

REQUESTS FOR DETERMINATION

4 The Kids Realty Trust

79 Pocomo Road

(15-5)



**REQUEST FOR DETERMINATION
OF APPLICABILITY
APPLICATION**

For
Landscaping Within
The Buffer Zone to a Coastal Bank

At

79 Pocomo Road
Nantucket, MA

March 2016

Prepared For

4 THE KIDS REALTY TRUST

79 Pocomo Rd - Locus Map



Property Information

Property ID 15 5
Location 79 POCOMO RD
Owner THEODORAKOS VAIOS TRST



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014
 Properties updated January, 2015



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:

Vaios Theodorakos, Trustee - 4 The Kids Realty Trust

Name

E-Mail Address

100 Concord St. - 3rd Floor

Mailing Address

Framingham

City/Town

MA
State

01702
Zip Code

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Nantucket Engineering & Survey, P.C.

Firm

Arthur D. Gasbarro, PE, PLS

Contact Name

art@NantucketEngineer.com

E-Mail Address

20 Mary Ann Drive

Mailing Address

Nantucket

City/Town

MA
State

02554
Zip Code

508-825-5053

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the Nantucket _____ 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:

Nantucket

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):

<u>79 Pocomo Road</u>	<u>Nantucket</u>
Street Address	City/Town
<u>15</u>	<u>5</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

The subject property is located on north side of Pocomo Road, with frontage on Nantucket Harbor. The resource areas on-site include Land Subject to Coastal Storm Flowage, Coastal Beach and Coastal Bank. The property is served by an on-site well and septic system. The property is not within mapping of estimated and priority habitats by NHESP.

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

<u>Site Plan to Accompany a Request for Determination of Applicability</u>	<u>3/31/16</u>
Title	Date
<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date

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

The applicant proposes to clear a portion of the property, regrade and to plant new vegetation as shown on the landscape plan. No work is proposed closer than 25-feet to the top of the Coastal Bank, and no waivers are required from applicable regulations.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

No work is proposed closer than 25-feet to the top of the Coastal Bank, and no waivers are required from applicable regulations.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Vaios Theodorakos, Trustee - 4 The Kids Realty Trust

Name

100 Concord St. - 3rd Floor

Mailing Address

Framingham

City/Town

MA

State

01702

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

3/31/16

Date

Signature of Representative (if any)

3/31/16

Date

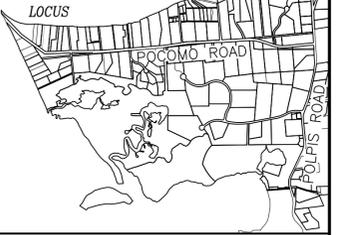
NANTUCKET HARBOR

CURRENT ZONING CLASSIFICATION:
Limited Use General 3 (L.U.G.-3)

EXISTING

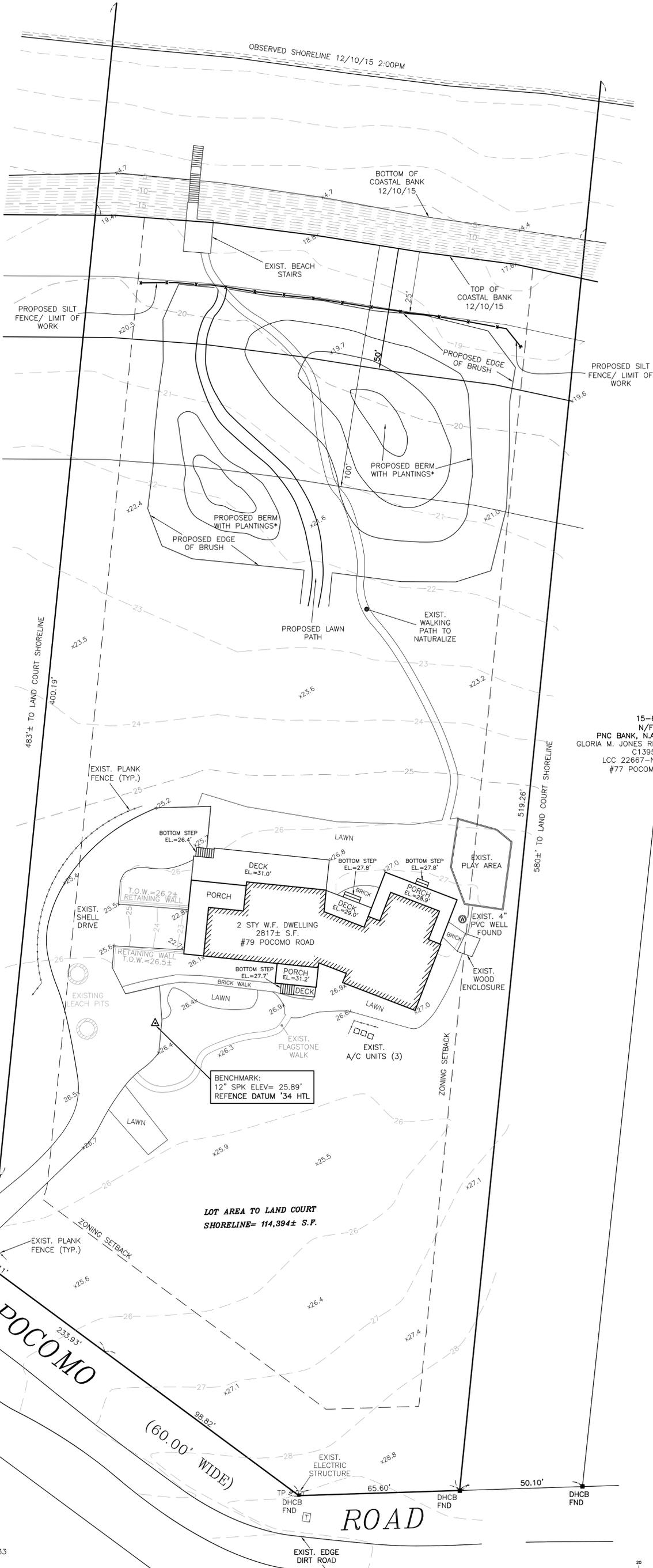
MINIMUM LOT SIZE: 120,000 S.F. 114,394± S.F.
MINIMUM FRONTAGE: 200 FT. SEE PLAN
FRONT YARD SETBACK: 35 FT. SEE PLAN
REAR/SIDE SETBACK: 20 FT. SEE PLAN
GROUND COVER % : 3% 2.5% ±

NANTUCKET HARBOR



LOCUS MAP

SCALE: 1" = 1600' ±



*—PROPOSED PLANTINGS PER "POOL CONCEPT PLAN" BY NANTUCKET HERITAGE LANDSCAPERS INC.

