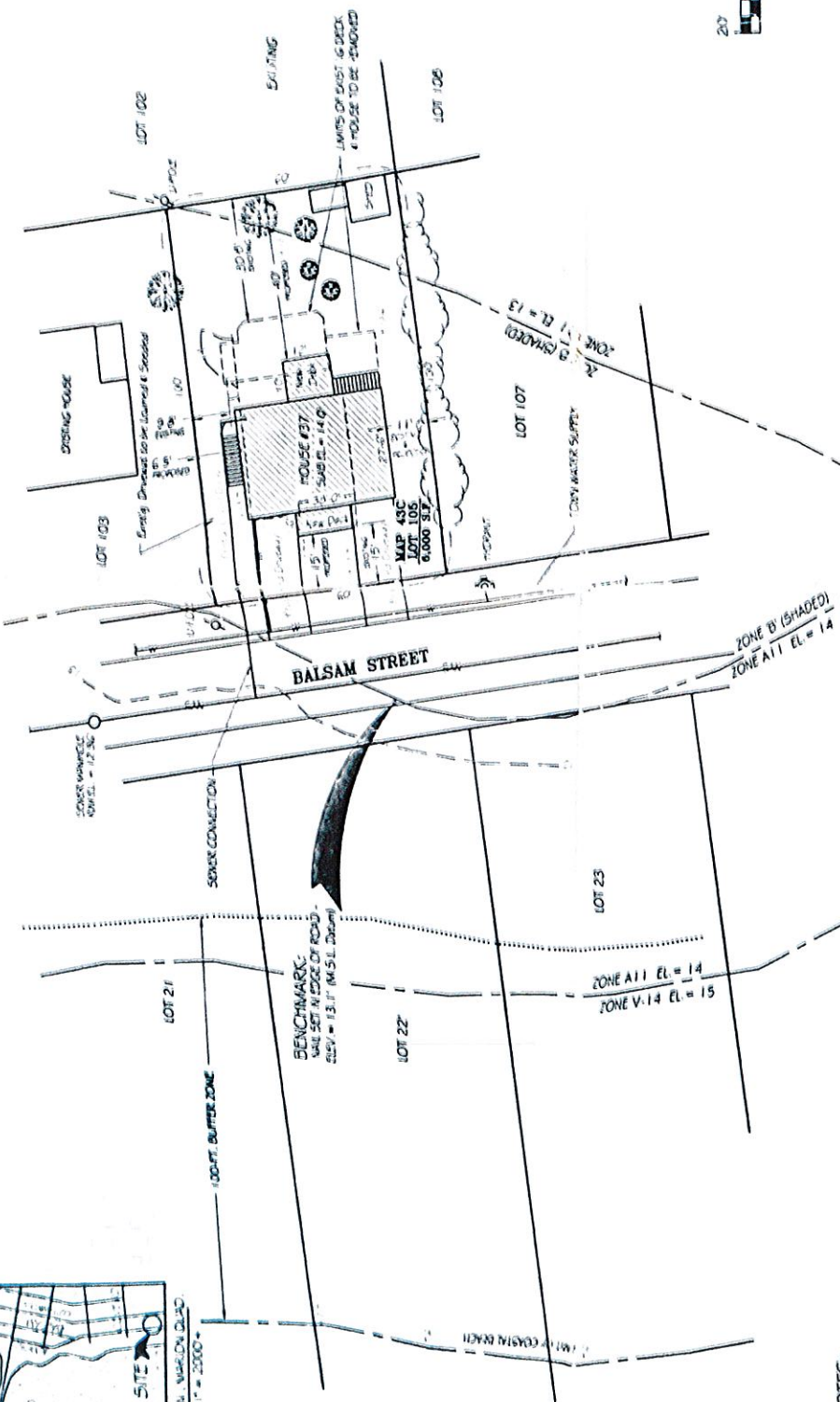




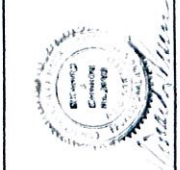
SITE PLAN
SCALE 1" = 2000'



NOTES:

- 1) THIS LOT IS SHOWN AS LOT 105 OF ASSESSORS MAP 43C.
- 2) THE DWELLING SHOWN HEREON LIES WITHIN ZONE B1. AN AREA OF UNUSUAL FLOOD HAZARD ZONE AS DELINEATED ON F.E.M.A. COMMUNITY PANEL NO. 250054-0003 & DATED JULY 2, 1992.
- 3) SETBACKS AS SHOWN FOR THE PROPOSED ADDITIONS REQUIRE A VARIANCE FROM THE FAIRHAVEN BOARD OF APPEALS.

