



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

**Meeting Minutes**  
**Tuesday, March 24, 2026**  
**at 6:30PM Held both at Town Hall**  
**& Remotely via Zoom**

**1. GENERAL BUSINESS:**

a. Welcome and Media Notification:

Chair, Ms. Jessica Fidalgo, opened the meeting at 6:33pm and welcomed all. Ms. Fidalgo read the open meeting law protocols and procedures.

b. Pledge of Allegiance:

The Board stood for the Pledge of Allegiance.

c. Quorum/Attendance:

Present: Jessica Fidalgo, Jeffrey Lucas, Sean Powers, Sharon Simmons, Miles Grant, and Patrick Carr.

Absent: Ruy DaSilva and Kevin Grant.

There is a quorum.

Ms. Hailey Hemingway, the Recording Secretary, was present at the Town Hall.

d. Meeting Minutes- Drafts to be reviewed: 2/2/26, 2/9/26, 3/10/26:

Motion to approve the meeting minutes for the meetings on 2/2/26, 2/9/26, and 3/10/26 made by Mr. Miles Grant, seconded by Mr. Sean Powers. Motion passed (5-0). Mr. Carr abstaining.

Mr. Carr noted not receiving the email containing the minutes.

e. Executive Session- Minutes to be reviewed: 1/13/26, 2/2/26, 2/9/26:

Motion to approve the executive session meeting minutes for 1/13/26 made by Mr. Miles Grant, seconded by Mr. Powers. Motion passed unanimously (6-0).

Motion to approve the executive session meeting minutes for 2/2/26 made by Mr. Powers, seconded by Mr. Miles Grant. Motion passed unanimously (6-0).

Motion to approve the executive session meeting minutes for 2/9/26 made by Mr. Miles Grant, seconded by Mr. Powers. Motion passed unanimously (6-0).

f. Correspondence: Michelle Costen (Resource Website, Full List of Lots), 4 Earle Street:

Ms. Fidalgo noted there was correspondence received from Ms. Michelle Costen containing a lot list and information.

Ms. Fidalgo confirmed there was an email received from the owner of 4 Earle Street.

Ms. Fidalgo noted items would not be discussed in the meeting tonight.

2. PUBLIC HEARING:

a. SD25-02 at 0 Duchaine Street- Potential Properties, LLC proposes to subdivide the property to create 2 building lots by creating the legal frontage along the street with a construction of a 20-foot-wide gravel roadway and hammerhead turn around. The property is located at 0 Duchaine Street Map 34, Lot 38:

The Public Hearing opened at 6:42pm.

Mr. Dave Davignon, from Schneider, Davignon, and Leone, was present on Zoom to discuss the application with the Board.

Mr. Davignon noted submitting a stormwater report and conducting a stormwater analysis. Mr. Davignon noted the report is being reviewed by Mass DEP. Mr. Davignon noted that DEP is in the middle of their review process and the results should be received this week.

Mr. Davignon noted there was a change to the plans by adding a stormwater depression. Mr. Davignon noted the planned catch basins and the depression installed, it will improve the existing drainage in the area. Mr. Davignon noted past concerns received regarding the land being wet.

Ms. Fidalgo opened up discussion with the Board at 6:51pm.

Mr. Powers questioned if the electric is going to be installed underground. Mr.

Powers noted not seeing a waiver for overhead lines. Mr. Davignon confirmed the electric is going to be installed overhead and there will be a waiver submitted.

The Board raised concerns with no street lighting, trash collection, location of mailboxes, the road not being paved, and there not being a planned HOA established. Mr. Davignon confirmed there will be a waiver submitted for street lighting, the mailbox locations will be determined before the next meeting, and there are plans for an HOA for the upkeep of the road.

The Board noted concerns with the proposed sidewalks not meeting ADA compliance. Mr. Davignon confirmed the plans have the sidewalks as being gravel stone dust.

Mr. Davignon noted there will be a filing of a Form D Covenant.

Ms. Fidalgo questioned if the abutters will need an easement to drive on the street. Mr. Davignon confirmed an easement would not be needed to utilize the road.

Mr. Davignon noted BPW did receive the plans and there was a memo issued by the Highway Department. Ms. Fidalgo noted the memo will be requested to be sent to the Board. Ms. Fidalgo noted she will request staff comments.

Mr. Powers questioned when there would be confirmation on if gravel or asphalt will be installed. Mr. Correia noted there would be confirmation towards the end of the project.

The discussion got opened to the public at 7:38pm.

The abutters raised concerns with the road being gravel, the width of the road being too small, and the abutters not being notified for approval of the road being made a private way. Ms. Simmons noted requesting confirmation about the abutters giving approval.

Mr. Davignon confirmed the road is not going to be made into a private way. Mr. Davignon noted the road has never been made a public way. Ms. Fidalgo questioned if the road is considered a paper street and private owned. Mr. Davignon noted there is a permit of survey where it shows it is a private way and was never made public by the Town of Fairhaven.

