FAIRHAVEN SELECT BOARD AGENDA

November 23, 2026 6:00 p.m.

Town Hall – 40 Center Street – Fairhaven

The meeting can also be viewed on Channel 97 or on FairhavenTV.com

FAIRHAVEN TOWN CLERK
RCVD 2026 NOV 19 PM2:56

A. APPOINTMENT

1. Discussion and Possible Vote to award the Real Estate Brokerage Services contract to Better Living Real Estate, LLC at a 3.5% Commission of the sale price for Residential, Commercial and Mixed-Use Properties
2. Presentation of Friendly 40B and Request for Letter of Support for Application to the Department of Housing and Development for the Proposed Development Nasketucket Preserve

B. PUBLIC COMMENT

C. APPOINTMENTS / COMMUNITY ITEMS

1. Event Request Notification at Ft. Phoenix, State Side: Polar Plunge, Friday, January 1, 2027 beginning at 10:00 am
2. Request for the Use of Town Hall Front and Auditorium: Fairhaven Improvement Association: Sing-A-Long, December 12, 2026 4:00 to 8:00pm
3. Review of Open Volunteer Opportunities

D. ACTION / DISCUSSION

1. Discussion on Adopting a Criminal Offender Record Information (CORI) Check Policy as a Condition for Appointment to a Town Board or Commission
2. Discussion on Dissolution of Special Bylaw Review Committee
3. Review of FY28 Proposed Budget Calendar
4. Review Proposed 2027 Select Board Meeting Calendar

E. TOWN ADMINISTRATOR

F. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

G. MINUTES

1. Accept the Open Session Minutes of November 9 and 17, 2026

H. NEWS AND ANNOUNCEMENTS

1. The next scheduled Select Board meeting will be on ***Monday, December 7, 2026*** at 6:00pm

I. ADJOURN

Log on or call 1-929-205-6099, Meeting ID: 860 2838 7081, Passcode: 484211

Subject matter listed in the agenda consists of items reasonably anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (i.e. urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

FAIRHAVEN SELECT BOARD AGENDA
ADDENDUM
November 23, 2026 6:00 p.m.

ANNOUNCEMENTS:

On March 28th, 2025, the bill to extend Open Meeting Law regulations governing remote participation has passed the MA legislature and been signed by the Governor. This bill will allow remote and hybrid meeting options for public bodies through June 30, 2027.

Pursuant to an amendment to Town By-Law Chapter 50-13, all government meetings are available through web/video conference and are recorded. This meeting is being recorded by the Government Access Channel. It will be replayed on Channel 97 and posted on FairhavenTV.com. Anyone intending to make an audio or video recording of this meeting should notify the Chair at this time.

Due to recent security breaches, Fairhaven TV has implemented a new protocol: Zoom camera video for all participants is disabled. If participants would like to speak or be recognized, click "raise hand" under "reactions", and change your name to a full name to be unmuted. Thank you for your cooperation in protecting the integrity of Fairhaven government meetings.

A. APPOINTMENT

1. **Discussion and Possible Vote to award the Real Estate Brokerage Services contract to Better Living Real Estate, LLC at a 3.5% Commission of the sale price for Residential, Commercial and Mixed-Use Properties** – As now required by State law, a municipality is required to contract with a real estate broker to sell properties taken by the Town by foreclosure. Treasurer/Collector Carla Mourao issued a Request for Proposal to obtain brokerage services for marketing, listing, negotiating, and selling Town-owned properties, including properties acquired through tax foreclosure. The Town received two responses.

   Included in your Board materials is a memo from Treasurer/Collector Mourao recommending the Board award a contract to Better Living Real Estate located on Huttleston Avenue.

   Suggested Motion:
   "Move to award the Real Estate Brokerage Services contract to Better Living Real Estate, LLC at a commission of 3.5% of the sale price for residential, commercial, and mixed-use properties, as recommended in the award memorandum dated November 18, 2026"

   Moved by, seconded by _____. Any discussion on the motion. Vote

2. **Presentation of Friendly 40B and Request for Letter of Support for Application to the Department of Housing and Development for the Proposed Development Nasketucket Preserve** - Developer Rick Raposo and his development team will attend the Board meeting seeking the Board to authorize the Board Chair to sign a letter of support for their proposed Friendly 40B development. Included in your Board materials is a proposed site plan and building rendering.

   Suggested Motion:
   "Move to (authorize/not authorize) the Chair to execute item 1 in the Local Initiative Program (LIP) Application and (submit/not submit) a letter of support on behalf of the Select Board (as presented/as amended)."

   Moved by, seconded by _____. Any discussion on the motion. Vote.

B. PUBLIC COMMENT

C. APPOINTMENTS / COMMUNITY ITEMS

1. **Event Request Notification at Ft. Phoenix, State Side: Polar Plunge, Friday, January 1, 2027 beginning at 10:00 am** - Kathy Lopes, Chair of the Ft. Phoenix Polar Plunge, is seeking the Board's support for Police and Fire to be on site during the event. The Police and Fire Departments have no objections to the event and will be on-site to coordinate with the organizers and provide any necessary public safety support if needed. The event takes place on the state side of Fort Phoenix and Ms. Lopes has applied with the state for the use of the area. The event was established in memory of Nancy Schonheinz, a local physical therapist who was a victim of domestic violence. Net proceeds from the event go to the Fairhaven Dollars for Scholars scholarships for high school students.

   Suggested Motion:
   "Move to (approve/not approve) the request for the Fairhaven Fire and Police Departments to be on site for the Fort Phoenix Polar Plunge on Friday, January 1, 2027."

   Moved by, seconded by _____. Any discussion on the motion. Vote.

2. **Request for the Use of Town Hall Front and Auditorium: Fairhaven Improvement Association: Sing-A-Long, December 12, 2026 4:00 to 8:00pm -** The FIA is seeking to hold its annual sing-a-long on the front steps of Town Hall at the Olde-Tyme Holiday event on December 12, 2026. The custodian fee applies for this event.

   Suggested Motion:
   "Move to (approve/not approve) the request for the use of Town Hall from 4-8pm on December 12, 2026 for the Fairhaven Improvement Association Sing-A-Long with applicable custodian fees."