- LEGEND:**
- 5' --- DISTING CONTOURS
 - 5' --- PROPOSED CONTOURS
 - 5' --- EDGE OF LOT/JOB
 - 5' --- LIMIT OF BUFFER ZONE
 - 5' --- LIMIT OF F.E.M.A. ZONE
 - 5' --- EXISTING HIGH WATER
 - 5' --- HIGH WIND WASTE, SPRINGS
 - 5' --- SPOT ELEVATIONS
 - 5' --- TEST THE LOCATION
 - 5' --- SEPTIC TANK
 - 5' --- TELEPHONE P.O. BOX



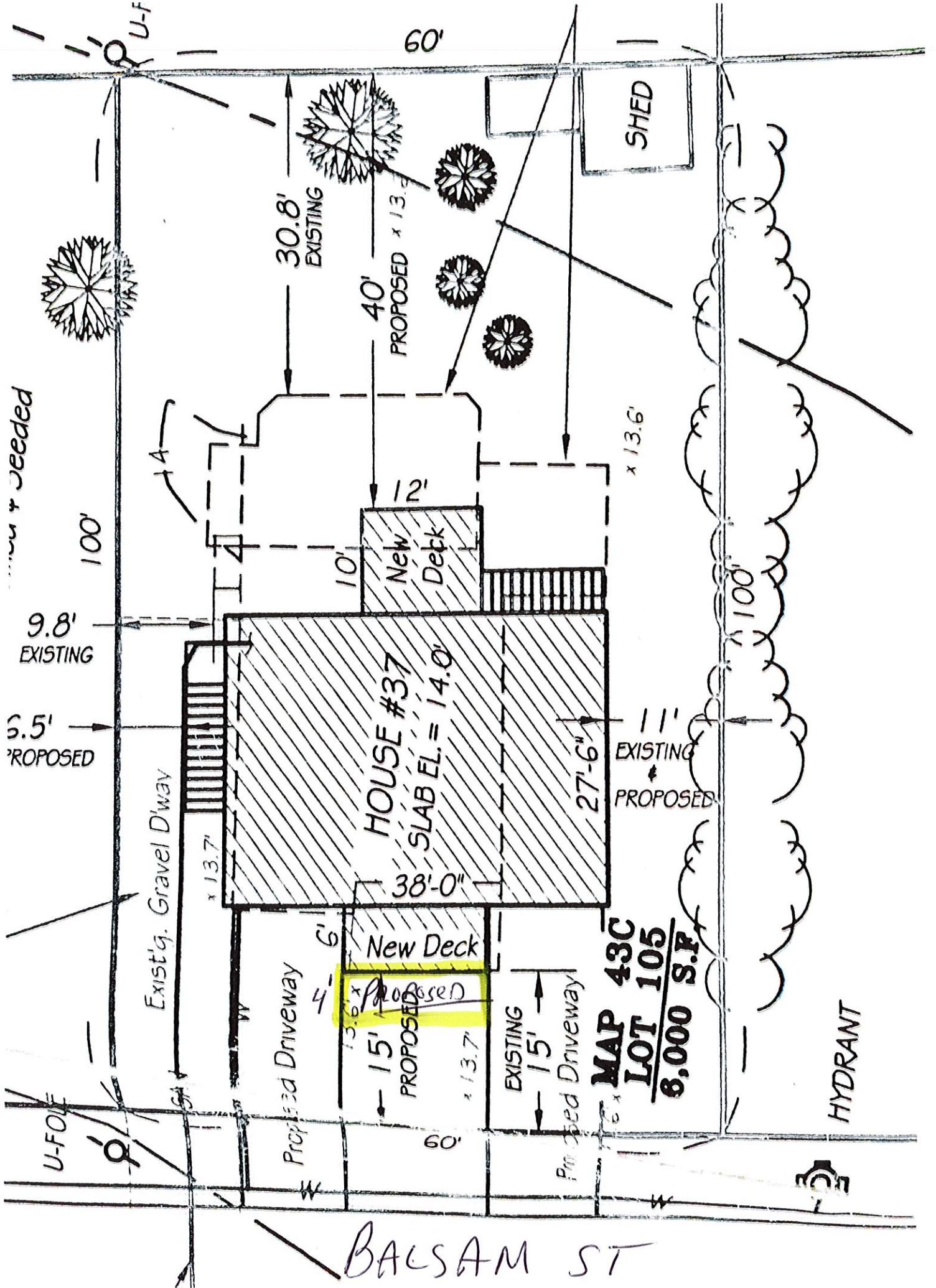
PLAN OF SITE AND PROPOSED ADDITION TO RESIDENCE PREPARED FOR THOMAS W. & DONNA KIRK 37 BALSAM STREET, WEST ISLAND FAIRHAVEN, MASS.

CAI
Charon Associates, Inc.
Consulting Engineers
123 Next Road - Rochester, MA 02770
Tel: 508-763-6362 Fax: 508-763-6362

SCALE: AS SHOWN
DATE: MARCH 26, 2004
REV: 1-1999, 1-6, 2000, 2001
REV. 2, JULY 28, 2004

DWG. NO. L-1

SITE PLAN
SCALE: 1" = 20 FT.



