



FAIRHAVEN SELECT BOARD
Meeting Minutes
May 26, 2026

FAIRHAVEN TOWN CLERK
ROUD 2026 JUN 11 AM 10:48

Present: Charles Murphy Sr., Andrew Romano, Keith Silvia, Andrew Saunders and Keith R. Hickey

Not Present: Natalie A. Mello

Mr. Murphy opened the Select Board meeting at 6:30pm

A moment of silence was observed in honor and remembrance of Veteran Boston firefighter Robert "Bobby" Kilduff Jr. who gave his life in the line of duty while battling a fire in Dorchester this past weekend. We honor his courage, his dedication to protecting others, and the sacrifice made by him and his family in service to the community. We also keep his fellow firefighters, loved ones, and all first responders in our thoughts during this difficult time.

DEPUTY FIRE CHIEF SWEARING IN AND PINNING: JOSHUA BENOIT

Fire Chief Todd Correia introduced Joshua Benoit as Deputy Fire Chief for the Town. Town Clerk Horan swore in Deputy Chief Benoit and his wife Courtney presented his pin. Deputy Chief Benoit thanked the Town Administrator, the Board, Chiefs Francis and Correia, his fellow firefighters, family and friends for their support.

PUBLIC HEARING – 6:30P.M. – *Continued from May 11, 2026*

The public hearing resumed at 6:45pm.

Mr. Hickey addressed the Board regarding the legal opinion from Town Counsel that was distributed to the Board (**Attachment A**). Mr. Hickey sought further review from Town Counsel due to the application and learning the property was sold. Clarification is needed whether Mr. DaSilva will continue his business under a lease agreement with the new owner. Atty. White's summary outlines criteria for the Board to consider. Mr. DaSilva had a scheduling conflict and was not in attendance.

Discussion ensued and the Board asking clarifying questions about the current pre-existing non-confirming use, if a car dealership would be prohibited, zoning, the current application being "stale" due to a new owner, current licenses held at 98 and 99 Middle Street by Mr. DaSilva, Bylaw Chapter 125 and whether to continue or close the public hearing. Mr. Saunders recommended including "without prejudice" in the motion to care for potential time restrictions of a new application.

Public Comment:

Michelle Costen of Spring Street addressed the Board about the concern for forty cars at an established business where other developments want to put seventy to one-hundred cars in a parking lot because the forty cars is not traffic on the street.

The Public Hearing was closed at 7:05pm

Motion: Mr. Saunders motioned to deny the application to expand the number of vehicles at Artistic Auto Body, Inc. from 2 to 40, as outlined in the submitted plans, with no prejudice to a new applicant coming before the Board within the next three months. Mr. Romano seconded.

Discussion ensued about whether to have the time restriction "within the next three months" included in the motion.

Mr. Saunders rescinded his motion. Mr. Romano rescinded his second.

Motion: Mr. Romano motioned to deny the application to expand the number of vehicles at Artistic Auto Body, Inc. from 2 to 40, as outlined in the submitted plans, and without prejudice for the new owner. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

PUBLIC COMMENT

Michelle Costen of Spring Street addressed the Board about forgetting the Municipal Housing Trust Fund and the amount of apartment complexes. She said the neighborhood has discussed; people are not happy about treatment centers and three apartment complexes. This is not the Fairhaven hometown or fitting the character or culture of what we are. The neighborhood also discussed a drug treatment center in a small town where other states are doing it in farming areas and not next to a school in a congested town. Rentals and high rent will not help the problem, we need to put equity back into people's pockets.

Brandon Estrella of Church Street addressed the Board, he said he is also Chair of the Conservation Commission and gave the Board a packet of documents to review and consider regarding the release of agreement and voluntary covenants on the Board's agenda tonight (*Attachment B*). He added that the need for housing is important and the need for treatment of PTSD individuals is even more so important.

APPOINTMENTS / COMMUNITY ITEMS

Consider Release of Agreement and Voluntary Covenants on Former G. Borne Knowles Site

The developer of the proposed Friendly 40B found a voluntary covenant recorded at the registry of deeds that limits development to 50 condominium units at the former G. Borne Knowles site and is seeking to have the agreement and voluntary covenant released to expand the options for redevelopment of the property.

Discussion ensued about the materials the Board had received from Mr. Estrella (*Attachment B*), whether the matter was time sensitive and if it could be tabled to the next meeting. Some on the Board wanted time to review the documents. Conservation and Sustainability Coordinator Kelly Camara addressed the Board and said the maps show where the property can be developed and the draft design from the developer does not. The Board confirmed that the developer will still need to meet Conservation and other requirements to proceed regardless of the release of covenants. Mr. Hickey recommended the applicant address the Board about the covenant restrictions and applicable state and Town bylaws.

Motion: Mr. Romano motioned to table item D1 to the June 8, 2026 meeting. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Update from the Historical Commission: Pomeroy Foundation Historical Markers Grant Program: Plaques Academy Building and Old Stone Schoolhouse and Delano Cemetery Sign Replacement

Historical Commission member Doug Brady provided an update in the Board's packet regarding grant opportunities through the Pomeroy Foundation Historical Markers Grant Program. The Historical Commission applied to obtain signage for the Rogers School and recently for the Academy Building and the Old Stone Schoolhouse. The Town Administrator approved the applications for the grants, there is no cost to the Town and no matching funds required.

The Commission undertook replacement of the Town Historical Marker at the Delano Cemetery and wishes to thank Select Board member Keith Silvia and other volunteers for their time and work reinstalling the sign.

Appointment Request: Council on Aging Board: Stephen Silvia 3-year term

The Board reviewed the application. Mr. Saunders recommended an electronic acknowledgement of the Social Media Policy be added under the Consent header.

Motion: Mr. Saunders motioned to appoint Stephen "Chip" Silvia to the Council on Aging Board for a 3-year term. Mr. Romano seconded. The motion passed unanimously (4-0-0).

Appointment of Constables: Joseph Latimer, Robert Jones, Lawrence Machado, David Miller, Milan Whitaker and Jeffrey Foisy

The applications for Constable from Joseph Latimer, Robert Jones, Lawrence Machado, David Miller, Milan Whitaker and Jeffrey Foisy. Each is responsible to pay a fee and provide a copy of their bond to the Town Clerk prior to swearing in and receiving a certificate.

Mr. Saunders recused himself due to his wife's use of one of the firms.

Motion: Mr. Romano motioned to appoint Joseph Latimer, Robert Jones, Lawrence Machado, David Miller, Milan Whitaker and Jeffrey Foisy as Constables for the Town contingent upon payment of the fee and providing a copy of their bond to the Town Clerk for a 1-year term. Mr. Silvia seconded. The motion passed (3-0-1) Mr. Saunders abstained.

Use of Town Hall Bathrooms and Temporary Street Closure: Belonging Committee, Fairhaven’s Got Pride: June 28, 2026 from 11:00am to 5:30pm

The Board reviewed the application, continued from May 11, 2026 and confirmed the custodian fee applies.

Motion: Mr. Saunders motioned to approve the use of the Town Hall bathrooms and temporary street closures on June 28, 2026 as requested in the application from the Belonging Committee with applicable fees. Mr. Romano seconded. The motion passed unanimously (4-0-0).

Special One-Day, All Alcohol License: Fairhaven’s Got Pride: June 28, 2026

The Board reviewed the application, continued from May 11, 2026.

Motion: Mr. Saunders motioned to approve a Special One-Day All Alcohol License for The Belonging Committee at the Fairhaven’s Got Pride event on June 28, 2026. Mr. Romano seconded. The motion passed unanimously (4-0-0).

ACTION / DISCUSSION

No items

TOWN ADMINISTRATOR REPORT

Mr. Hickey reviewed his report (*Attachment C*). Mr. Saunders asked Mr. Hickey to provide a brief explanation as to the purpose of the audit. Mr. Hickey explained that it is a State Department of Revenue (DOR) requirement and if the Town does not comply the state could withhold funds or take other actions. The auditing standards are rigid and is an added cost. Mr. Saunders added, for context, this is an example of an unfunded mandate where the Town can face penalties.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no reports or updates

Mr. Murphy reported:

- The Whitfield-Manjiro Friendship Society updates to the Carriage House are in process. There were student volunteers at the Cherry Blossom Festival.
- Lagoa will meet soon.

Mr. Romano reported:

- His committees are meeting tonight and he will provide updates at the next meeting.

Mr. Silvia reported:

- The Economic Development Committee met
- Mr. Silvia drove through the Timothy-Hiller subdivision and said it is very well developed, a nice project and they are using vendors that are Fairhaven people - keeping money in Town.

MINUTES

The draft minutes in the Board’s packet were amended to complete a partial sentence at the end of the portion “Bike Path Fund Presentation: Erin Carr” which said, “If BPW votes to,” the sentence should read, “If BPW votes to authorize the activities proposed and administer the funds, a future agenda item would be needed for the Select Board to authorize the creation of a gift account.”

Motion: Mr. Romano motioned to accept the open session minutes of May 11, 2026 as amended. Mr. Silvia seconded. The motion passed (3-0-1) Mr. Saunders abstained.

CORRESPONDENCE

Correspondence: Email: Michelle Costen: Important SB Agenda Item and Various letters: Regarding 77 Adams Street (*Attachment D*).

Motion: Mr. Saunders motioned to enter the Select Board correspondence as listed into the record. Mr. Romano seconded. The motion passed unanimously (4-0-0).

NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting will be on **Monday, June 8, 2026** at 6:30pm

The Select Board adjourned at 7:36pm

ATTACHMENTS

- A. Email: Heather White: Auto Sales and Repairs Licenses - 98 and 99 Middle St.
- B. Handout from Brandon Estrella regarding Conservation Restrictions at the former G. Bourne Knowles site
- C. Town Administrator Report
- D. Correspondence: Email: Michelle Costen: Important SB Agenda Item and Various letters: Regarding 77 Adams Street

Respectfully submitted on behalf of the Select Board Clerk (ah)

Accepted on June 8, 2026

Auto Sales and Repairs Licenses - 98 and 99 Middle St. PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Attachment A

1 message

Heather C. White <hwhite@petrinilaw.com>
To: Keith Hickey <khickey@fairhaven-ma.gov>
Cc: Amy Hart <ahart@fairhaven-ma.gov>

Tue, May 26, 2026 at 4:10 PM

Keith,
Please distribute this to the Select Board.

