

26-MAR-21

Hello

My name is Don Carlos Collasius and I live at 33 William ST Fairhaven Massachusetts.

I am interested in joining the Conservation Commission as a nonvoting member.

I believe I am qualified to do this due to my background in Oceanography and world sciences. Please let me elaborate.

I have always been interested in the natural world and environmental science from an early age.

In 1981 I went to work for the Woods Hole Oceanographic Institute as a Research Assistant and soon was promoted to Deep Sea Research Vehicle Pilot. I was intimately involved with the setting up, deployment and consequent retrieval of deep-water oceanographic experiments. The included the study of deep water hydrothermal vents, plate tectonic movements, sedimentation, biological specimen collection and ocean chemistry to name a few. This experience placed me side by side with many world renowned oceanographers who were keen to share their knowledge of their area of expertise as well as general world science.

From deep water oceanography I moved into mid water working at Webb Research Corporation as a junior engineer. We designed and build sound sources for observing the transmission of sound waves through the water column so as to determine water temperature and other aspects of vast expanses of ocean water. We also built and supported acoustical hydrophones and autonomous drifters for observing mid water currents. Again being exposed to this environment one can't but help becoming more familiar with the world's oceans that play such an important role in how our planet works.

After a 18 year hiatus from oceanography at Onset Computer Corporation where I designed and build sensors and data loggers as well as weather stations. I then went back to oceanography at Sea Education Association which is an organization that offers junior aged college students the opportunity to study the ocean from the deck of a tall ship while making major trans-oceanic voyages SEA is a world leader in the historic and current study of plastic pollution in the ocean.

I believe these backgrounds of involvement in ocean research and exposure to world sciences equips me well to be a productive contributing member of the Conservation Commission.

Thank you,

Don Carlos Collasius

collasius@hotmail.com cell #774 644 4547

To the Conservation Commission,

My name is Karen Isherwood, I live at 3 Teal Circle and I am interested in taking on the role of a non-voting member for Conservation Commission. I have been a lifelong resident of Fairhaven and would love an opportunity to be of service to the town. In the past I have helped out on the sidelines with various town projects and campaigns when asked and provided the opportunity.

I am passionate about this town and preserving its historic beauty and natural resources. The Conservation Commission plays an important role in that and I have the time and desire to educate myself and be of service to this Commission. I have read and am familiar with some of Fairhaven's bylaws and would be excited to learn more. I know that there is further training and would be happy to do what is ever necessary. I hope you will please consider me for the role of non-voting member. I would be honored to work with you.

Sincerely,
Karen Isherwood

Charon Associates, Inc.

Consulting Engineers

*323 Neck Road
Rochester, MA 02770
Phone: 508-763-8362
Fax: 508-763-9582*

March 28, 2021

Conservation Commission
Town Hall
Fairhaven, MA 02719

Dear Members of the Commission:

RE: Map 19 Lot 19, Beach Street; Daniel Masse & Jillian (Corcoran) Masse, Owners
D.E.P. File No. SE 023-1310

The attached site plan for the subject project has been revised in accordance with the requirements of the Planning Board and B.P.W. as follows:

1. Beach Street will be a 22-ft. wide gravel roadway between Alpine Avenue and Newbury Avenue.
2. The water service in Newbury Ave. will be upgraded to a 6" water main instead of the water service in Alpine Ave., and the water supply to the new house will come from Newbury Avenue to the north side of the house.

While an increase is proposed in the amount of new gravel roadway, the amount of paved surface is eliminated completely, with the exception of a 10-ft. paved apron at Alpine Avenue. The water service proposed on Newbury Ave. to supply water to the north side of the new house eliminates the work previously approved to replace the water service in Alpine Ave. and supply water from the south side.

Based on the above trade-offs, we believe the scope of the project has not increased due to these revisions and that the work can proceed under the existing Order of Conditions.

It is requested that the Commission review these changes and advise whether you are in agreement that this revised plan can be accepted as the plan of record without amending the Orders.

We look forward to discussing this matter with the Commission.

Sincerely,



Richard J. Charon, P.E.

Cc: D. & J. Masse



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

FAIRHAVEN

City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

17 ABBEY ST

Street Address

FAIRHAVEN

City/Town

MAP # 6

Assessors Map/Plat Number

96

Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

SFH

c. Plan and/or Map Reference(s):