... & Seeded

100'
 9.8' EXISTING
 6.5' PROPOSED

Exist'g. Gravel D'way

x 13.7'

Proposed Driveway

4'-6"
 13.6' x 15' PROPOSED
 x 13.7'

EXISTING 15'
 Proposed Driveway

MAP 43C
 LOT 105
 6,000 S.F.

HYDRANT

BALSAM ST

30.8' EXISTING

40' PROPOSED x 13.7'

12'
 10'
 New Deck

HOUSE #37
 SLAB EL. = 14.0'

38'-0"

27'-6"
 11' EXISTING + PROPOSED

SHED

60'

x 13.6'

x 100'

60'



29 James Street – Mike and Carrie Butler

Here is a more detailed proposal for our yard based on suggestions from our site visit.

We would like to install a chain link fence in the back of the house closest to the wetlands. However, we would also like some privacy. Therefore, we would like to add a variety of flowering bushes as a natural privacy screen. The types we were thinking were as follows. (Some have changed as I started researching all the types after our conversation.) Rose of Sharon, Azaleas, Rhododendron, Peonies. Along with other native evergreens and berry bushes such as: male/female Holly bushes, blueberry, winterberry, juniper, sweet hips rose (depending on what is available). I can't say the exact number, but we want them to fill in with as little gaps between as possible, so they would be planted the distance a nursery would suggest. The average range would be somewhere between 5 and 25 feet apart give or take depending on the type and size of bush.

We would like to plant approximately 4 trees inside the yard and 3 outside the yard. Inside the yard we would like to have a few different types: Fruit, flower and leaf. Fruit being Apple, Peach or Pear. Flowering being Lilac Tree, Wisteria, Dogwood, Cherry Blossom, Hydrangea Tree or Magnolia. Leaf being Tupelo, Maple or Oak.

We are requesting 4 inside as some of these can get quite large and we want them to have room to grow and allow the ground to get sunlight to keep the soil dry and the roots strong.

After speaking with Don on site, he mentioned possibly planting some trees outside the yard. We really liked that idea too. We checked the Eversource list of trees and found these 3 to stay under 20' and would give a little beauty to the neighborhood. We would like to plant 3 of the same type of one of the following: White Fringe Tree, Blackhawk Viburnum or Hydrangea Tree (I never knew this existed but the pictures online are beautiful). Along with some Dish-plate Hibiscus bushes outside the fence along James Street.

The tree and brush line on Boulder Court we didn't touch and intended to keep, as there are some bird/squirrel nests in those trees and they would provide a privacy screen on that side. We would want to plant some pollenating wild flowers on the inside of that fence on that side.

We would be keeping approximately 4 stumps to put little houses for the animals on top of and would be removing all the other stumps (approximately 12 – we did not have any removed at all yet).

The work left to be done by the tree company we hired is as follows: removing the stumps, taking all the large rocks and boulders and putting them in a rock garden style pile, removing the cut brush and branches, and finish leveling the yard (which up to now has been with the soil that is already here). They may need to bring in some screened loam to finish leveling the yard a bit. We were told it wouldn't take much more than a few yards.

At that point we would start fertilizing and getting the ground ready to plant.

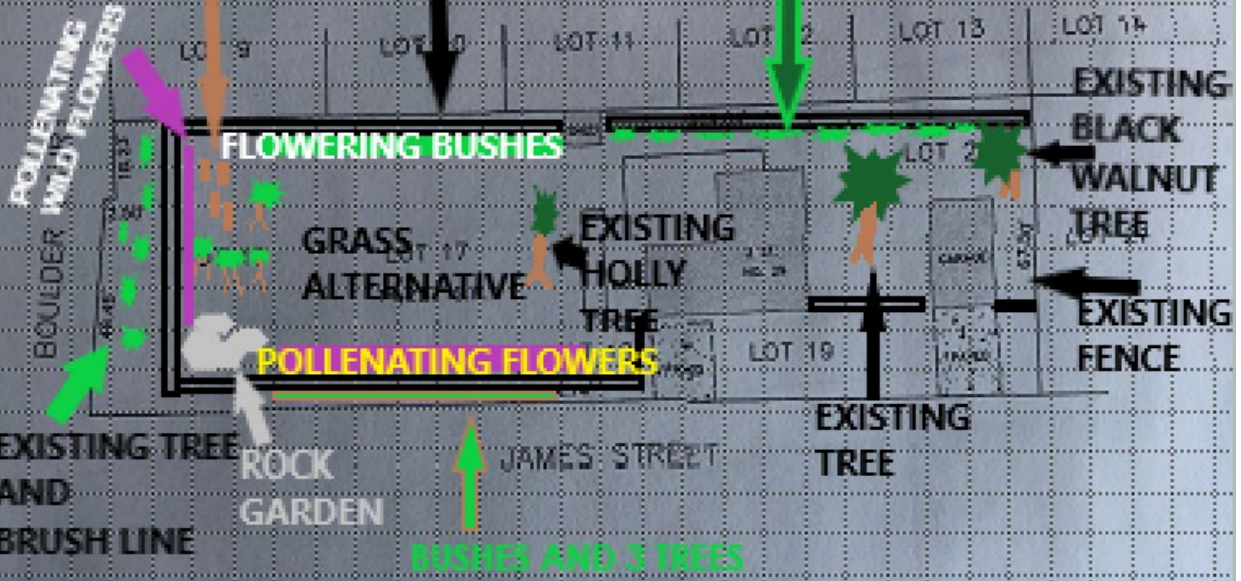
I had no idea about grass alternatives but once I started researched them, I noticed I have seen them all my life. We would like to use one or a combination of all three of the following: Micro clover, White Dutch clover and Red Clover.