   Moved by, seconded by _____. Any discussion on the motion. Vote.

3. **Review of Open Volunteer Opportunities**. As posted on the Town's website

   Suggested Motion:
   "No motion needed"

D. ACTION / DISCUSSION

1. **Discussion on Adopting a Criminal Offender Record Information (CORI) Check Policy as a Condition for Appointment to a Town Board or Commission** – At the Board's November 9th meeting, the Board requested the Town Administrator work with counsel in drafting a Board policy requiring applicants for Board and Commission opening compete a Criminal Offender Record Information (CORI) Check. Included in your Board materials is a draft policy for Board consideration.

   Suggested Motion:
   "I will entertain a motion to (require/not require) a Criminal Offender Record Information (CORI) Check be performed on candidates applying or reapplying for a volunteer Board or Commission."

   Moved by, seconded by _____. Any discussion on the motion. Vote

2. **Discussion on Dissolution of Special Bylaw Review Committee -** The Special Bylaw Review Committee was formed as a provision of the recently adopted Town Charter and charged to review

existing bylaws to bring them into conformity with the provisions of the Charter and file a report with recommendations at Town Meeting. The Committee's Article from the November 17, 2026 Special Town Meeting passed and will move to the State for further review. The Board should consider dissolving the Committee now or pausing it pending the State's review of bylaw changes. A pause would allow the Committee to meet in the future based on any feedback from the State.

Suggested Motion:
"I will entertain a motion to (dissolve/not dissolve and pause) the Special Bylaw Review Committee."

Moved by, seconded by _____. Any discussion on the motion. Vote

3. **Review of FY28 Proposed Budget Calendar-** Included in your Board materials is a memo outlining the Town Administrator's proposed FY28 budget review calendar for Board consideration.

Suggested Motion:
"I will entertain a motion to (accept/not accept) the FY28 Budget calendar (as presented/as amended)."

Moved by, seconded by _____. Any discussion on the motion. Vote

4. **Review Proposed 2027 Select Board Meeting Calendar**. Included in your Board materials is a draft list of Select Board meeting dates for calendar year 2027. The Board typically meets on the second and fourth Mondays except December due to setting the tax rate (meetings moves to Tuesday if Monday is a holiday). January, 2027 also reflects the first and third Monday in consideration of the budget calendar and holidays. The draft dates also include deadlines for agenda requests and posting. The office shares the calendar with Department Heads once set.

Suggested Motion:
"I will entertain a motion to (accept/not accept) the 2027 Select Board Meeting calendar (as presented/as amended)."

Moved by, seconded by _____. Any discussion on the motion. Vote

E. TOWN ADMINISTRATOR

F. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

G. MINUTES

1. Accept the Open Session Minutes of November 9 and 17, 2026

Suggested Motion:
"Move to (accept/not accept) the Open Session Minutes of November 9 and 17, 2026 (as presented/as amended)."

Moved by, seconded by _____. Any discussion on the motion. Vote.

H. NEWS AND ANNOUNCEMENTS

1. The next scheduled Select Board meeting will be on ***Monday, December 7, 2026*** at 6:00pm

I. ADJOURN

November 23, 2026

APPOINTMENTS AND COMMUNITY ITEMS

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Town of Fairhaven, Massachusetts

40 Center Street · Fairhaven, MA · 02719

MEMORANDUM

To Keith Hickey, Town Administrator & Members of the Selectboard
From: Carla Mourao, Town Treasurer/Collector, Jennifer Frates, MassProcure Municipal Consulting LLC
Date November 18, 2026
Re: **Real Estate Brokerage Services RFP -- Award Recommendation**

We recommend that the Town award a single contract for the Real Estate Brokerage Services RFP to Better Living Real Estate, LLC at a commission of 3.5% of the sale price. Both evaluators rated Better Living Advantageous overall and Clear Real Estate Solutions Not Advantageous overall. Better Living also submitted the lower commission for every property type.

Procurement and Evaluation

The Town issued the RFP under M.G.L. c. 30B, § 6 to obtain brokerage services for marketing, listing, negotiating, and selling Town-owned properties, including properties acquired through tax foreclosure.

Proposals were due November 12, 2026, at 10:00 a.m. The Town received two proposals, from Better Living Real Estate, LLC and Pierre Clermy LLC d/b/a Clear Real Estate Solutions.

Evaluator 1 and Evaluator 2 reviewed the technical proposals against the RFP's minimum quality requirements and comparative evaluation criteria. Evaluator 1 found that both firms met the minimum requirements. Evaluator 2's determination for Clear Real Estate remained pending confirmation of supporting documentation and references. The table below shows each evaluator's ratings.

Comparative criterion	Better Living 1/2	Clear Real Estate 1/2
Broker and assigned team	HA / HA	NA / A
Southeastern Massachusetts sales	HA / HA	A / U
Company profile and sales performance	HA / NA	NA / A
Foreclosed or distressed property sales	U / U	NA / NA
Municipal tax foreclosure procedures	NA / A	NA / NA
Overall technical rating	**A / A**	**NA / NA**

HA = Highly Advantageous, A = Advantageous, NA = Not Advantageous, U = Unacceptable.

Technical Proposal Findings

Better Living named Nick Helgeson as lead broker and Chrissie Schettini as assigned agent. Both evaluators rated the team and regional sales experience **Highly Advantageous**, citing more than ten years of regional experience and sales in Fairhaven and nearby communities. The firm proposed tracking deadlines, documenting marketing and costs, and coordinating with Town officials and counsel. Its direct municipal disposition experience was limited.

Clear Real Estate named Pierre Clermy as lead broker and primary contact. He reported more than 20 years of brokerage experience and documented two regional sales. The proposal gave limited detail on day-to-day staffing.

MEMORANDUM

Both evaluators rated its municipal approach **Not Advantageous**, citing limited procedural detail or direct experience.

Clarifications and References

The Town asked both firms to clarify their foreclosure and distressed-property sales over the past five years. Better Living submitted an MLS report listing 15 closed sales, but the report lacked the transaction details needed to verify which sales qualified. Clear confirmed zero qualifying sales. The recorded ratings for this criterion stand.

Better Living received two favorable references that praised its marketing, communication, and transaction management. Clear received one favorable reference for a residential sale. All three responses came from nonmunicipal references.