SITE PLAN

Title

3/17/2021

Date

FRAMING PLAN

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

15' x 15' EXTENSION OF EXISTING POOL DECK

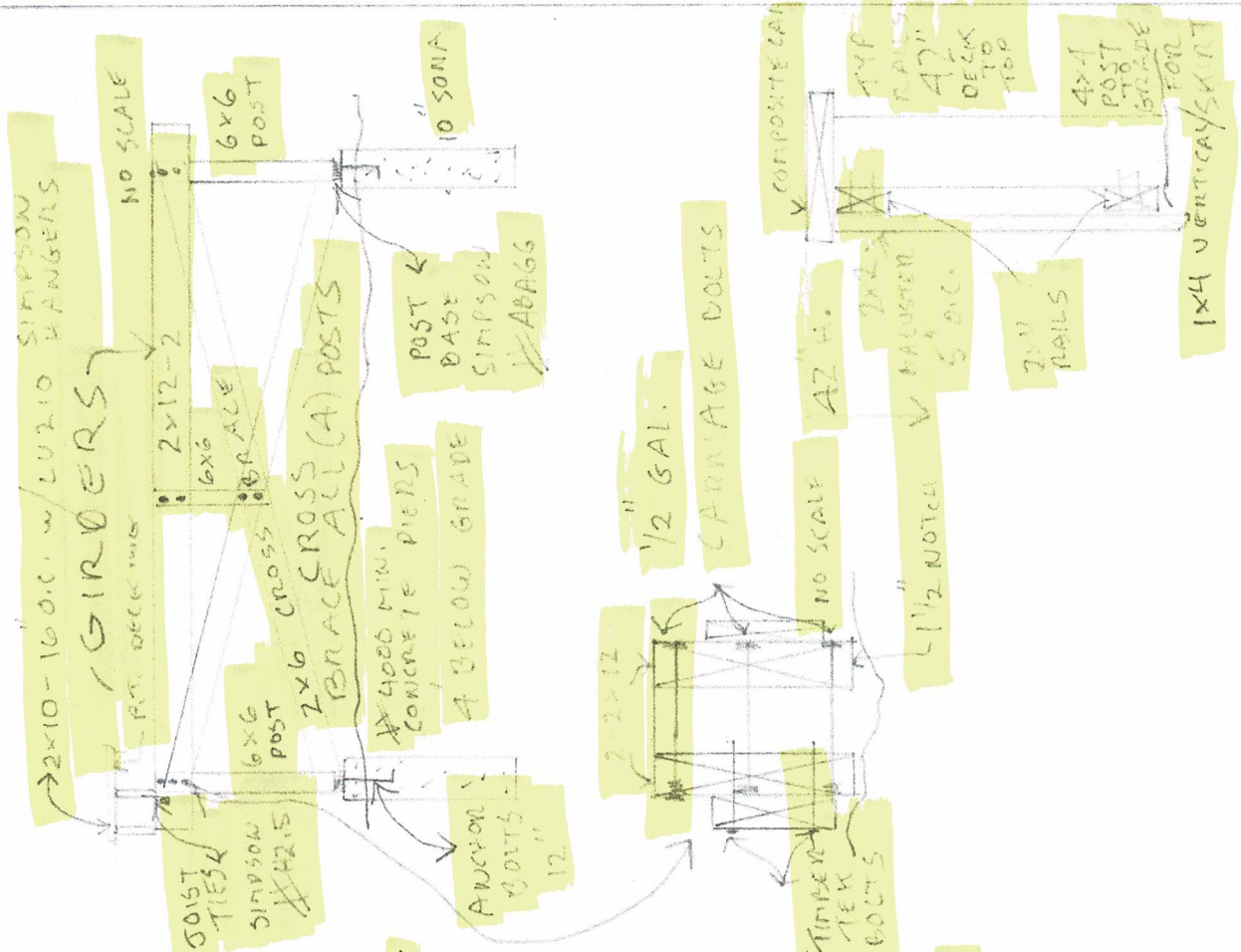
A. (WOOD FRAME) PRESSURE TREATED LUMBER

B. (4) CONCRETE PIERS

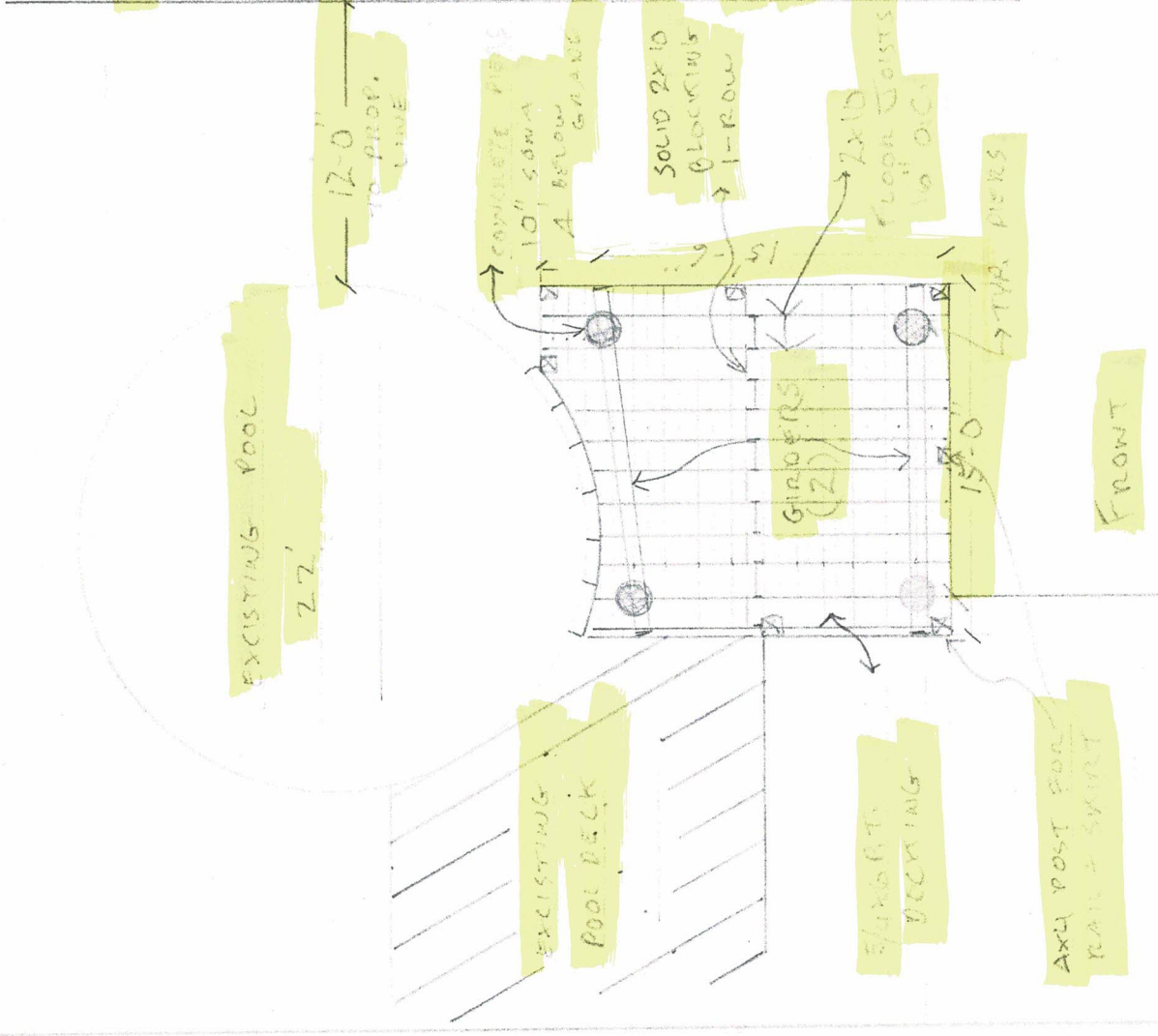
Massachusetts Interactive Property Map

Details





PROPOSED DECK EXT. @ 17 ABBEY ST.
 ALL LUMBER P.T. - ALL MID. EASTERN
 DECK HEIGHT FLUSH TO ROOF TOP -
 APPROX. 4'-4" TO GRADE
 MERVIN STRAUSS - OWNER



FAIRHAVEN, MA.
 17 ABBEY ST.

March 22, 2021

Town of Fairhaven Conservation Commission
ATTN: Ms. Whitney McClees, Conservation Agent
40 Center Street
Fairhaven, MA 02719

Re: **Request for Determination of Applicability (RDA)**
Fairhaven High School Synthetic Turf Athletic Field
12 Huttleston Avenue
Fairhaven, Massachusetts
(Pare Project No. 20211.00)

Dear Ms. McClees:

On behalf of Lincoln High School and the Town of Fairhaven, Pare Corporation has prepared a Request for Determination of Applicability (RDA) application for the proposed Fairhaven High School Synthetic Turf Athletic Field project located at 12 Huttleston Avenue in Fairhaven, Massachusetts. Enclosed please find one (1) copy of the following:

- Application Checklist – Request for Determination of Applicability;
- Project Narrative included within this Cover Letter;
- WPA Form 1;
- 24"x36" Project Plan Set "Issued for Permitting" dated March 22, 2021;
- 11"x17" copy of the Project Plan Set "Issued for Permitting" dated March 22, 2021;
- Abutters List within 100-feet of the property;
- Notification to Abutters Form; and
- Check for Advertising Fee of \$75 made payable to the Town of Fairhaven.

Existing Conditions

The proposed synthetic turf athletic field project is located within the footprint of the existing natural turf athletic field in the eastern portion of the Fairhaven High School property. The project area is bordered by Huttleston Ave to the south, Green Street to the East, a school parking lot and Larch Ave to the north, and an access drive and the school building to the west. The existing project area is comprised of a grassed field that is surrounded by fencing, 3-ft high decorative brick walls, bleachers, and a concession stand.