We would like to start the grass and trees as early as possible. The bushes and flowers we would like to add in over the next few years. We feel it makes sense to have the fence in place first to be sure we are the right distance for the flower beds and bushes.

NATIVE BUSHES SUCH AS MALE/FEMALE HOLLY, BLUEBERRY, WINTER BERRY, SWEET HIPS, ROSE, JUNIPER

LEAVING ABOUT 4 STUMPS TO PUT LITTLE ANIMAL HOUSES ON

Fence



Request for Determination of Applicability

7 Mill Road – Deck Construction

Project Description – April 2, 2021

In 2006, we planned an addition on the east side of the existing house. Part of the plan was a deck adjacent to the addition with stairs to the yard. We obtained the wetland plan and Conservation Commission approval for the project.

The addition replaced an old cinder block garage and concrete pad in the back of our yard (Map 30, lot 51). The garage and pad have been demolished at the time we built the addition. The deck would have taken the place of the old garage. In its place, there is currently a lawn.

The addition was built, but we did not add the deck. Partially, because the structural insulated panel (SIP) construction does not lend itself well for an attached deck, we decided to have new plans drawn for a free-standing deck. The updated deck design places the deck at the location of the initially approved deck.

The deck is a post and beam construction about 8ft tall to allow level walk-out from the 1st floor of the house through the existing sliding door. The new plans add a 2nd set of stairs for more versatile access to the yard.

The surface below the deck will be covered with crushed stone or gravel.

All excavation work for the footings will be performed by hand without any heavy machinery to minimize adverse impact on the surrounding yard. Straw waddles will secure the area against run-off.

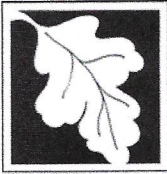
Access to the construction area is via the existing paved driveway.

Materials can be stored at the bottom of the paved driveway.

The deck location is about 4' inside the 100' Rivers Act Riparian Buffer Line, as shown on the wetland plan. Our yard – continuing from lot 51 into lot 29A – is mainly lawn, stretching almost to the riverbank of the Nasketucket River. The property has been pre-existing in this layout at the purchase time of the house in August 2001.

Thank you very much for your consideration.

Holger Dippel

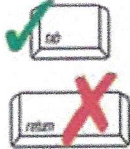


WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant: max04422@gmail.com
 Paul Federico

 Name E-Mail Address
 100 King Rd,

 Mailing Address MA 02184
 Braintree

 State Zip Code
 City/Town 617-590 1562

 Phone Number Fax Number (if applicable)

2. Representative (if any):

 Firm

 Contact Name E-Mail Address

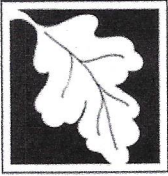
 Mailing Address

 City/Town State Zip Code

 Phone Number Fax Number (if applicable)

B. Determinations

1. I request the Fairhaven make the following determination(s). Check any that apply:
 Conservation Commission
- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
 - b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
 - c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
 - d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:
Town of Fairhaven
 Name of Municipality
 - e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).
- _____



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):

10 Littleneck Rd, Fairhaven, MA

Street Address map-43A

City/Town 086

Assessors Map/Plat Number

Parcel/Lot Number

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

As indicated in the attached drawing package

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

FEMA Flood Zone AE14 indicated on attached survey plan

Title

Date

Title

Date

Title

Date

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

. Add 128 sqft to existing house aligning with existing balsam street elevation

. Add a deck on rear side of existing structure

.Extent of new work indicated on p.k. design studio drawings

. New structural piers indicated on Structural Foundation Plan S100



3 Main Street Lakeville, MA 02347
(508) 947-4208 - www.zcellc.com

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

April 1, 2021

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

RE: Narrative regarding Notice of Intent Filing
33 Whisper Lane - Fairhaven

Dear Chairperson and members of the Commission,

On behalf of the homeowners, Scott and Patricia Nickerson, enclosed please find two (2) copies of the Notice of Intent as well as two (2) full-sized sets of the plans regarding the above-referenced filing.

There are no wetlands located on the property, however, there is a wetland located off-site which was approximated by visual survey by Stephen Chmiel of Hydric Solutions in March 2021. The site is not currently located within an Area of Critical Environmental Concern (ACEC) or within an Outstanding Resource Water (ORW). The site is also not located within a NHESP per the August 2017 maps but is located with FEMA flood zone VE-19 as shown on the attached FIRMette.