As you requested, I am providing a summary of the factors the Select Board should consider when conducting tonight's continued session of the public hearing relative to the application of Artistic Auto Body, Inc. to amend its existing Class II and auto repair licenses.

FACTS

I understand the owner of Artistic Auto Body, Inc. has existing Class II and repair licenses for the property located at 98 Middle Street. These licenses each include a restriction limiting operations to two cars on the premises. The proposed amendment would increase the number of cars from 2 to 40 and would expand the business activities to the property located at 99 Middle Street in addition to 98 Middle Street. After the application for amendment was submitted, ownership of these properties was transferred to a new owner.

CRITERIA TO BE CONSIDERED

1. OWNERSHIP/OPERATION

G.L. c. 140, s. 59 prohibits the granting of any such license unless the licensing authority is satisfied from an investigation of the facts that certain requirements have been met, including the requirements that 1) the business is or will be the applicant's principal place of business; and 2) that the applicant has available a place of business suitable for the proposed purpose. In my opinion, the Select Board should not take action to approve the amendment at tonight's hearing unless it has received information sufficient to support a conclusion that the premises will be the **applicant's** principal place of business and that the premises will continue to be available **to the applicant** for the proposed use despite the fact that the property has been sold. This is a change of circumstances since the filing of the application that should be addressed to the Board's satisfaction. The applicant should provide information sufficient for the Board to make a determination that the applicant has the express permission of the new property owner to continue the use, either in the form of a lease or other acceptable evidence. If such information has not already been provided and is not available tonight, I recommend continuing the hearing to a later date.

If the applicant/prior owner will not continue to be the operator of the business, the proposed amendment should be denied. The new owner would be required to file a new application for the required licenses, as General Bylaws Section 125-7 prohibits transfer of a license to another person or premises.

2. AMENDMENT OF LICENSE RESTRICTION TO INCREASE NUMBER OF CARS

Upon satisfaction of the ownership/operation issue, the Select Board should apply the criteria set forth in General Bylaws Section 125-6 to determine whether an amendment to the license (in the case of the prior owner continuing to operate the business) or a new license (in the case of the new owner taking over operations) should be granted to allow the increase from 2 to 40 cars. Section 125-6 provides (with emphasis added):

The Select Board may issue a license under this chapter if it determines that the operation of the licensed activity is **not detrimental to the neighborhood and is consistent with the protection and promotion of the convenience, health, morals, safety and welfare of the community**. The Board may impose conditions in writing upon any license issued hereunder. Such conditions may include, but are not limited to, limitations on the hours and days of operation, the noise and odor emanating from the premises, the location, number and type of vehicles or parts stored externally on the premises and any other conditions that the Select Board determines to protect or promote the interest in this chapter.

The Board should require an adequate plan detailing the proposed configuration of the property so that it may evaluate public safety issues, such as emergency vehicle access and potential fire hazards, impact on the neighborhood, and the other criteria listed above.

3. ZONING

Even if the required licenses are amended/granted under G.L. c. 140, the use of the property must also comply with zoning requirements in order to be permissible. The Select Board's grant of a license does not constitute a determination under zoning. While the Building Commissioner has submitted letters to the Select Board noting the proposed increase from 2 to 40 cars, he did not provide an analysis or conclusion as to whether the increase from 2 to 40 cars constitutes an increase in the extent of the preexisting nonconforming use, or whether the use of the property located at 99 Middle Street, which is not covered by the existing licenses and to my knowledge has not historically been used for auto sales/repairs, is permissible for the proposed purpose. Accordingly, I do not recommend granting the license amendment until the Building Commissioner has made the required determinations. In my opinion, an increase from 2 to 40 cars constitutes an increase in the extent of use of the premises, and the expansion of the use onto a property that was not previously used for such purposes is not protected from current zoning requirements. Fairhaven's Zoning Bylaw includes an express prohibition against any increase in the extent of a nonconforming use in Section 198.21.C as follows:

No increase in the area or extent of the nonconforming use of a structure or land may be made.

Accordingly, the grant of a license (or amendment thereto) would likely be a futile exercise if the increased use is not permissible under zoning and therefore cannot proceed.

Please let me know if I can be of any assistance with this matter going forward.

Thanks,

Heather

Heather C. White

Petrini & Associates, P.C. 372 Union Avenue Framingham, MA 01702 508-665-4310 tel 508-665-4313 fax

hwhite@petrinilaw.com

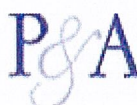
 **PETRINI & ASSOCIATES, P.C.**
Counselors at Public Law



EXHIBIT "C"

TOWN MEETING VOTE



**Town of Fairhaven
Town Clerk's Office**

Town Hall · 40 Center Street · Fairhaven, MA 02719

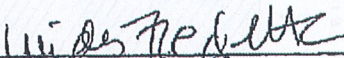
REMOTE ADJOURNED ANNUAL TOWN MEETING – MONDAY, JUNE 14, 2021
WALTER SILVEIRA AUDITORIUM – ELIZABETH HASTINGS MIDDLE SCHOOL
TOWN MEETING MEMBERS PRESENT 192 – QUORUM REQUIRED 40

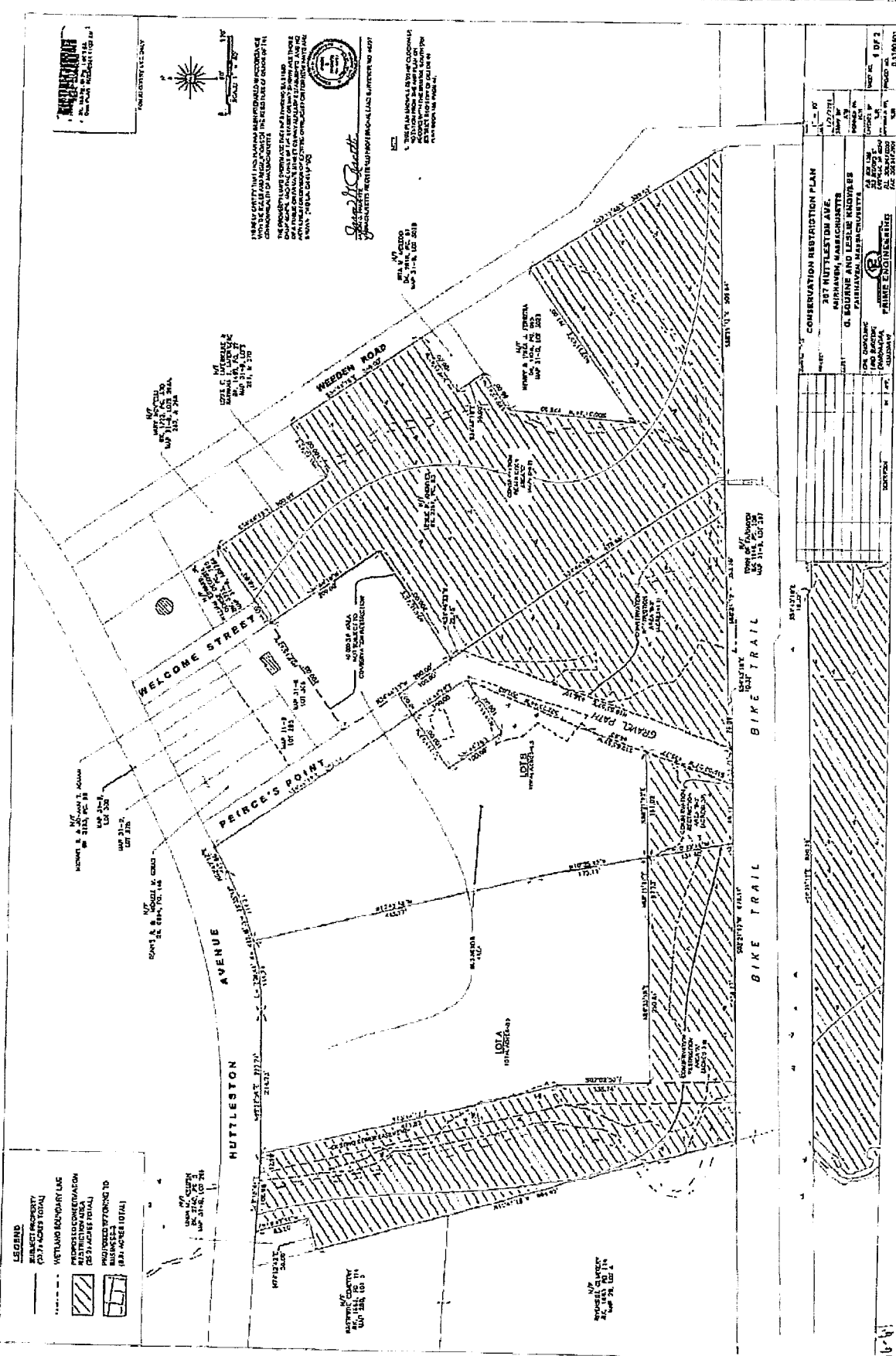
ARTICLE 54: CITIZENS PETITION - REZONE PORTIONS OF 267 HUTTLESON AVENUE

By 2/3rds vote, the town voted as amended, an article for the Rezone of the following described property Portions of 267 Huttleson Avenue from (Existing Zoning) Multi-family to Proposed Zoning: Business

AMENDMENT: This zoning change becomes effective only after the following requirements are met, a covenant is drawn that declares all areas cited Conservation Restricted in the sitemap attached to this proposal be protected perpetuity by being designated Conservation Restricted Area by the petitioner filed with the MA, D.E.P. and said CR in Place.

