



March 11, 2026

Town of Fairhaven
Conservation Commission
40 Center Street
Fairhaven, MA 02719
Attn: Kelly Camara, Conservation & Sustainability Coordinator

Re: DEP File No. SE 23-1449 – Request for an Amended Order of Conditions

Project Type: Proposed Construction of a Single-Family Dwelling
New Owner/Applicant: Robert S. & Joyce M. Cummings
Previous Applicant/Developer: Starboard Drive Nominee Trust
Site Address: Sconticut Neck Road
Lot #9B on Assessors Map #42
Formerly known as ANR Lot #1

Dear Kelly,

Schneider, Davignon, & Leone, Inc., acting as agent for Mr. & Mrs. Cummings hereby requests that a Public Hearing be convened for the purposes of Amending the Order of Conditions for DEP File No. SE 23-1449.

The Site Plan has been Revised as follows:

1. The house and deck footprints have been reduced by 1.8% and 65.4%, respectively.
2. The house has been shifted westerly to obtain a water view.
3. Therefore, the driveway is also longer and also now paved; However, it should be noted that a grass depression has been added to recharge the stormwater.
4. The pump component of the septic system has been omitted in lieu of a gravity system.
5. The propane tank has been omitted from the project.

Additionally, the following items in the OOC will need to be updated:

1. Findings No. 4 will need to be updated to reflect a 27.5' x 48' dwelling, 3,040 sq. ft. driveway, slab elevation = 12.5 and should omit the propane tank.
2. Findings No. 7 will need to be updated according to the referenced Plan Title.
3. Special Condition Number 6 will need to be updated to reflect a 27.5' x 48' dwelling, 3,040 sq. ft. driveway, slab elevation = 12.5 and should omit the propane tank.
4. Special Condition No. 17 should reflect the change in the Mass Building Code from 2 ft. to 3 ft.
6. Special Condition No. 26 should be changed to 3,040 sq. ft.

Finally, the Applicant requests that Perpetual Conditions No. 52 through 61 be omitted from the Amended OOC as they are cumbersome to the property Title and unnecessary for the future protection of the only Resource Area on the property, Land Subject to Coastal Storm Flowage.

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

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.

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

Sincerely,

Schneider, Davignon, & Leone, Inc.

A handwritten signature in blue ink that reads "David M. Davignon". The signature is fluid and cursive.

David M. Davignon, P.E.

cc: DEP-SE Regional Office (via electronic submission)
Robert & Joyce Cummings
File 4101

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.

March 11, 2026

100 Ft. Abutter's List
To Accompany A
Notice of Intent
Prepared For
Robert S. & Joyce M. Cummings
Site Location: Sconticut Neck Road
Lot #9B on Assessors Map #42
Formerly ANR Lot #1

<u>Map No.</u>	<u>Lot No.</u>	<u>Owner's Name & Mailing Address</u>
42	Subdivision Lot 8 9C (ANR Lot 2)	Martin Lance 16 Arthur Avenue Dartmouth, MA 02748
42	9 & 25	Joseph & Anna M. Palermo 104 Adams Avenue Saugus, MA 01906-3510
42	15M	Paul & Lori A. Valiquette 47 Long Plain Road Mattapoissett, MA 02739
42	15U	Buzzards Bay Coalition Inc 114 Front Street New Bedford, MA 02740
42	25A	Victor & Natalie A. Gonsalves 770 Sconticut Neck Road Fairhaven, MA 02719

File: 4101

**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 Robert S. & Joyce M. Cummings

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:
Scouticut Neck Road (ANR Lot #1)

4. The proposed work includes the construction of a single family dwelling and pervious driveway, the installation of a sewage disposal system, roof runoff recharge system and underground utilities and together with filling and grading. Work will occur within Land Subject to Coastal Storm Flowage, Flood Zones VE (El. 17 & 19).

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.