

TOWN OF FAIRHAVEN, MASSACHUSETTS



CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

PUBLIC MEETING AGENDA

Monday, November 21, 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=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 October 24, 2022 meeting minutes
4. Adoption of General Law Chapter 44, Section 53G
5. Policy & Procedures for Administrative Approvals & General Commission Business
6. **Requests for Certificate of Compliance**
 - a. SE 023-913, CON 023-324: **342 New Boston Road, Map 40, Lot 23**
 - b. SE 023-920, CON 023-326: **10 Jeannette Street, Map 34A, Lot 062Q**
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 023-1389, 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 023-313: **74 Seaview Avenue**
Request for Determination filed by Mark Rego for the replacement of 2 existing sheds with a single shed on a 12'x16' concrete pad within Land Subject to Coastal Storm Flowage, Flood Zone VE-17.
- c. CON 023-323: **7 Oxford Street**

Request for Determination filed by Nina Bonnoyer for the replacement of the existing wooden 5-foot, 6 inches by 11-foot, 6-inch deck, at the property located at 7 Oxford Street, Assessor's Map 13, Lot 23. The proposed deck will measure 8 feet by 15 feet and will include approximately 8 steps to the existing lawn. Work to take place within 100 feet from the Coastal Beach and area with Reduced Flood Risk due to Levee, Zone X.

Notices of Intent

- d. SE 023-1385, CON 023-279: **27 Silver Shell Beach Drive, Map 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 023-1391, 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.

- f. 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.

- g. SE 023-1400, CON 023-321: **7 Alves Way** – *Continued from November 7, 2022*
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.

- h. SE 023-1399, CON 023-322: **8 Alves Way** – *Continued from November 7, 2022*
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.

- i. SE 023-1394, CON 023-317: **21 Nelson Avenue** – *Continued from November 7, 2022*

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.

- j. SE 023-1395, CON 023-319: **1 Island View** – *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 Zone.
- k. SE 023-1396, CON 023-320: **2 Island View** – *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 Zone.
- l. SE 023-1397, CON 023-316: **90 Seaview Avenue** – *Continued from November 7, 2022*
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

8. Violations/Enforcement Orders/Cease and Desist Notices

- a. **10 Point St, Map 28B, Lot 211:** Dune scalped as a result of mowing
- b. **344 & 346 New Boston Rd, Map 40, Lots 023B & 023C:** unpermitted vegetation clearing in a wetland.
- c. SE 023-1302, CON 19-066: **6 Emerson Ave, Map 29A, Lot 119:** unpermitted deviation from approved plan, awaiting restoration plan
- d. **7 Summer St, Map 08, Lot 037:** Fence was installed without permit within Flood Zone AE-7.

9. Correspondence

- a. Notices to Appear Sent
- b. Notices of Violations Sent

10. General Business

- a. Bills
- b. Budget Overview

c. Next Meeting: Monday, December 12, 2022

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**

Geoff Haworth, Chair

Fairhaven Conservation Commission

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