

# 2 & 8 Winslow Court – Fixed Gangway and Float Special Permit Application Fairhaven, MA

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Prepared for:  
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2 & 8 Winslow Court, Fairhaven MA 02719

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## ***Table of Attachments***

Exhibit A	Project Narrative
Exhibit B	Vicinity Map: USGS Quad Sheet, Fairhaven, MA
Exhibit C	Site Photographs
Exhibit D	Abutters List and Abutter Notification
Exhibit E	Property Ownership Information
Exhibit F	FIRMette - #2 & #8 Winslow Court - Flood Hazard Map
Exhibit G	Plans entitled, "Thomas Marshall 8 Winslow Court, Fairhaven – Proposed Fixed Pier & Floating Dock – Notice of Intent Site Plan", prepared by Foth Infrastructure and Environment LLC, dated 04/11/2022

## **Exhibit A**

### **Project Narrative**

#### **Project:**

The applicant, Thomas Marshall, is proposing to construct and maintain a pier, ramp, and float system. The project is located at 2 & 8 Winslow Court, Fairhaven Assessor's Map 12, Parcel 010, in Fairhaven, MA. The proposed structure will extend in a perpendicular fashion from the existing stone seawall approximately 123' into the Fairhaven Harbor as shown on the attached plan (**See Exhibit G**). The pier will be comprised of a 4'x25' a 4'x35', and a 4'x40' aluminum gangway supported by pile bents. The 4'x25' gangway will provide access to a 10'x30' float with 2.5' of clearance that will be pile supported. A concrete pad and staircase will secure the pier landward of the existing seawall and provide access to the pier. The proposed pier, ramp, and float system does not interfere with navigation channels or existing moorings.

#### **Project Purpose:**

The purpose of the proposed project is a water-dependent use to provide access to navigable waters in Fairhaven Harbor.

#### **Existing Conditions:**

The site is located approximately 7,130 feet north of the USACE Hurricane Barrier and approximately 1,000 feet east of the New Bedford, Pope's Island. The site is zoned as Apartment/Multifamily District with a Single Residence District just north of the site. The residential houses located in this area of Winslow Court and Main Street are elevated above the existing seawall, thereby allowing a clear view of the Harbor and New Bedford. Foth Infrastructure and Environment, LLC conducted a topographic survey of the project area on March 23, 2022. Foth Infrastructure and Environment, LLC also conducted a hydrographic survey of the project area in November 2018 and March 2021. The attached plan depicts mean high water, mean low water, approximate property lines, and general topography of the surrounding area.

#### **Special Permit Requirements – Section 198-32.2:**

- (1) It shall be demonstrated that the placement of a dock and/or pier will not have an adverse impact on coastal ecology, recreational use or adjoining waters, or the use and enjoyment of the waterfront by adjoining property owners.*

The proposed pier and float system has been designed to minimize the impacts to coastal ecology recreational uses of adjoining waters and enjoyment of the waterfront by adjoining property owners. The pier, oriented in an East-West direction, is located in a relatively protected area within the U.S. Army Corps of Engineers hurricane barrier. The pier will be constructed of aluminum pier sections, spanning 35' and 40' sections minimizing the number of piles. The area

is closed to shell fishing and the proposed pier will not interfere with navigation and allows public access in the intertidal zone as required by Chapter 91 regulations.

- (2) *All Proposed dock and/or pier shall be designed and stamped by a Registered Engineer.*

The dock and pier have been designed and stamped by a Registered Engineer. See the attached drawing.

- (3) *Dock and/or pier length.*

*a. The maximum length of any dock and/or pier including floats outside of the U.S. Army Corps of Engineers hurricane barrier shall be seventy-five (75) feet as measured from mean high water (MHW) mark seaward.*

*b. The maximum length of any dock and/or pier including floats inside the U.S. Army Corps of Engineers hurricane barrier shall be the minimum length necessary to have a minimum of two and one half feet of water at Mean low Water (MLW) at the end of the dock and/or pier; however, the length shall not exceed one-hundred fifty (150) feet, which ever is less.*

The proposed pier is located inside the U.S. Army Corps of Engineers hurricane barrier. The total proposed pier and float length is 123' as shown on the attached drawing.