A TRUE COPY, ATTEST:


LINDA FREDETTE - ACTING TOWN CLERK



LEGEND

--- SUBJECT PROPERTY (20.77 ACRES TOTAL)

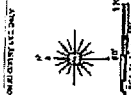
--- WETLAND BOUNDARY LINE

--- CONSERVATION RESTRICTION BOUNDARY LINE (20.77 ACRES TOTAL)

--- PROPOSED BYPASSING TO BUSINESS (10.14)

CONSERVATION RESTRICTION PLAN

DATE: AUGUST 31, 2018



THIS SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE RULES OF PRACTICE OF THE PROFESSION OF SURVEYING IN THE STATE OF MISSISSIPPI. THE SURVEYOR HAS BEEN LICENSED BY THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF MISSISSIPPI. THE SURVEYOR'S OFFICE IS LOCATED AT 1000 N. GULF BLVD., SUITE 100, MEMPHIS, TN 38103. THE SURVEYOR'S PHONE NUMBER IS 901-525-1234. THE SURVEYOR'S FAX NUMBER IS 901-525-1234. THE SURVEYOR'S E-MAIL ADDRESS IS SURVEYOR@EXAMPLE.COM.



James H. Smith
 SURVEYOR
 LICENSE NO. 12345
 STATE OF MISSISSIPPI

CONSERVATION RESTRICTION PLAN	
PROJECT NO.	1808-001
DATE	AUGUST 31, 2018
OWNER	387 HUTTLESTON AVE. MEMPHIS, TN 38103
CLIENT	G. SQUIRE AND LEGAL HEIREES
PREPARED BY	JAMES H. SMITH
APPROVED BY	JAMES H. SMITH
SCALE	AS SHOWN
CHECKED BY	JAMES H. SMITH
DATE CHECKED	AUGUST 31, 2018
PROJECT NO.	1808-001
DATE	AUGUST 31, 2018
OWNER	387 HUTTLESTON AVE. MEMPHIS, TN 38103
CLIENT	G. SQUIRE AND LEGAL HEIREES
PREPARED BY	JAMES H. SMITH
APPROVED BY	JAMES H. SMITH
SCALE	AS SHOWN
CHECKED BY	JAMES H. SMITH
DATE CHECKED	AUGUST 31, 2018

1808-001

1808-001

EXHIBIT B

Reduced Copy of Plan of Premises

For official full-size plans see Bristol County S.D. Registry of Deeds in Plan Book 186, Page 64.

EXHIBIT A

Legal Description of Premises

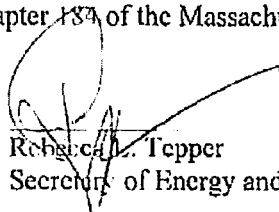
The land in Fairhaven, Bristol County, Commonwealth of Massachusetts described as follows.

The land containing 6.2 acres, more or less, shown as "Conservation Restriction Area 'C'" as shown on a plan entitled "Conservation Restriction Plan, 267 Huttleston Ave., Fairhaven, Massachusetts, prepared for G. Bourne and Leslie Knowles Fairhaven, Massachusetts", Date: January 2, 2024, Scale: 1"=60', prepared by Prime Engineering, Inc., consisting of two sheets and recorded in the Bristol County Southern District Registry of Deeds in Plan Book 186, Page 64, a reduced copy of which plan is attached hereto as Exhibit B; and

**APPROVAL OF SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS OF
THE COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby approves the foregoing Conservation Restriction from G. Bourne Knowles Co., Inc., to the Town of Fairhaven, acting by and through its Conservation Commission, in the public interest pursuant to Section 32 of Chapter 187A of the Massachusetts General Laws.

Dated: June 28, 2024

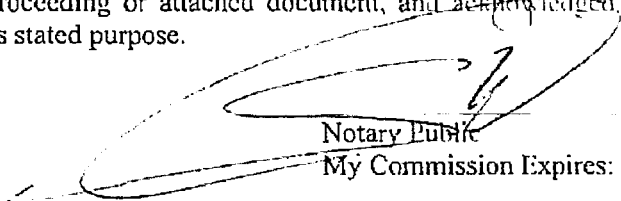


Rebecca L. Tepper
Secretary of Energy and Environmental Affairs

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

On this 28 day of June, 2024, before me, the undersigned notary public, personally appeared Rebecca L. Tepper and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Notary Public
My Commission Expires:

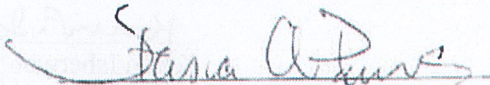


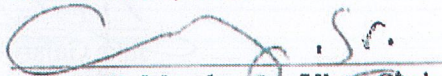
Sheri R. Widdiss
NOTARY PUBLIC
Commonwealth of
Massachusetts
My Commission Expires
March 27, 2031


APPROVAL OF TOWN OF FAIRHAVEN SELECT BOARD

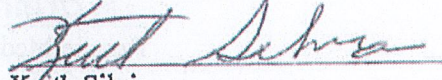
We, the undersigned, being a majority of the Select Board of the Town of Fairhaven, Massachusetts, hereby certify that at a public meeting duly held on June 24, 2024, the Select Board voted to approve in the public interest the foregoing Conservation Restriction from Leslie P. Knowles to the Town of Fairhaven, acting by and through its Conservation Commission pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

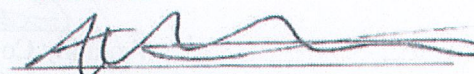
TOWN OF FAIRHAVEN SELECT BOARD:


Stasia Powers, Chair


Charles K. Murphy, Sr., Vice -Chair


Andrew Saunders

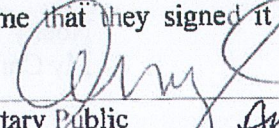

Keith Silvia

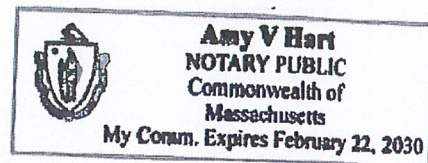

Andrew Romano

THE COMMONWEALTH OF MASSACHUSETTS

Bristol County, ss:

On this 24 day of June 2024, before me, the undersigned notary public, personally appeared Stasia Powers, Charles Murphy, Andrew B. Saunders, Keith Silvia, and Andrew Romano, and proved to me through satisfactory evidence of identification which was personally known to be the persons whose names are signed on the proceeding of attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public Amy V Hart
My Commission Expires: 2/22/2030



**ACCEPTANCE OF CONSERVATION RESTRICTION BY TOWN OF FAIRHAVEN
CONSERVATION COMMISSION**

We, the undersigned, being a majority of the Conservation Commission of the Town of Fairhaven, Massachusetts, hereby certify that at a public meeting duly held on June 17, 2024, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from Leslie P. Knowles Inc. pursuant to Section 32 of Chapter 184 and Section 8C of Chapter 40 of the Massachusetts General Laws and do hereby accept the foregoing Conservation Restriction.

TOWN OF FAIRHAVEN CONSERVATION
COMMISSION:

Karen P. Isherwood
Karen Isherwood, Vice-Chair

Jake Galary
Jake Galary

Carrie Hawthorne
Carrie Hawthorne

Ronnie Medina
Ronnie Medina

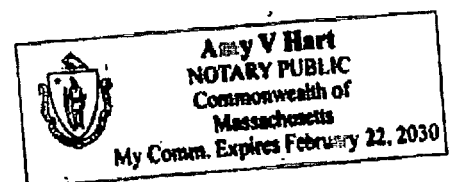
Anthony Coulo
Anthony Coulo

THE COMMONWEALTH OF MASSACHUSETTS

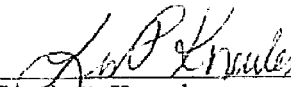
Bristol County, ss:

On this 24 day of June, 2024, before me, the undersigned notary public, personally appeared Karen Isherwood, Jake Galary, Carrie Hawthorne, Ronnie Medina, Anthony Coulo, and proved to me through satisfactory evidence of identification which was personally known to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Amy V Hart
Notary Public
My Commission Expires: 2/22/2030



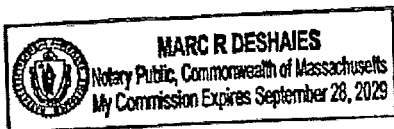
WITNESS my hand and seal this 17th day of JUNE, 2024

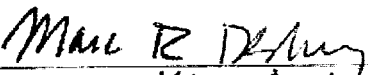

Leslie P. Knowles

THE COMMONWEALTH OF MASSACHUSETTS

Bristol County, ss:

On this 17th day of JUNE 2024, before me, the undersigned notary public, personally appeared Leslie P. Knowles and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose




Notary Public MARC R. DESHAIES
My Commission Expires: Sept. 28, 2029

Approval of Select Board

Approval of the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts.

F. The following exhibits are attached and incorporated herein:

Exhibit A: Legal Description of Premises

Exhibit B: Reduced Copies of Recorded Plans of Premises

Exhibit C: Town Vote Requiring Conservation Restriction

XVI. MISCELLANEOUS

A. Pre-existing Public Rights

Approval of this Conservation Restriction pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws by any municipal officials and by the Secretary, is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Release of Homestead

The Grantor attests that there is no residence on or abutting the Premises (including areas excluded from the Premises) that is occupied or intended to be occupied as a principal residence by a spouse, former spouse, or children of the grantor, or a spouse, former spouse, or children of a beneficiary of the trust, if Premises is owned by a trust.

C. Subordination

The Grantor shall record at the applicable registry of deeds or shall register in the applicable land court registry district simultaneously with this Conservation Restriction all documents necessary to subordinate any mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

D. Executory Limitation

If Grantee shall cease to exist or to be qualified to hold conservation restrictions pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, or to be qualified organization under 26 U.S.C. 170(h), and applicable regulations thereunder, if applicable, and a prior assignment is not made pursuant to Paragraph VII, then Grantee's rights and obligations under this Conservation Restriction shall vest in such organization as a court of competent jurisdiction shall direct pursuant to the applicable Massachusetts law and with due regard to the requirements for an assignment pursuant to Paragraph VII.

E. Prior Encumbrances

This Conservation Restriction shall be in addition to and not in substitution of any other restrictions or easements of record affecting the Premises.