The applicant proposes to upgrade the existing failed septic system located at the northeast corner of the property near Whisper Lane. The total amount of disturbance of the construction, including but not limited to grading, landscaping and construction of the septic system is approximately 7,150 sf. The majority of the work is proposed outside of the 100' buffer zone to the off-site bordering vegetated wetland with the only portion of work within the buffer being tying in the existing septic pipe from out of the house to into the new septic tank. The proposed work will be approximately 80' from the off-site bordering vegetated wetland at its closest point. The proposed work does fall completely within the FEMA flood zone VE-19. The proposed work is entirely in previously landscaped/grassed areas (no trees or vegetation are proposed to be removed as part of this filing) and will be loamed and seed after construction to ensure proper stabilization. Also, an erosion control barrier has been proposed to mitigate the amount of sediment that will enter the buffer zones. A de-watering detail and location has also been noted on the plan set if groundwater is encountered during construction. Lastly a temporary soil stockpile area has been shown on the plan outside of the 100' buffer.

It is our opinion that the work complies with the performance standards of the Wetlands Protection Act and that the upgrade of the failing septic system to a new compliant Title 5 septic system will be an improvement to the environment as well as the neighborhood.

Should you have any questions regarding this filing, please do not hesitate to contact the office at 508-947-4208 or email nyles@zcellc.com.

Sincerely,
Zenith Consulting Engineers, LLC

A handwritten signature in blue ink, appearing to read 'Nyles Zager', is written over a horizontal line.

Nyles Zager, PE
Manager/Owner

Cc: Scott and Patricia Nickerson, Owner



Engineers | Scientists | Planners

PARECORP.COM



April 20, 2021

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

Re: **Response to Comments from Conservation Commission Meeting
for a Request for Determination of Applicability (RDA) Application
Fairhaven High School Synthetic Turf Athletic Field
12 Huttleston Avenue
Fairhaven, Massachusetts
(Pare Project No. 20211.00)**

Dear Ms. McClees:

On behalf of Fairhaven Public Schools and the Town of Fairhaven, Pare Corporation and Traverse Landscape Architects presented the proposed Fairhaven High School Synthetic Turf Project at the Fairhaven Conservation Commission (the Commission) public meeting that was held on April 12, 2021 for a Request for Determination of Applicability (RDA) application due to a portion of the project being located within 100-ft of Floodplain Zone AE. The project was continued at the meeting until April 26, 2021.

During the April 12, 2021 public meeting, one Commission Member referenced potential changes on the plans. We are unsure of what plans the Commission member was speaking of. The plans that have been presented to the Commission are the current plans.

Pare followed up after the meeting for clarification on the information being requested by the Commission and provided a preliminary response to questions via e-mail on April 15, 2021. A meeting was held with the Conservation Agent, Pare, and Traverse on April 16, 2021 to discuss the information being requested, data used for the flood and drainage analysis, known issues with the existing drainage infrastructure in the area of the project, and the specific flood concerns expressed by the Commission.

A meeting was also held with the Director of Planning and Economic Development, Fairhaven Public Schools, Pare, and Traverse on April 15, 2021 to clarify the Planning Board's jurisdiction on the project. The Director stated they will be providing the Commission with a letter summarizing the Planning Board's role.

This cover letter is being provided as a formal response to stormwater and flood questions raised by the Commission. Please find enclosed the following:





Ms. Whitney McClees

(2)

April 20, 2021

- Project Narrative with Stormwater Management information included within this Cover Letter;
- Attachment A: FEMA Flood Mapping (FIRMette)
- Attachment B: NOAA Atlas-14 Rainfall Data
- Attachment C: XBT1 Existing Hydrology Plan and XBT2 Proposed Hydrology Plan;
- Attachment D: Hydrologic Calculations - Existing and Proposed Conditions;
- Attachment E: Hydraulic Pipe-Sizing Calculations;
- Attachment F: Groundwater Recharge Calculations;
- Attachment G: Fairhaven MVP Program's Summary of Findings for Reference.

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 plans along with the 100-ft floodplain buffer.

The existing field has poor drainage that often makes it unplayable for days after rain events. Years of playing and overuse on the athletic field have compacted the existing soils and it is expected that the existing field surface has very little infiltration. The current natural turf field was designed in 1994 with drywells to help promote infiltration for stormwater management, but observations in the field indicate that those drywells have exceeded their life expectancy and are no longer infiltrating. The drywells are equipped with drain pipes that convey stormwater runoff that cannot be infiltrated to the existing 60" culvert that runs parallel to Huttleston Avenue.

The soils within the athletic field are mapped by the USDA Natural Resources Conservation Service (NRCS) as Urban Land with no associated hydrologic soil group (HSG). Four test pits were conducted within the limit of disturbance on January 20, 2021 by a Massachusetts Certified Soil Evaluator at Pare Corporation. In summary, a fill layer of approximately 4 - 5 feet deep comprised of silty material and debris was encountered in all four test pits. Native soil material was observed underneath the fill layer and is comprised of well-draining sands and loamy sands. Therefore, the existing soils were modeled conservatively for the project as "HSG B." Estimated seasonal high groundwater (ESHGW) is approximated to be near the top of the native soil layer.