The proposed pier and float system, allows for approximately two and one half feet of water at Mean Low Water (MLW) at the landside portion of the proposed float. This meets typical state and federal regulatory requirements.

- (4) *No dock, pier, stairs or ramp shall exceed six (6) feet in width, measured outside the support structure (piling, posts, or railings).*

The total pier width is six (6) feet wide at its maximum (pile to pile). The pier width for the majority of the length will be four (4) feet wide (railing to railing).

- (5) *Setback for any dock and/or pier, and associated flats shall be twenty-five (25) feet side property lines as measured along the shoreline.*

The pier location is in the general area of the property line between 2 Winslow Court and 8 Winslow Court, both parcels are owned and maintained by Thomas F Marshall & Kathleen A. Marshall. The setbacks from the pier to the southern property line is approximately 122', and the setbacks from the pier to the northern property line not owned by the Marshall's is approximately 72'. The owner is in the process of combining lots 2 and 8 and more information can be provided when the process is finalized.

- (6) *Access – Lateral pedestrian passage shall be provided in the intertidal zone or along the shore for fishing and fowling purposes.*

Two (2) timber stairways are proposed, one on the north side of the pier and one on the south side of the pier to allow for lateral pedestrian passage.

- (7) *Floating docks are permitted. The total area of any and all floats associated with a dock and/or pier shall not exceed three hundred (300) square feet.*

The proposed floating dock is 10'x30' (300 square feet).

- (8) *Two boats or vessels not over 30-feet in overall length shall be the maximum number permitted on any dock and/or pier.*

The owner's boat will be tied up at the dock. In no case will two boats over 30' in length be tied up at the dock.

- (9) *Depth of water – at MLW there shall be minimum of two and one half feet of water or sufficient navigable water for the proposed vessel at the end of the dock, pier and/or float system.*

A minimum of 2.5' of water will be provided at the landward end of the float system. Future proposed dredging through the New Bedford Port Authorities Phase V Dredging project will increase the clearance from the bottom of the float by 1' to 1.5'.

- (10) *Shellfish on site of any proposed dock and/or pier shall be removed, replanted, or replaced under supervision of the Shellfish Warden.*

Shellfish beneath the proposed dock and pier shall be removed and replanted as directed by the Shellfish Warden.

*(11) Conservation Commission approvals shall be required for the construction of all docks and/or piers.*

A Notice of Intent is being filed for this project.

*(12) A Building Permit shall be required for the construction of a dock and/or pier.*

A Building Permit will be acquired prior to the commencement of work.

*(13) All necessary Federal and State permits shall be obtained prior to issuance of a building permit.*

Permit application will be filed with MA DEP for a Chapter 91 License and the U.S. Army Corps of Engineers Preconstruction Notification application.