LEGEND

- DHCB ■ DENOTES CONCRETE BOUND FOUND
- 5 --- DENOTES EXIST. GRADE CONTOUR
- x17.5 DENOTES EXIST. GRADE SPOT ELEVATION
- TP ■ DENOTES EXIST. TELECOMMUNICATIONS PEDESTAL
- DENOTES EXIST. ELECTRIC TRANSFORMER

15-63
N/F
MARY M. DEBLOIS, TRUSTEE
MMD REALTY TRUST
C16088
LCC 16220-F, LOTS A8, A9, A10
#81 POCOMO ROAD

15-6
N/F
PNC BANK, N.A., TRUSTEE
GLORIA M. JONES REVOCABLE TRUST
C13955
LCC 22667-N, LOT 45
#77 POCOMO ROAD

BENCHMARK:
12" SPK ELEV= 25.89'
REFERENCE DATUM '34 HTL

LOT AREA TO LAND COURT
SHORELINE= 114,394± S.F.

Site Plan of Land
in Nantucket, MA

Prepared for

VAIOS THEODORAKOS

Assessor Map 15 Parcel 5

#79 POCOMO ROAD

Scale: 1" = 20' MARCH 31, 2016

BLACKWELL & ASSOCIATES, Inc.

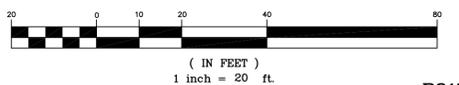
Professional Land Surveyors

20 TEASDALE CIRCLE

NANTUCKET, MASS. 02554

(508) 228-9026

GRAPHIC SCALE



OWNER INFORMATION

VAIOS THEODORAKOS, TRUSTEE
4 THE KIDS REALTY TRUST
Cert. 25248; L.C.C. 22667-I, LOTS 32 & 33
ASSESSOR MAP: 15 PARCEL: 5
#79 POCOMO ROAD

MINOR MODIFICATIONS

Cliff ACK Realty TR

96 Cliff Road

(41-15)

SE48-2066



P.O. Box 3627, Nantucket, Massachusetts 02584-3627
Tel. (508) 228-0240 Fax (508) 228-9856
www.nantucketsurveyors.com
nslinfo@nantucketsurveyors.com

April 1, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Minor Modification Request
D.E.P. File No SE48-2066
Applicant: Steven L. Cohen, Trustee Cliff ACK Realty Trust
96 Cliff Road
Map: 41 Parcel: 15

Dear Commission Member,

On behalf of the applicant, Nantucket Surveyors LLC is requesting a Minor Modification to incorporate a revised Landscape Plan to the file and remove the existing tree as indicated thereon. The project was issued an Order of Conditions for the construction of a residential dwelling, pervious driveway, construction of onsite sewage disposal facilities and associated grading within the buffer zone to an isolated vegetated wetland (local jurisdiction only), bordering vegetated wetland and vernal pool habitat on April 14, 2008 (Permit valid until April 14, 2017). The project was also issued a Minor Modification Request for the changing of the previously approved MicroFAST Treatment System to a Septitech Engineered System, Model Septitech Processor M400 on May 25, 2011, a Minor Modification Request for the existing landscaping on November 9, 2011, and an Amended Order of Conditions Request to construct a modified version of the previously approved residential dwelling and associated site improvements on July 9, 2014.

Work permitted is as indicated on the Findings and Additional Conditions attached hereto.

Thank you for your attention to this matter. If you have any questions, please contact our office.

Sincerely,
Nantucket Surveyors, LLC

A handwritten signature in blue ink, appearing to read 'Paul J. Santos', is written over the typed name.

Paul J. Santos, PLS
Agent for the Applicant

Enclosure: Two (2) copies of Landscape Plan dated March 18, 2016
One (1) filing fee to the Town of Nantucket \$25.00

CC: Steven L. Cohen, Trustee of Cliff ACK Realty Trust

Office located at 5 Windy Way • Nantucket, MA 02554



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 7 – Extension Permit for Orders of Conditions

SE48-2066

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

Provided by DEP

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:

Steven L. Cohen Trustee (Cliff ACK Realty Trust)

Name

7 Laurus Lane

Mailing Address

Newton

City/Town

MA

State

02459

Zip Code

2. Property Owner (if different):

Same As Applicant

Name

Mailing Address

City/Town

State

Zip Code

B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

04/14/2015

Date

Issued by:

Nantucket

Conservation Commission

for work at:

96 Cliff Rd

Street Address

41

Assessor's Map/Plat Number

15

Parcel/Lot Number

recorded at the Registry of Deeds for:

Nantucket

County

1459

Book

321

Page

Certificate (if registered land)

is hereby extended until:

04/14/2017

Date

Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<http://www.mass.gov/dep/about/region/findyour.htm>)

Signatures:

03/18/2015

Date

[Handwritten signatures: Gordon, Saul Oktaf, Ernest Steunawa, Dawn W. Lydon]

[Handwritten signatures: Andrew Bennett, Nick J. Glavin]

2015 00000701
Bk: 1475 Pg: 196 Page: 1 of 2
Doc: EP_03/19/2015 11:50 AM



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

DEP File Number:

WPA Form 7 – Extension Permit for Orders of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

SE48-2066
Provided by DEP

C. Recording Confirmation

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Project Location

DEP File Number

has been recorded at the Registry of Deeds of:

County

for:

Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

Date

Book

Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

MAHTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferris Registrar of Deeds

FINDINGS and ADDITIONAL CONDITIONS

Kristen Hanley

DEP FILE NUMBER SE48-2066

ASSESSOR'S MAP 41, PARCEL 15

96 Cliff Road

UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
(MGL CHAPTER 131, SECTION 40)
AND THE WETLANDS BYLAW OF THE TOWN OF NANTUCKET
(CHAPTER 136)

This Order of Conditions permits the construction of a residential dwelling, pervious driveway, construction of onsite sewage disposal facilities and associated grading within the buffer zone to an isolated vegetated wetland (local jurisdiction only), bvw and vernal pool habitat. A waiver is required, and has been granted, for the construction of the onsite sewage disposal leaching facilities (including retaining walls) within 100' of the isolated vegetated wetland. **This Order is amended on 7/9/2014 to include a revised dwelling design and revised grading, landscaping and utilities. These changes are reflected on the Amended Plan of Record: Site plan to Accompany an Amended Order of Conditions, dated 6/20/2014 and stamped by Dale MacKinnon, P.E.**

FINDINGS

1. Applicant Name Kristen Hanley DEP File Number SE48-2066.
2. This Order of Conditions is being issued based upon strict accordance with the information submitted in the Notice of Intent dated 9/6/08 with attachments and the Plan of Record (Sheets 1 and 2) dated as revised on 4/4/08 stamped by Dale MacKinnon. Also considered was other pertinent supplemental information including but not limited to:
 - Nantucket Surveyors Plan titled Conventional Title V System dated as revised 4/4/08
 - Nantucket Surveyors Plan titled Watershed Plan: Proposed Conditions dated as received 4/4/08 with accompanying narrative and data entitled Drainage Calculations for a Proposed Single Family Residential Lot, 96 Cliff Road
 - Nantucket Surveyors Plan dated 4/2/04 titled Groundwater Map 96 Cliff Road with attached narrative dated 4/4/08
 - Letters from Nantucket Surveyors dated 11/16/07 and 4/4/08
 - DEP Bio-Microbics, Inc Renewal of Certification for General Use provided by applicant
 - Nantucket Surveyors Septic Alternatives Narrative dated as received 4/4/08
 - Copy of Article 52 from the Town of Nantucket 2006 Annual Warrant
 - Letter from Vaughan, Dale, Hunter, Stetina and Beaudette dated 4/4/08
 - Letter from Philbrick and Avery LLP dated 11/28/07