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. The drainage system for the proposed field has been designed to improve water quality and reduce peak flows and runoff volumes with no adverse impacts to regulated flood zones. A notable benefit of a synthetic turf athletic field for the surrounding resource areas is that they do not require the fertilizers or herbicides that are used to treat a natural turf field. The Acushnet River is the receiving water for discharges from the athletic field, and the TMDL report indicates that the river is impaired for nutrients, so elimination of fertilizers and herbicides in the contributing watershed will help improve water quality.

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 (elevation 6.0). 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.

Stormwater Management Design

Overview and Methodology

The stormwater management system is designed in accordance with the 2008 Massachusetts Department of Environmental Protection (MADEP) Stormwater Handbook and the local Town of Fairhaven bylaws, Chapter 194 Stormwater Management. Subsequent mention of “Standards” included herein are referencing the minimum standards included in the MADEP Stormwater Handbook.

The drainage system for the athletic field was modelled in HydroCAD-10.10-3a which was publicly released on February 10, 2020. The precipitation data used to analyze the drainage system is from the latest NOAA Atlas 14 Precipitation Frequency Atlas of the United States: Northeast States, and the



specific data used is for Bristol County, Massachusetts. The rainfall depths used for the various storms analyzed can be viewed in the tables below and in the attachments.

HydroCAD uses the TR-55 methodology to calculate runoff and TR-20 methodology for storm routing through pipes and detention facilities. Modeling for the routing of hydrograph outfalls to determine the peak flows at each storm event utilizes TR-20, SCS Type III 24-hour storm methodology. Site hydrology was evaluated for the 2-, 10-, 25-, and 100-year storms in accordance with the MA DEP Stormwater Handbook. Existing and Proposed Watershed Maps indicating the subwatersheds and associated stormwater flow paths are included in the attachments.

The hydraulic design calculations were completed using the Rational Method to calculate the accumulated flows to each structure. The stormwater conveyance system was designed using Manning's Equation. The stormwater conveyance system was designed to handle the runoff generated by a 25-year design storm. Pipe sizing calculations are included in the attachments.

Synthetic turf fields function very similarly to porous pavement in terms of stormwater management and treatment. Stormwater runoff directed to the synthetic turf field is filtered by the synthetic turf backing and the stone base layers beneath the synthetic turf prior to discharging to the perimeter manifold system. The synthetic turf system is expected to provide a decrease in pollutant loading compared to the existing natural turf field. The Fairhaven Bylaws Chapter 198 defines the water quality depth as the "first flush" or the first 1.25 inches of flow. Because the synthetic turf and stone base layers filter out any sediments the first flush will be fully treated as it seeps through the turf. The existing natural turf field was modelled as grass with a curve number (CN) value of 74 while the synthetic turf for the hydrologic model was designated a conservative CN value of 98. This conservative approach is a similar approach to the modeling procedures of porous pavement published by the UNH Stormwater Center.

Flood Data

The historic flooding data analyzed for the project is the information presented by FEMA and their flood mapping. The area of the field is denoted on the FEMA flood maps as being in an area that is protected from storm events larger than the 100-year storm by a levee system. The information utilizes FEMA Panel 0394G, dated June 2014. The FEMA FIRMette displaying the information is included in the attachments. Additionally, the Fairhaven MVP Program was reviewed and the Summary of Findings (Section 4) is included in the attachments for reference. The photos in the findings are from 2019 and are indicative of a significant flood event on Huttleston Avenue which is at approximately elevation 6.0' in this location (which matches the available FEMA flood information). The lowest elevation on the proposed synthetic turf field is elevation 8.5', which is 2.5' higher than elevation 6.0' for FEMA flood elevation.



Proposed Drainage Design

The proposed synthetic turf field is a pervious surface equipped with flat drains laid in a herringbone pattern across the field. The flat drains connect to a perforated perimeter manifold drain pipe set in crushed stone which is routed to two outlet control structures. The outlet control structures will tie-into existing drainage lines located within public rights-of-way.

The primary outlet control structure (OCS-1) connects to the existing drainage system on the school property which discharges to the existing 60” drain culvert that runs parallel through the southern portion of the athletic field. All storms modeled up to the 100-year storm event will discharge through OCS-1 and into the existing 60” culvert. The secondary outlet control structure (OCS-2) is a “back-up” outlet control structure with a weir set at the 100-year storm event elevation and connects to the drainage system in Green Street. No flows are expected to discharge to the Green Street drain system under normal circumstances. In a catastrophic event or if there is a clog in the primary drainage outlet from the field, the secondary outlet will allow the field to drain. Both outlet pipes from OCS-1 and OCS-2 are equipped with backflow preventers to block water from the drain mains from entering the field drainage system if there is a backup.