The following signature pages are included in this Grant:

Grantor - Leslie P. Knowles

Grantee Acceptance - Town of Fairhaven Conservation Commission

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIV. GENERAL PROVISIONS

A. Controlling Law

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in order to affect the Purposes and the policy and purposes of Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the Purposes that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement

This instrument sets forth the entire agreement of the Grantor and Grantee with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Restriction, all of which are merged herein.

XV. BASELINE DOCUMENTATION REPORT

The Conservation Values, as well as the natural features, current uses of, and existing improvements on the Premises, such as, but not limited to, trails, woods roads, structures, meadows or other cleared areas, agricultural areas, and scenic views, as applicable, are described in a Baseline Documentation Report ("Baseline Report") prepared by Grantee with the cooperation of the Grantor, consisting of maps, photographs, and other documents and on file with the Grantee and included by reference herein. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, (ii) is intended to fully comply with applicable Treasury Regulations, (iii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein, and (iv) may be supplemented as conditions on the Premise change as allowed over time. Notwithstanding the foregoing, the parties may utilize any evidence of the condition of the Premises at the time of this grant in addition to the Baseline Report.

3. affect the qualification of this Conservation Restriction as a "qualified conservation contribution" or "interest in land" under any applicable laws, including 26 U.S.C. Section 170(h), and related regulations;
4. affect the status of Grantee as a "qualified organization" or "eligible donee" under any applicable laws, including 26 U.S.C. Section 170(h) and related regulations, and Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws;
5. create an impermissible private benefit or private inurement in violation of federal tax law, as determined by an appraisal, conducted by an appraiser selected by the Grantee, of the economic impact of the proposed amendment;
6. alter or remove the provisions described in Paragraph VI (Termination/Release/Extinguishment);
7. cause the provisions of this Paragraph XI to be less restrictive; or
8. cause the provisions described in Paragraph VII.C (Running of the Benefit) to be less restrictive

B. Amendment Approvals and Recording

No amendment shall be effective unless documented in a notarized writing executed by Grantee and Grantor, approved by the Town of Fairhaven and by the Secretary in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, and recorded in the applicable registry of deeds or registered in the applicable land court registry district.

XII. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the Massachusetts General Laws have been obtained, and it has been recorded in the applicable registry of deeds or registered in the applicable land court registry district.

XIII. NOTICES

Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Leslie P. Knowles.
954 Smith Neck Road
South Dartmouth, Massachusetts. 02748

To Grantee: Town of Fairhaven Conservation Commission
40 Center Street
Fairhaven, Massachusetts 02719

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the effective date of such transfer. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. If the Grantor fails to reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, then the Grantee may record, in the applicable registry of deeds, or registered in the applicable land court registry district, and at the Grantor's expense, a notice of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

B. Grantor's Liability

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

IX. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. NON-MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction following the terms set forth in Paragraph VII.C to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

XI. AMENDMENT

A. Limitations on Amendment

Grantor and Grantee may amend this Conservation Restriction only to correct an error or oversight, clarify an ambiguity, maintain, or enhance the overall protection of the Conservation Values, or add real property to the Premises, provided that no amendment shall:

1. affect this Conservation Restriction's perpetual duration;
2. be inconsistent with or materially impair the Purposes;

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph VI.B. and Paragraph VI.C. If a less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of any proceeds in a manner consistent with the Purposes or the protection of the Conservation Values.

VII. DURATION and ASSIGNABILITY

A. Running of the Burden

The burdens of this Conservation Restriction shall run with the Premises in perpetuity and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments

The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction. The Grantor, on behalf of itself and its successors and assigns, appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit

The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except when all of the following conditions are met:

1. the Grantee requires that the Purposes continue to be carried out;
2. the assignee is not an owner of the fee in the Premises;
3. the assignee, at the time of the assignment, qualifies under 26.U.S.C. 170(h), and applicable regulations thereunder, if applicable, and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws; and
4. the assignment complies with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VIII. SUBSEQUENT TRANSFERS

A. Procedure for Transfer

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from natural causes beyond the Grantor's control, including but not limited to fire, flood, weather, climate-related impacts, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

V. PUBLIC ACCESS

This Conservation Restriction does not grant any right of access to the general public in over or upon the Premises.

VI. TERMINATION/RELEASE/EXTINGUISHMENT

A. Procedure

If circumstances arise in the future that render the Purposes impossible to accomplish, this Conservation Restriction can only be terminated, released, or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, or successor official ("Secretary"), and any other approvals as may be required by Section 32 of Chapter 184 of the Massachusetts General Laws.

B. Grantor's and Grantee's Right to Recover Proceeds

If any change in conditions ever gives rise to termination, release, or extinguishment of this Conservation Restriction under applicable law, then Grantee, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph VI.C., subject, however, to any applicable law which expressly provides for a different disposition of the proceeds, and after complying with the terms of any gift, grant, or funding requirements. The Grantee shall use its share of any proceeds in a manner consistent with the Purposes or the protection of the Conservation Values.

C. Grantee's Receipt of Property Right

Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, for the purpose of enforcing this Conservation Restriction, but does not entitle Grantee, upon extinguishment, release, or termination, to any proceeds received by the Grantor from the subsequent sale, exchange, or involuntary conversion of the Premises. Any proceeds that result from any such extinguishment, release, or termination will be distributed only after complying with the terms of any gift, grant, or other funding requirements.

D. Cooperation Regarding Public Action

1. Enforcement. The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain compensatory relief, and equitable relief against any violations, including, without limitation, injunctive relief and relief requiring restoration of the Premises to its condition prior to the time of the injury (it being agreed that the Grantor will have no adequate remedy at law in case of an injunction). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction.
2. Notice and Cure. In the event the Grantee determines that a violation of this Conservation Restriction has occurred and intends to exercise any of the rights described herein, the Grantee shall, before exercising any such rights, notify the Grantor in writing of the violation. The Grantor shall have thirty (30) days from receipt of the written notice to halt the violation and remedy any damage caused by it, after which time Grantee may take further action, including instituting legal proceedings and entering the Premises to take reasonable measures to remedy, abate or correct such violation, without further notice. Provided, however, that this requirement of deferment of action for thirty (30) days applies only if Grantor immediately ceases the violation and Grantee determines that there is no ongoing violation. In instances where a violation may also constitute a violation of local, state, or federal law, the Grantee may notify the proper authorities of such violation.
3. Reimbursement of Costs and Expenses of Enforcement. Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including counsel fees) incurred by the Grantee in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey by a Massachusetts licensed professional land surveyor and to have the boundaries permanently marked.

C. Non-Waiver

Enforcement of the terms of this Conservation Restriction shall be at the sole discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

D. Disclaimer of Liability

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws, and regulations, or acts not caused by the Grantee or its agents.

E. Acts Beyond the Grantor's Control

The exercise of any Permitted Acts and Uses under Paragraph III.B. shall be in compliance with all applicable federal, state, and local laws, rules, regulations, zoning, and permits, and with the Constitution of the Commonwealth of Massachusetts. The inclusion of any Permitted Act or Use requiring a permit, license or other approval from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit, license, or other approval should be issued.

E. Notice and Approval

1. Notifying Grantee. Whenever notice to or approval by Grantee is required, Grantor shall notify or request approval from Grantee, by a method requiring proof of receipt, in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question, unless a different time period is specified herein. The notice shall:
 - a. Describe the nature, scope, design, location, timetable, and any other material aspect of the proposed activity;
 - b. Describe how the proposed activity complies with the terms and conditions of this Conservation Restriction, and will not materially impair the Purposes and/or Conservation Values;
 - c. Identify all permits, licenses, or approvals required for the proposed activity, and the status of any such permits, licenses, or approvals; and
 - d. Describe any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the Purposes and Conservation Values.
2. Grantee Review. Where Grantee's approval is required, Grantor shall grant or withhold approval in writing within sixty (60) days of receipt of Grantor's request. Grantee's approval shall only be granted upon a showing that the proposed activity will minimize impacts to the Conservation Values and will not materially impair the Purposes and/or Conservation Values. Grantee may require Grantor to secure expert review and evaluation of a proposed activity by a mutually agreed upon party.
3. Resubmittal. Grantee's failure to respond within sixty (60) days of receipt shall not constitute approval of the request. Grantor may subsequently submit the same or a similar request for approval.

IV. INSPECTION AND ENFORCEMENT

A. Entry onto the Premises

The Grantor hereby grants to the Grantee, and its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction.

B. Legal and Injunctive Relief

- a. Trail Maintenance. Conducting routine maintenance of trails, which may include widening trail corridors up to 16 feet in width overall;
 - b. New Trails. With prior written approval of the Grantee, constructing new trails or relocating existing trails, provided that any construction or relocation results in trails that conform with the width limitations above;
 - c. Trail Features. With prior written approval of the Grantee, constructing bog bridging, boardwalks, footbridges, railings, steps, culverts, benching, cribbing, contouring, or other such features, together with the use of motorized equipment to construct such features;
7. Signs. Constructing, installing, maintaining, and replacing signs and informational kiosks with respect to the Permitted Acts and Uses, the Purposes, the Conservation Values, trespass, public access, identity and address of the Grantor, sale of the Premises, the Grantee's interest in the Premises, boundary and trail markings, any gift, grant, or other applicable source of support for the conservation of the Premises;
 8. Motorized Vehicles. Using motor vehicles for Permitted Acts and Uses of the Premises. Using motorized mobility assistance devices by persons with mobility impairments; and using other motorized vehicles by persons with mobility impairments for nature observations and educational activities, provided however that the manner of such motorized vehicle use is approved in advance by the Grantee. Using motor vehicles consistent with any easement existing at the time of conveyance of this Conservation Restriction.
 9. Outdoor Passive Recreational and Educational Activities. Fishing, canoeing and other non-motorized boating, activities in Nasketucket and Robbins Creek adjacent to Parcel 3 as shown on the plan in Exhibit B and nature observation, nature and educational walks and outings, outdoor educational activities, and other non-motorized outdoor recreational and educational activities;
 10. Maintenance of the existing graveled areas and road systems located on the Premises with like kind materials, but not further expansion or relocation of such areas or roads; and

C. Site Restoration

Upon completion of any Permitted Acts and Uses, any disturbed areas shall be restored substantially to the conditions that existed prior to said activities, including with respect to soil material, grade, and vegetated ground cover.

