



TOWN OF FAIRHAVEN,
MASSACHUSETTS
**CONSERVATION
COMMISSION**



PUBLIC MEETING AGENDA
Monday, February 23, 2026 at 6:00 pm

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at 40 Center Street, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public. MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.

Access the meeting via remote means may do so in the following manner:

Join Zoom Meeting:

<https://us06web.zoom.us/j/86953155076?pwd=VFdUQkhzdVYrNzJIQktiVi9XSgppZz09>

Meeting ID: 869 5315 5076 Passcode: 633695

Or call 1-929-205-6099

In-person attendance is permitted for the public at Town Hall at 40 Center Street

1. Chairman's Welcome and Media Notification

2. Mission statement

Conservation by definition is the careful maintenance and upkeep of our natural resources to prevent them from disappearing. A natural resource being the physical supply of something that exists in nature, such as soil, water, air, plant and animal. Any perceived or plausible endangerments to these areas and sites shall fall before The Conservation Commission under the laws of Fairhaven and The State. We as a committee will strive to make mindful and educated decisions with the assistance of our appointed conservation agents.

3. Quorum/Attendance

4. Approval of the January 5, 2026 meeting minutes

5. Discussion of town bylaw proposed amendments

- a. Harbor Master, Tim Cox to discuss adding language that enforces the installment of Green Heart (non-chemically treated) wood pilings for all new docks (Rules & Regulations under § 192-7).
- b. Commissioner, Wendy Drumm to discuss adding required Variance request for impervious driveways, building pads, walkways, play areas, patios, etc. within vulnerable Velocity Zones (additional language to Buffer Zone Regulation § 495-8: Variance Procedure).

6. Certificate of Compliance

- a. SE 023-1252: 4 Earle Street, Map 31A, Lot 453

7. Public Hearings pursuant to the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, s. 40) and/or the Code of the Town of Fairhaven Chapter 192, Wetlands:

Request for Amended Order of Conditions

- a. SE 023-1369, CON 023-255: 10 Diamond Street, Map 29, Lots 46 & 72

Amendment request filed by Jamie & Ruby Medeiros to pave the garage driveway with

asphalt or concrete. The proposed work to take place in a buffer zone to Bordering Vegetated Wetland (BVW) & Land Subject to Coastal Storm Flowage (LSCSF), FEMA Flood Zone AE (El.14')

Requests for Determination of Applicability

- b. CON 023-544: 32 Water Street, Map 7, Lot 1 – Continued from January 6, 2026**
Request for Determination of Applicability filed by Old South Wharf Realty, LLC to obtain a waterways license for future uses at the facility & to authorize change in use for water dependent industrial & supporting uses on filled tidelands of the new Bedford Harbor, pursuant to Massachusetts Department of Environmental Protection, Chapter 91 regulations. No work is proposed as part of this submission.
- c. CON 023-548: 1 Mina Street, Map 37A, Lots 612 & 615**
Request for Determination of Applicability filed by William J. Alphonse Revocable Trust to install underground utilities & to fill and grade partially within the 100-foot Buffer Zone to a Bordering Vegetated Wetland. The work is associated with the proposed construction of a single-family dwelling, which will be located outside of the WPA jurisdiction. Work performed within maintained lawn area of a partially developed lot.
- d. CON 023-550: 4 Ruth Street, Map 43, Lots 140-142**
Request for Determination of Applicability filed by Robert Bates to replace existing vinyl fence on north side of property (along Ruth Street) with masonry wall within Land Subject to Coastal Storm Flowage, FEMA Flood Zone VE (El.18').
- e. CON 023-551: 3 Collin's Drive, Map 28C (Subdivision Lot #6), Portion of Lot 71 & 71A (Advertised in the Standard Times)**
Request for Determination of Applicability filed by Windmill Acres, LLC to fill and grade an approximate 2,057 square foot area within the 100-foot Buffer Zone, which was cleared of trees/brush and stumps under DEP File No. SE 023-1297. The existing erosion control depicted on the plan was installed under said file number.
- f. CON 023-555, Phoenix Rail Trail**
Request for Determination of Applicability filed by Town of Fairhaven/Highway Department for a pavement overlay on the existing rail trail. Improvements to include minor geometric realignment and ADA compliance at rail trail intersections; work to also include minor drainage modifications and signage installation.

