



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

October 6, 2016

Mario J. Xavier
Margarida Xavier
157 Tarkiln Place
New Bedford, MA 02745

Re: Order of Conditions SE49-0509
Map 130G, Lot 216

During an inspection of the subdivision with a representative of Longbuilt Homes and their Engineer for the purposes of obtaining Certificates of Compliance relative to the Orders of Conditions issued to Longbuilt Homes by the New Bedford Conservation Commission, it was apparent that the split rail fence had been moved westerly into the 25' Setback/Conservation Area and a lawn installed in the Conservation Area.

The Conservation Commission has a surveyed plan dated 9/16/2015 which shows the fence 25' from the wetland boundary and approximately 15' west of the dwelling. When visiting the property it was apparent that the fence had been moved westerly approximately 15 to 20 feet into the protected Conservation Area and the fence no longer abutted the retaining wall of the house. The Order of Conditions was attached to your Purchase and Sales agreement and the Order explained all of the Conditions applicable to construction of a single family dwelling on the lot including Special Condition number 50. Condition 50 is the Condition that states a protected Conservation Area exists beyond the split rail fence and is to remain undisturbed in perpetuity.

The Conservation Commission is requesting your appearance at their next regularly scheduled meeting on October 18th at 6:30 PM in Room 314 of City Hall to discuss the encroachment into the Conservation Area.

Sincerely,

A handwritten signature in cursive script that reads "Sarah E. Porter".

Sarah E. Porter
Conservation Agent

cc: Conservation Commissioners, file