



FAIRHAVEN TOWN CLERK
RCUD 2026 SEP 22 PM2:54

Board of Appeals

Town Hall • 40 Center Street • Fairhaven, MA 02719

MEETING NOTICE

Join the Zoom Meeting

<https://us06web.zoom.us/j/94115137952?pwd=MXpoVWpKTFBEUmluT1pWSCtiVzJCQT09>

or call 1-929-205-6099 Meeting ID: 941 1513 7952 Passcode: 361259

DATE AND TIME: Tuesday October 6th, 2026 at 6:00 p.m.
MEETING: Public Hearing In-Person at Town Hall or via Zoom

- I. *On March 24, 2025, the bill to extend Open Meeting Law regulations governing remote participation has passed MA legislation and been signed by the Governor. This bill will allow remote and hybrid meeting options for public bodies through June 30th, 2027.*

*Pursuant to an amendment to Town Bylaw Chapter 50 § 13,
all government meetings are available through web/video conference and are recorded.*

II. **ADMINISTRATIVE BUSINESS:**

1. Quorum/Attendance

Acceptance of the meeting minutes: August 4th, 2026

III. **PUBLIC HEARINGS:**

1. REF# ZBA-026-022: 10 Oxford Street, Map 13, Lot 2, Book 13521, Page 344.
Applicant/Owner: James L. and Renee P. Novakoff seeks a Special Permit from §198-32.2 to construct a residential pier w/ a gangway & float and a Variance from §198-32.2 C (5) Dock's and Piers to construct a residential pier 10 f. vs 25 ft. from a riparian property line extension.
2. REF# ZBA-026-023: 162 Main Street, Map 12, Lot 8, Book 10193, Page 143.
Applicant/Owner: Ray Charles Realty Trust, The Applicant requests an "After the Fact" Variance from Section 198-32.2 "Docks and Piers" (3) (5) to permit the. "As Built Pier" to remain less than 25 ft. from a property line.

IV. **OTHER ADMINISISTRATIVE BUSINESS:**

3. **Zoning Determination:** The Board will reclassify on the zoning determination associated with the applications for the properties located at 249 Main Street and 97 Balsam Street. Upon further review, the requested zoning relief was improperly classified as a variance rather than a special permit. The Board will not reconsider the underlying decision on the applications.

4. **Suggested Posted Agenda Language:** Discussion and possible vote concerning the 2026 amendment to M.G.L. c. 40A §10 governing zoning variances; the legal standards and findings applicable to the pending and future variance application before the Fairhaven Zoning Board of Appeals; the continued applicability of Fairhaven Zoning Bylaw §198-9; potential changes to ZBA procedures, forms and written decisions; and possible referral to Town Counsel for written legal guidance.