Notices of Intent

- g. CON 023-522, SE 023-1508: 0 Huttleston Avenue, Map 34A, Lot 21 – Continued from August 4, 2025, August 25, 2025, September 15, 2025, January 6, 2026**
Notice of Intent filed by Teixeira's Construction to construct new single-family dwelling served by town water & sewer. Work to take place in the 50'-100' buffer to the Bordering Vegetated Wetlands.
- h. CON 023-535, SE 023-1520: 1 Crow Island, Map 44, Lot 1 – Continued from January 6, 2026**
Notice of Intent filed by Kathryn Barnett for a proposed floating dock expansion as well as after-the-fact permitting of existing stone seawall, fixed dock with boat house and bulkhead within the Acushnet River for the purpose of obtaining a Chapter 91 license. Construction of a barn and

associated grading within 100' buffer to a wetland resource area. Parcel located within Land Subject to Coastal Storm Flowage (LSCSF), FEMA Flood Zone AE (EI.6') and work within buffer to Coastal Bank & Land Under the Ocean.

- i. **CON 023-546, SE 023-1519: 4 Earle Street, Map 31A, Lot 453**
Notice of Intent filed by Joel Cordero to construct a single-family house, garage, raised deck, driveway and the extension of an existing gravel road within the 100-foot Buffer Zone to a Bordering Vegetated Wetland.
- j. **CON 023-547, SE 023-1522: 7 Pierce's Point, Map 28, Lot 32A**
Notice of Intent filed by The John J. Behan & Cynthia A. Behan Revocable Trust to construct a 3-bedroom single-family house in compliance with the requirements of FEMA and Mass Building Code for construction within Land Subject to Coastal Storm Flowage VE (EI.18') and to connect to municipal water system with the installation of approximately 68' of 1" diameter water service pipe from the house to the future new water main located within the Peirce's Point roadway layout.
- k. **CON 023-549: 450 Bridge Street, Map 38, Lot 16K (Bylaw only)**
Notice of Intent filed by Brian Corey to construct single-family dwelling, septic system, utilities, and associated site work located within the Nasketucket River Basin overlay district.
- l. **CON 023-552, SE 023-1521: 184 Balsam Street, Map 43B, 041**
Notice of Intent filed by Robert Sullivan to dredge and remove approximately 97 cubic yards of material under existing dock. Work to take place within Land Under Ocean and Land Containing Shellfish.
- m. **CON 023-553, SE 023-1523: 24 Kane Street, Map 31A, Lot 321**
Notice of Intent filed by Jermaine Hurley for the re-construction of a single-family dwelling with associated utilities, driveway and landscaping within 100' of a bordering vegetated wetland.
- n. **CON 023-554, SE 023-___ : 30 Brook Street, Map 31, Lot 154**
Notice of Intent filed by Daniel & Jo-Anne Charette to construct an Accessory Dwelling Unit (ADU) with associated ancillary structures, sewer and water connections to the existing house and the replacement of the perimeter fence.

8. Violations/Enforcement Orders/Cease and Desist Notices

- a. **Mill Road, Map 39, Lot 036:** Notice of Violation sent out April 1, 2025 for multiple abandoned vehicles, construction equipment/machinery, and diesel/oil containers dispersed throughout the wetlands. Update on Notice of Violation.
- b. **364 Huttleston Avenue, Map 34A, Lot 022:** Clearing of vegetation within 100 feet of the BVW. Update on Notice of Violation.

9. General Business

- a. Next scheduled site visits: Tentatively scheduled for March 9, 2026
- b. Next Scheduled Public Hearing Date: March 16, 2026, 2026

10. Staff Updates

- a. *Conservation Coordinator enrolled in Wetland Delineation Training – consists of virtual courses with field work component to be completed within 12 weeks.*
- b. *MACC 2026 Annual Environmental Conference – Saturday, February 28, 2026 – 8:00am – 4:30pm*
- c. *Natural Heritage of Fairhaven Series: Solutions to Stormwater Pollution – Monday March 2, 2026 at 6:30pm in the Unitarian church auditorium*
- d. **Correspondence:** *Buzzards Bay Coalition will facilitate annual monitoring of land held under Conservation Restriction in late March 2026 (including Nasketucket Fields, Weeden Road & Quahog Hill).*

11. Any other business that may properly come before the Commission not reasonably anticipated 48 hours in advance of the meeting.

12. Motion to adjourn

Brandon J. Estrella, Chair

Fairhaven Conservation Commission

Posted by the Town Clerk: www.fairhaven-ma.gov