- Letter from Nantucket Land Council, Inc. dated 4/7/08 with attachment
- 3. Areas subject to protection/regulation are isolated vegetated wetland (local jurisdiction only), vernal pool habitat, vegetated wetland and their buffer zones.
- 4. This Order is in accordance with a vote by the Nantucket Conservation Commission to close the public hearing on 4/9/2008 and a vote to issue Orders taken by the Commission on 4/9/2008.
- 5. This Order permits the construction of a residential dwelling, pervious driveway, construction of onsite sewage disposal facilities and associated grading within the buffer zone to an isolated vegetated wetland (local jurisdiction only), bvw and vernal pool habitat..
- 6. A waiver is necessary, and has been granted, for construction of septic leaching facilities within 100' of the isolated vegetated wetland and construction of the associated retaining wall within 50' of the isolated vegetated wetland.
- 7. The isolated vegetated wetland is less than 5000 sq. ft. and as such is not jurisdictional as isolated land subject to flooding under MGLCh131s40 and 310CMR10.00.
- 8. The vernal pool habitat shown on the Plan of Record has been documented by the applicant but has not been certified by the Massachusetts Natural Heritage and Endangered Species Program as of 4/9/08.
- 9. The applicant has provided evidence from a credible source that dominant groundwater flow across the site is from the north toward the south. Therefore groundwater flows toward the bvw and vernal pool habitat and away from the isolated vegetated wetland.
- 10. The Commission finds that the applicant has provided evidence from a credible source that there are no reasonable alternatives for the placement of the onsite septic leaching facilities to the location as shown on the Plan of Record with respect to the 100' setback from the isolated vegetated wetland.
- 11. The Commission finds that the applicant has met the burden of proof necessary with respect to the proposed onsite sewage disposal design incorporating a 50% reduction in leaching field area for compliance with Title 5.
- 12. The Commission finds that the leaching facilities component of the project as permitted, with waivers, will not adversely impact public and private water supply, groundwater, flood control, erosion control, storm damage prevention, water pollution, fisheries, shellfish, wildlife, scenic views and recreation. Specifically The septic leaching facilities are not located within 100 feet of or within the recharge to private or public drinking water supplies; are located downgradient of the groundwater recharge zone for the isolated vegetated wetland and so will not result in groundwater flow to the isolated vegetated wetland that could impact water quality, water pollution, fisheries, shellfish, wildlife and/or recreation; will not adversely impact fisheries, shellfish or wildlife in the isolated vegetated wetland as none have been documented to be present; will not adversely impact flood control, erosion control or storm damage prevention as ground and surface water flow from the septic leaching facilities does not fall within the recharge zone to the isolated vegetated wetland; and the septic leaching facilities will not adversely impact wetland scenic

views of the isolated vegetated wetland as these facilities are on private land and separated from the isolated vegetated wetland by a public street and public bike path. Therefore, the project as permitted meets the Nantucket Wetlands Protection Bylaw and Regulations waiver provisions.

In addition to the above referenced GENERAL CONDITIONS the Commission has found it necessary to include the following Special Conditions pursuant to MGLCh131s40 and the Town of Nantucket Wetlands Protection Bylaw, Chapter 136. The above listed General Conditions and Findings are automatically part of this Order of Conditions.

ADDITIONAL CONDITIONS

18. Prior to the start of work the applicant shall submit the vernal pool assessment report and data to the Massachusetts Natural Heritage and Endangered Species Program for certification of the documented and mapped vernal pool habitat.
19. No changes or repairs to the onsite sewerage disposal system leaching facilities shall be allowed without the filing of an Amended Order of Conditions request or a new Notice of Intent.
20. Should the site be allowed to connect to a municipal sewer system, the applicant shall file a minor modification request.
21. No equipment, materials or debris shall be stored within 50 feet of the vegetated wetland or within 75 feet of the vernal pool habitat.
22. All proposed and/or repaired lawn areas shall be underlain with a minimum of 6" of organic topsoil.
23. Prior to the start of work the applicant shall submit a detailed planting plan to the Commission office for review and approval.

WAIVERS UNDER THE NANTUCKET WETLANDS BYLAW/REGULATIONS:

The Commission hereby grants a waiver to Section 3.02 (B)(1 & 4) of the Wetlands Protection Regulations of the Town of Nantucket, under the Wetlands Bylaw (Chapter 136), which states that all structures which are not water dependent shall maintain at least a 50 foot buffer to a vegetated wetland and all leaching facilities shall be at least 100' from a vegetated wetland. The Commission finds that there are no reasonable alternatives to the work (leaching facilities and retaining wall), that the work as permitted will not adversely impact the interests identified in the Bylaw (leaching facilities, retaining wall) and that the work (retaining wall) is separated from the vegetated wetland by a town street. Therefore a waiver is granted under the authority of Sections 1.03(F)(2) and 1.03(F)(3)(a and c) of the Wetlands Protection Regulations for the Town of Nantucket.

96 Cliff Road
Applicant: Steven L. Cohen, Trustee Cliff ACK Realty Trust



View of 96 Cliff Road from Cliff Road



View of Proposed Dwelling Location

**NEW
INFORMATION
FOR CURRENT
HEARING**



P.O. Box 3627, Nantucket, Massachusetts 02584-3627
Tel. (508) 228-0240 Fax (508) 228-9856
www.nantucketsurveyors.com
nslcinfo@nantucketsurveyors.com

April 15, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Minor Modification Request
D.E.P. File No SE48-2066
Applicant: Steven L. Cohen, Trustee Cliff ACK Realty Trust
96 Cliff Road
Map: 41 Parcel: 15

Dear Commission Member,

On behalf of the applicant, Nantucket Surveyors LLC is submitting the attached revised Landscape Plan to supplement the Minor Modification Request filed on April 1, 2016.

Thank you for your attention to this matter. If you have any questions, please contact our office.

