Fairhaven Planning Board

Town Hall · 40 center Street · Fairhaven, MA 02719

FAIRHAVEN TOWN CLERK
RCUD 2026 NOV 6 AM9:10

PUBLIC MEETING AGENDA
Tuesday, November 10, 2026 at 6:30PM
In person at Town hall or remotely log on to:

https://us06web.zoom.us/j/93163358101?pwd=NXg5WnUxZ3lLK3drSVBBM2JPTXE0QT09
*or call 1-689-278-1000 - **Meeting ID: 931 6335 8101- Passcode: 740257***
Available on Fairhaven TV Channel 97 and fairhaventv.com the following day. 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 30, 2027. Pursuant to an amendment to Town Bylaw Chapter 50 § 13, all government meetings are available through web/video conference and are recorded.

1) **GENERAL BUSINESS:**
   a) Welcome and Media notification
   b) Pledge of Allegiance
   c) Quorum/Attendance
   d) Meeting minutes draft to be reviewed
   e) Correspondence:
2) **PUBLIC HEARING:**
   a) **DS 26-01 – 4 Earle Street- Request for Continuance** [The applicant, Coastal Village Partners LLC, proposes to subdivide the existing 37,968 SF parcel into two (2) buildable lots. The applicant has received preliminary subdivision approval, and has received an order of conditions (OOC) from the Fairhaven Conservation Commission for the proposed project.]
3) **RECEIPT OF PLANS:**
4) **NEW/OTHER BUSINESS:**
5) **LONG RANGE PLANNING:**
   a) Board discussion
      i. BESS bylaw research (Jennifer Cardoza)
      ii. Board priorities
   b) Planning Department update
      i. Board's Solar support letter for solar canopies has been sent to the appropriate state legislative representatives
      ii. The proposed Harvard student project has been accepted by the professor. The project will move forward once a student elects to participate.
6) **OTHER MATTERS:**
   a) Committee reports
   b) Patrick Carr request for Planning Board approval of public records fee waiver (see attached Town Clerk response letter). Proposed motion:

      "The Planning Board requests the following records from the town of Fairhaven at no cost to the Planning Board: All relevant records concerning the cancellation of the Fairhaven Planning Board's scheduled August 11, 2026 meeting and the subsequent handling of three Open Meeting Law complaints filed by Patrick Carr, Jennifer Cardoza, and Ruy DaSilva. This request specifically includes records identified in Section VI of Pat Carr's original complaint and Section VII of Mr.

DaSilva's supporting attachment, particularly those concerning preservation of evidence.

Records Requested

1. Electronic polling: The complete original poll concerning cancellation of the August 11 meeting, including questions, recipient lists, individual responses, timestamps, metadata, results, and summaries.
2. Communications: All relevant emails, text messages, memoranda, notes, and electronic communications among Planning Board members, Chair Jessica Fidalgo, Planning Director Dawn Quirk, Town staff, and the Town Administrator concerning the proposed cancellation.
3. Member positions and quorum: Records documenting Miles Grant's reported verbal support for cancellation, Ruy DaSilva's objection, my exclusion from the poll, the aggregation of members' positions, and the determination that four members constituted a quorum sufficient to cancel the meeting.
4. Agenda items and cancellation: Records concerning Jennifer Cardoza's solar-battery research agenda item, my requested "Board Protocols and Procedures" agenda item, draft agendas, meeting notices, cancellation notices, and authorization of the cancellation.
5. Open Meeting Law complaints: Nonexempt records concerning the receipt, distribution, review, and preparation of responses to the three complaints, including communications regarding complaint attachments and the August 25 and September 17 Planning Board meetings.
6. Preservation records: Existing notices, instructions, communications, and documentation concerning preservation of evidence identified in the complaints.

This request covers July 28 through September 24, 2026, including subsequent records relating to preservation or handling of these matters through the date this request is processed. Please include responsive Town-business records maintained on personal accounts or devices to the extent they constitute public records under Massachusetts law."

c) Board policies and procedures: Planning Board to review Town Administrator memo and take appropriate action
d) 2027 proposed meeting dates
e) Any other business that may properly come before the Board, not reasonably anticipated when posting 48 hours prior to this meeting.

7) NEXT MEETING: November 24, 2026 @ 6:30PM

8) ADJOURN: There being no further business before the board, the meeting is adjourned.