Price Proposal Review

The price proposals were opened November 18, 2026. The signed price sheets quote the following percentages of the sale price.

Property type	Better Living	Clear Real Estate
Residential	3.5%	5.0%
Commercial	3.5%	5.0%
Mixed use	**3.5%**	**5.0%**

The price sheets require rates inclusive of scope costs. Clear Real Estate expressly included marketing, photography, MLS listing, administration, and coordination through closing, with no separate subcontractor charge. Better Living's rate is 1.5 percentage points lower, or $1,500 less per $100,000 of sale price.

Basis for Single Award

Better Living offers the most advantageous proposal based on the published criteria and price. Its named team, stronger documented local sales experience, and proposed coordination with Town counsel support the award at the lower commission. The RFP permits multiple awards. A single award is recommended because Better Living proposed the same rate for all three property types and offers a named team to handle the Town's assignments.

Procurement file records include the proposals, individual evaluations, clarification correspondence and supplemental MLS report, reference checks, price sheets, and award documentation.

NARRATIVE DESCRIPTION AND DEVELOPMENT SUMMARY

267-271 HUTTLESTON AVENUE, FAIRHAVEN, MASSACHUSETTS

Site Control:

The Applicant is Raposo Legacy Development, LLC a Massachusetts Limited Liability Company (the "Applicant"). The development will be located at 267-271 Huttleston Avenue, Fairhaven, MA which is currently owned by the applicant by a confirmatory deed dated May 8, 2026 and recorded on May 11, 2026 at the South Bristol Registry of Deeds in Book 15426, Page 352. The development site is 33.2 acres (the "Subject Property") of which 10.6 is upland and 22.6 is wetland. The Subject Property is located on a portion of Assessors Map 31B, Lots 302, 302A, and 302 C and Map 32 Lot 2.

The Subject Property is currently zoned Business B, which allows a variety of business, municipal and religious uses. Multifamily housing is allowed by special permit. A basic tabular zoning analysis is noted on the attached Site Plans. The Subject Property is currently vacant land and contains a vacant home, dilapidated greenhouses and garages, and a one-story office building that will be demolished.

Location:

The site is bordered by Huttleston Avenue (Route 6) to the north, Peirces Point to the east, a cemetery and woodlands to the west and the Phoenix Rail Trail and conservation land to the south..The Phoenix Rail Trail, a paved multi-use rail trail, follows the route of the Fairhaven Branch Railroad, which ran 15 miles between the ferry dock in Fairhaven through Mattapoisett to a main line connection in West Wareham. It is now used as a walking and bike trail. The site is steps from the Lifestyle Plaza, which is located across Route 6 to the north and includes restaurants and service-oriented uses. There is a bus stop (NB11 End of Line Stop) 0.5 miles west of the Subject Property that serves Route 211. Route 211 is operated by the Southeastern Regional Transit Authority (SRTA) and provides regional transit service connecting Fairhaven to surrounding communities, including New Bedford. The Subject Property is located approximately 3.9 miles from the New Bedford MBTA Commuter Rail Station and is accessible by Route 6, and bus Route 211.

Development Overview:

The Applicant proposes to demolish the existing structures and build 232 residential rental units in three new buildings, including a slab on grade three-story elevator building at the front of the site and two four-story elevator buildings with drive-under parking on the south and southeast of the site. Also proposed are three garage buildings located in the parking areas to the east and west of the three-story building. Each garage building will have 8 parking stalls. Most of the tenant community space will be located in the three-story building on the northern portion of the site. The unit mix includes 81 one-bedroom units, 27 one-bedroom units with

dens, 101 two-bedroom units, and 23 three-bedroom units. Seventy-five percent (174) of the units will be priced at market and twenty-five percent (58) will be income restricted to 80% of area median income Therefore, all 232 units will be eligible to be counted on the Town's Subsidized Housing Inventory.

The unit mix and sizes are as follows, along with the proposed affordable rents which are based on 2026 HUD income and rent:

Table 1- Proposed Unit Mix and Rents

Income	Bedrooms	Baths	# Units	Sq. Feet	Gross Rent	UA	Net Rent	Sq. Ft. Rent
80% AMI	One	1	27	717	$2,105	$291	$1,814	n/a
80% AMI	Two	2	25	1,036	$2,368	$420	$1,948	n/a
80% AMI	Three	2	6	1,382	$2,630	$585	$2,045	n/a
Market	One	1	54	717	$2,280		$2,280	$3.18
Market	One Den	1	27	934	$2,650		$2,650	$2.84
Market	Two	2	76	1,036	$2,900		$2,900	$2.80
Market	Three	2	17	1,382	$3,350		$3,350	$2.42
Total			**232**					

Tenants will be responsible for paying for electric heat, electric hot water, electricity for cooking and lights, and domestic water and sewer. The Landlord will provide trash removal services.

Units will be finished with Class A apartment finishes, offer open concept floor plans, breakfast bars/islands and in-unit washers and dryers. Most units will have balconies and/or patios. Upper floors will have marsh views. Community amenities, mainly located in the front building, will include a fitness room, business center, community room, additional storage, bicycle storage, a package/mail room. There will be a resident courtyard at the center of the buildings, with a barbeque area and gas firepit and seating areas. It will be connected to the indoor community space which will offer an indoor/outdoor bar/catering kitchen. The two rear buildings will each have a common roof deck that will offer views of the conservation land marsh area and mail/package delivery rooms. There will also be pedestrian pathways throughout the site connecting buildings to parking and open space as well as a pathway leading to the Phoenix Rail Trail.

The site will offer a total of 375 parking spaces for residents (1.63 per unit), including handicap spaces and electric vehicle ready spaces as required by the state building code. Ninety-two of the parking spaces will be under the two back buildings, 24 of the parking spaces will be in the detached garages, and 259 will be surface parking spaces. Guest surface parking spaces will be scattered throughout the site.

There will be a right-in/right-out driveway along Route 6, on the north side of the Subject Property. The main access to the Subject Property will be provided via Peirces Point. There will be gated emergency access to the southeast of the site onto Peirces Point. With permission from

the Town, Peirce's Point will be improved from Huttleston Avenue to the gated emergency driveway.