D. Compliance with Permits, Regulations, Laws

10. Adverse Impacts to Stone Walls, Boundary Markers. Disrupting, removing, or destroying stone walls, granite fence posts, or any other boundary markers;
11. Residential or Industrial Uses. Using the Premises for residential or industrial purposes; and
12. Inconsistent Uses. Using the Premises for commercial purposes that are inconsistent with the Purposes or that would materially impair the Conservation Values, or for any other uses or activities that are inconsistent with the Purposes or that would materially impair the Conservation Values.

B. Permitted Acts and Uses

Notwithstanding the Prohibited Acts and Uses described in Paragraph III.A., the Grantor may conduct or permit the following acts and uses on the Premises, provided they do not materially impair the Purposes and/or Conservation Values. In conducting any Permitted Act and Use, Grantor shall minimize impacts to the Conservation Values to ensure any such impairment thereto is not material.

1. Vegetation Management. Maintaining vegetation, including pruning, trimming, cutting, and mowing, and removing brush, all to prevent, control, and manage hazards, disease, insect, or fire damage, and/or in order to maintain the condition of the Premises as documented in the Baseline Report (see Paragraph XV.);
2. Non-native, Nuisance, or Invasive species. Removing non-native, nuisance, or invasive species, interplanting native species, and controlling species in a manner that minimizes damage to surrounding, non-target species and preserves water quality;
3. Composting. Stockpiling and composting stumps, trees, brush, limbs, and similar biodegradable materials originating on the Premises;
4. Natural Habitat and Ecosystem Improvement. With prior written approval of the Grantee, conducting measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, ecosystem function, or rare or endangered species including planting native trees, shrubs, and other vegetation;
5. Archaeological Investigations. Conducting archaeological activities, including without limitation archaeological research, surveys, excavation and artifact retrieval, but only in accordance with an archaeological field investigation plan, which plan shall also address restoration following completion of the archaeological investigation, prepared by or on behalf of the Grantor and approved in advance of such activity, in writing, by the Massachusetts Historical Commission State Archaeologist (or appropriate successor official) and by the Grantee. A copy of the results of any such investigation on the Premises is to be provided to the Grantee;
6. Trails. Maintaining and constructing trails as follows:

The Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

1. Structures and Improvements. Constructing, placing, or allowing to remain any temporary or permanent structure including without limitation any building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, graveled area, roads, sign, fence, gate, billboard or other advertising, antenna, utilities or other structures, utility pole, tower, solar panel, solar array, conduit, line, septic or wastewater disposal system, storage tank, or dam;
2. Extractive Activities/Uses. Mining, excavating, dredging, withdrawing, or removing soil, loam, peat, gravel, sand, rock, surface water, ground water, or other mineral substance or natural deposit, or otherwise altering the topography of the Premises;
3. Disposal/Storage. Placing, filling, storing, or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings, liquid or solid waste or other substance or material whatsoever;
4. Adverse Impacts to Vegetation. Cutting, removing, or destroying trees, shrubs, grasses or other vegetation;
5. Adverse Impacts to Water, Soil, and Other Features. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, natural habitat, archaeological conservation, or ecosystem function;
6. Introduction of Invasive Species. Planting or introducing any species identified as invasive by the Massachusetts Invasive Plant Advisory Group or identified as invasive in such recognized inventories as the Massachusetts Introduced Pests Outreach Project, the Northeast Aquatic Nuisance Species Panel, or other such inventories, and any successor list as mutually agreed to by Grantor and Grantee;
7. Motor Vehicles. Using, parking, or storing motorized vehicles, including motorcycles, mopeds, all-terrain vehicles, off-highway vehicles, motorboats or other motorized watercraft, snowmobiles, launching or landing aircraft, or any other motorized vehicles, acknowledging that vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) may have a legal right to enter the Premises;
8. Subdivision. Subdividing or conveying a part or portion of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), it being the Grantor's and Grantee's intention to maintain the entire Premises under unified ownership;
9. Use of Premises for Developing Other Land. Using the Premises towards building or development requirements on this or any other parcel;

This Conservation Restriction is defined in and authorized by Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The purposes of this Conservation Restriction (“Purposes”) are to ensure that the Premises will be maintained in perpetuity in its natural, scenic, or open condition and to prevent any use or change that would materially impair the Conservation Values (as defined below).

Permit Requirement This Conservation Restriction is required by Article 54 of the Town of Fairhaven Annual Meeting of June 24, 2021, which allowed the rezoning of portions of 267 Huttleston Avenue in Fairhaven, Bristol County, Massachusetts from Multi-Family Use to Business Use, a true copy of said vote is attached hereto as Exhibit “C”.

The Conservation Values protected by this Conservation Restriction include the following:

- **Open Space.** The Premises contributes to the protection of the scenic and natural character of the Town of Fairhaven and the protection of the Premises will enhance the open-space value of these and nearby lands.
- **Wildlife Habitat Protection.** The conservation of the Premises will contribute to the protection of the habitat of a variety of wildlife and wetland species.
- **Floodplain.** The majority of the Premises lies within the 100-year floodplain of Nasketucket Bay as shown on FEMA Panel #2500500413G effective 7/6/2021 for the Town of Fairhaven. The protection of this floodplain will ensure the continued availability of this flood storage area during major storm events.
- **Water Quality Protection:** The preservation of the natural and undisturbed environment south of the Town of Fairhaven Bike Trail will provide for ground water recharge and protection of this wetland resource area.
- **Protection of Nasketucket River Basin Embayment:** The conservation of Premises which is a part of the Nasketucket River embayment system from development will promote water quality in Nasketucket Bay and ultimately Buzzards Bay.
- **Wetlands.** The wetlands on the Premises provide valuable habitat for a diverse array of wildlife species as well as provide the many other public benefits of wetlands protection recognized by the Commonwealth of Massachusetts (Section 40 of Chapter 131 of the Massachusetts General Laws).
- **Consistency with Local Governmental Conservation Policy.** The Premises lie adjacent to upland and wetland ecosystems that will benefit from the protection and conservation of the Premises that is consistent with the Town of Fairhaven’s Open Space and Recreation Plan which seeks to protect the town’s wetlands resources and scenic landscape areas.

III. PROHIBITED and PERMITTED ACTS AND USES

A. Prohibited Acts and Uses

GRANTOR: Leslie P. Knowles
GRANTEE: Town of Fairhaven Conservation
Commission
ADDRESS OF PREMISES: s/s of Huttleston Avenue,
Fairhaven, Massachusetts
FOR GRANTOR'S TITLE SEE: Bristol County SD
Registry of Deeds at Book 2397, Page 80

GRANT OF CONSERVATION RESTRICTION

I. STATEMENT OF GRANT

LESLIE P. KNOWLES of 954 Smith Neck Road, South Dartmouth, Massachusetts 02748 being the owner of the Premises as defined herein, constituting all of the owners of the Premises as defined herein, for herself and her successors and assigns (the "Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grant, with **QUITCLAIM COVENANTS**, to **Town of Fairhaven**, a municipal corporation existing in Bristol County, Massachusetts, with its office at 40 Center Street, Fairhaven, Massachusetts acting by and through its Conservation Commission by authority of Section 8C of Chapter 40 of Massachusetts General Laws and its permitted successors and assigns ("Grantee"), for consideration of less than Ten (10.00) Dollars , **IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES**, the following Conservation Restriction on land located in the Town of Fairhaven, Bristol County, Massachusetts containing approximately 6.2 acres, more or less ("Premises"), which Premises is more particularly described in Exhibit A attached hereto and included herein and shown in the attached reduced copy of the survey plan attached hereto as Exhibit B, all of which are attached hereto and included herein.

II. PURPOSES:

Southern Bristol Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number	: 11077
Document Type	: RESTR
Recorded Date	: June 28, 2024
Recorded Time	: 12:42:11 PM
Recorded Book and Page	: 15027 / 133
Number of Pages(including cover sheet)	: 24
Receipt Number	: 191288
Recording Fee	: \$105.00

Southern Bristol Registry of Deeds
Sherrilynn M. Mello, Register
25 N 6th Street
New Bedford, MA 02740
508-993-2603
www.NewBedfordDeeds.com

47C 06 012 002
 MAP SECTION LOT
 012 PARCEL 002
 06 SECTION 002
 278 SCRANTON AVE
 FALMOUTH, MA 02540

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

Card: 1 of 2
 Total Card 8,463,100 /
 APPR 8,463,100 /
 USE + INP 0 /
 USE LAND 0 /
 ASSESSED 8,463,100 /
 8,678,000

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

47C 06 012 002
 Parcel ID
 IN PROCESS APPRAISAL SUMMARY
 Building Location: 278 SCRANTON AVE

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

ACME FALMOUTH MA LLC
 145 FALMOUTH HEIGHTS RD
 FALMOUTH, MA 02540

PREVIOUS OWNER
 FALMOUTH HOLDING LLC
 278 SCRANTON AVE
 FALMOUTH, MA 02540-3401

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

PREVIOUS ASSESSMENTS

NARRATIVE DESCRIPTION
 This parcel contains 1.94699 AC of land mainly classified as MARINA with an Office/Wise building built about 1940, having primarily COMP SHNGLE Exterior and 40,200 Square Feet, with 1 Commercial Unit.