Mr. Davignon requested a continuance to the next meeting. Mr. Davignon noted he will be adding the information for the HOA, will add to the waiver list item regarding overhead electricity. Mr. Davignon noted he will speak to post office regarding the placement of the mailbox.

Ms. Fidalgo noted she will request the staff memos.

Ms. Simmons confirmed she will check with the registry of deeds regarding the ownership of the street.

Mr. Davignon requested waiving the peer review for the Stormwater.

Ms. Fidalgo noted the Board can agree to waive the stormwater review pending a stamped certificate of the stormwater analysis.

Motion to waive the peer review for the stormwater review made by Mr. Carr, seconded by Ms. Simmons. Motion passed (5-1). Mr. Powers opposed.

Motion to continue the public hearing SD25-02 at 0 Duchaine Street to April 14, 2026 at 6:30pm made by Mr. Miles Grant, seconded by Mr. Lucas. Motion passed unanimously (6-0).

3. **RECEIPT OF PLANS:** None

Ms. Fidalgo confirmed there were no plans received.

4. **NEW/OTHER BUSINESS:**

a. **Housing Production Plan: Appoint 1 Planning Board Member to represent the Planning Board with SRPEDD on the Housing Production Plan:**

Ms. Fidalgo confirmed this Housing Plan work will begin soon. There was confirmation they are looking for a 7 member Board.

Ms. Fidalgo noted sending the scope of work to the Board members.

Mr. Powers, Ms. Fidalgo, and Mr. Carr noted interest. Mr. Powers and Ms. Fidalgo took themselves out of interest. Mr. Powers spoke about being interested on going in Mr. Carrs place if there is conflicts that arise with Mr. Carrs schedule. Mr. Powers confirmed he plans to attend the meetings.

Ms. Simmons nominated Mr. Carr for the position. Mr. Carr accepted the nomination. Nomination vote passed unanimously (6-0).

b. **Vote to request viewing the full investigation document and a joint session with the Select Board to discuss in Executive Session:**

Ms. Fidalgo clarified this request is for the Hiller Timothy Subdivision investigation.

Ms. Fidalgo noted plan to reach out to Ms. Amy Hart, the Executive Assistant to the Town Administrator, and Mr. Charlie Murphy, the Select Board Chair, to be able to request this to be discussed at the Select Board meeting.

Mr. Lucas questioned if this is to release the information. Ms. Fidalgo confirmed this is to request the Select Board for approval to read the documents and to discuss the documents with the Select Board.

Mr. Carr noted being in favor for the contents to be released.

Mr. Miles Grant noted preference for more people to be able to review the documents.

Motion to request from the Select Board for the Planning Board members to review the entire investigation documents for Hiller Timothy made by Mr. Miles Grant, seconded by Ms. Simmons. Motion passed unanimously (6-0).

Motion for the Planning Board to request a joint session with the Select Board after reading the full documents to discuss with the select board made by Mr. Carr, seconded by Ms. Simmons. Motion passed unanimously (6-0).

c. Updates from Committee Liaisons:

Ms. Fidalgo noted there is a SRPEDD meeting being held tomorrow. She confirmed she received the packet but she is not able to attend the meeting.

Mr. Carr confirmed the Rogers Re-use is on hold.

Mr. Powers confirmed the Community Preservation held a meeting where they voted on the applications.

Mr. Miles Grant confirmed the Economic Development Committee held a business mixer.

Mr. Miles Grant noted the Livable Streets Committee is discussing holding an ice cream event this year. Mr. Grant noted additional discussion of budget constraints.

5. LONG RANGE PLANNING:

a. Board Discussion: Updates, Priorities, and Work:

Ms. Fidalgo noted the work on the Bylaws are being looked and concerns Board members raised are being addressed. Ms. Fidalgo noted some work is being done but there is some delay since there is no Town Planner.

Ms. Fidalgo confirmed the Town hired a full-time Administrative Assistant for the Planning Department.

Ms. Fidalgo confirmed the Interim Planner created some documents to assist with training for the new Administrative Assistant.

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

Ms. Fidalgo noted receiving information that affects her ability to attend the SRPEDD meetings going further. Ms. Fidalgo noted stepping down if there is interest in another Planning Board member joining.

Ms. Fidalgo noted receiving an email from the owner of 4 Earle Street. Ms. Fidalgo confirmed she will discuss this information received with the Town Administrator, Mr. Keith Hickey. Ms. Fidalgo confirmed this item will be on an agenda for a Planning Board meeting.

6. NEXT MEETING:

The next Regular Board Meeting is scheduled for Tuesday, April 14, 2026 at 6:30pm.

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

The meeting closed at 8:42pm.

Respectfully submitted,

*Hailey Anne Hemingway*