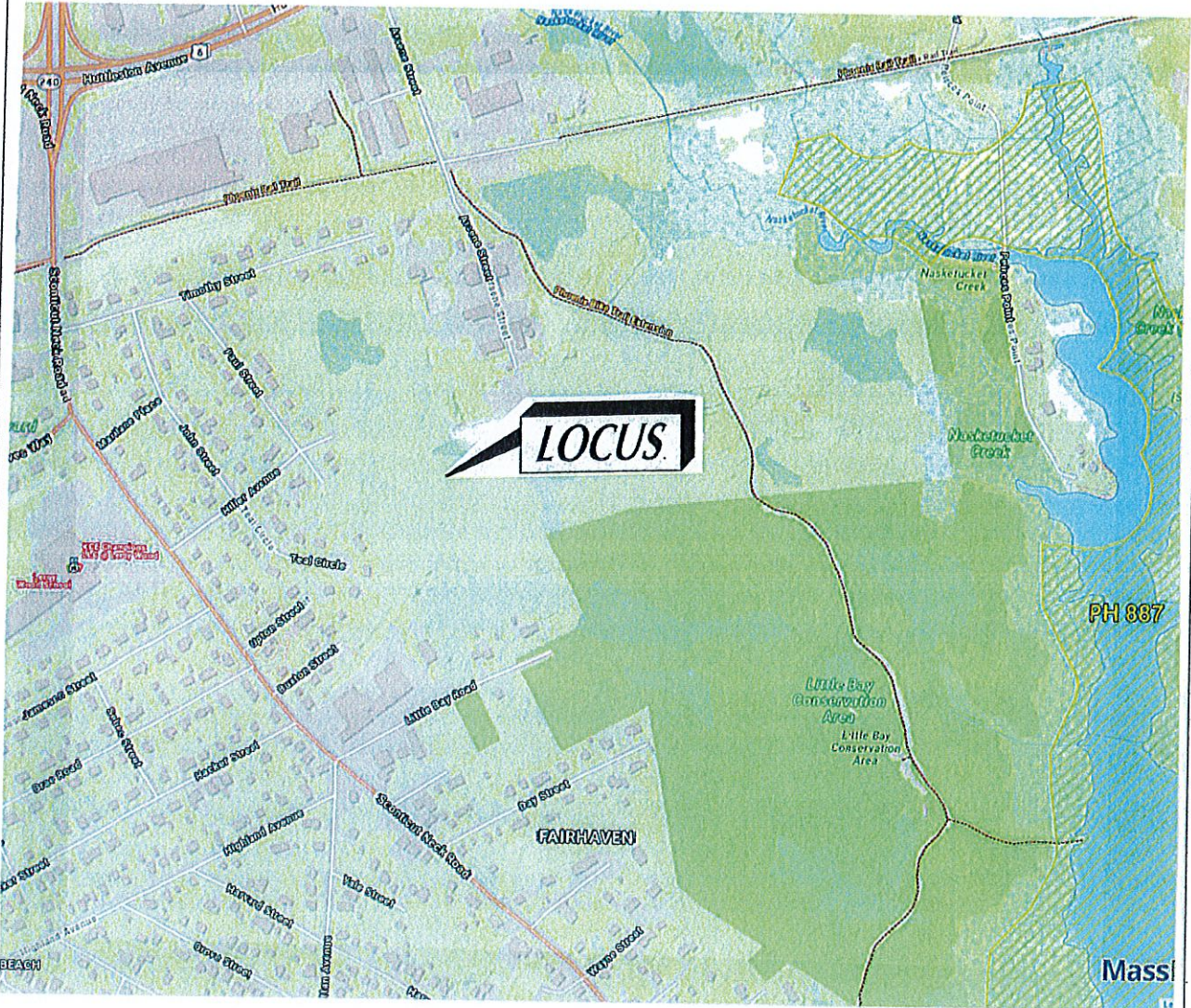


Conservation Commission Application
Applicant/Owner: Windmill Acres LLC

Town of: Fairhaven

Site Address: Collin's Drive off Hiller Avenue
Locus = Subdivision Lot #6

FIGURE 1



ESTIMATED HABITAT MAP

Not to Scale

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



Conservation Commission Application
 Applicant/Owner: Windmill Acres LLC
 Town of: Fairhaven
 Site Address: Collin's Drive off Hiller Avenue
 Locus = Subdivision Lot #6

FIGURE 2



PANEL NO.
25005C0394H

FAIRHAVEN F.I.R.M.

Not to Scale

SCHNEIDER, DAVIGNON & LEONE, INC.

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



Conservation Commission Application

Applicant/Owner: Windmill Acres LLC

Town of: Fairhaven

Site Address: Collin's Drive off Hiller Avenue

Locus = Subdivision Lot #6

FIGURE 4