There are no existing wetlands or natural water features onsite. The Acushnet River is located approximately 950± feet west of the project area. Based on FEMA mapping, Floodplain Zone AE with Elevation 6 feet is associated with the river. The floodplain is located southeast of the school property at the corner of Huttleston Avenue and Green Street; this floodplain is located outside of the proposed project limits. The floodplain according to the FEMA Mapping and Elevation 6.0 per the existing conditions survey are shown on the project

▼



Ms. Whitney McClees

(2)

March 22, 2021

plans along with the 100-ft floodplain buffer.

Proposed Improvements

The proposed project includes replacement of the existing natural turf athletic field with synthetic turf, a new field drainage system, ADA accessible pedestrian walkways around the field, a 1,100 S.F.± restroom/storage building, replacement of existing field lighting, and other associated improvements. The limit of disturbance for the project is approximately 2.3 acres. Many of the existing site features are intended to remain, including the bleachers, concession stand, press box, and the decorative brick wall surrounding the field. The project will upgrade the existing athletic field and associated features but will not change the use. Grading revisions within the limit of disturbance are minor and designed to meet current athletic and accessibility slope requirements. Drainage features will utilize existing drainage lines located within public rights-of-way, and proposed features have been designed to provide no increase in drainage flows.

Resource Area Impacts

The project is not subject to the Wetlands Protection Act. The Town of Fairhaven Conservation Commission bylaw requires review of projects within 100-feet of FEMA delineated floodplains. While the entire property and limit of disturbance for the project are outside of the FEMA floodplain, the southeastern portion of the athletic field is located within 100-ft of Floodplain Zone AE. The project area within 100-ft of the floodplain is approximately 17,600± S.F. (0.4 acres) and is surrounded by an existing 3-ft± high decorative brick wall that will remain. The project is expected to have no impact on the floodplain.

The Notification to Abutters Form is simultaneously being mailed to the abutters with 100-ft of the property via certified mail and we will be providing proof of abutter notifications to the Town of Fairhaven Conservation Commission. Should you have any questions or require additional information in processing the application, please feel free to contact our office at (401) 334-4100.

Sincerely,

Lance Hill, P.E.
Managing Engineer

LH/JRR

Richard M. Bennett
Attorney at Law
156 Eighth Street
New Bedford, MA 02740

Office
774-836-6266

Email
bennett4business@gmail.com

April 5, 2021

Geoffrey A. Haworth, Chairman
Fairhaven Conservation Commission
40 Center Street
Fairhaven, MA 02719

FILED IN HAND

RE: Notice of Intent – CON 123094
Applicants: Lee Miguel and Elizett Miguel
Property: North Street/Cherry Street (Lot 15, Lot 43)

Dear Chairman Haworth:

I am writing on behalf of my client, Kathy Morin of 30 Cherry Street, Fairhaven, Massachusetts, to supplement my prior letters dated December 21, 2020, March 4, 2021 and March 15, 2021 which are already part of the commission's record in opposition to the above-referenced project.

Ms. Morin has requested that I reiterate her concern that the proposed fencing and associated use of the Cherry Street frontage to access the site is a pretext to the applicant's imminent plans for the parcel. Further, there is no doubt that the proposed location of the dumpster on Cherry Street will create a public safety hazard and nuisance. Although a jurisdiction issue is noted, the commission should urge the applicants to locate the dumpster on their North Street property.

At this juncture, I am requesting that the commission genuinely consider the negative aesthetic impact that this expansive fencing project will have on the natural and undeveloped environs in the immediate area. Unlike the Wetlands Protection Act, G.L. Chapter 131, Section 40 and 310 CMR 10.00, the Fairhaven Wetlands Bylaw expressly identifies "aesthetics" as a protected wetland value. In my letter dated December 18, 2020, I referenced aesthetics and noted Ms. Morin's position that the proposed fencing would not only present an adverse impact and negative visual consequence upon all abutters but also result in the daily accumulation of trash, liter and other washed up waste along the entire fence line.

Massachusetts case law has established that a local board may properly base a permit decision on aesthetic concerns in instances where "aesthetics" is recognized as a protected value. Furthermore, aesthetic impacts such as blight on the landscape, unsightly surroundings and visual pollution have often been found to be a detriment to the general welfare of a neighborhood.

April 5, 2021
Re: Miguel Project
Page 2 of 2 Pages

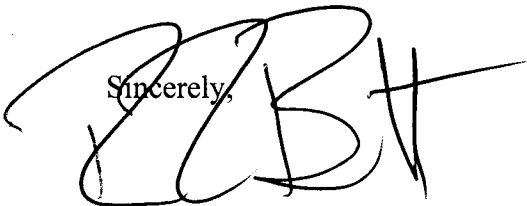
I have attached for your review copies of photographs recently taken in Ms. Morin's backyard using a six foot section of fence. These pictures demonstrate that the fencing will have a significant adverse impact on light, breezes, views, scenic vistas and other natural facets of waterfront living currently enjoyed by all abutters in the Poverty Point neighborhood and the public in general. Furthermore, these concerns are not speculative in nature or a matter of personal opinion, but evidence of actual aggrievement.

