



TOWN OF FAIRHAVEN, MASSACHUSETTS  
PLANNING BOARD  
Town Hall - 40 Center Street - Fairhaven, MA 02719

**Meeting Minutes**  
**Tuesday, October 14, 2025**  
**at 6:30PM Held both at Town Hall**  
**& Remotely via Zoom**

**GENERAL BUSINESS:**

a. Chair's Welcome and Media Notification:

Chair, Ms. Diane Tomassetti, opened the meeting at 6:30pm and welcomed all. Ms. Tomassetti read the open meeting law protocols and procedures.

b. Pledge of Allegiance:

The Board stood for the Pledge of Allegiance.

c. Quorum/Attendance:

Present: Diane Tomassetti, Patrick Carr, Ruy DaSilva, Miles Grant, Sean Powers, Sharon Simmons, Jessica Fidalgo, & Kevin Grant.

Mr. Bruce Webb, the Director of Land Use and Planning, and Ms. Hailey Hemingway, the Recording Secretary, were present at the Town Hall.

d. Minutes-September 23, 2025, drafts to be reviewed:

Motion to approve the minutes for the meeting on September 23, 2025 made by Ms. Fidalgo, seconded by Mr. Kevin Grant. Motion passed unanimously (8-0).

e. Correspondence:

Mr. Webb noted there was correspondence received by Mattapoisett.

**EXECUTIVE SESSION:**

- a. Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss litigation where the Chair declares that an open meeting would have a detrimental effect on the Board's litigating position and s. 21(a)(7) to comply with or act under the authority of the Public Records Law, G.L. c. 4, s. 7(26) (Roderiques v. Fairhaven Planning Board and privledged written legal advice regarding same and regarding constructive approval of resubmitted plan):

Motion to enter executive session made by Ms. Fidalgo, seconded by Mr. Kevin Grant.  
Motion passed unanimously (8-0).

Motion to return to open session made by Mr. Kevin Grant, seconded by Ms. Tomassetti.  
Motion passed unanimously (8-0).

**OTHER BUSINESS:**

- a. Public Informational Q & A regarding the Timothy Street and Hiller Avenue Subdivision Project. Questions and answers to be directed to the Land Use & Planning Director, Bruce Webb:

Ms. Tomassetti noted that questions are to be directed to Mr. Webb.

Mr. Bob Espindola, from 14 John Street, submitted a document to the Board. (See Attachment A)

Mr. Webb was given questions concerning access to plans on the town website, differences on the plans, the validity of the applications, building permits issued, the procedure for stamping in plans, and the application submitted.

The public hearing closed at 9:02pm.

- b. ~~Vote to move forward with legal review of Constructive Approval and potential action of Constructive Approval. Vote on whether to conduct a public hearing to consider taking~~

action with respect to constructive approval of the Timothy Street and Hiller Avenue Subdivision Project:

Motion to move to conduct a public hearing to consider whether to modify, rescind, or take other action with respect to the constructive approval of the plan dated March 24, 2025 made by Mr. Kevin Grant, seconded by Ms. Fidalgo. Motion passed (5-3).

#### **RECEIPT OF PLANS:**

FA25-06-169-171 New Boston Road: Form A proposal to reconfigure 169-171 New Boston Road Map 34 Lot 38C by dividing the existing properties into two (2) separate properties resulting in Parcel A (43,385 sq. ft.) and Parcel B (44,785 sq. ft.) with frontage to remain the same as they exist:

Mr. Webb spoke in favor of the Board approving.

Motion to approve FA25-06-169-171 New Boston Road made by Ms. Fidalgo, seconded by Mr. Kevin Grant. Motion passed unanimously (8-0).

#### **NEW/OTHER BUSINESS:**

- a. Site visit request for Timothy-Hiller Subdivision subject to property owners approval:

Motion for a site visit for Timothy-Hiller Subdivision made Ms. Fidalgo, seconded by Mr. Kevin Grant. Motion passed unanimously (8-0).

- b. General Information: OML Webinar Trainings offered by the Office of the Attorney General link: [mass.gov/the-open-meeting-law](https://mass.gov/the-open-meeting-law):

The Board discussed regarding this webinar.

- c. Mattapoissett Planning Board Meetings- Shared Information:

The Board noted the information was received.

**LONG RANGE PLANNING:**

- a. Any other business that may properly come before the Board, not reasonably anticipated when posting 48 hours prior to the meeting:

**NEXT MEETING:**

The next Regular Board Meeting is scheduled for Tuesday, October 28, 2025 at 6:30pm.

**ADJOURN:**

There being no further business before the Board, the meeting is adjourned.

Subject matter listed in the agenda consists of items reasonably anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (i.e. urgent business not available at the time of posting.) may also be brought up for discussion in accordance with applicable law.

This agenda was posted in accordance with the provisions of MGL 30A ss 18-25 and approved by the town clerk's office on 10-9-25.

Ms. Tomassetti closed the meeting at 9:17pm.

Respectfully submitted,

*Hailey Anne Hemingway*

Minutes approved at Board Meeting on November 18, 2025