



Fairhaven Planning Board

Town Hall · 40 center Street · Fairhaven, MA 02719

PUBLIC MEETING MINUTES Tuesday, May 26, 2026 at 6:30PM

AMENDED

1) **GENERAL BUSINESS:**

- a) Welcome and Media notification
 - Meeting was called to order @ 6:34PM by Sean Powers and media notice read.
- b) Pledge of Allegiance
 - Board stood for Pledge of Allegiance.

c) Quorum/Attendance

- There is a Quorum
 - Town Hall – Sean Powers, Miles Grant, Kevin Grant
 - Zoom – Jessica Fidalgo, Patrick Carr
 - Absent – Sharon Simmons, Jeffrey Lucas

d) Meeting minutes drafts to be reviewed- **5/12/2026**

- Board acknowledged review of meeting minutes.

~~Motion made to approve minutes from 5/12/2026 by Miles Grant seconded by Kevin Grants, passed (5-0).~~

Motion made to approve minutes from 5/12/2026 by Miles Grant seconded by Kevin Grants. Roll Call Vote:

Ayes: Sean Powers, Miles Grant, Kevin Grant, Jessica Fidalgo, Patrick Carr

Nays: None.

Abstentions: None.

Action: Passed unanimously, 5-0-0.

e) Correspondence:

- i) City of New Bedford
 - Board confirmed review of correspondence.

2) **PUBLIC HEARING: NONE**

3) **RECEIPT OF PLANS: NONE**

4) **NEW/OTHER BUSINESS:**

- a) **PS25-01- 4 Earle Street: Map 31A, Lot 453** an existing single-family residential lot accessed via Earle Street, a private way. The parcel is in the Residential A zoning district, this is a preliminary subdivision application.
 - Alfons Koka-KBM Designs present revised site plans.
 - Two by-right lots; extend gravel access; install 8-inch water main, hydrant, and 1-inch service; updated grading; adjusted house layout after neighbor input.
 - Infiltration systems for driveway/road runoff and roof downspouts to manage stormwater onsite.
 - Drainage expectations given site being slightly lower than abutters.
 - Michael Guy – Abutter to property voiced concerns.
 - Area is a priority habitat for turtles and salamanders; he claims relevant authorities were not notified.

- Part of a stone wall—asserted to be a boundary marker—was removed; he referenced Massachusetts law restricting removal of boundary stone walls.
- Raised concerns about water flow: wetlands are drying and a 12-inch pipe no longer functions as before.
- Questioned legal access via Earl Street, citing historical access.
- Concerned fire hydrants would drain directly into the wetlands.
- Jessica Fidalgo – Board Chair. Confirmed discussion with the acting planner, who had technical questions (e.g., regarding gravel).
- Will facilitate communication between the planner and the project engineer.
- Raised an issue about a building at 3 Earl Street encroaching into the street and its potential impact.
- Lionel Garcia – 2 Jenney Street raised concerns.
 - Claimed he was never notified of the project.
 - Stated his pipe easement is deeded for only one house and cannot support additional connections.
 - Alleged 8 feet of his property was taken in December and that the survey plan is incorrect.
 - Questioned the disappearance of a previously identified 100-foot buffer zone.
 - Stated there is no entry from Jenny Street to Earl Street, only a walking path to another property.
- Scott Messier – 5 Jenney Street raised concerns.
 - Asked about plans for a public access walkway from the property to Jenny Street.
 - Owner (Joel) clarified it is a private walking easement for his children only to reach the bus stop.
 - Neighbor disputed use of the private road (Jenney Street) and noted increased traffic (e.g., e-bikes) since a path was cleared.
- Patrick Carr – chair member (zoom). Recommended the applicant's attorney and town counsel meet to resolve property line and access disputes before returning to the planning board.
- Requested the interim planner submit concerns in writing.
- The board found the documentation contradictory.
- Voted unanimously to continue the hearing to a future date to allow clarification among the applicant's attorney, town counsel, and the interim planner.

~~**Motion to continue to a future date post legal guidance presented by Miles Grant, seconded Kevin Grant passed (5-0)**~~

Motion to continue to a future date post legal guidance presented by Miles Grant, seconded Kevin Grant. Roll Call Vote:

Ayes: Sean Powers, Miles Grant, Kevin Grant, Jessica Fidalgo, Patrick Carr

Nays: None.

Abstentions: None.

Action: Passed unanimously, 5-0-0.

5) LONG RANGE PLANNING:

- a) **Bylaw Changes:** Other departments input. - NONE
- b) **Board discussion:** updates, priorities, work.

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- New Bedford Code Updates: Miles Grant - board member, encouraged following New Bedford's form-based code updates, which are progressing quickly and could be instructive.

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

6) NEXT MEETING: June 16, 2026 @ 6:30PM

ADJOURN: Meeting adjourn @ 7:16PM.

Exhibit A: Meeting Minutes Titles - *2026-05-12 Planning Board Minutes*

Exhibit B: Correspondence Titled - *City of New Bedford 2026-4-14*

Exhibit C: Site Plans Titled - *PS25-01 -4 Earle St Plan REV 5.15.26*