Sincerely,
Nantucket Surveyors, LLC

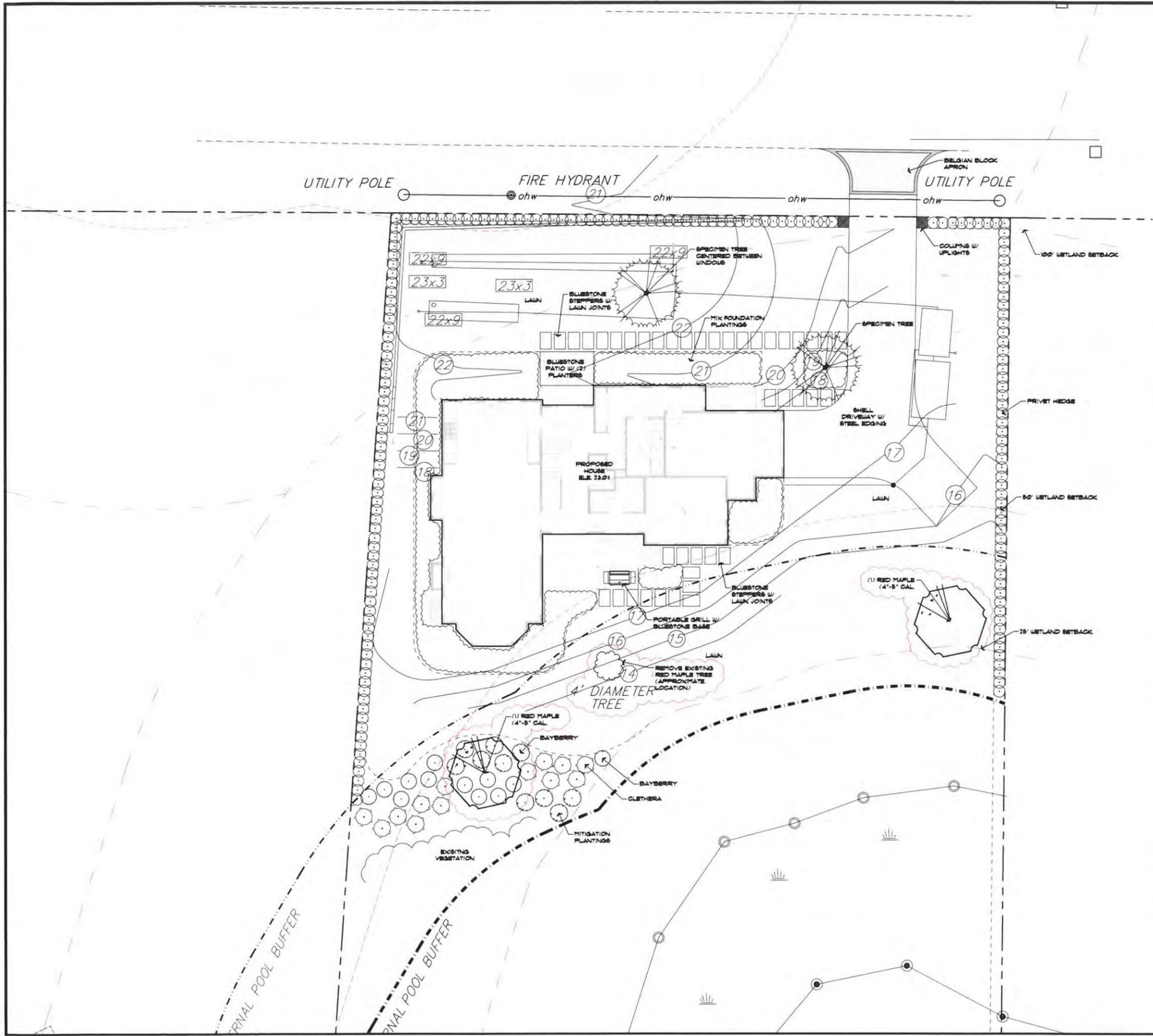

Paul J. Santos, PLS
Agent for the Applicant

Enclosure: Two (2) copies of Landscape Plan dated March 18, 2016 Revised April 10, 2016

CC: Steven L. Cohen, Trustee of Cliff ACK Realty Trust

Office located at 5 Windy Way • Nantucket, MA 02554

Land Surveying • Topographic Surveys • Civil Engineering • Construction • Marine • Environmental Permitting



THIS CONCEPTUAL DRAWING AS DEPICTED IS PRELIMINARY IN NATURE AND INTENDED TO ILLUSTRATE DESIGN INTENT BASED ON DATA MADE AVAILABLE. MODIFICATIONS TO THIS CONCEPTUAL DRAWING MAY BE REFLECTED IN THE FINAL DEVELOPMENT PLAN BASED ON ADDITIONAL DATA COLLECTED OR CHANGES TO EXISTING DATA RELATED TO SITE BOUNDARY, TOPOGRAPHY, WETLAND DELINEATION, LOCAL AND STATE GOVERNMENT REGULATORY REVIEW, AND PERMITTING REQUIREMENTS.

PRIOR TO CONSTRUCTION THE OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR CONFIRMING ALL PROJECT REQUIREMENTS AS (DEPICTED IN THESE DRAWINGS) AS TO CONFORMITY WITH ALL STATE AND LOCAL BUILDING CODES AND REGULATIONS, (ZONING, CONSERVATION, HEALTH, ETC.). ALL CRITICAL SITE REQUIREMENTS, GRADING MATERIAL QUALITY, QUANTITY AND SIZES, CRITICAL TOLERANCES, ALL DIMENSIONS, PROPER SIZING AND DETAILING OF ALL STRUCTURAL ELEMENTS SHALL BE REVIEWED AND CONFIRMED AS SATISFACTORY BY A REGISTERED ENGINEER IN THE STATE OF MASSACHUSETTS.

PREPARED BY:
RIDGEVALE
 DEVELOPMENT
 32 Deep Wood Drive
 Sandwich, Massachusetts 02644

PREPARED FOR:
Cliff ACK Realty Trust
 96 Cliff Road
 Nantucket, MA . 02554

PROJECT ADDRESS:
 96 CLIFF ROAD
 NANTUCKET, MA.

TITLE:
 LANDSCAPE PLAN

REVISIONS
 1. ADD RED MAPLE TREES - 4.10.2016

DESIGNED BY: RJC
 DRAFTED BY: RJC
 CHECKED BY: JS
 MAP: 41
 PARCEL: 15
 DATE: 18 MAR. 2016
 PROJ. NO.: 1280



EXISTING RED MAPLE TO BE REMOVED



REPLACE W/ 4"-5" CAL. RED MAPLE



REPLACE W/ 4"-5" CAL. RED MAPLE

0 4 8 16'
 ONE INCH EQUALS EIGHT FEET
 SCALE IN FEET



Collis

5 Galen Ave

(29-122)

SE48-2815



April 1, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554
By Hand Delivery

Re: Minor Modification
5 Galen Ave - Map 29 Parcel 122
MassDEP File No. SE48-2815

Dear Commission Members,

I am writing to request the issuance of a Minor Modification for the referenced project. Attached for review are a site plan, a front-page copy of the Order of Conditions, and the appropriate filing fee.

The Applicant would like to install a subsurface propane tank in place of above ground tanks. This tank will be properly anchored into the ground to resist uplift from hydrostatic force. These proposed changes are no closer than twenty-five feet to the wetland resource area. The work is proposed within the previously approved limit of work. The proposal will have no adverse impact on the interests protected by the Commission. I plan to attend the public hearing on this matter to address any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Arthur D. Gasbarro".

Arthur D. Gasbarro, PE, PLS, LEED AP

Cc: M. Leighton Collis

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

EXISTING:
4,896 S.F.F.
MINIMUM LOT SIZE: 5000 S.F.
50 FT. SEE PLAN
FRONT YARD SETBACK: 10 FT. SEE PLAN
REAR/SIDE SETBACK: 5 FT. SEE PLAN
GROUND COVER %: 30 %
20.3% F.

