



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

FAIRHAVEN TOWN CLERK
RCUD 2023 JUL 12 PM3:22

PUBLIC MEETING AGENDA

Monday, July 17, 2023 at 6:00 pm

Pursuant to Chapter 20 of the Acts of 2021 (extension), public bodies will continue holding meetings remotely without a quorum of the public body physically present at a meeting location, but will now provide "adequate/alternative" access to members of the public. Access the meeting via remote means in the following manner:

<https://us06web.zoom.us/j/86953155076?pwd=VFdUQkhzdVYrNzJIQktiVi9XSGppZz09>

or CALL 1-929-205-6099

Meeting ID: 869 5315 5076

Passcode: 633695

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

1. Chair's Welcome and Media Notification
2. Quorum/Attendance
3. Approval of the June 26, 2023 and June 27, 2023 meeting minutes
4. Continuances requested in advance
5. **Request for Certificate of Compliance**
 - a. SE 023-1397, CON 023-316: 90 Seaview Avenue, Map 29D, Lot 100
 - b. SE 023-657, CON 023-360: 19 Tanner Lane, Map 30, Lots 47 & 48
6. **Request for Extension**
 - a. SE 023-1257, CON 023-201: 1 Union Wharf, Map 07, Lot 009
7. **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:

Request for Abbreviated Notice of Resource Area Delineation

- a. **SE 023-1408, CON 023-344: 481 Sconticut Neck Road, Assessor's Map 29, Lot 27**
Abbreviated Notice of Resource Area Delineation filed by Antone Arruda to verify delineated wetlands. The location includes Bordering Vegetated Wetlands (BVW) and is located at Assessor's Map 29, Lot 27.

Requests for Determination of Applicability

- b. **CON 023-349: 128 Balsam Street, Assessor's Map 43A, Lot 069**
Request for Determination of Applicability filed by Matthew Brodo to add second floor master bedroom suite eliminating a first-floor bedroom which will convert to a stairwell. This project will require 8 concrete footings and piers to elevate and create a freestanding second floor above and out of the FEMA elevation criteria. Additionally, the request is for 4 smaller piers for a

first-floor porch to create a second point of egress. Work located at Assessor's Map 43A, Lot 069.

c. CON 023-358: 24 Hathaway Street, Map 28B, Lot 016

Request for Determination of Applicability filed by Karen Diggins to build a 14'x14' 3-season room in place of existing 14'x14' deck rear of house with landing and stairs. Work to take place within FEMA Flood Zone AE (EL.14') at Assessor's Map 28B, Lot 016.

Notices of Intent

d. SE 023-1407, CON 023-337: 23 Goulart Memorial Drive, Assessor's Map 42, Lot 022B

Notice of Intent filed by Chanda Kale to repair frame and replace the supported concrete and timber pilings for the handicapped ramp at deck level. Also, to repair and replace timber frame, support, and surface for the walkway. Work to take place for the property located at 23 Goulart Memorial Drive, Assessor's Map 42, Lot 022B. Work to take place within Barrier Beach and FEMA Zone VE, EL.19'.

e. SE 023-1410, CON 023-347: Bonney Street, Assessor's Map 28B, Lots 488 & 489

f. Notice of Intent filed by David Menard to construct a single-family residence, sewer and water connections and associated site work located within the 100-year flood plain (F.E.M.A. Zone VE, EL.16') and partially within the Buffer Zone of Bordering Vegetated Wetlands (BVW). Work to take place at Assessor's Map 28B, Lots 488 & 489.

g. SE 023-1412, CON 023-350: Littleneck Road, Assessor's Map 43A, Lot, Littleneck Road Right-of-way

Notice of Intent filed by Vincent Furtado of the Fairhaven Board of Public Works (BPW) to pave existing gravel roadway (Littleneck Road) and installation of four drain manholes, six basins, convert four catch basins to drain manholes and one stormceptor unit, connecting to the existing drainage system for drainage improvement located at Assessor's Map 43A, Lot, Littleneck Road Right-of-Way.