**MassDEP Stormwater Management Standards:**

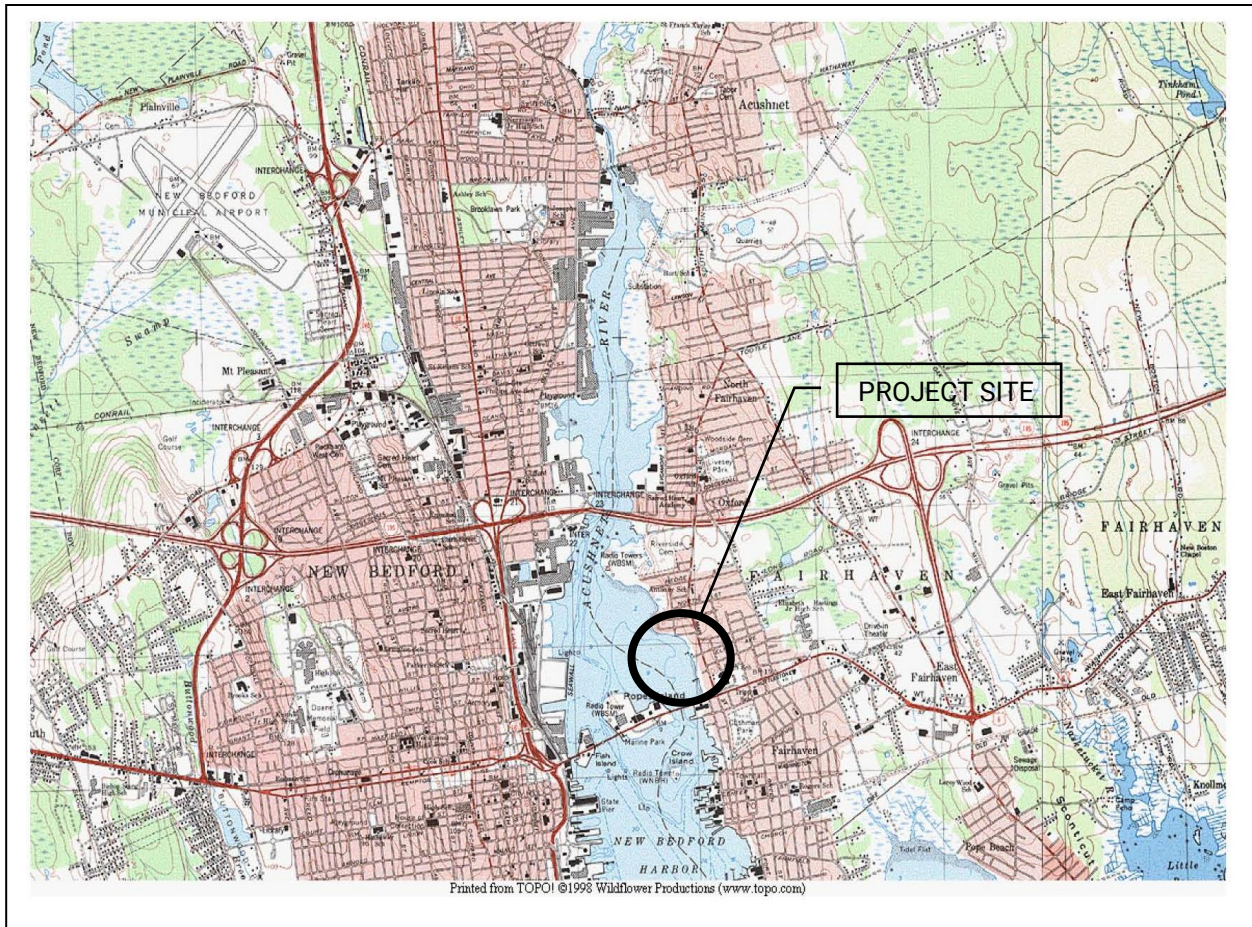
The proposed pile supported pier is a coastal structure that creates no additional stormwater impacts because there is no increase in impervious area on structures built over the watershed area. The proposed project does not require the submission of a stormwater management plan.

**Conclusion:**

It is the professional opinion of Foth Infrastructure and Environment, LLC that granting a Special Permit for the proposed project would benefit the applicant as well as the Town of Fairhaven in increasing property values in the area and providing access to navigable waters for the Owners. We respectfully request that the board consider allowing the pier and dock system proposed.

**Exhibit B**

**Vicinity Map:  
USGS Quad Sheet, Fairhaven, MA**



***Exhibit C***

***Site Photographs***



Aerial Photo – Source MA GIS





Photo 1 – 8 Winslow Court – Land Side Facing Northwest



Photo 2 – 8 Winslow Court – Seawall Facing North



**Photo 3 – 8 Winslow Court Lot - Facing East**



**Photo 4 – 8 Winslow Court – Seawall/RipRap – Facing South**