The site is within a short walk or drive from many amenities. Pope Beach and Fort Phoenix State Reservation are a short 5- and 10-minute drive, respectively. There are schools, restaurants, shopping areas, a post office, a CVS store, and a church within a short drive of the Subject Property. The Subject Property is within a 6-8-minute drive of downtown Fairhaven.

Design Narrative:
This proposed multifamily residential development is designed to create a welcoming, cohesive residential community that combines traditional New England architectural character with the functionality and amenities of contemporary apartment living. The design emphasizes a pedestrian-friendly environment, thoughtfully articulated building massing, attractive residential facades, and generous landscaped open spaces that promote a sense of neighborhood and community.

Architectural Character and Building Massing: The architectural design draws inspiration from traditional New England coastal and residential architecture, incorporating familiar forms and materials in a contemporary multifamily setting. Pitched gable roofs, projecting roof elements, horizontal siding, shingle-style siding with stone accents, and crisp white trim establish a timeless architectural vocabulary.

The buildings feature a combination of three and four-story massing, with the apparent scale moderated through changes in facade planes, roofline variations, and the strategic placement of projecting gables and recessed balconies. These elements break down the overall building mass into smaller, visually distinct sections, creating the appearance of a collection of interconnected residential buildings rather than a single large structure.

A carefully coordinated exterior material palette reinforces the architectural character. Gray clapboard siding and weathered shingle-style siding is complemented by white trim with vertical siding and stone accents at the base and darker asphalt-shingle roofs. The contrast between materials and colors adds depth and visual interest while maintaining a unified appearance throughout the development.

Facade Articulation and Architectural Detailing: The building elevations are organized around a balanced rhythm of windows, balconies, and projecting architectural features. Prominent gables establish vertical emphasis and provide recognizable architectural elements along the building facades.

Recessed and partially covered private balconies are integrated into the building elevations, providing residents with outdoor living space while adding depth, shadow, and variation to the exterior. White columns, railings, and trim details further reinforce the traditional residential character.

The lower portions of the buildings incorporate vertical, board and batten siding treatments and a defined horizontal transition, creating a visual base that helps establish a pedestrian-oriented scale. Large, regularly spaced windows provide natural light to the residential units and contribute to the overall architectural composition.

Primary building entrances are highlighted through projecting gabled canopies, generous glazing, and stone accent materials. These features establish clearly identifiable points of arrival and provide an inviting transition between the exterior environment and interior common areas.

Site Planning and Community Open Space: A defining feature of the development is the emphasis on landscaped outdoor spaces and their relationship to the surrounding residential buildings. The buildings are arranged to create a series of interconnected outdoor environments, including an expansive landscaped courtyard, pedestrian walkways, intimate seating areas, and landscaped gathering spaces.

The combination of generous open lawns, structured planting areas, and pedestrian gathering spaces creates a variety of outdoor experiences while reinforcing the development's residential character.

Residential Experience and Livability: The proposed development is designed to provide residents with the benefits of modern multifamily living within an architectural setting that feels familiar, comfortable, and connected to its surroundings.

Private balconies offer opportunities for outdoor enjoyment, while the larger, shared courtyard and landscaped grounds extend the living environment beyond individual apartments. The combination of private and communal indoor and outdoor spaces provides flexibility for residents seeking either quiet relaxation or social interaction.

The development's traditional architectural detailing, coordinated material palette, and outdoor spaces work together to establish a distinctive residential identity.

Sustainability: The Nasketucket Residences development will comply with the Massachusetts Stretch Energy Code as adopted by the town of Fairhaven which is focused on energy efficiency, occupant health, and environmental performance.

Key features include:

- High-Performance Envelope: Continuous exterior insulation, advanced air sealing, and thermally broken detailing will reduce heat loss and improve overall comfort. Windows and doors will be specified for low U-values and high SHGC as appropriate for solar exposure.
- Heat Pump Heating & Cooling: All dwelling units will be served by electric high-efficiency heat pump systems.

- Energy Recovery Ventilation (ERV): Balanced ventilation with ERVs will ensure high indoor air quality while reducing heating and cooling loads.
- Daylighting & Lighting Controls: Building layout and fenestration strategies prioritize access to natural light. Interior and exterior lighting will include LED fixtures with occupancy sensors and daylight-responsive controls.
- Solar PV Readiness: In compliance with the Massachusetts Stretch Energy Code, the building will be designed to be solar-ready, with roof area and conduit pathways planned to support future PV system installation.

Environmental Due Diligence:
There are wetlands located on the Subject Property. A conservation restriction to the Town of Fairhaven Conservation Commission was placed on large portion of the exterior of the site and was recorded in June 2024.

There was previously a release of diesel fuel on the site which was fully remediated in 2025.