Please be advised that this letter should not be construed as a waiver of any of the objections raised on behalf of Ms. Morin in my prior submissions. To the contrary, Ms. Morin continues to oppose the project based on all the grounds previously expressed.

I trust that this letter will be included in the public record at the Conservation Commission hearing scheduled for Monday, April 12, 2021.

Thank you for your attention to this matter and please do not hesitate to contact me should you have any questions or concerns.

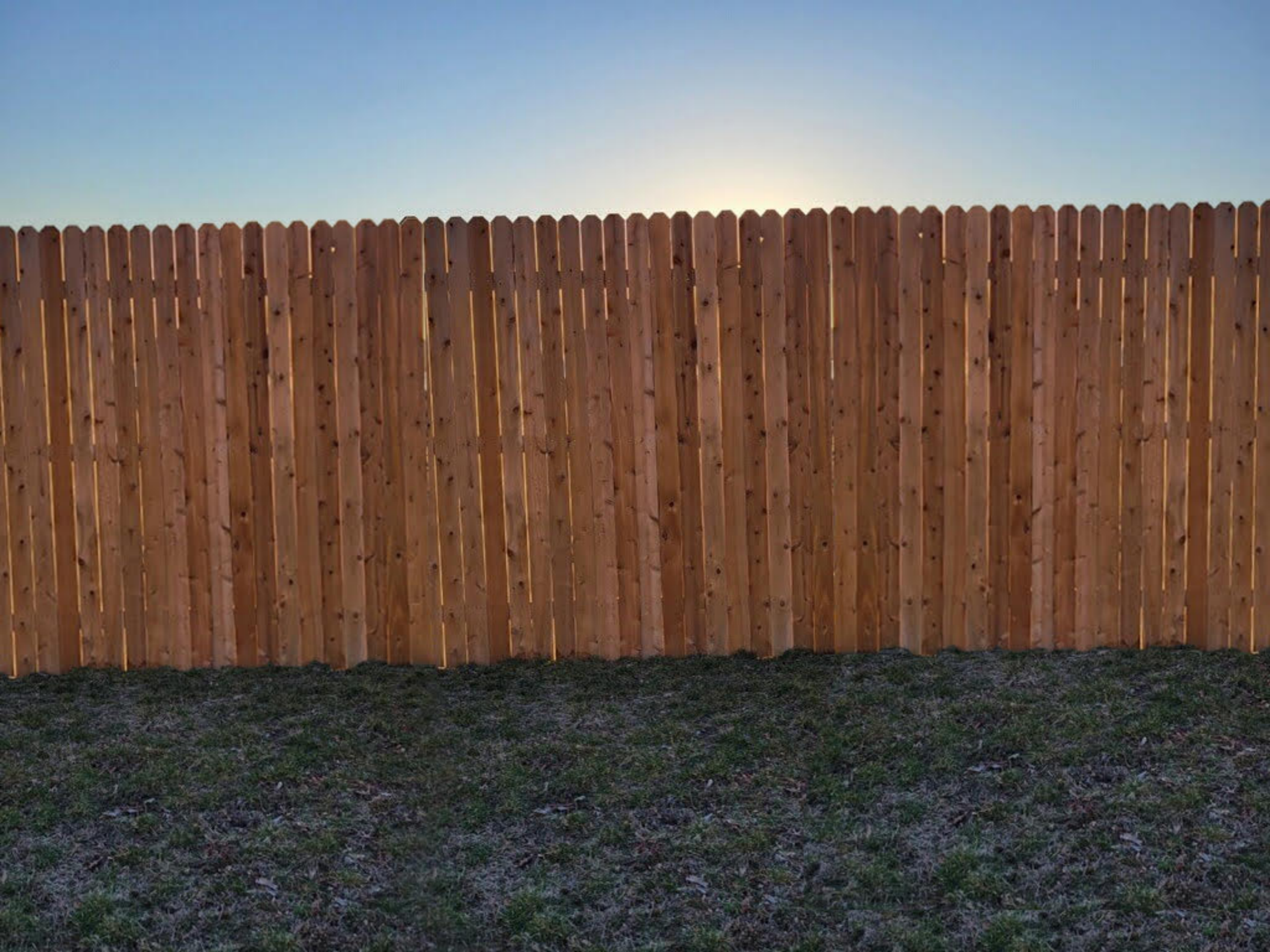
Sincerely,

A handwritten signature in black ink, appearing to read 'RMB', with a long horizontal stroke extending to the right.