OTHER ASSESSMENTS

OTHER ASSESSMENTS

OTHER ASSESSMENTS

OTHER ASSESSMENTS

OTHER ASSESSMENTS

OTHER ASSESSMENTS

OTHER ASSESSMENTS

OTHER ASSESSMENTS

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

LAND SECTION (384)

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

PROPERTY FACTORS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

BUILDING PERMITS

ACTIVITIES

ACTIVITIES

ACTIVITIES

ACTIVITIES

ACTIVITIES

ACTIVITIES

ACTIVITIES

ACTIVITIES

ACTIVITIES

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

SALES INFORMATION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PROPERTY ID: 23804

PROPERTY ID: 23804

PROPERTY ID: 23804

PROPERTY ID: 23804

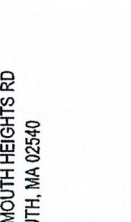
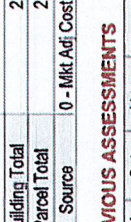
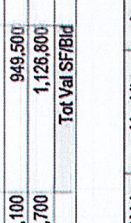
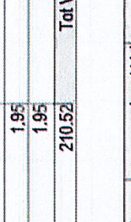
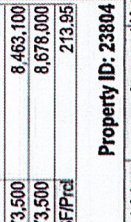
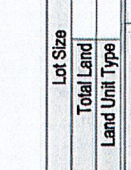
PROPERTY ID: 23804

PROPERTY ID: 23804

PROPERTY ID: 23804

PROPERTY ID: 23804

PROPERTY ID: 23804



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



NEED FOR AGE RESTRICTED AND AFFORDABLE HOME OWNERSHIP

- According to the 2020-2024 Census ACS, 48.9% of renters or 893 households in Fairhaven are rent burdened, meaning they are paying more than 30% of their income on housing costs.
- According to the 2020-2024 Census ACS, 20.6% of renters or 377 of the 893 households in Fairhaven are severely rent burdened, meaning they are paying more than 50% of their income on housing costs

GENERAL NOTES:
 1) EXISTING TOPOGRAPHY AND SURFACE FINISH SHOWN AS DOTTED LINES. ALL ELEVATIONS ARE IN FEET UNLESS OTHERWISE NOTED.
 2) PROPERTY LINE INFORMATION IS FROM A SURVEY DATED DECEMBER 15, 2004, BY LESLIE P. ACKLES ENGINEERING, INC., WAKUML.
 3) TOPOGRAPHIC ELEVATIONS REFER TO NAVD83.

RECORD OWNERS:
 E. ROUSSE ANDERSON & CO., INC.
 FAIRHAVEN, MA 02719

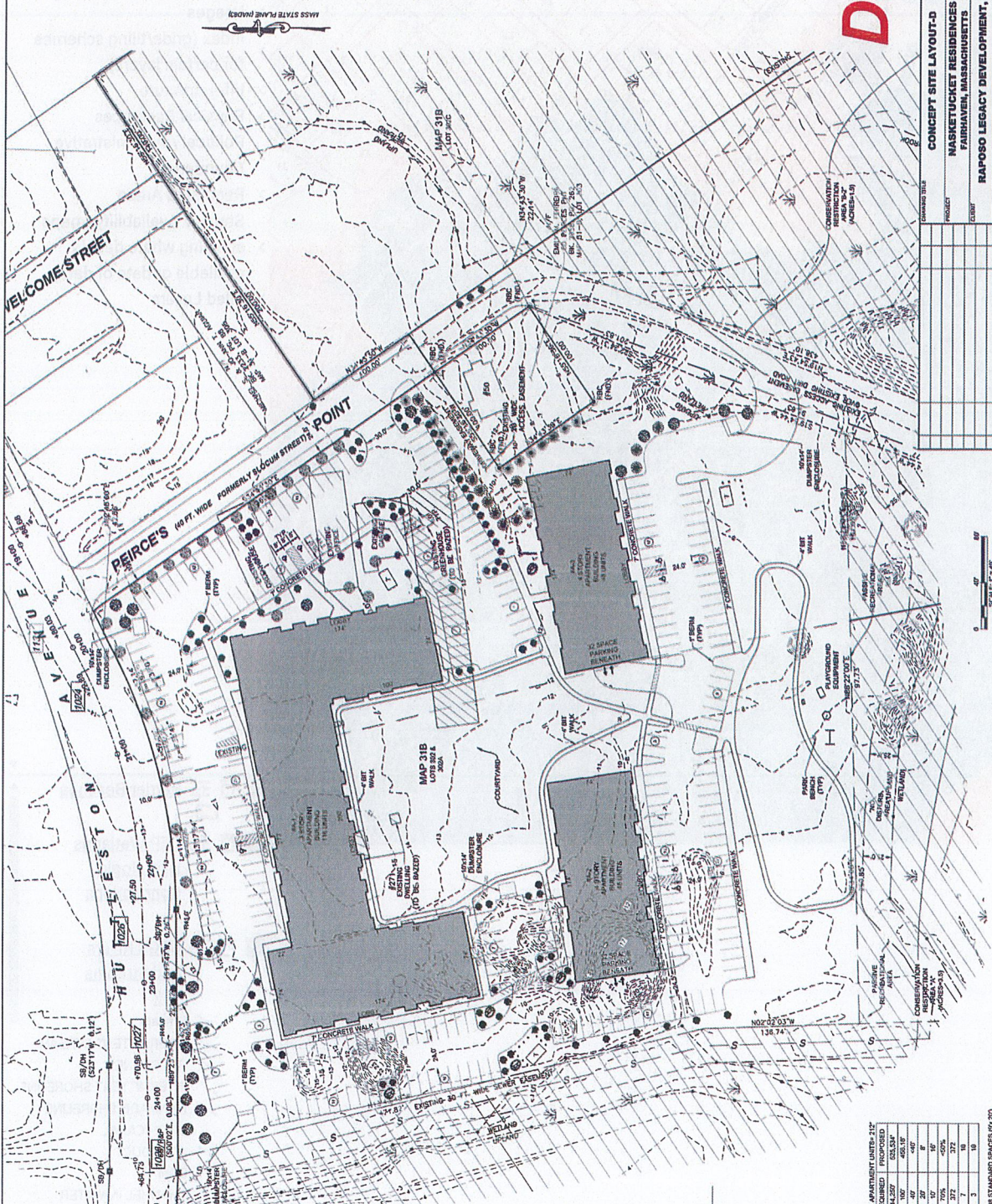
DESIGNER:
 LESLIE P. ACKLES
 94 SMITH NECK ROAD
 SOUTH WINDSORFORD, MA 02746

PROJECT:
 MAP 31B
 DEED BOOK 156A, PAGE 100
 DEED BOOK 2327, PAGE 138
 DEED BOOK 2327, PAGE 139

PLAN REFERENCES:
 PLAN BOOK 32, PAGE 41
 PLAN BOOK 37, PAGE 17
 PLAN BOOK 38, PAGE 18
 PLAN BOOK 39, PAGE 19
 PLAN BOOK 40, PAGE 20
 PLAN BOOK 41, PAGE 21
 PLAN BOOK 42, PAGE 22
 PLAN BOOK 43, PAGE 23
 PLAN BOOK 44, PAGE 24
 PLAN BOOK 45, PAGE 25
 PLAN BOOK 46, PAGE 26
 PLAN BOOK 47, PAGE 27
 PLAN BOOK 48, PAGE 28
 PLAN BOOK 49, PAGE 29
 PLAN BOOK 50, PAGE 30
 PLAN BOOK 51, PAGE 31
 PLAN BOOK 52, PAGE 32
 PLAN BOOK 53, PAGE 33
 PLAN BOOK 54, PAGE 34
 PLAN BOOK 55, PAGE 35
 PLAN BOOK 56, PAGE 36
 PLAN BOOK 57, PAGE 37
 PLAN BOOK 58, PAGE 38
 PLAN BOOK 59, PAGE 39
 PLAN BOOK 60, PAGE 40
 PLAN BOOK 61, PAGE 41
 PLAN BOOK 62, PAGE 42
 PLAN BOOK 63, PAGE 43
 PLAN BOOK 64, PAGE 44
 PLAN BOOK 65, PAGE 45
 PLAN BOOK 66, PAGE 46
 PLAN BOOK 67, PAGE 47
 PLAN BOOK 68, PAGE 48
 PLAN BOOK 69, PAGE 49
 PLAN BOOK 70, PAGE 50
 PLAN BOOK 71, PAGE 51
 PLAN BOOK 72, PAGE 52
 PLAN BOOK 73, PAGE 53
 PLAN BOOK 74, PAGE 54
 PLAN BOOK 75, PAGE 55
 PLAN BOOK 76, PAGE 56
 PLAN BOOK 77, PAGE 57
 PLAN BOOK 78, PAGE 58
 PLAN BOOK 79, PAGE 59
 PLAN BOOK 80, PAGE 60
 PLAN BOOK 81, PAGE 61
 PLAN BOOK 82, PAGE 62
 PLAN BOOK 83, PAGE 63
 PLAN BOOK 84, PAGE 64
 PLAN BOOK 85, PAGE 65
 PLAN BOOK 86, PAGE 66
 PLAN BOOK 87, PAGE 67
 PLAN BOOK 88, PAGE 68
 PLAN BOOK 89, PAGE 69
 PLAN BOOK 90, PAGE 70
 PLAN BOOK 91, PAGE 71
 PLAN BOOK 92, PAGE 72
 PLAN BOOK 93, PAGE 73
 PLAN BOOK 94, PAGE 74
 PLAN BOOK 95, PAGE 75
 PLAN BOOK 96, PAGE 76
 PLAN BOOK 97, PAGE 77
 PLAN BOOK 98, PAGE 78
 PLAN BOOK 99, PAGE 79
 PLAN BOOK 100, PAGE 80

ASSESSOR'S REFERENCE:
 MAP 31B, LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

ZONING DISTRICT:
 R-1 (RESIDENTIAL SINGLE-FAMILY)
 ZONING DISTRICT MAP NO. 200
 MAP 31B, LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