Per Minimum Standard 2: Peak Rate Attenuation, the post-development peak discharge rates for the project do not exceed the pre-development discharge rates. The pre- and post- development discharge rates can be viewed in Table 1 below.

Table 1: Peak Stormwater Runoff Flow Rate (CFS)

Design Point	2-Year Event 3.30”	10-Year Event 4.88”	25-Year Event 6.10”	100-year Event 8.56”
DP-1 Existing	1.89	4.08	5.92	9.82
DP-1 Proposed	1.89	3.95	4.83	6.31
Change	-0.00	-0.13	-1.09	-3.51

Per local bylaw Chapter 194 Stormwater Management, the runoff volumes were also calculated. It shall be noted that the bylaws state that no increase in peak volumes are allowed for up to the 10-year design storm, but with the improved drainage system within the athletic field footprint which will control flows and a provide infiltration, the project actually achieves a reduction in stormwater volume discharges from all storm events analyzed. The results are in Table 2 below.

Table 2: Volume of Runoff (cubic feet, c.f.)

Design Point	2-Year Event 3.30”	10-Year Event 4.88”	25-Year Event 6.10”	100-year Event 8.56”
DP-1 Existing	9,058	18,616	26,823	44,547
DP-1 Proposed	8,332	15,894	22,531	37,313
Change	-726	-2,722	-4,292	-7,234



Ms. Whitney McClees

(6)

April 20, 2021

The new restroom/storage building and walkways will increase impervious area within the limit of disturbance by 11,158 S.F. Per Minimum Standard 3: Recharge, with a target depth factor of 0.35” for HSG B soils, the required recharge volume was calculated to be 325 cubic feet. The crushed stone surrounding the perforated perimeter manifold acts as an infiltration system at elevations below the lowest outlet from the field, which is Elevation 4.0’. Using 40% voids for crushed stone, the perimeter manifold stone trench has a void volume of approximately 473 cubic feet below the lowest outlet and thus will infiltrate the required recharge volume. Recharge volume calculations are included in the attachments.

The proposed synthetic turf field has been designed to accommodate storage for the 100-year storm event. In a catastrophic rain event, the backflow preventers on the drainage pipes are not likely to engage until 3”-4” of rain has fallen. There is ample stormwater storage capacity underneath the field with the combination of stone voids, new drainage pipes, and the 1” air drain in the synthetic turf and the field will continue to infiltrate during storm events. Therefore, the field is never expected to flood above the surface elevation even with the backflow preventers engaged.

In conclusion, the proposed synthetic turf athletic field project is an important project for Fairhaven Public Schools and the Town of Fairhaven and will improve the playing field surface, amenities, and drainage system. The project will reduce peak discharge flow rates and volumes during storm events which will alleviate the burden on the existing drainage infrastructure in the surrounding roadways. Prior to construction, the Contractor will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) and file a Notice of Intent with the EPA for a National Pollutant Discharge Elimination System (NPDES) Permit. Erosion and sediment controls will be installed by the Contractor and maintained throughout construction until the site is fully stabilized.

Should you have any questions or require additional information, please feel free to contact our office at (401) 334-4100. We look forward to clarifying the questions asked by the Commission in the upcoming public meeting on April 26, 2021.

Sincerely,

Lance Hill, P.E.
Managing Engineer

LH/JRR



MEMORANDUM

Date: April 19, 2021

To: Conservation Commission
Town of Fairhaven

From: SITEC, Inc. a Part of Civil & Environmental Consultants, Inc.
Steven D. Gioiosa, P.E. and Daniel N. Aguiar

Subject: The Delano Irrevocable Trust
DEP File #SE023-207
Fairhaven CON 023-207

Location: 10 Nelson Avenue
Fairhaven, MA

CEC Project: 304-422



In response to the comments received at the last public hearing, we have prepared the following supplemental information for your consideration.

1. Cross Sections/Profiles for the north and south groins have been prepared and added to the site plan. The profiles depict the original, licensed structure, the proposal for the south groin, and the profile of the reconstructed north groin.

In reviewing the north groin, the reconstructed profile is lower than the original licensed profile due to the stepping of the structure. As previously noted, the overall length is 10 feet longer while maintaining the lower top elevation.

2. We reviewed the limit of work completed after the Applicant received the cease and desist order. This work was limited to:
 - A. Removing all equipment from the resource area;
 - B. Removing the steel plates from the resource area; and
 - C. Following coastal storm, the Applicant removed the wood forms from the area because they had come loose and were in danger of becoming a hazard to adjacent properties.

3. The Applicant understands that if the longer north groin is permitted, a modification to the Chapter 91 License would be required. The proposed fence posts are above the Mean High Water Mark and not subject to licensing under Chapter 91.
4. The plantings as proposed were added as a means to provide an additional visual break from the lawn area to the coastal area. The pre-construction condition in this area was a stable lawn area. The Applicant considers the proposed plantings a positive improvement to the coastal area that did not require tree or shrubs to be incorporated in the planting bed.