Richard M. Bennett
RMB/ld

Attachments

cc: Thomas Crotty, Town Counsel
Richard J. Manning, Jr., Esq.
Gregory Koldys, Esq.
Kathy Morin











The Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114

p: (617) 626-1520 | f: (617) 626-1509

www.mass.gov/marinefisheries



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

March 3, 2021

Fairhaven Conservation Commission
Town Hall
40 Center Street
Fairhaven, MA 02719

Dear Commissioners:

The Division of Marine Fisheries (MA DMF) has reviewed the Notice of Intent (NOI) by The Delano Irrevocable Trust, 10 Nelson Avenue, to repair and to reconstruct two concrete groins and splash pad on Buzzards Bay in the Town of Fairhaven, with respect to potential impacts to marine fisheries resources and habitat.

The project site lies adjacent to mapped shellfish habitat for soft shell clam (*Mya arenaria*) and quahog (*Mercenaria mercenaria*). Subtidal waters within the project site have habitat characteristics suitable for these species. Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries.

The area abutting the two groins has been mapped by DEP as eelgrass (*Zostera marina*) habitat. Eelgrass beds provide one of the most productive habitats for numerous marine species [1,2] and are designated "special aquatic sites" under the Federal Clean Water Act 404(b) (1) guidelines. Every effort should be made to avoid impacts to eelgrass.

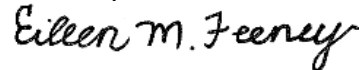
MA DMF offers the following comments for your consideration:

- No narrative was submitted with the NOI. How will the two groins be repaired/reconstructed? Will there be concrete forms in the water to contain the concrete? Will the work be conducted behind cofferdams in the dry? Will a barge be used to transport materials? No side profile of the two groins was included. Will the elevation of the groins be higher than the original groins? Is there any seaward encroachment of either groin?
- If this project moves forward, MA DMF recommends the following:
 - The plan should include a side profile of the proposed groin repairs showing the existing elevation and proposed elevation.
 - The groins shall be reconstructed within the same footprint as the licensed groins.

- If a barge is used to transport equipment or materials, the barge shall not anchor in offshore eelgrass beds.
- Appropriate containment techniques should be used to prevent construction debris from entering the marine environment during construction.
- Work shall be performed as close to the groins as much as practicable and during low water conditions to reduce impacts to rocky intertidal habitat.

Questions regarding this review may be directed to eileen.feeney@mass.gov.

Sincerely,



Eileen M. Feeney
Fisheries Habitat Specialist

cc: Steven Gioiosa, Civil & Environmental Consultants, Inc.
Timothy Cox, Shellfish Constable
Christine Jacek, ACOE
Robert Boeri, CZM
Holly Williams, MA DMF
Tom Shields, MA DMF

EF

References

1. Heck KL, Jr., Carruthers TJB, Duarte CM, Hughes AR, Kendrick G, et al. (2008) Trophic transfers from seagrass meadows subsidize diverse marine and terrestrial consumers. *Ecosystems* 11: 1198-1210.
2. Jackson EL, Rowden AA, Attrill MJ, Bossey SJ, Jones MB (2001) The importance of seagrass beds as a habitat for fishery species. *Oceanography and Marine Biology: an Annual Review* 39: 269-303.



Whitney McClees <wmcclees@fairhaven-ma.gov>

MassDEP NOI File Number

SERO_NOI@massmail.state.ma.us <SERO_NOI@massmail.state.ma.us>
To: sgioiosa@cecinc.com, cally.harper@mass.gov
Cc: sero_noi@state.ma.us, wmcclees@fairhaven-ma.gov

Thu, Mar 4, 2021 at 2:39 PM

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
[20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347](#) 508-946-2700

Date: 03/04/2021

Municipality FAIRHAVEN

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

| | | |
|------------------|---|--------------------------|
| Applicant | DELANO IRREVOCABLE TRUST (THE) | Owner Address |
| Address | 10 NELSON AVENUE, FAIRHAVEN MA | |
| Locus | 10 NELSON AVENUE , FAIRHAVEN MA | |

This project has been assigned the following file # : **SE 023-1344**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

Work is proposed in a Coastal Beach Resource Area. The Performance Standards in 310 CMR 10.27 Coastal Beaches should be addressed. If the volume of the stones to be repositioned below MHW is greater than 100 cubic yards then an individual 401 would be required since that action would be considered dredging. If that volume is less than 100 yards then the Order serves as the 401 Water Quality Certification.

ADDITIONAL REQUIREMENTS:

Chapter 91 license may be required. Application and transmittal form are available on the MassDEP website <http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. If necessary, contact MassDEP Waterways Program at 617-292-5929 for direct mailing or provide information why license is not required.

401 Water Quality Certification (314 CMR 9.00) may be required. The project qualifies for 401 Certification under the Army Corps of Engineers' General Permit for Massachusetts (MAGP), provided that the project meets certain conditions outlined in 314 CMR 9.03 and 9.04, and the conditions under MAGP. The MAGP and Stream Crossing Guidelines are available on the web at <http://www.nae.usace.army.mil/Missions/Regulatory/StateGeneralPermits/MassachusettsGeneralPermit.aspx>. Select either "Massachusetts General Permit" or "Massachusetts River and Stream Crossing Standards" from the left side menu.