DRAFT

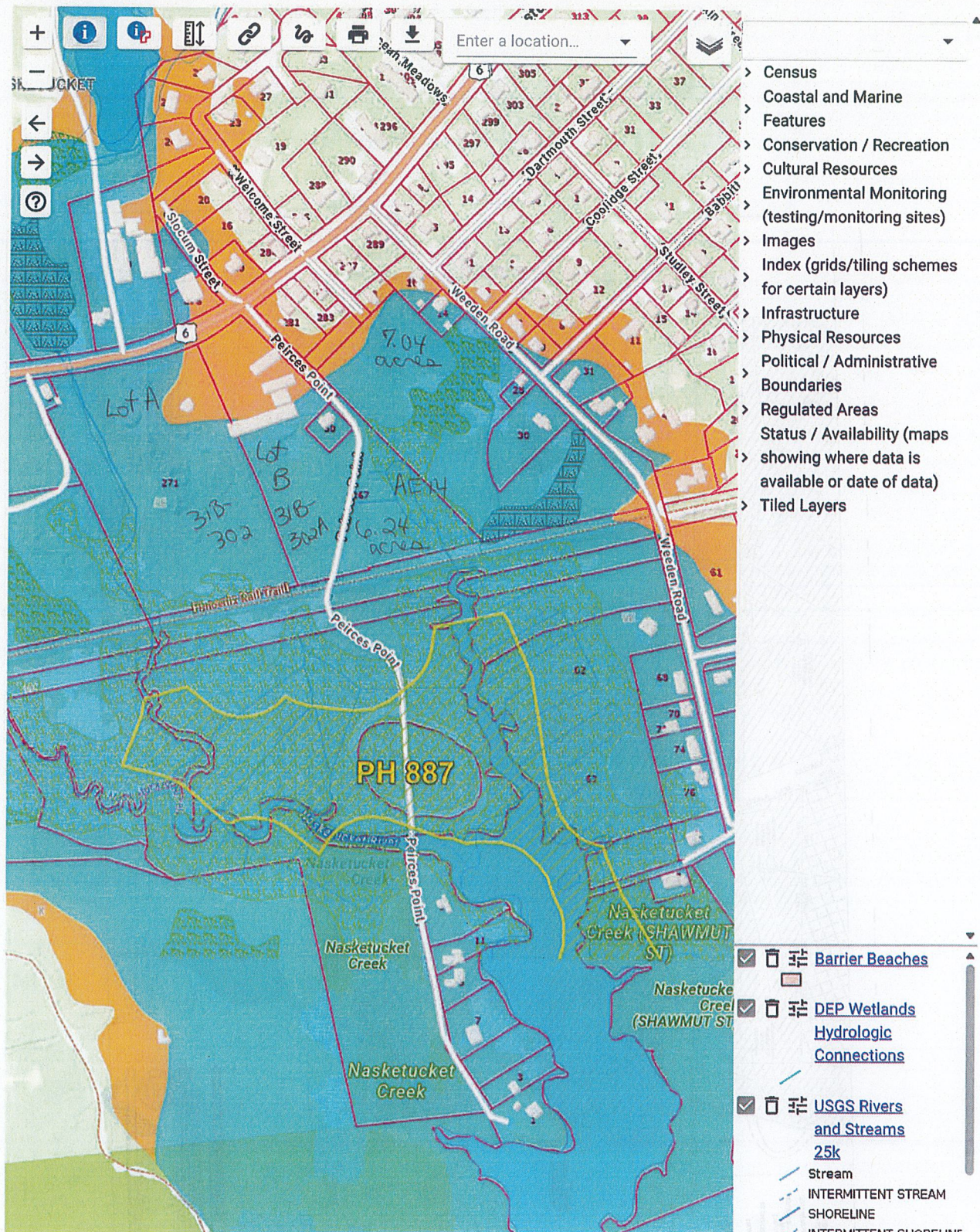
CONCEPT SITE LAYOUT-J		SCALE: 1" = 40'
MASKETUCKET RESIDENCES		DATE: 08/20/2011
FAIRHAVEN, MASSACHUSETTS		DRAWN BY: JAC
RAPOSO LEGACY DEVELOPMENT, LLC.		CHECKED BY: JAC
PRIME ENGINEERING		DATE: 08/20/2011
PRIME ENGINEERING		PROJECT NO.: 33720101
PRIME ENGINEERING		SHEET NO.: 1 OF 1

ZONING SUMMARY

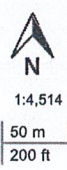
CRITERIA	REQUIRED	PROVIDED
TOTAL APARTMENT UNITS	212	212
MIN. LOT AREA (S.F.)	4,529	4,529
MIN. FRONT YARD SETBACK (L.F.)	20'	20'
MIN. SIDE & REAR YARD SETBACK (L.F.)	10'	10'
MIN. FLOOR AREA RATIO (%)	37.2	37.2
TOTAL HANDICAP SPACES	7	10
VAN ACCESSIBLE HANDICAP SPACES	3	3
PROVIDED 288 STANDARD SPACES (74.2%)		
PROVIDED 32 VAN BEDROOM		
PROVIDED 32 ONE BEDROOM		
PROVIDED 32 TWO BEDROOM		
PROVIDED 32 TOTAL HANDICAP SPACES		
PROVIDED 32 TOTAL HANDICAP SPACES		

LEGEND

- HANDICAP PARKING SPACE
- PARKING SPACE COURT
- BITUMINOUS
- RAMP
- TRANSFORMER PAD
- BIT
- R
- T



FEMA Flood Zone
 AE14' - High Risk
 1% annual chance of
 flooding
 26% chance of flooding over
 30 yr mortgage



-70.869162, 41.641233 LON LAT

MassMapper



**Town of Fairhaven
Report of the Town Administrator
May 26, 2026**

Financial Updates

- The FY25 audit has finally begun. The auditing firm that the Town had used for several years Marcum LLP, was purchased by a much larger organization by the name of CBIZ. CBIZ has not completed audits in many Massachusetts communities in a timely manner. After reviewing their contract, I notified Marcum that Fairhaven was terminating their contract due to nonperformance. The Town has hired Roselli and Associates, a well-known, Massachusetts municipal auditing firm to complete the FY25, 26 and 27 audit. Audits will be completed in a much timelier manner beginning with the FY26 audit.

Project Updates

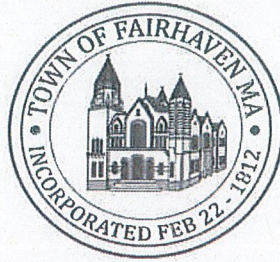
- MassDOT recently notified the Town that sidewalk improvement work between 173-181 Adams St. will begin on June 1st. Work is anticipated to be completed in three weeks.

Personnel Update

- There are no personnel updates this week.

Miscellaneous Updates

- School Superintendent Tara Kohler, BPW Director Vinnie Furtado and Tourism Department member Todd Migliacci and I taped show last week to provide information on the three questions that will be included on the June 9th Town ballot. The show will be shown daily until the election.



May 26, 2026

CORRESPONDENCE

- 1. Email: Michelle Costen: Important SB Agenda Item
- 2. Various letters: Regarding 77 Adams Street

Important SB Agenda Item-

1 message

michelle costen <michcosten@gmail.com>
 To: Charlie Murphy <cmurphy@molifeinc.com>
 Cc: Mark Sylvia <msylvia11@comcast.net>, selectboard@fairhaven-ma.gov

Sun, May 10, 2026 at 1:23 PM

To: The Honorable Chairman of the Fairhaven Elected Select, Mr. Charlie Murphy,

A little knowledge is a dangerous thing-

This statement highlights the risk of making decisions based on unlimited or incorrect information, which is relevant when people rely on ignorance to influence public voting.

—A critical call to be placed on the Select Board's agenda for a voting discussion, that the Elected Select, begins now, to address the negligent handling and funneling, of our community CPA funds.

—And that, 'New CPA Local internal Policies', are put in place this year, that guard against any further misappropriations, and unstudied recommendations, being brought to Town Meeting.

—The CPC needs to lawfully inform, far well in advance of Town Meeting, Reporting with a Written Study Assessment, performed by the CPC Chairperson And CPC Committee, to reflect that the Law is being followed by the CPC Committee, in its entirety, per
C. 44B s. 5(b)(1)—

—And to which a written CPA Study and Assessment Report, (both local and regional), is then brought forward, to the Elected Select, the Finance Committee, the Planning board, And to the Public at large for critical input & discussion.

— Each category involving CPA funds should be thoroughly studied and discussed with Public Input, with public resolution and understanding, before a Town Meeting. They should also be public outreach long before a public meeting about our CPA funds and how they work to help our town, done at the neighborhood Level- Whereby all residents have an opportunity to be informed. Posting notices in the library, the recreation centers, newspapers, podcast, Facebook, etc.

—Both CPC members & Town Meeting Members, need to be knowledgeable in all CPA categories, about CPA funds, and how they can benefit the Town of Fairhaven in justified appropriations—specifically addressing first, critical needs that are common known, and directly relate to the well-being of-people, And then addressing the lesser needs of things just wanted-

People's genuine needs should always come before things.

—CPC are voting in very important recommendations for this town that could be the make or break point of future deficits, and continued financial hardships for the residents of Fairhaven.

—Both of these governing entities, need to remember, that it is the People of Fairhaven's money, being used here. Not theirs alone.

—After this last past Town Meeting held on May 2, 2026, it was clearly evident the lack of correct understanding-per misinformation that was voiced by Town Meeting Members, and all of the confusion that ensued publicly, due to last minute information being brought forward. —Referencing here Article 19- CPA funds and Articles 24 and 26 Municipal Housing Trust Fund, which should under the right intelligently and lawfully Orchestrated Circumstances, work like hand in glove, for the benefit of the town.

—Town meeting members are making very critical and important decisions for the Town of Fairhaven, and they need to be educated, when making decisions on how to appropriate in years totaled, Millions of the People's accrued taxed dollars.

—Take note -it was established eight years ago in 2018 when we finalized our 2040 Master Plan, that we were in great need of home ownership initiatives, and opportunities. 8 YEARS ago. And we have done zero in helping our middle class

residents of Fairhaven. ZERO! And we wonder why we do not have a healthy cash flow free of deficits???

—Chapter 44B section 5(b)(1)one of Massachusetts law outlines the responsibilities of the community preservation committee. This section mandates that the committee must study needs and resources. The committee is required to assess the needs, possibilities and resources of the city or town concerning community preservation.