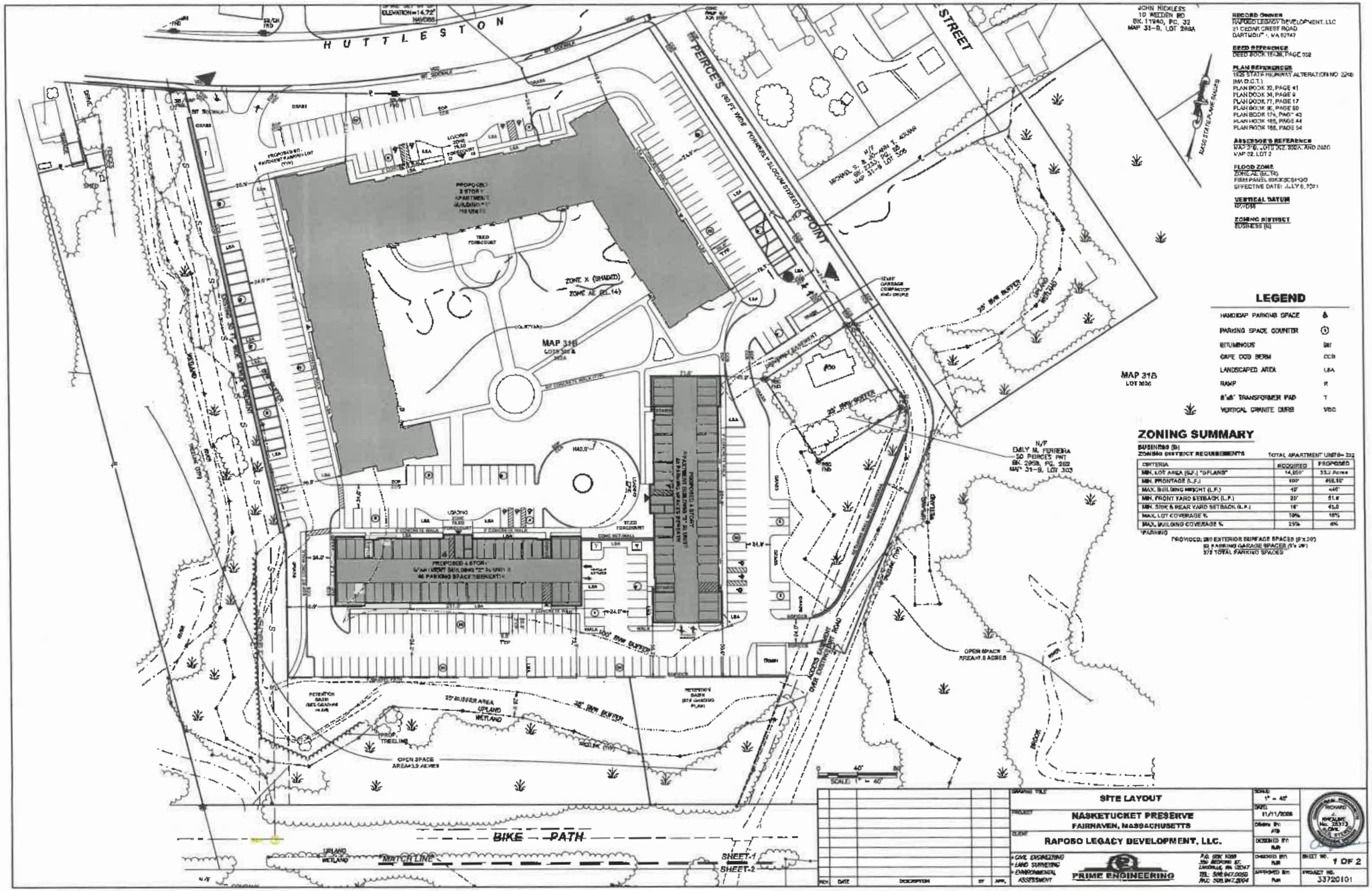
Stormwater Management
The project will be designed to meet the Massachusetts Department of Environmental Protection's (DEP's) Stormwater Management Standards as outlined in DEP's Stormwater Handbook. When a project complies with these standards, the presumption is that the project is protecting public and private water supplies and groundwater supplies, providing for appropriate flood control and storm damage prevention, preventing pollution, protecting fisheries, and protecting wildlife habitat.

Infrastructure
The Subject Property will utilize the existing infrastructure within Huttleston Avenue. To the extent practical, all on site utilities will be placed underground.

Affordability
Fifty-eight one-, two-, and three-bedroom units will be income restricted in perpetuity to households earning at or below 80% of area median income. Forty of the affordable units or 70% may be entitled to a local preference.

Consistency with the Fairhaven 2040 Master Plan/ Local Need
Reference is made to the Fairhaven 2040 Master Plan Update dated March 2018 (the "Plan"). Goal 2 of the Housing Section of the Plan is to "encourage a variety of housing that is affordable to nonelderly individuals and families of all income levels". The Subject Property addresses this goal by creating a variety of rental unit types suitable for families of all sizes. Furthermore, it includes 25% of its units that will be income restricted to households earning at or below 80% of AMI. The plan further states that "housing affordability, particularly the availability of more affordable housing types, has been identified as the key housing issue in Fairhaven throughout the stakeholder and public outreach of the Master Plan process". The Applicant believes that

the Subject Property, when built, will meet the needs of residents of Fairhaven and fulfill the goals outlined in the Plan.


HUTTLESTON
PEIRCE'S (60FT. WIDE FORMERLY BLOOM STREET) POINT
STREET
JOHN NICKLESS
19 WEDDEN RD
BK. 11940, PG. 32
MAP 33-B, LOT 298A
RECORD OWNER
RAPOSO LEGACY DEVELOPMENT, LLC
21 CEDAR CREST ROAD
DARTMOUTH, MA 02747
DEED REFERENCE
DEED BOOK 16438, PAGE 302
PLAN REFERENCES
1925 STATE HIGHWAY ALTERATION NO. 2240 (MASS.D.C.T.)
PLAN BOOK 30, PAGE 41
PLAN BOOK 34, PAGE 9
PLAN BOOK 77, PAGE 17
PLAN BOOK 96, PAGE 50
PLAN BOOK 174, PART 42
PLAN BOOK 185, PAGE 44
PLAN BOOK 186, PAGE 54
ASSESSOR'S REFERENCE
MAP 31-B, LOTS 302, 302A, AND 303
MAP 32, LOT 2
FLOOD ZONE
ZONE AE (EL 14)
FIRM PANEL 25005C0412G
EFFECTIVE DATE: JULY 6, 2021
VERTICAL DATUM
NAVD88
ZONING DISTRICT
BUSINESS (B)
LEGEND
HANDICAP PARKING SPACE
PARKING SPACE COUNTER
BITUMINOUS
CAPE COD BERM
LANDSCAPED AREA
RAMP
8'x8' TRANSFORMER PAD
VERTICAL GRANITE CURB
ZONING SUMMARY
BUSINESS (B)
ZONING DISTRICT REQUIREMENTS
TOTAL APARTMENT UNITS= 232
CRITERIA | REQUIRED | PROPOSED
MIN. LOT AREA (S.F.) "UPLAND" | 14,000' | 33.7 Acres
MIN. FRONTAGE (L.F.) | 100' | 468.65'
MAX. BUILDING HEIGHT (L.F.) | 40' | <40'
MIN. FRONT YARD SETBACK (L.F.) | 20' | 51.9'
MIN. SIDE & REAR YARD SETBACK (L.F.) | 10' | 45.0'
MAX. LOT COVERAGE % | 70% | 16%
MAX. BUILDING COVERAGE % | 25% | 6%
*PARKING
PROVIDED: 280 EXTERIOR SURFACE SPACES (9'x20')
92 PARKING GARAGE SPACES (9'x 20')
372 TOTAL PARKING SPACES
MAP 31B
LOT 303
N/F
EMILY M. FERREIRA
50 PEIRCES PNT
BK. 2958, PG. 252
MAP 31-B, LOT 303
MAP 31B
LOTS 302 & 302A
ZONE X (SHADED)
ZONE AE (EL 14)
PROPOSED 3 STORY APARTMENT BUILDING "1" 116 UNITS
PROPOSED 4 STORY APARTMENT BUILDING "2" 84 UNITS
46 PARKING SPACES BENEATH
OPEN SPACE AREA=7.8 ACRES
OPEN SPACE AREA=3.9 ACRES
25' BUFFER AREA
UPLAND WETLAND
25' BVW BUFFER
100' BVW BUFFER
ACCESS EASEMENT
OVER CONSERVATION LAND
PROP. TREELINE
BIKE PATH
MATCH LINE
SHEET-1
SHEET-2
SCALE: 1" = 40'
SITE LAYOUT
NASKETUCKET PRESERVE
FAIRHAVEN, MASSACHUSETTS
RAPOSO LEGACY DEVELOPMENT, LLC.
PRIME ENGINEERING
SCALE: 1" = 40'
DATE: 11/11/2022
DRAWN BY: ATB
DESIGNED BY: RJR
CHECKED BY: RJR
APPROVED BY: RJR
SHEET NO. 1 OF 2
PROJECT NO. 33720101