SITE BENCHMARK:
CONCRETE BOUND
WITH DRILL HOLE
EL. = 3.04
REFERENCE '34 HTL.

29-125
N/F
N.L.B.

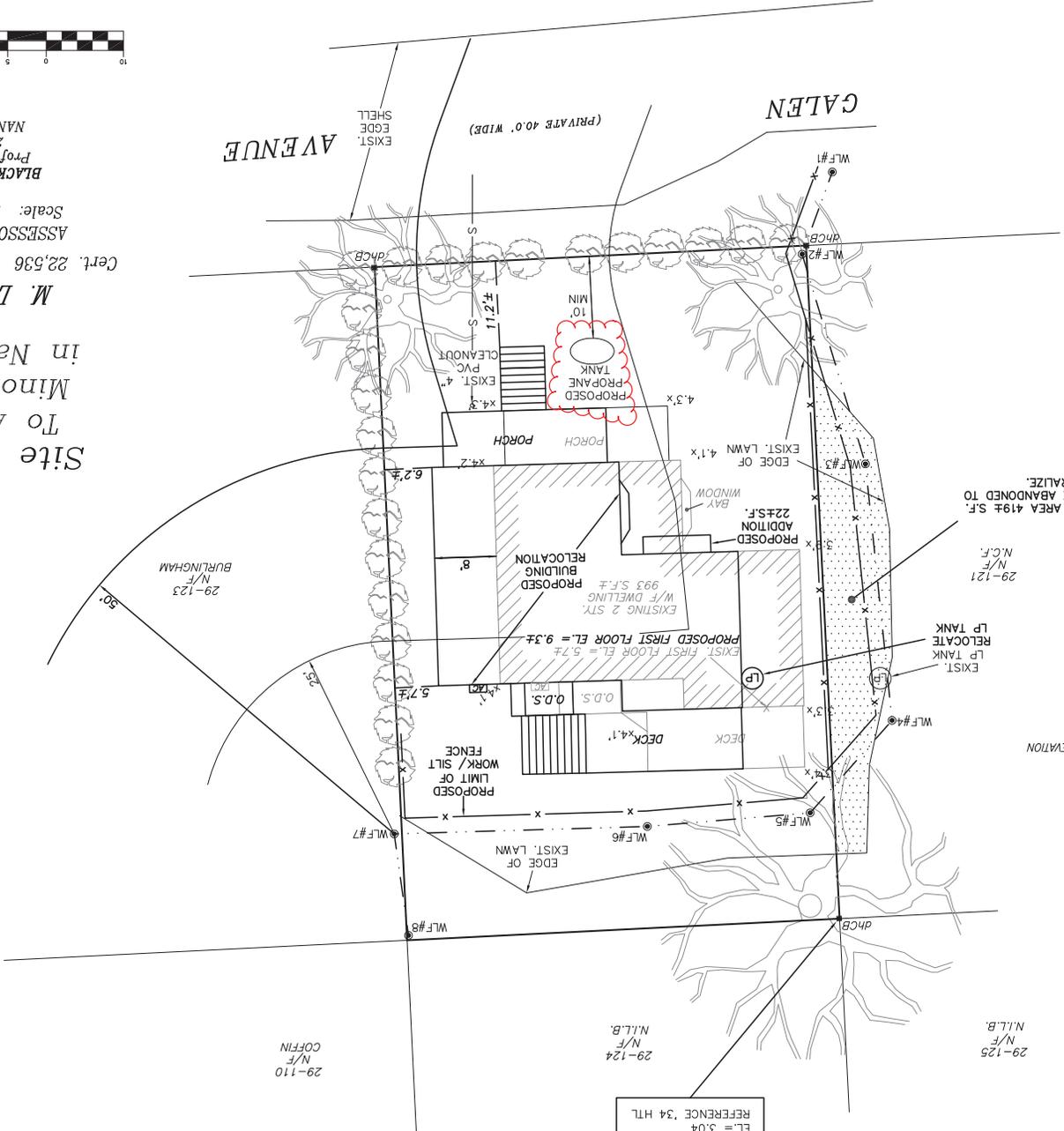
29-124
N/F
N.L.B.

29-110
N/F
COFFIN

LEGEND

- DENOTES CONCRETE BOUND
- DENOTES OUTDOOR SHOWER
- DENOTES WETLAND FLAG FOUND
- DENOTES EXIST. GRADE SPOT ELEVATION
- DENOTES EXIST. 5' WIDE PRIVET
- S—S— DENOTES EXIST. SEWER

29-121
N/F
N.C.F.
LAWN AREA 419± S.F.
TO BE ABANDONED TO
NATURALIZE.



**Site Plan of Land
To Accompany A
Minor Modification
in Nantucket, MA
Prepared for
M. LEIGHTON COLLIS
L.C. Plan 37064-A, Lot 1
Cert. 22,536**

ASSASSOR'S MAP 29, PARCEL 122
Scale: 1" = 10'
REVISED: APRIL 1, 2016
BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026



1 inch = 10 ft.
(IN FEET)

NOTES:
LOCUS IS WITHIN LAND SUBJECT
TO COASTAL STORM FLOWAGE.
LOCUS IS SERVED BY MUNICIPAL
WATER AND SEWER SERVICE.





Cert: 22536 Doc: OOC
Registered: 09/10/2015 03:34 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
SE48- 2815
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission
2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions
3. To: Applicant:
- M. Leighton Collis
a. First Name b. Last Name
- c. Organization
82 Charles St
d. Mailing Address
- Boston MA 02114
e. City/Town f. State g. Zip Code
4. Property Owner (if different from applicant):
- Same As Applicant
a. First Name b. Last Name
- c. Organization
- d. Mailing Address
- e. City/Town f. State g. Zip Code
5. Project Location:
- 5 Galen Avenue Nantucket
a. Street Address b. City/Town
- 29 122
c. Assessors Map/Plat Number d. Parcel/Lot Number
- Latitude and Longitude, if known: 41d 17' 26.1" 70d 05' 58.4"
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
SE48- 2815
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Nantucket

22536

a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: 07/31/15 08/19/2015 08/19/2015
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Site Plan to Accompany A Notice of Intent

a. Plan Title

Blackwell & Associates, Inc

Jeffrey Blackwell

b. Prepared By

07/31/2015

c. Signed and Stamped by

1" = 10'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
j. Wetland Scenic Views (bylaw) k. Recreation (Bylaw)

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

**NEW
INFORMATION
FOR CURRENT
HEARING**



April 15, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554
By Hand Delivery

Re: Minor Modification
5 Galen Ave - Map 29 Parcel 122
MassDEP File No. SE48-2815

Dear Commission Members,

I am writing to provide revised information for the pending request for an issuance of a Minor Modification for the referenced project. The attached site plan replaces the request for a subsurface propane tank with an above ground tank to be located below the deck. This tank will be properly anchored to resist being dislodged during flood events. Also proposed are two changes to the steps accessing the decks. On the rear deck, the width of the steps will be reduced, and the deck surface expanded, all within the same structural footprint. On the front deck, the steps were approved going up toward the house, though have been revised to "Quaker-style" which run up parallel to the front of the house. These proposed changes are no closer than twenty-five feet to the wetland resource area. The work is proposed within the previously approved limit of work. The proposal will have no adverse impact on the interests protected by the Commission. I plan to attend the public hearing on this matter to address any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Arthur D. Gasbarro".