Regards,
for MassDEP,

(508)-946-2815
Cally.Harper@mass.gov



Michael J. Koska & Associates, Inc.
Registered Professional Engineers & Land Surveyors
98 Broad Street
Bridgewater, MA 02324
(508) 697-7400
m.koska.associates@gmail.com

April 2, 2021

Town of Fairhaven
Conservation Commission
40 Center Street
Fairhaven, MA 02719

Re: SE 023-1347
1 Boulder Court

Dear Commission Members,

Please find attached a revised plan for the above referenced project. The revisions reflect the items listed in an email from the commissions agent on March 30, 2021 as a result of an on-site meeting.

- 1.-The botanist will be meeting with the agent on April 7, 2021 to review the wetland delineation.
- 2.-The proposed will be comprised of a pervious surface, in this instance blue stone, this has been called out on the plan.
- 3.-The entire site is located within a VE zone with an elevation of 15.0. The limits of the Flood zone have been added to the plan
- 4.-The grading has been adjusted to meet the 2-foot minimum fill requirements set by FEMA. The proposed slab (garage area) will be set at elevation 11.0. Due to the site being lower than the existing roadway, a retaining wall will be placed along the front of the dwelling to prevent stormwater runoff from running under the dwelling and into the proposed garage area.
- 5.-The lowest horizontal structural member will be set at elevation 19.5. A cross section detail of the dwelling has been added to the plan depicting the proposed elevation of the structure.
- 6.-The total area of the 25-foot buffer zone is 7,707 square feet. The proposed total disturbance of the buffer will be 1,192 square feet or 15.4%.
- 7.-The total area of vegetation that will be disturbed is 4,194 square feet.
- 8.-The closest area of disturbance to the wetlands will be 3 feet near the end of the proposed driveway. The site contains a limited buildable area which will allow for conformance to the zoning setback requirements and that allows for the dwelling to remain outside of the 25 foot buffer zone. Side access to the garage area located beneath the dwelling provides for easiest access due to site sloping and preventing stormwater from entering the garage area.
- 9.-See Number 8.
- 10.-The applicants will address this issue with commission at the hearing.

Please do not hesitate to contact the office with any questions, thank you.

29 James Street





Whitney McClees <wmcclees@fairhaven-ma.gov>

Re: Conservation Information-- 29 James Street

Carrie Koczera [REDACTED]
To: Whitney McClees <wmcclees@fairhaven-ma.gov>
Cc: My Mike [REDACTED]

Wed, Mar 24, 2021 at 6:03 PM

Good Afternoon Whitney,

It was a pleasure speaking with you today. I am so glad I called.

My family moved into 29 James Street on 12/29/2021. When we bought the home, nothing was ever mentioned to us about wetlands. We knew we were in a flood zone but we were under the impression those were 2 different things. The neighbors we spoke to only mentioned that the water never came close to our house in a flood and showed us our property line markers. I would have thought the previous owner or our real estate agent would have informed us if there were wetlands, but that was not the case. Any notices the town sent went to the old owner and we never received anything, which was the reason for my original call today. I am friends with the previous owner on Facebook (I went to school with him). He messaged me that he received an abutters notice and thought I would want to know about it. I couldn't read it as it was a photo of the letter, so I called the Conservation Commission today to see what it was about.

That is how I found out all the work we were having done was in violation. We didn't realize work we were doing on our property needed approval. We are not building anything, and therefore didn't realize we needed permits for anything.

We did have a tree company out to remove branches near the electric wires at the street as well as a couple that were dangerously close to our home. Then we decided to have them clear the briar bushes and remove trees that had choke vines wrapped around them on the side of our house, so we could have a yard. There was nothing posted or on our purchase and sales about wetlands, so they didn't realize permission and a permit were required. We wanted to clean up the yard to install a fence and plant some flowers and trees much like the ones we had in our old home.

We are sincerely sorry and had no idea we were doing anything wrong until the conversation I had with you today. I called the tree company and asked them to cancel their final visit which was scheduled for this Saturday. There are bunch of branches and some cut logs that someone was going to come pick up for a wood heating system they have. They wanted to come by on Saturday. Would it be ok if they still came and got that, or should we have it stay where it is until things are settled? I don't want any impression we are doing any more work out there until this matter is completely rectified.