—(The CPC committee has Ignored year after year, Creative Home ownership possibilities and initiatives, which other towns have actually been able to manifest by use of their CPC funds- CPC have ignored our home supply and demand crisis for our median income residents. And they lack the ability for creative solutions, simply because they do not want to listen to the public voice that may be able to help them stretch their creative abilities.) I also think that they don't want to do the work required of them, that by law needs to be done to be a CPC committee member. -

—I also requested to know what the administration fees were this past year for the CPC committee members. And I received no answer. That's an easy question that was never answered.

The CPC per the law, are to also consider regional projects and take into account the impact on community preservation

Please note-The lawful interpretation of the word -Shall- Ensures that the committees actions are not left to personal discretion. The word (Shall), is a legal terminology that indicates 'mandatory action'—This means that the requirement set forth in the law are not optional—They are commands that must be followed.

This law following enforces the importance of thorough evaluation and community preservation efforts.

Chapter 44B section 5(b1) -

—The community preservation committee shall study the needs, possibility and resources of the city or town regarding community preservation, including the consideration of regional projects for community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of Park commissioners, and the housing, authority or persons acting in those capacities or performing light duties, and conducting such studies as part of its study the committee shall hold one or more public informational hearings on the needs, possibilities, and resources of the city or town regarding community preservation, possibilities, and resources, notice of which shall be posted publicly and published for each of the two weeks proceeding, a hearing in a newspaper of general circulation in the city or town.

Thank you for your Attention to this Critical and Important governing Item to be brought forward on the SelectBoard agenda.

Michelle Costen

Commonwealth of Massachusetts
TOWN OF FAIRHAVEN
POLICE DEPARTMENT
1 Bryant Lane
Fairhaven, MA 02719
Phone 508-997-7421
Fax 508-997-3147
www.fairhavenpolice.org

Daniel M. Dorgan
Chief of Police

To: Charles Murphy, Chair, Fairhaven Select board

May 12, 2026

Jessica Fidalgo, Chair, Fairhaven Planning board

From: Daniel M. Dorgan, Chief of Police

Fairhaven Police Department

RE: 77 Adams St., Fairhaven

Members of the Fairhaven Select Board and Fairhaven Planning Board,

I am writing this letter in support of a proposed facility that is in the process of gaining approval at 77 Adams St., the site of the former St. Joseph's Rectory. The proposed facility, a 20+ bed treatment facility, servicing our areas first responders, is something that should be considered and welcomed to this town by your respective boards.

For far too long, first responders have endured the stigma of seeking treatment for substance use disorder, primarily due to the lack of facilities in the area where they are comfortable to receive treatment and can open up freely about their disease and the accompanying issues that it has caused. Treatment for these disorders requires self-reflection and the ability to be open and vulnerable about aspects of life and their job, and that requires a level of trust and like mindedness that comes with these responder-based facilities.

To put it frankly, facilities like this for first responders saves lives, that's not hyperbole, that's an undeniable truth. I've seen firsthand people who can not turn to their job, their family, their spouse, or their friends, be able to finally get the treatment they need because they feel safe and comfortable to accept the help. I've met with Steve Miranda, the petitioner of this project, and after speaking with him I believe that his intentions are good and he truly is motivated by helping our first responders get help when they are struggling. I have full confidence in his vision for this location and his ability to run a well organized and safe facility.

After attending the International Association of Chiefs of Police conference last year I was happy to see that almost half of the presentations and classes were focused on how we as departments can better serve the physical, spiritual, and mental health needs of police officers. The entire nation is seeing that we need to care for and protect their well-being, and that starts

with first responders being able to access the help they need, free of the stigma that accompanied it for far too long.

Being a first responder is not an easy thing to do. We are called upon to help people on their worst days and we experience more traumas in a month than some people will their entire lives. Anyone who has a family member, friend, or themselves gone through substance use disorder recognizes that it is a disease with the intention of isolating you from the outside world and trapped in addiction. Facilities like this help those with this disease to not be isolated, to be amongst their peers, and realize they are not alone. I hope that you seriously consider this project for approval and bring a much-needed lifeline to help those that we call upon to help others every day, when they are in need of help themselves.

Respectfully Submitted,

Daniel M. Dorgan

Chief of Police

Fairhaven Police Department

From: Comcast Email <matt88.bach@comcast.net>
Date: May 12, 2026 at 10:09:11 AM EDT
To: cmurphy@fairhaven-ma.gov, aramano@fairhaven-ma.gov, namello@fairhaven-ma.gov,
ksilvia@fairhaven-ma.gov, asounders@fairhaven-ma.gov
Subject: 77 Adams St

Hello everybody,

My name is Matthew Bach and I am reaching out to you all, because of the proposed David's house at [77 Adams St](#). My children attend St. Joseph's school and the parents were just made aware of the proposed project last night at 6 pm at the school. I am very upset with the Fall River diocese with the lack of transparency and waiting until 24 hours before Fairhaven's town meeting to inform us, but that is not your problem. I am reaching out because I feel that it is too close to a grammar school. They said it is not abutting and is more then 300 feet away, but when you actually see the locations of the proposed facility and the school you can see for all intents and purposes they are direct neighbors. I am asking you all to consider if you had children attending St. Joseph's would you want a mental health facility going right next door. My mother works in the hospital and told me it's always the mental health patients they have issue with and that is dangerous putting it so close any school. If you could deny this from going in next to the school it would be greatly appreciated. And if you don't want to deny it outright at the moment, could you at least put a detail so that way we could see how the parent and people in the community around the area feel, because I will say that most do not want it going there. I am reaching out to you all because I feel it's in the best interest of my children and the other children who attend the school. There intention of the facility is right mind to help others but the location is not.

Thank you,

Matthew Bach

Sent from my iPhone

From: Courtney Hebert <courtneyhebert70@yahoo.com>

Date: May 12, 2026 at 12:46:07 PM EDT

To: cmurphy@fairhaven-ma.gov, aromano@fairhaven-ma.gov, namello@fairhaven-ma.gov, ksilvia@fairhaven-ma.gov, asaunders@fairhaven-ma.gov

Subject: Potential Davids House

Good afternoon,

My name is Courtney Hebert, I am reaching out to you as a concerned parent of a child who attends Saint Joseph's School in Fairhaven. As you are aware, I am sure, the plans for this David's house project have been quite a shock for all of us parents. We, including the principal were only informed of plans for this project last week. Hopefully, as parents yourselves you can also see the concerns that we are having about this. The safety of our children is of the most importance, and building a rehabilitation center this close to our children's school is too close for comfort. While I am all for people getting help with mental health/ PTSD issues, one would assume that the location of such a place would not be built so closely to a children's school. At any time, someone whom is struggling with their mental health could decide to walk right on over to our school, and could easily harm one or more of our children if wanted. Especially considering there is a fence right in the back that connects to our children's field in which they spend much time in during recess and gym. We have chosen to send our child and future children to this school because of the comfort and safety we have felt while being there. I can assure you that building a rehabilitation center this close will fully affect the decision to re-enroll our child here in the future. It is deeply disappointing to see our future plans for our child and her education crumble right in front of our eyes. As a parent who pays a tuition to a school we have entrusted with our child every day, one would assume that we would have been informed of this plan months ago when it was being set in place and had been allowed to have some sort of say/opinion about it. Especially before we all decided to re-enroll our children here for the coming year. While Steven Miranda thinks this is a good idea, I'm sure just because of the money he will make off of it. He does not have the best interest of our children at heart, and that was clear to see after the meeting at the school we had with him last night. Not only was he rude but he was not willing to hear any of us out. No matter how many times he tried to use his daughter touring catholic schools in the area and maybe attending ours as an excuse and good reason for us not to be worried if he isn't worried. That just isn't good enough, because truthfully no parent would want their child to be that close to this and he truly can't speak on it because his child at the current moment does not attend Saint Joes and if I had to guess she probably won't in the future either. Advocating for our children is our job and in this situation we feel backed into a corner, feeling like there is nothing that can be done or said about it with the information that we have. All we can ask is that you hear us all out and consider our kids and their futures when making a decision on this center. It would break my heart to have to switch my child's school because of this and it would break hers as well. She has developed many close knit friends here and has had amazing teachers in a exceptional learning environment. It would be a shame to have to see her lose all of that because of this new project. There surely has to be another location available for this rehabilitation center that isn't in the back yard of our children's school! Thank you for taking the time to read this and I hope you can see where we all are coming from and why we are truly so upset about it.

Best regards, Courtney Hebert

From: ROBERT BACH JR <r.bachjr@comcast.net>

Date: May 12, 2026 at 1:23:26 PM EDT

To: cmurphy@fairhaven-ma.gov, aromano@fairhaven-ma.gov, namello@fairhaven-ma.gov, ksilvia@fairhaven-ma.gov, asaunders@fairhaven-ma.gov

Subject: Formal Opposition to Proposed First Responder Rehabilitation Facility Near St. Joseph School.

Subject: Formal Opposition to Proposed First Responder Rehabilitation Facility Near St. Joseph School.

Dear Select Board,

I am writing to formally register my opposition to the proposed establishment of a First Responder Rehabilitation Facility Near St. Joseph School.

While I recognize the critical role rehabilitation services play in supporting individuals on their path to recovery, the placement of such a facility within the immediate vicinity of a school raises serious concerns that cannot be overlooked.

Primary concerns include:

Student Safety: The proximity of the facility to school grounds increases the potential for security risks and complicates the ability to maintain a controlled and safe environment for students.

Impact on Educational Environment: The location may cause unnecessary anxiety among students, parents, and staff, potentially disrupting the focus and stability essential for learning.

I respectfully urge you to reconsider the proposed location and identify an alternative site that allows the facility to operate effectively without compromising the safety and welfare of our students. This matter requires careful consideration to ensure that both public health needs and the integrity of our educational environment are upheld.

Thank you for your attention to this matter. I look forward to your prompt response and to a resolution that reflects the best interests of the entire community.

Sincerely,

Robert Bach

r.bachjr@comcast.net

508-272-5081