Arthur D. Gasbarro, PE, PLS, LEED AP

Cc: M. Leighton Collis

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

MINIMUM LOT SIZE:	5000 S.F.	EXISTING:	4,896 S.F.±
MINIMUM FRONTAGE:	50 FT.	SEE PLAN	
FRONT YARD SETBACK:	10 FT.	SEE PLAN	
REAR/SIDE SETBACK:	5 FT.	SEE PLAN	
GROUND COVER % :	30 %	20.3% ±	

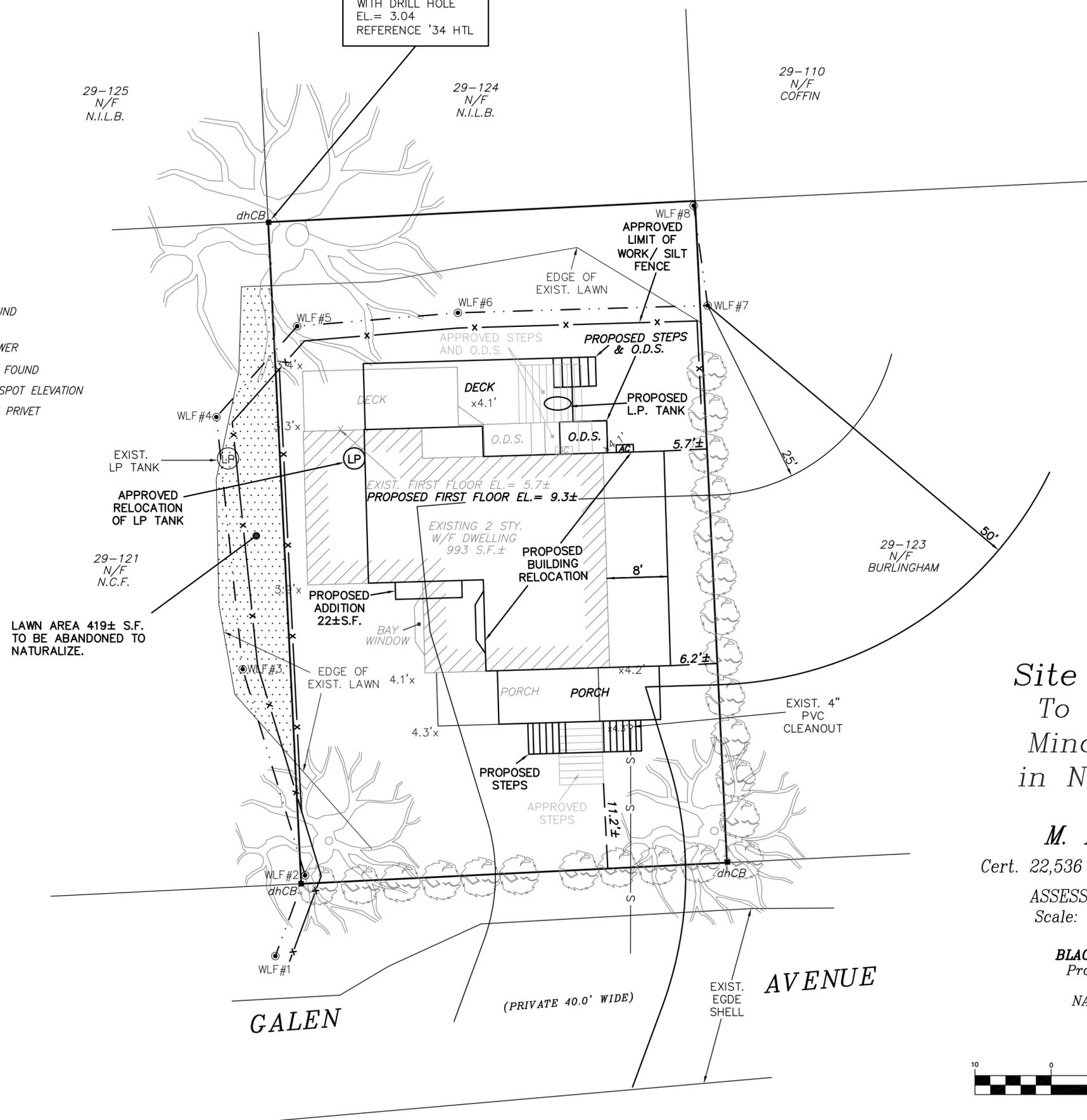
SITE BENCHMARK:
CONCRETE BOUND
WITH DRILL HOLE
EL. = 3.04
REFERENCE '34 HTL

NOTES:
LOCUS IS WITHIN LAND SUBJECT
TO COASTAL STORM FLOWAGE.
LOCUS IS SERVED BY MUNICIPAL
WATER AND SEWER SERVICE.

L.C. PLAN 37064-A

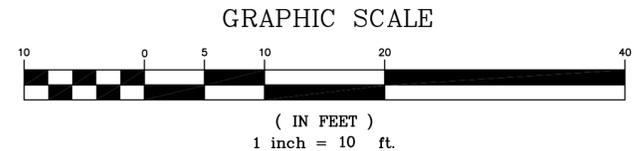
LEGEND

- dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- ODS DENOTES OUTDOOR SHOWER
- WLF#4 ● DENOTES WETLAND FLAG FOUND
- x4.2 DENOTES EXIST. GRADE SPOT ELEVATION
- ⊖⊖⊖⊖⊖⊖ DENOTES EXIST. 5' WIDE PRIVET
- S — S — DENOTES EXIST. SEWER



Site Plan of Land
To Accompany A
Minor Modification
in Nantucket, MA
Prepared for
M. LEIGHTON COLLIS

Cert. 22,536 L.C. Plan 37064-A, Lot 1
ASSESSOR'S MAP 29, PARCEL 122
Scale: 1" = 10' JULY 31, 2015
REVISED: APRIL 6, 2016
BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026



Wesquo Capital
Partners

57 Washington St
(42.2.3-37 Lot 1A)

SE48-2796



P.O. Box 3627, Nantucket, Massachusetts 02584-3627
Tel. (508) 228-0240 Fax (508) 228-9856
www.nantucketsurveyors.com
nslinfo@nantucketsurveyors.com

April 15, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Minor Modification Request
D.E.P. File No SE48-2796
Applicant: Wesquo Capital Partners
57 Washington Street Map: 42.2.3 Parcel: 37 (Lot 1A)
Nantucket, MA 02554

Dear Commission Member,

On behalf of the applicant, Nantucket Surveyors LLC is requesting a Minor Modification to incorporate a detailed Landscape Plan to the file. The project was issued an Order of Conditions with an amendment thereto for the relocation and enlargement of an existing structure and construction of a second structure with grading, landscaping, and utilities within Land Subject to Coastal Storm Flowage and buffer zone to a Coastal Beach on June 24, 2015.