Town of Fairhaven, Massachusetts
Office of the Select Board

40 Center Street | Fairhaven, MA 02719 | Tel: (508) 979-4023
Selectboard@fairhaven-ma.gov
khickey@fairhaven-ma.gov

Andrew Romano, Chair
Natalie A. Mello, Vice Chair
Pam Kuechler, Clerk
Andrew B. Saunders, Member
Richard F. Trapilo, Member

Keith R. Hickey, Town Administrator

November 24, 2026

Local Initiative Program
Department of Housing & Community Development
100 Cambridge Street – Suite 300
Boston, MA 02114

Attn: Alexandra Sabatino, Program Director

Re: Developer: Raposo Legacy Development, LLC
232 Unit Rental 40B Project - LIP Application
267-271 Huttleston Avenue, Fairhaven MA

Dear Ms. Sabatino:

On behalf of the Town of Fairhaven, I am very pleased to send you this Letter of Support for the above-referenced Chapter 40B Local Initiative Program ("LIP") Project.

We believe the Applicant has worked well the town in shaping this project with the Town and has a good track record in high-quality construction and development though his drywall and construction business.

The Project will be located in an area of the Town that has municipal sewer and water and is in close proximity to retail and other business uses. Our department heads and staff have indicated that they look forward to working with the Applicant when the development proceeds to the Zoning Board of Appeals for a public hearing on a comprehensive permit application. There is a lack of high-quality, modern multifamily rental options in our community and non that serves elders, persons with disabilities or low-income households. Therefore, we believe that, through this process, Fairhaven will benefit from the addition of high-quality rental units on an amenity rich campus which are greatly needed in our Town.

Therefore, we lend our support and urge you to approve this LIP Application. Thank you for your consideration.

Very truly yours,

Andrew Romano,
Select Board Chair, Town of Fairhaven

C 1

100 Cedar Street
Fairhaven, MA 02719
November 12, 2026

Fairhaven Select Board
40 Center Street
Fairhaven, MA 02719

Dear Select Board,

I have submitted a permit application with the State to hold the Ft. Phoenix Polar Plunge on Friday, January 1, 2027 at 10 a.m. at Ft. Phoenix State Beach Reservation. Although the event is not held on Town Property, I come before the Select Board each year to request your support and the support of the Fairhaven Fire Department for the ambulance and EMA to be on site for the event.

Our event remembers the victims of domestic violence. Our net proceeds go to the Fairhaven Dollars for Scholars scholarships for high school students.

I hope that you will support this event and would be happy to answer any questions that you have.

Sincerely,

Kathy Lopes
Ft. Phoenix Polar Plunge Chair

C 2

Town of Fairhaven
Massachusetts
Select Board

40 CENTER STREET
FAIRHAVEN, MA 02719

TEL: (508) 979-4023
FAX: (508) 979-4079
Selectboard@Fairhaven-MA.gov

Today's Date
time stamped
SELECT BOARD
2026NOV12 8:31 8:31

APPLICATION FOR THE USE OF TOWN HALL

Name of Organization FAIRHAVEN Improvement Ass,
Responsible Officer FRANK FOSTIN Tel. No. 774 930 1496
Address P. O. Box 404 FAIRHAVEN MASS.
Purpose of Use Sing a Long at Town Hall
Space Requested FRONT of Building Auditorium
Date Requested 12/12/26 Begin Time 4:00 End Time 7:00
Number of attendees 50-70 *(occupancy to be reviewed by Building Commissioner, not to exceed 299)*

REQUEST FOR AUDIO / VISUAL TECHNICIAN: YES _____ NO ✓
Fee will be $100.00 (up to three hours). Each additional hour will be charged $25.00.
Additional fee will be charged once additional hour begins. Cash or Check made out to The Town of Fairhaven.

Select Board / Town Administrator

Police Chief / Representative

Board of Health

Fire Department / Inspection

Must have full review from applicable departments prior to Select Board approval

Building Department Inspection

FEES *(To be completed by the Office of the Select Board)* *Office Use only*

Rental Fee x _____ hrs. at $ 150.00 / hr. = $_____ *(minimum 3 hours)*
Plus refundable security deposit in the amount of the rental fee = $_____

_____ Audio $100.00 plus ___ hrs. at $25.00 /hr. = $_____
✓ Custodian x 4 hrs. at $ $50.00 /hr. = $ 200.00
_____ Police x _____ hrs. at $ _____ hr. = $_____
TOTAL FEES = $ 200.00

I have received $ _____ in fees and security deposit for the use of Town Hall Facilities on behalf of Town of Fairhaven from

_____
Organization

Date: _____ Signed: _____
Select Board Office

(Security Deposit will be returned after inspection of the premises by the Select Board or its deignee, less any charge for clean up or repair.)

