



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

PUBLIC MEETING AGENDA Monday, February 5, 2024 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=VFdUQkhzdVYrNzJlQktiVi9XSGppZz09>

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. Chairman's Welcome and Media Notification
2. Quorum/Attendance
3. Approval of the meeting minutes for January 8, 2024
4. Continuances requested in advance
 - a. CON 023-372: 29 Silver Shell Beach Drive, Map 41, Lot 53 (April)
 - b. SE 023-1421, CON 023-361: 2 Bayside Street, Map 42, Lot 34 (March)
 - c. SE 023-14 __, CON 023-371: 217 Alden Road, Map 36, Lot 085 (March)
 - d. SE 023-1385, CON 023-279: 27 Silver Shell Beach Drive, Map 41, Lot 54
5. Requests for Certificates of Compliance
 - a. SE 023-1407, CON 023-337: 23 Goulart Memorial Drive, Map 42, Lot 22B
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:

Request for Amended Order of Conditions

- a. SE 023-1369, CON 023-255: 10 Diamond Street, Map 29, Lots 046 & 72
Amended Order of Conditions filed by Ruby & Jaime Medeiros to shift the previously approved paved driveway in closer proximity to the dwelling (depicted on revised plan). Work to take place in Land Subject to Coastal Storm Flowage (LSCSF) and the 100-foot Buffer Zone to Coastal Beach at Assessor's Map 29, Lots 046 & 72.

Requests for Determination of Applicability

- b. CON 023-387: 251 Sconticut Neck Road, Map 29, Lot 32
Request for Determination of Applicability filed by Robert Faria for an after-the-fact shed within FEMA Flood Zone AE (EL.16') located at Assessor's Map 29, Lot 32.

Notices of Intent

c. SE 023-1438, CON 023-393: 685 Sconticut Neck Road, Map 42, Lot 14B

Notice of Intent filed by Steven Koczera to replace existing deck (8'x12') with new 14'x16' deck on 12, 8" sono-tubes, with staircases. Will also place loam/topsoil in low area of the land on the north side of the house in an area of existing lawn; remove (4) trees blown down in the recent storm and remove from site; add 25'x28' foundation in driveway and add garage (25'x28') with breakaway walls within FEMA Flood Zone (El.17' & El.19') at Assessor's Map 42, Lot 14B.

d. SE 023-1391, CON 023-291: Bridge Street, Map 36, Lot 15J

Notice of Intent filed by Fairhaven Properties, LLC 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. Work located at Assessor's Map 36, Lot 15J.

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

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) located at Assessor's Map 28B, Lots 488 & 489.

f. SE 023-1423, CON 023-364: Bridge Street, Map 30A, Lots 87 & 87A

Notice of Intent filed by Carricorp Industries, Ltd. proposing a 5,850-sf commercial style building. A driveway and parking lot with approximately 34 parking spaces to service the proposed building. Stormwater from all proposed paved areas will be collected by deep sump catch basins sent to a subsurface infiltration system. Other proposed utilities include municipal water and sewer and an enclosed dumpster with pad. Work to take place within 100 feet of a wetland resource area at Assessor's Map 30A, Lots 87 & 87A.

g. SE 023-1429, CON 023-377: 270 Sconticut Neck Road, Map 29A, Lots 101 & 96

Notice of Intent filed by Alexander & Jean Easterday to modify an elevated walkway over the Salt Marsh from house to Coastal Dune and beach, located within the 100-year flood plain at Assessor's Map 29A, Lots 101 & 96.

h. SE 023-1432, CON 023-380: 18 Almond Street, Map 43B, Lot 12

Notice of Intent filed by Jeffrey White to install a concrete pad within the 100-foot Buffer Zone to the Coastal Bank, Salt Marsh, Coastal Beach, and Land Subject to Coastal Storm Flowage (LSCSF), and FEMA Flood Zone VE, (El. 16' & 17'), located at Assessor's Map 43B, Lot 12.

i. SE 023-1434, CON 023-388: 127 Balsam Street, Map 43A, Lots 96 & 98

Notice of Intent filed by Lauren O'Brien to remove existing deck & patio, renovate existing residence, construct new addition & deck on flood zone compliant foundation, and associated site work located within the 100-year coastal flood plain at Assessor's Map 43A, Lots 96 & 98.

j. SE 023-1437, CON 023-389: 1 Crow Island, Map 44, Lot 1

Notice of Intent filed by Dave Ellis & Melissa Cruz requesting to repair the existing failed on-site sewage disposal system servicing the single-family dwelling. The existing system will be abandoned, and a new system including a 1,500-gallon septic tank, distribution box, and

