



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

PUBLIC MEETING AGENDA

Monday, November 7, 2022 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=VFdUQkhzdVYrNzJIQktiVi9XSGppZz09>

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 September 19, 2022 & October 3, 2022 Meeting Minutes
4. **Requests for Certificate of Compliance**
5. **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:

FAIRHAVEN TOWN CLERK
RCUD 2022 OCT 31 PM3:50

Request for Abbreviated Notice of Resource Area Delineation

- a. SE 023-1389, CON 023-284: **Ebony Street, Assessor's Map 43C, Lots 389-400** – Continued from August 8, 2022 Request for Abbreviated Notice of Resource Area Delineation filed by Michael Ristuccia to delineate wetlands located at Ebony Street, Assessor's Map 43C, Lots 389-400.

Requests for Determination of Applicability

- b. CON 023-318: **4 Saltmarsh Road**
Request for Determination of Applicability filed by Walter DiGiusto to remove and replace current 4'x20' walkway with (3) steps and add a 10'x12' patio on the side yard located at Map 43, Lot 2. Work to take place in a Coastal Bank, VE Zone-23.

Notices of Intent

- c. SE 023-1391, CON 023-291: **Bridge Street, Map 36, Lot 15J** – Continued from August 8, 2022 Notice of Intent filed by Fairhaven Properties, LLC for proposed redevelopment work located at Map 36, Lot 15J, Bridge Street. Fairhaven Properties proposes to redevelop the site into a two-building self-storage facility. Development includes landscaping, as well as stormwater and utility infrastructure improvements. A portion of the proposed work is located within 100 feet of a wetland resource area, previously delineated and approved under an Order of Resource Area

Determination (ORAD), issued in January 2022. *The applicant has requested a continuance until the November 1st meeting.*

- d. SE 023-1385, CON 023-279: **27 Silver Shell Beach Drive, Ma 41, Lot 54 – Continued from July 25, 2022**
Notice of Intent filed by Nancy Blouin to upgrade the existing septic system to a Title 5-compliant system and associated site work at the property located at 27 Silver Shell Beach Drive, Assessor's Map 41, Lot 54. Work to take place in Land Subject to Coastal Storm Flowage and the 100-foot buffer zone to Coastal Dune.
- e. SE 023-1393, CON 023-304: **2 Melpen Way, Map 29, Lot 002D – Continued from September 19, 2022**
Notice of Intent filed by Andrew & Cheryl Shackett for razing an existing dwelling and constructing a new residence on a flood-compliant foundation with a septic system, utilities, and associated site work located at Map 29, Lot 2D. Work to take place within the Flood Zone (VE), Salt Marsh, Coastal Dunes, and Land Subject to Coastal Storm Flowage and Buffer Zones of Bordering Vegetated Wetland and Coastal Beach.
- f. CON 023-321: **7 Alves Way**
Notice of Intent filed by Joshua Alves for the construction of a single-family residential dwelling, two-car attached garage, and additional improvements to include an elevation change of approximately 2 feet, installation of a boulder wall along the perimeter of the lot, pop up drains connected to roof leaders, and an irrigation system within 100-foot Buffer Zone to Bordering Vegetated Wetlands, located at Map 28, Lot 24.
- g. CON 023-322: **8 Alves Way**
Notice of Intent filed by Joshua Alves for the construction of a single-family residential dwelling, two-car attached garage, and additional improvements to include an elevation change of approximately 2 feet, installation of a boulder wall along the northern and western portions of the lot, and pop-up drains connected to roof leaders within 100-foot Buffer Zone to Bordering Vegetated Wetlands, located at Map 28, Lot 24.
- h. SE 023-1394, CON 023-317: **21 Nelson Avenue**
Notice of Intent filed by Richard and Carol Reeve to upgrade an existing septic system to comply with Title 5 with the installation of a 1,000-gallon concrete pump chamber and chamber leaching area. Work will occur within Land Subject to Coastal Storm Flowage, Flood Zone VE-18, located at Map 43, Lot 68.
- i. CON 023-315: **2 Starboard Drive**
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, Flood Zone VE-20, located at Map 42, Lots 9A, 9D, and 9E.
- j. SE 023-1395, CON 023-319: **1 Island View**
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 Zone.

k. SE 023-1396, CON 023-320: **2 Island View**

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 Zone.

l. CON 023-316: **90 Seaview Avenue**

Notice of Intent filed by Eugene Nowak to relocate driveway & walkway, with the addition of a generator and landscaping located at Map 29D, Lot 100. Work to take place within Land Subject to Coastal Storm Flowage, Flood Zone VE-17.

Amended Order of Conditions

m. SE 023-1351, CON 023-224: **Overlook Lane**

Request for an Amended Order of Conditions filed by Sean & Susan Olson requesting approval for changes in the Site Plan which will result in a reduction of size in the house/porch footprint in the 100-foot Buffer Zone, removal of a paved driveway within the 50-foot Buffer Zone, relocation of the barn outside of the 50-foot Buffer Zone, and a fence to enclose the backyard, located at Map 29, Lot 1D.

5. Violations/Enforcement Orders/Cease and Desist Notices

- a. EO 023-018: **3 North Street, Map 15, Lot 43**: restoration progress update and fence construction
- b. EO 023-022: **344 & 346 New Boston Rd, Map 40, Lots 023B & 023C**: unpermitted vegetation clearing in a wetland by Farland Corporation.
- c. CON 023-119, SE 023-1315: **Rt 240 & Bridge St, Map 30A, 86B**: debris in wetland and buffer zone
- d. CON 023-278: **6 Jeanette St, Map 34A, Lot 062K**: fill to be removed from wetland
- e. CON 023-278: **8 Jeanette St, Map 34A, Lot 062P**: fill to be removed from wetland
- f. SE 023-1302, CON 19-066: **6 Emerson Ave, Map 29A, Lot 119**: unpermitted deviation from approved plan, awaiting restoration plan
- g. **10 Point St, Map 28B, Lot 211**: Dune scalped as a result of mowing

7. Correspondence

- a. Correspondences Sent
- b. Marsh Island Memorandum

8. General Business

- a. Bills
 - b. Budget Overview
 - c. Next Meeting: Monday, November 21, 2022
9. **Any other business** that may properly come before the Commission not reasonably anticipated 48 hours in advance of the meeting.
10. **Motion to adjourn**

Geoff Haworth, Chair

Fairhaven Conservation Commission

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