Rev: 11/20/2025

Town of Fairhaven
Massachusetts
Select Board
40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023
Fax: (508) 979-4079
selectboard@Fairhaven-MA.gov

Release and Indemnification Agreement

In consideration of the rental from the Town of Fairhaven ("Town") of the Town Hall and or Town Hall Auditorium, the undersigned hereby releases and forever discharges the Town and its officers, agents and employees from all suits, claims and demands of any nature whatsoever, including for negligence, which he or she or his or her heirs or assigns may ever have for any personal or bodily injury, death or property damage arising out of, related to or resulting from, in whole or in part, the use of the premises as described above.

The undersigned further agrees, for him or herself and his or her heirs and assigns, to defend and indemnify the Town and its officers, agents and employees against all such suits, claims and demands by any third party, including invitees and others, and to save them forever harmless therefrom.

If any damage to the Town Hall and or Town Hall Auditorium or any equipment or appurtenance therein, results from any act or neglect of the undersigned, its agents, guests, licensees or invitees, the undersigned shall be liable therefore and shall upon demand, reimburse the Town for all costs and expenses of such repairs and damages.

The undersigned hereby acknowledges that he or she has read and understands this release and Indemnification, and that if he or she is signing on behalf of another person or entity, he or she is authorized to do so and that such other person or entity intends to be fully bound hereby.

Signature: Frank Tortin

Printed Name: FRANK TORTIN

Date: 11/20/26

Before me:

Witness Signature

To be signed in the presence of Town Hall staff

Board or Committee	Vacancy available
Belonging Committee	Three Members
Cable Advisory Committee	Three Members
Capital Planning Committee	Business Representative
Conservation Commission	One Member
Economic Development Committee	One Member
Historical Commission	Associate Members, not to exceed number of Full Members
Lagoa Friendship Pact Committee	Three Members
Livable Streets Committee	Unlimited
Sustainability Committee	Three Members

As of 11/19/2026

November 23, 2026

ACTION / DISCUSSION

1. Discussion on Criminal Offender Record Information (CORI) Check Policy

2. Discussion on Dissolution of Special Bylaw Review Committee

3. Review of FY28 Proposed Budget Calendar

4. Review Proposed 2027 Select Board Meeting Calendar

FAIRHAVEN SELECT BOARD POLICY ON CRIMINAL HISTORY SCREENING OF APPLICANTS FOR APPOINTMENT TO BOARDS, COMMITTEES, AND COMMISSIONS

1. PURPOSE

To establish guidelines and procedures for conducting criminal history screening of applicants for appointment by the Select Board to boards, commissions, and committees in the Town of Fairhaven in compliance with the Massachusetts Criminal Offender Record Information (CORI) regulations.

2. POLICY GUIDELINES

Criminal Offender Record Information (CORI) checks are part of a general background check for appointment to a town board, commission, or committee. The following practices and procedures will generally be followed.

A. CORI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS). All applicants will be notified that a CORI check will be conducted and will submit a CORI acknowledgment form and identification as part of the application. If requested, the applicant will be provided with a copy of this CORI policy.

B. The authorized individual shall verify each applicant's identity by examining in person a suitable form of government-issued identification containing a photograph of the subject in accordance with the requirements of 803 CMR 2.11(5).

C. An informed review of a criminal record requires adequate training. Accordingly, all personnel and appointing authorities authorized to review CORI in the decision-making process and/or appointment process will be thoroughly familiar with the educational materials made available by DCJIS.

D. All CORI obtained from DCJIS shall remain CONFIDENTIAL, and CORI may only be disclosed to those individuals who have a "need to know" the information in order to fulfill their duties. Accordingly, the Select Board designates the Town Administrator as the individual charged with processing applications for appointment and the authorized individual to review CORI in connection therewith.

E. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant from appointment. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.

F. If a criminal record is received from DCJIS, the authorized individual will closely compare the record provided by DCJIS with the information on the CORI request form and any other identifying information provided by the applicant to ensure the record relates to the applicant.

G. If the authorized individual identifies any information as a result of the CORI check that may lead to an adverse decision, the applicant will be notified immediately. The applicant shall

be provided with a copy of the criminal record and this CORI policy, advised of the part(s) of the record that make the individual unsuitable for the appointment, and provided with an opportunity to dispute said decision limited to the accuracy and relevance of the CORI record. The applicant will also be given a copy of DJIS "Information Concerning the Process in Correcting a Criminal Record" or other similar information published by DCJIS relating to the process for correcting CORI. The authorized individual will document all steps taken to comply with applicable CORI regulations.

H. If the CORI record provided does not exactly match the identification information provided by the applicant, the authorized individual will make a determination based on a comparison of the CORI record and documents provided by the applicant. The Town may contact DCJIS and request a detailed search consistent with the DCJIS policy.

I. If the authorized individual reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in section 2.F of this policy, then the determination of suitability for the appointment will be made. Unless otherwise provided by the law, factors considered in determining suitability may include, but not be limited to the following:

i. Relevance of the crime to the position sought;

ii. The nature of the work to be performed;

iii. Time since the conviction;

iv. Age of the candidate at the time of the offense;

v. Seriousness and specific circumstances of the offense;

vi. The number of offenses;

vii. Whether the applicant has pending charges;

viii. Any relevant evidence of rehabilitation or lack thereof; and

ix. Any other relevant information.

The authorized individual will notify the Select Board and the applicant of the determination and the basis of the determination in a timely manner.

J. If any member of the Select Board requests review of the determination of the authorized individual prior to the Select Board's appointment decision, the matter shall be reviewed in executive session to the extent permitted and/or required by law before an appointment decision is made.