5. Department of Marine Fisheries Comments

The Department of Marine Fisheries (DMF) comment letter dated March 3, 2021 contain the following comments and questions:

- A. Every effort should be made to avoid impacts to eelgrass. A review of the specific site area did not result in the identification of any eelgrass adjacent to the north groin. The reconstruction of this groin followed the original location and remnants of the original groin were evident. Additionally, the 10 foot extension followed the same alignment where the first 5 feet contained rocks as noted on the 1996 license plans.
- B. DMF inquired about additional construction activities and whether a barge would be utilized. These are no proposed construction activities in the tidal area or below the tide range. No construction equipment of any type will be brought into this area.

Profiles of the two groins have been provided as requested. The south groin will not be reconstructed and work will be limited to the hand removal of concrete debris from this area and the saw cutting and capping as noted on the revised plan. The profile of the north groin, seaward of the steps, is lower than the licensed structure.

- C. DMF indicated that if the groins are reconstructed, they should be in the same footprint as the licensed groins. The south groin will be significantly shorter due to the decision to eliminate this reconstruction project and as previously noted, the north groin work is completed and extends 10 feet beyond the licensed structure (5 feet beyond stone groin).
- D. The remaining DMF comments are construction related and not applicable for the project as currently proposed.

6. Massachusetts DEP Comments

- A. Work on a coastal beach was limited to a 1.6 cubic yard (CY) volume of the north groin, significantly less than the 100 CY limit for a 401 Water Quality Certification.

B. Performance Standards for a coastal beach are met as follows:

10.27(3) – Work on a coastal beach shall not have an adverse effect by increasing erosion, decreasing volume or changing the form of any such coastal beach or an adjacent or down drift coastal beach. A review of this site after more than 10 months of coastal storms and wave action does not indicate any erosion at this time. The down drift beach does not show signs of any negative impact based on the reconstruction of the north groin.

10.27(4) – Construction of a groin shall not interfere with littoral drift and shall be constructed to the minimum height and length required to maintain beach form and volume. As previously noted, this groin was originally constructed more than 50 years ago and the reconstruction, to a lower elevation, will maintain the previous beach form and volume. There is minimal littoral drift along this shoreline as evidenced by the lack of sand updrift of each of the groins on this stretch of shoreline. Since there is no significant natural sand source a sand bypass is not required.

7. Additional Resource Areas

10.30 Coastal Banks – The coastal bank in this case is an altered bank consisting of the concrete revetment wall. No alteration is proposed that would impact wave action or impact sediment movement. The bank and upgradient lawn area is extremely stable and does not exhibit any signs of erosion.

10.31 Rocky Intertidal Shore – No additional work is proposed in the Rocky Intertidal Shore area. The reconstructed north groin was set in the area where the previous groin existed or the placed end cap stones existed, with the exception of the last 5 feet. The last 5 feet occupies only 1 CY of volume which is insignificant in this coastal area.

The project does not impact the surrounding water quality or water circulation in the project vicinity. No contaminants were introduced to this area and the water circulation is unimpeded.

10.53 Buffer Zone – The Buffer Zone to this project is an existing lawn area and single family dwelling. With the exception of the proposed planting bed, no changes in buffer zone are proposed.

10.24 – Land Subject to Coastal Storm Flowage (LSCSF) – Although the project falls in a designated LSCSF, no alteration of this area is proposed that will alter the impacts associated with a coastal storm event. The north groin is a lower profile of the previously licensed structure which will have a reduced impact on the environment during a coastal storm event versus the licensed structure due to this lower overall height.

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8. The pipes previously in the coastal area have been removed and are not a part of this or any future project.

We look forward to discussing this further at the next Conservation meeting.

cc: DEP – Southeast Regional Office
The Delano Irrevocable Trust



Whitney McClees <wmcclees@fairhaven-ma.gov>

[Fairhaven MA] 10 Nelson Ave (Sent by Sally R Santos, [REDACTED])

1 message

Contact form at Fairhaven MA <cmsmailer@civicplus.com>

Thu, Apr 15, 2021 at 7:34 PM

Reply-To: [REDACTED]

To: wmcclees <wmcclees@fairhaven-ma.gov>

Hello wmcclees,

Sally R Santos [REDACTED] has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/1614/contact>) at Fairhaven MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/1614/edit>.

Message:

Ms McClees, I live at [12 Nelson Ave](#), the house directly South of 10 Nelson. My husband and I are year round residents and have lived here since 2002. It has been brought to my attention that the Delanos of 10 Nelson are being accused of violating their Cease and Desist order. We have not noticed any activity on their beach or in their yard since the order was issued. In speaking with them I feel they are doing everything they can to cooperate. As you can imagine, we are very anxious for this project to reach some completion. It has been an eyesore since last summer and I feel it is dangerous for my grandchildren who play in the yards on this street. Please contact me if you have any questions. Thank you, Sally Santos