Infiltrator Quick4 Plus Standard Leaching Chambers in a bed formation will be installed. The work being proposed fall within 100' feet from the top of a Coastal Bank. The system is proposed to be about 30' from the top of the Coastal Bank and is sited in similar area as existing located at Assessor's Map 44, Lot 1.

k. SE 023-1436, CON 023-390: 6 Emerson Avenue, Map 29A, Lots 119-122

An after-the-fact Notice of Intent filed by Natalie Reis for the construction of 12'x16' breezeway between the house and garage, an outdoor shower (approximately 70' from the limit of Coastal Beach and in Land Subject to Coastal Storm Flowage (LSCSF), capping the existing stonewall, an outdoor fireplace, a 36'x15' flagstone patio area with new walkways to beach, artificial turf area, regrading, and a gravel driveway larger than proposed on original plan. Work to take place within Land Subject to Coastal Storm Flowage (LSCSF), Flood Zone VE (El. 16'), and work has occurred in Coastal Beach, Barrier Beach, and possibly the Marsh, located at Assessor's Map 29A, Lots 119-122.

l. SE 023-1395, CON 023-319: 1 Island View Road, Map 43, Lot 201

Notice of Intent filed by Peter Armanetti to construct a single-family dwelling with associated gravel driveway, grading and utilities. Work to take place within 100 feet of a Bordering Vegetated Wetland (BVW), and borders Land Subject to Flooding - FEMA Flood Zone VE (El.18 & 19') at Assessor's Map 43, Lot 201.

m. SE 023-1396, CON 023-320: 2 Island View Road, Map 43, Lot 201

Notice of Intent filed by Peter Armanetti to construct a single-family dwelling with associated gravel driveway, grading and utilities. Work to take place within 100 feet of a Bordering Vegetated Wetland (BVW), and borders Land Subject to Flooding - FEMA Flood Zone (El.18 & 19') at Assessor's Map 43, Lot 201.

n. SE 023-1435, CON 023-391: 689 Sconticut Neck Road, Map 42, Lot 14A.

Notice of Intent filed by Michael Perez to remodel the existing 3-season room, replace 3-porch footings and propose new footings to support the new deck. Work located within FEMA Flood Zone (El.17' & El.19') at Assessor's Map 42, Lot 14A.

o. SE 023-1440, CON 023-394: 833 Sconticut Neck Road, Map 42, Lot 15N

Notice of Intent filed by Nazem & Kathleen Abdalla to construct a 4-bedroom single family house in compliance with the requirements of FEMA and Mass Building Code for construction within a Velocity Zone. The house will be located within Flood Zone VE (El.17) and work to take place within Land Subject to Coastal Storm Flowage (LSCSF), Flood Zone VE (El.17, 19 & 20), and a Bordering Vegetated Wetland (BVW) in the southerly and easterly portion at Assessor's Map 42, Lot 15N.

p. SE 023-1439, CON 023-395: 831 Sconticut Neck Road, Map 42, Lot 15M

Notice of Intent filed by A.M.K. Trust c/o Nazem & Kathleen Abdalla to construct a 4-bedroom single family house in compliance with the requirements of FEMA and Mass Building Code for construction within a Velocity Zone. The house will be located within Flood Zone VE (El.17') and Land Subject to Coastal Storm Flowage (LSCSF) at Assessor's Map 42, Lot 15M.

q. SE 023-1441, CON 023-396: 16 Balsam Street, Map 43C, Lot 33

Notice of Intent filed by McCloud Pacheco Trust c/o Lawrence & Shannon Pereira to remove the existing multi-level vertical concrete seawall. The new rip-rap boulders will be set on a 12" minimum bedding of 4"x6" trap rock. The entire site falls within Land Subject to Coastal Storm Flowage (LSCSF) and FEMA Flood Zones VE (El.17, 18 & 23'). The site also contains Coastal Bank, Coastal Beach, and Land Under Ocean at Assessor's Map 43C, Lot 33.

7. Violations/Enforcement Orders/Cease and Desist Notices

- a. **4 Jeannette Street, Map 34A, Lot 062D:** Ratify Enforcement Order
- b. **EO 023-022: 344-346 New Boston Road, Map 40, Lots 023B & 023C:** Agent to provide an update on restoration efforts
- c. **29 Nakata Avenue, Map 43, Lot 119:** Unpermitted work on seawall and patio
- d. **293 Mill Road, Map 39, Lot 022C:** Outstanding restoration plan
- e. **Any other violations/Enforcement Orders/Cease and Desist Notices**

8. General Business

- a. Next scheduled site visits: February 20, 2024
- b. Next Scheduled Public Hearing Date: March 4, 2024
- c. Discuss additional February meeting (Violations/Continuances only)
- d. Discuss educational opportunities/trainings

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

Jay Simmons, Chair

Fairhaven Conservation Commission

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