Once all the dead trees, overgrowth and trees wrapped in choke vines were removed, we realized there was a bunch of garbage mixed in and buried there as well. We removed a few bags of trash such as bottles, cans and wrappers, some piece of equipment from the telephone pole, a large length of gutter, 2 rolls of metal fencing all rotted and half buried and old tires. I am including a picture of one day of cleaning the garbage (this was 1 part of the first roll of fencing, I took it before I finished as it was getting late and I had difficulty getting the buried part out). I didn't think to take pictures each time I cleaned more out, just the day I got started after this was being uncovered.



Our goal was to fence in the yard this year or next year, depending on the cost for the fencing. There are a lot of boulders, so I am not sure where a company could get the fence in and wanted an idea of how much this would cost.

Our ultimate goal was to fence in the yard, picket fence in the front and stockade type in the back and side, move all the large rocks to the front corner toward the phone pole area to put a natural fire pit or rock garden with a little walk way to it using stepping stones, plant a row of Rose of Sharon bushes at the property line between us and 1 Boulder Court, and at the James St side a flower bed with Rosemary, Aster, Poppies, Catnip, Lemon Mint and Brown Eyed Susan on the inside of the fence (I just started these seeds in my tabletop greenhouse a few days ago). On the outside of the fence on the James Street side I wanted to plant some Hydrangea Bushes and some Dishpan Hibiscus. I know these attract hummingbirds, bumble bees and butterflies as I had them at my old house and were hoping to attract them here as well. I also brought with me my lavender plants in large pots to plant once I find a good spot for them. I have 4 of them. Lastly, we wanted to plant a Japanese Cherry Blossom Tree somewhere in the yard but away from the street and phone pole and possibly a peach or apple tree if there is a good spot. We expected it to take about 3-4 years total to get all of the flowers and trees planted and established where we wanted them. I by no means have a green thumb but like to try and see what takes and what doesn't. I have a friend who owns a greenhouse that I look to for tips and guidance. If there are any flowers, bushes, trees or special types of grass that the town would like added, I would be happy to plant them as well and try to grow them. I wanted to plant things to attract the animals and that could feed and provide shelter for them.

We enjoy nature and have been advocates for the animals. We have volunteered at the animal shelters CARE and LIGHTHOUSE and our family has also volunteered at Buttonwood Park Zoo for years.

The last bit of work the tree company I hired had left to do was as follows:

- move some boulders to one spot — for a natural fire pit or rock garden
- remove most of the stumps from the trees cut (i wanted to leave 4 or 5 to put little houses on them for animals (a couple of cool wooden bird houses and a dog house sized one)— there are stray cats I have seen that I wanted to have a shelter
- finish leveling the dirt — the tree company I hired has been vigilant to keep the soil that was here and have been sifting it with the bob cat and using it to fill in any dips
- bring in a few yards of loam to fill in any remaining dips and to make the yard level - which they figured would be anywhere from 5-10 yards of loam
- remove a small amount more of brush at the street going to Boulder Court (between the tree line of healthy trees we wanted to keep and the giant boulders), just so there is a straight line for a fence to be able to be installed — if we will be allowed to install it.

I apologize for our ignorance with our property and we will be sure to check with the town in the future, if anything should come up that we would like to do.

If there is anything else i can provide you with, please let me know. We want to make this right. I lived in Fairhaven most of my life and love this town. I don't want to come back on the wrong foot. It's a beautiful town that we just wanted to do our part and make our little yard just as beautiful.

Spring Blessings to you,

Carrie & Michael Butler
29 James St
Fairhaven, Ma 02719

On Mar 24, 2021, at 3:25 PM, Whitney McClees <wmcclees@fairhaven-ma.gov> wrote:

Hi Carrie,

I've attached a few documents (outlined below) and have included some information on native plantings. You can also find information on our website here: <https://www.fairhaven-ma.gov/conservation-commission>

Attachments

- violation letter dated March 12, 2021
- 1 Boulder Court abutter notification letter
- Living with Wetlands brochure

- Request for Determination of Applicability (RDA) application packet (for fence and possibly vegetation clearing after-the-fact)

The Office of Coastal Zone Management curates a list of native coastal landscaping plants for homeowner use: <https://www.mass.gov/service-details/coastal-landscaping-in-massachusetts-plant-list>

They do include a couple of non-native plants on the list, but the majority are native and the list is a good place to start in looking for different types of native plants.

You can also find more information at the following two links:

<https://www.mass.gov/files/documents/2016/08/wt/ssc6-landscaping.pdf>

<https://www.fairhaven-ma.gov/conservation-commission/pages/wildlife-friendly-garden-and-lawn-care-tips>

Let me know if you have any questions.

Best,
Whitney

Whitney McClees

Conservation Agent and Sustainability Coordinator

Town of Fairhaven

[40 Center Street](#)

[Fairhaven, MA 02719](#)

508-979-4022 ext. 128

she/her/hers

<[29 James Street_Violation Letter_2021-03-12.pdf](#)><1 Boulder Court Abutter Notification.pdf><Living with Wetlands Brochure.pdf><RDA Packet.pdf>