K. The Town shall comply with all applicable record retention and destruction requirements.

Town of Fairhaven
FY28 Budget Calendar

Date	Milestone
Monday, November 30, 2026	Capital Budget Instructions distributed
Monday, December 7, 2026	Operating Budget Instructions distributed to Department Heads
Friday, December 11, 2026	Capital Budget Project Requests due
Monday, December 21, 2026	Preliminary FY28 revenue forecast presented to Select Board
Monday, December 21, 2026	Town Administrator issues preliminary **5-year financial forecast**
Monday, December 21, 2026	Department Operating Budget Requests due
Tuesday, December 22 – Friday, January 8	Town Administrator/Budget Team departmental budget reviews
Wednesday, January 13	Superintendent presents preliminary FY28 school budget to School Committee
Friday, January 15	Superintendent provides preliminary school budget to Town Administrator
Tuesday, January 19	Town Admin. presents **Recommended FY28 Operating Budget** to Select Board and FinComm.
Tuesday, January 19	Capital Planning Committee submits prioritized capital requests
Tuesday, January 19 – Friday, March 5	Select Board/Finance Committee joint budget hearings
Monday, February 1	Revenue forecast updated based on Governor's budget/Cherry Sheet information available
Thursday, February 4	Citizen Petition and Department/Board warrant article deadline
Wednesday, February 10	School Superintendent submits detailed recommended budget to School Committee
Wednesday, February 24	School Committee Budget Presentation @ FHS Roderick Library/Select Board & FinComm. invited
Monday, March 1	Preliminary budget reconciliation completed
Wednesday, March 10	School Committee Public Hearing
Wednesday, March 17	School Committee final budget vote
Monday, March 22	Select Board votes on operating and capital budgets; warrant closes
Thursday, March 25	Finance Committee finalizes recommendations
Tuesday, March 30	Warrant and Finance Committee Report sent to printer
Friday, April 16	Motions finalized; warrant book distributed to Town Meeting members
Thursday, April 22	Town Meeting run-through with department heads
Friday, April 23	Legal warrant posted by Town Clerk
Thursday, April 29	Precinct Meetings and Town Meeting Preview
Saturday, May 1	**ANNUAL TOWN MEETING**
Tuesday, June 8	Annual Town Election — target, subject to Clerk/election calendar

One change I would make from FY27

The most important change is **moving the budget framework forward into December rather than treating January as the true starting point.**

For FY28, I would have the Town Administrator establish the following **before departments submit requests**:

1. **Preliminary revenue forecast**
2. **Five-year revenue/expenditure forecast**
3. **Available levy capacity**
4. **Known contractual salary increases**
5. **Health insurance/benefit assumptions**
6. **Debt-service requirements**
7. **Enterprise fund requirements**
8. **Recommended capital spending/debt policy**
9. **Target expenditure increase**
10. **Potential structural deficit/surplus**

That would allow departments to prepare their requests within a clearly defined fiscal framework rather than submitting requests first and determining affordability afterward.

I would also separate three budget phases

Phase I — Financial Framework
November–December

- Revenue forecast
- Five-year financial forecast
- Capital plan
- Debt schedule
- Collective bargaining assumptions
- Benefit projections
- School budget assumptions
- Select Board priorities
- Establish preliminary expenditure target

Phase II — Department Budget Development
January–February

- Department requests
- Budget Team meetings
- School Department discussions
- Capital review
- Town Administrator recommendations
- Select Board/Finance Committee hearings
- Identification of reductions/additions
- Development of alternative budgets if necessary

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Phase III — Finalization and Town Meeting
March–May

- Final revenue projections
- Final budget reconciliation
- Select Board vote
- Finance Committee recommendations
- Warrant
- Motions
- Town Meeting book
- Precinct meetings
- Annual Town Meeting

One additional recommendation for FY28

Given the FY27 experience with the Proposition 2½ override, I would **explicitly build an "Override Decision Point" into the calendar**.

For example:

Monday, February 22 — Select Board reviews preliminary FY28 budget gap and determines whether an override, debt exclusion, additional revenue, or expenditure reductions may be necessary.

That is early enough to give the Town time to develop the necessary financial analysis and public education rather than discovering the issue in March.

I would also require every department submitting an increase to identify:

- **Base budget**
- **Mandatory increases**
- **Requested enhancements**
- **One-time expenditures**
- **Potential reductions**
- **Consequences of level funding**

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Fairhaven Select Board
2027 Meeting Schedule with deadlines

MEETING DATE	REQUEST AND SUPPORTING MATERIALS TO THE EXEC. ASST.	AGENDA POSTING DATE
January 4, 2027	December 28, 2026	December 30, 2026
January 19, 2027	January 8, 2027	January 14, 2027
February 8, 2027	February 1, 2027	February 4, 2027
February 22, 2027	February 12, 2027	February 18, 2027
March 8, 2027	March 1, 2027	March 4, 2027
March 22, 2027	March 15, 2027	March 18, 2027
April 12, 2027	April 5, 2027	April 8, 2027
April 26, 2027	April 16, 2027	April 22, 2027
May 10, 2027	May 3, 2027	May 6, 2027
May 24, 2027	May 16, 2027	May 20, 2027
June 14, 2027	June 7, 2027	June 10, 2027
June 28, 2027	June 21, 2027	June 24, 2027
July 12, 2027	July 5, 2027	July 8, 2027
July 26, 2027	July 19, 2027	July 22, 2027
August 9, 2027	August 2, 2027	August 5, 2027
August 23, 2027	August 16, 2027	August 19, 2027
September 13, 2027	September 3, 2027	September 9, 2027
September 27, 2027	September 20, 2027	September 23, 2027
October 12, 2027	October 4, 2027	October 7, 2027
October 25, 2027	October 18, 2027	October 21, 2027
November 8, 2027	November 1, 2027	November 4, 2027
November 22, 2027	November 15, 2027	November 18, 2027
December 6, 2027	November 29, 2027	December 2, 2027
December 20, 2027	December 13, 2027	December 16, 2027

*Select Board meetings are typically the 2nd and 4th Monday monthly, unless specified by the Board (meeting moves to Tuesday if Monday is a holiday)

*Agenda item requests should be sent to the Select Board Chair, Town Administrator and Exec. Asst. for review and approval by close of business the Monday prior to the meeting date (if the deadline is a holiday, due by the close of business on the business day prior)

Complete packet document(s) including a description for any agenda item should be sent with the request for the agenda item

--Dates are subject to change or items moved to alternate meeting dates at the discretion of the TA / Chair

--Any exceptions should be approved through the Town Administrator and Select Board Chair

November 23, 2026

TOWN ADMINISTRATOR REPORT

November 23, 2026

MINUTES

1. Accept the Open Session minutes of November 9 and 17, 2026