h. SE 023-1413, CON 023-351: Cove Street Improvement, Assessor's Map 28B, Lot Cove Street Right-of-Way

i. Notice of Intent filed by Vincent Furtado of the Board of Public Works (BPW) to install two new catch basins and convert an existing drop inlet structure to drainage manhole for drainage improvements. New water main to loop the existing water network. Paving existing gravel roadway (Cove Street) with hot mix asphalt pavement. Work to take place Assessor's Map 28B, Lot Cove Street Right-of-Way

j. SE 023-1416, CON 023-352: Phoenix Rail Trail, Assessor's Map 27, Lot 14

Notice of Intent filed by Vincent Furtado of the Board of Public Works (BPW) to replace failed existing 36" wide by 27" high. Stone box enclosed 36" diameter corrugated metal pipe (CMP) drainage ditch crossing culvert with new 36" diameter HDPE pipe culvert and two end wing headwalls on the Phoenix Rail Trail (Bike Trail), Assessor's Map 27, Lot 14 (between Tripp Street and Egypt Lane - approximately 320' West of Egypt Lane).

- k. **SE 023-1415, CON 023-354: 837 Sconticut Neck Road, Assessor's Map 42, Lot 015R**
Notice of Intent filed by Marc & Donna Oliveira to install a 28' x 26' carport with associated grading. This area is currently a paved driveway and part landscaped area. Work to take place within Land Subject to Coastal Storm Flowage (LSCSF) and located at Assessor's Map 42, Lot 015R.
- l. **SE 023-1417, CON 023-355: 88 Fort Street, Assessor's Map 5, Lot 4&5**
Notice of Intent filed by Terje Tonnessen Revocable Trust to construct a 4' wide x 104' long-pile supported timber pier with a 4' x 28' aluminum gangway and two- 10' x 14' floats at it terminus. The pier supports will consist of 12" diameter pressure treated timber installed in pairs at 20' on center. The landward end of the pier will be supported by a 6' x 5' x 12" poured concrete pad. Work to take place within Land Subject to Coastal Storm Flowage (LSCSF), Flood Zone AE (El.6.0) and contains a Coastal Bank at Assessor's Map 5, Lot 4&5.
- m. **SE 023-1419, CON 023-357: 28 Welcome Street, Map 31B, Lot 1D**
Notice of Intent filed by Robert J. Rogers to construct a 20'x60' paved driveway and installation of a 10'x16' shed within the Buffer Zone to Bordering Vegetated Wetlands at Assessor's Map 31B, Lot 1D.
- n. **SE 023-1420, CON 023-359: 110 Middle Street, Map 12, Lot 17**
Notice of Intent filed by Uday Patel to install six, 12-inch diameter greenheart piles, which are replacements for worn piles and those previously removed due to wear. Work to take place within Land Under the Ocean, Land Containing Shellfish, and Land Subject to Coastal Storm Flowage at Assessor's Map 12, Lot 17.

8. Violations/Enforcement Orders/Cease and Desist Notices

- a. **SE 023-1302, CON 19-066: 6 Emerson Ave, Map 29A, Lot 119-122:** Unpermitted deviation from approved plan; awaiting a restoration plan and current as-built.
- b. **CON 023-303: 43 Reservation Road, Map 29A, Lot 351:** Unpermitted driveway in LSCSF (FEMA Zone VE, EL.16'), BVW, Coastal Dune, Salt Marsh, Coastal Beach, and Buffer Zone; Commission awaiting a NOI filing.
- c. **EO 023-019: 6 Jeannette Street, Map 34A, 62K:** BVW Delineation Spring 2023; Commission awaiting restoration plan.
- d. **EO 023-020: 8 Jeannette Street, Map 34A, Lot 62P:** BVW Delineation Spring 2023; Commission awaiting restoration plan.
- e. **0 Beachwood, Map 28B, Lot 122:** Filling of an Isolated Vegetated Wetland; Notice of Violation mailed on 7-5-2023.

9. Correspondence

10. General Business

- a. Bills

b. Next Meeting: Monday, August 7, 2023

c. Carvalho Forest & Conservation Partnership Grant

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

12. **Motion to adjourn**