



TOWN OF FAIRHAVEN, MASSACHUSETTS

FAIRHAVEN TOWN CLERK  
RCUD 2023 MAR 17 PM 1:03

# CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

## PUBLIC MEETING AGENDA REVISION

Monday, March 20, 2023 at 6:00 pm

*Pursuant to Chapter 22 of the Acts of 2022, the meeting/public hearings will be conducted via remote means. Members of the public who wish to access the meeting may do so in the following manner:*

<https://us06web.zoom.us/j/86953155076?pwd=VFdUQkhzdVYrNzJlQktiVi9XSgppZz09>

or CALL 1-929-205-6099

Meeting ID: 869 5315 5076

Passcode: 633695

*No in-person attendance of members of the public will be permitted, and public participation in any public hearing conducted during this meeting shall be by remote means only.*

1. Chairman's Welcome and Media Notification
2. Quorum/Attendance
3. Approval of the January 30, 2023 and the February 21, 2023 meeting minutes
4. Continuances requested in advance
  - a. SE 023-1389, CON 023-284: **Ebony Street, Assessor's Map 43C, Lots 389-400** – Continued from August 8, 2022
  - b. SE 023-1385, CON 023-279: **27 Silver Shell Beach Drive, Map 41, Lot 54** – Continued from July 25, 2022
  - c. SE 023-1391, CON 023-291: **Bridge Street, Map 36, Lot 15J** – Continued from August 8, 2022
  - d. SE 023-1403, CON 023-330: **Rear Arsene Street, Map 28, Lot 008** – Continued from December 12, 2022
  - e. SE 023-1407, CON 023-337: **23 Goulart Memorial Drive** – Continued from February 21, 2023
5. **Certificate of Compliance**
  - a. SE 023-920, CON 023-326: 10 Jeannette Street, Map 34A, Lot 062Q
  - b. SE 023-1090, CON 023-338: 7 Hickory Street, Map 24, Lots 189-198
6. **Public Hearings** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and/or the Code of the Town of Fairhaven Chapter 192, Wetlands:

### Requests for Determination of Applicability

- a. CON 023-339: **12 Mark Drive, Assessor's Map 32, Lot 19L**  
Request for Determination of Applicability filed by Maurine & Todd Rodrigues to remove a 14'x20' 3-season room, which is currently supported by sono-tubes & replace with an 18' by 20'

living space expansion constructed on a crawlspace foundation. This will require a 4' wide expansion of the 3-season room footprint. Work to take place at 12 Mark Drive, Assessor's Map 32, Lot 19L. Work to take place in the 100' foot Buffer of Inland Bank (pond).

- b. **CON 023-340: 12 Lincoln Drive, Assessor's Map 30A, Lot 85N**  
Request for Determination of Applicability filed by Seaport Homes, LLC to construct a new 25' by 55' single-family dwelling with private driveway, and a bio-retention area located at 12 Lincoln Drive, Assessor's Map 30A, Lot 85N. To determine if property at 12 Lincoln Drive is jurisdictional under the Wetlands Protection Act or the Buffer Zone and Fairhaven Wetlands Bylaw.
- c. **CON 023-341: Jason Terrace, Assessor's Map 30A, Lot 85M**  
Request for Determination of Applicability filed by Seaport Homes, LLC to construct a new 25' by 55' single-family dwelling with private driveway, and a bio-retention area located at Jason Terrace, Assessor's Map 30A, Lot 85M To determine if property at Jason Terrace is jurisdictional under the Wetlands Protection Act or the Buffer Zone and Fairhaven Wetlands Bylaw.

#### **Notices of Intent**

- d. **SE 023-1395, CON 023-319: 1 Island View, Map 43, Lot 201 – Continued from November 7, 2022**  
Notice of Intent filed by Peter Armanetti to construct a single-family dwelling with associated gravel driveway, grading and utilities located at Map 43, Lot 201. Work to take place within 100 feet of a Bordering Vegetated Wetland (BVW) and Bordering Land Subject to Flooding – VE 18 & 19
  - e. **SE 023-1396, CON 023-320: 2 Island View, Map 43, Lot 201 – Continued from November 7, 2022**  
Notice of Intent filed by Peter Armanetti to construct a single-family dwelling with associated gravel driveway, grading and utilities located at Map 43, Lot 201. Work to take place within 100 feet of a Bordering Vegetated Wetland (BVW) and Bordering Land Subject to Flooding – VE 18 & 19.
  - f. **SE 023-1398, CON 023-315: 2 Starboard Drive, Map 42, Lots 9A, 9D, & 9E – Continued from November 7, 2022**  
Notice of Intent filed by Dennis Asrenault for the construction of a residential 8-lot subdivision, including the demolition of 1 existing dwelling, a paved roadway, and grading and site development within the 100-foot Buffer Zone and Land Subject to Coastal Storm Flowage (LSCSF), Flood Zone VE-20, located at Map 42, Lots 9A, 9D, and 9E.
  - g. **SE 023-1406, CON 023-335: 40 Nelson Avenue, Map 43, Lot 233**  
Notice of Intent filed by Christopher Wolkowicz to raze existing house and build new house on flood-compliant foundation with new septic system, town water supply and associated site work; located within buffer zone of coastal bank and within 100-year flood plain (FEMA Zone VE, EL.19'). Proposed septic system to include secondary treatment unit for di-nitrification of wastewater.
7. **Violations/Enforcement Orders/Cease and Desist Notices**
- a. **EO 023-014: 20 Yankee Lane, Map 39, Lot 016:** Discussion on the phase 2 revision; submitted by Goddard Consulting

- b. **SE 023-1333, CON 023-181: 18 Point St, Map 28B, Lot 207:** Discussion of the current conditions regarding the alteration of the coastal engineering structure
  - c. **SE 023-1302, CON 19-066: 6 Emerson Ave, Map 29A, Lot 119:** unpermitted deviation from the approved plan, awaiting a restoration plan
  - d. **SE 023-850, CON 023-021: 51 Cedar Street, Map 04, Lot 155:** Review restoration plan submitted by Steve Schmiel
  - e. **270 Scoticut Neck Road, Map 29A, Lot 101:** Alteration of the salt marsh with unpermitted 112-foot boardwalk. **Appearance rescheduled to April 24<sup>th</sup>.**
  - f. **266 Scoticut Neck Road, Map 29A, Lot 095:** Alteration to the salt marsh with unpermitted 260-foot boardwalk
  - g. **746 Scoticut Neck Road, Map 42, Lot 007:** Unpermitted path and alterations to salt marsh vegetation
  - h. **17 Turner Avenue, Map 02, Lot 275:** Alteration of coastal dune, including operation of a skid steer on beach and alteration of the resource area, including filling and grading. **Appearance rescheduled to April 24<sup>th</sup>.**
8. **Correspondence**
- a. Notices to Appear Sent
9. **General Business**
- a. Bills
  - b. Approval of the 2023 (2<sup>nd</sup> half) meeting schedule
  - c. **The Commission to discuss removing the required \$2,500 peer review fee for Notices of Intent and Abbreviated Notices of Resource Area Delineation**
  - d. **The Commission to discuss possible extension of remote meetings.**
  - e. **The Commission to discuss requiring posting of CON numbers at properties with approved RDAs.**
  - f. Next Meeting: Monday, April 24, 2023
10. **Any other business** that may properly come before the Commission not reasonably anticipated 48 hours in advance of the meeting.
11. **Motion to adjourn**