We have also filed herewith the record Plan of Land for the subject property.

Thank you for your attention to this matter. If you have any questions, please contact our office.

Sincerely,
Nantucket Surveyors, LLC


Paul J. Santos, PLS
Agent for the Applicant

Enclosure: Landscape Plan dated April 13, 2016
One (1) filing fee to the Town of Nantucket \$25.00

CC: Wesquo Capital Partners

Office located at 5 Windy Way • Nantucket, MA 02554

Land Surveying • Topographic Surveys • Civil Engineering • Construction • Marine • Environmental Permitting



2015 00001820

Bk: 1489 Pg: 334 Page: 1 of 16
Doc: OOC 07/06/2015 01:28 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
SE48-279
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

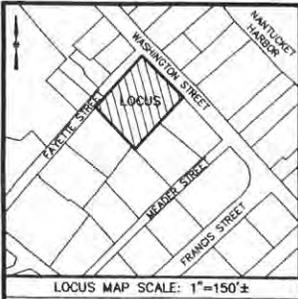
a. First Name Wesquo Capital Partners b. Last Name _____
c. Organization 37 Old South Road, Unit 6
d. Mailing Address Nantucket MA 02554
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name Bruce D. b. Last Name Holdgate
c. Organization Douglas Woodyatt Island Family, LLC
d. Mailing Address 30 Friendship Lane
e. City/Town Nantucket MA 02554
f. State g. Zip Code

5. Project Location:

a. Street Address 57 Washington Street b. City/Town Nantucket
c. Assessors Map/Plat Number 42.2.3 d. Parcel/Lot Number 37
Latitude and Longitude, if known: N 41.280258 -70.094898
d. Latitude e. Longitude



LOCUS MAP SCALE: 1"=150'±

REFERENCES:
 OWNER REF.: WESQUO PROPERTY B, LLC
 TOTAL AREA=12,975± S.F.
 DEED REF.: DEED BOOK 1488, PAGE 313
 PLAN REF.: PLAN BOOK 2015, PAGE 45
 ASSESSORS REF.: MAP: 42.2.3 PARCEL: 37

CURRENT ZONING: ROH
 MINIMUM LOT SIZE: 5,000 S.F.
 MINIMUM FRONTAGE: 50'
 FRONT YARD SETBACK: NONE
 SIDE AND REAR SETBACK: 5'
 MAXIMUM G.C.R.: 50%

NOTES:

1. THE PLANNING BOARD DETERMINES THAT:

LOT(S) 1A & 1B DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

2. THE PREMISES SHOWN ON THIS PLAN IS LOCATED WITHIN FLOOD HAZARD ZONES "AE" (EL. 9) & "VE" (EL. 11) AS DELINEATED ON THE "FIRM" MAP NO. 25019C0088G; EFFECTIVE DATE: JUNE 9, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

LEGEND:

CONC.	CONCRETE
Dd Bk	DEED BOOK
DHCB	DRILL HOLE/CONCRETE BOUND
FND	FOUND
GC	GROUND COVER
IP	IRON PIPE
N/F	NOW OR FORMERLY
Pg	PAGE
PI Bk	PLAN BOOK
S.F.	SQUARE FEET
SSM	STEEL SURVEYORS MARKER

PLAN OF LAND

BEING AN ADJUSTMENT OF LOT LOT LINES
 PLAN BOOK 2015, PAGE 45
 #57 WASHINGTON STREET

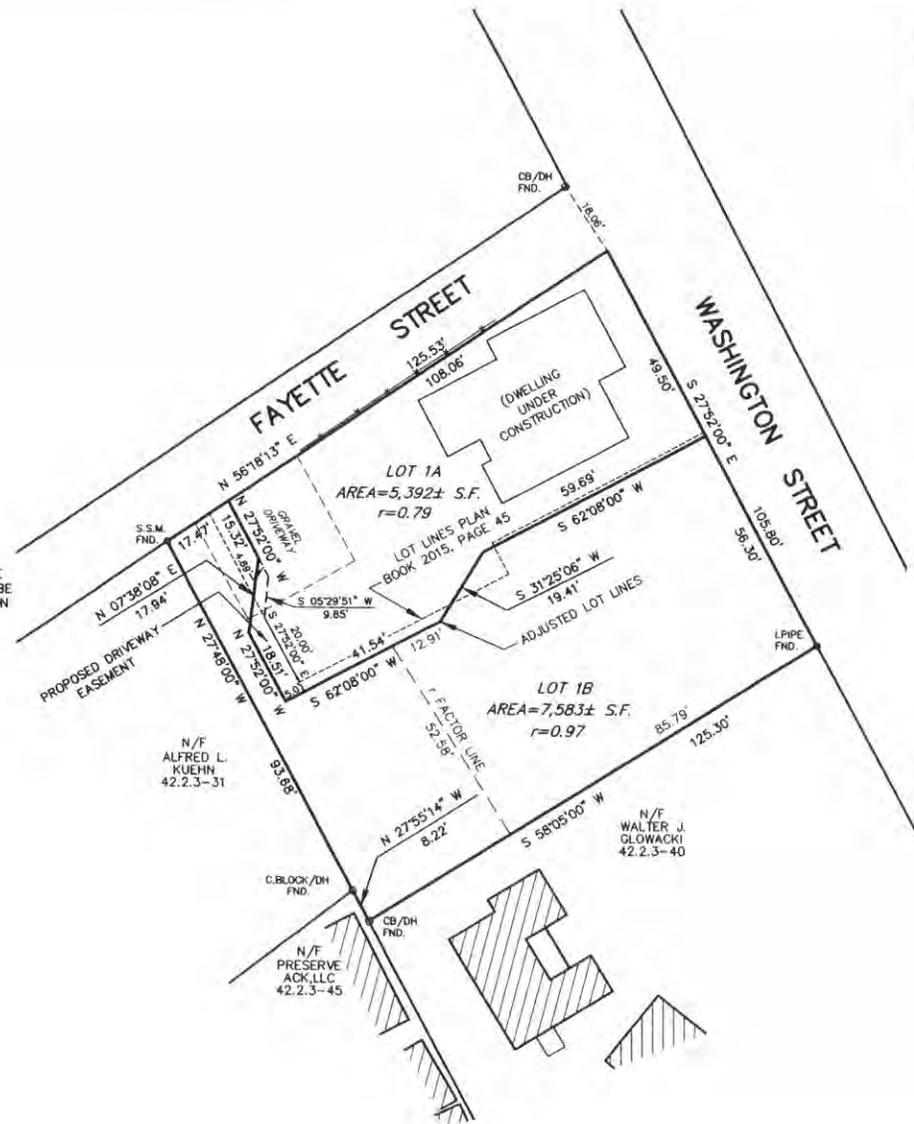
IN
 NANTUCKET, MASSACHUSETTS

SCALE: 1"=20' DATE: NOVEMBER 09, 2015

PREPARED FOR:

WESQUO PROPERTY B, LLC
 NANTUCKET SURVEYORS, LLC
 5 WINDY WAY
 NANTUCKET, MA 02554
 (508) 228-0240

GRAPHIC SCALE
 1"=20'



MERIDIAN: PI Bk 12, Pg 37

NANTUCKET REGISTRY OF DEEDS

Date: 12/7/2015

Time: 9:29 AM

Plan Bk: PG

Plan File No: 2015-97

Attest: *Conny H Ferreira*
 Registrar

Sheet 1 of 1

RESERVED FOR REGISTRY USE ONLY



Bk: Pg: 0 Page: 0
 Doc: PLAN 12/07/2015 09:29 AM

THE AREA CALCULATIONS FOR EACH LOT COMPLIES WITH LOT AREA REQUIREMENTS AS PROVIDED IN NANTUCKET ZONING BYLAW CH. 139 SS. 2A AND 16A.

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

NANTUCKET PLANNING BOARD

APPROVAL UNDER THE
 SUBDIVISION CONTROL LAW
 NOT REQUIRED

Barry Redden
 BARRY REDDEN
Linda Williams
 LINDA WILLIAMS, VICE-CHAIRMAN
Nathaniel Lowell
 NATHANIEL LOWELL

John McLaughlin
 JOHN McLAUGHLIN
Joseph Marklinger
 JOSEPH MARKLINGER

DATE APPROVED: 11-19-15

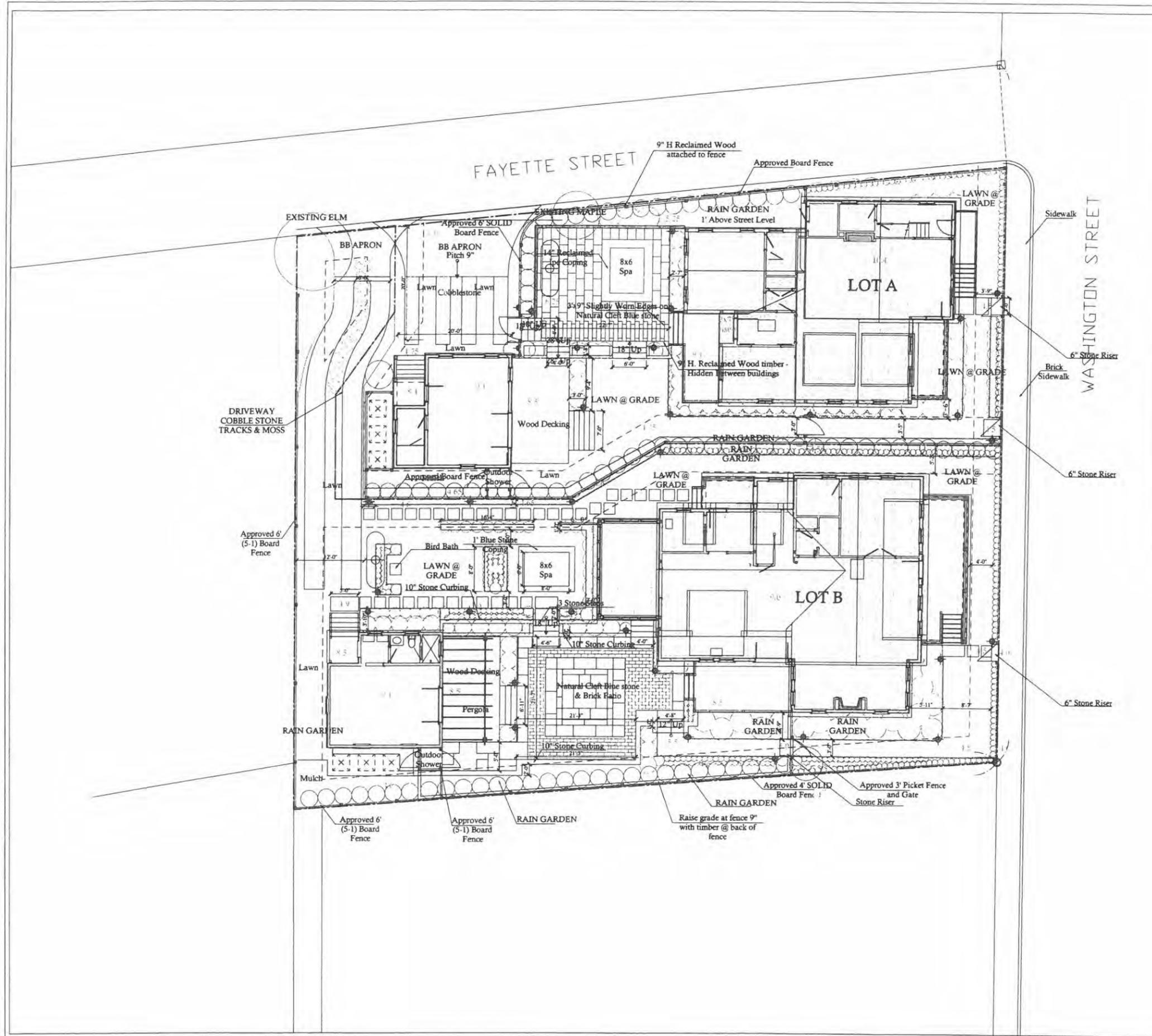
DATE SIGNED: 11-19-15

FILE NO.: 7090



"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Paul J. Santo
 PROFESSIONAL LAND SURVEYOR
 DATE: 11/9/15



- General Notes**
- The contractor shall fully acquaint himself with the conditions on the site. The contractor shall thoroughly examine and be familiar with the drawings and specifications. Should the contractor find, after visiting the site or during construction, any discrepancy, omission, ambiguity, or conflict in or among the contract documents or in a doubt as to their meaning, he shall bring them items to the attention of the Landscape Designer for direction before proceeding with the work.
 - The contractor shall determine the exact location of all existing utilities before commencing work, and shall be fully responsible for any and all damages which may be occasioned by the contractor's failure to exactly locate and preserve any and all utilities.
 - All work shall conform to requirements of the local soil conservation district and applicable federal, state, local statutes, ordinances, regulations, laws and codes. The contractor shall take all necessary steps to ensure such compliance at no additional cost to the Owner.
 - The contractor is responsible for obtaining all necessary permits for construction.
 - The contractor is responsible for licensing as required by applicable regulatory agencies.
 - The contractor is responsible for all sales, use and capital gains taxes.
 - The contractor shall obtain owner's approval for times of day during which construction operations may occur. All construction shall occur within times specified by local ordinance.
 - The contractor shall identify all existing trees and limits of work for approval by the Landscape Designer prior to the start of work. Areas outside the limits of work should not be used for storage or movement of materials, machinery or debris.
 - The contractor shall provide erosion control materials around limits of work. Such materials shall be in place prior to demolition and remain in place until work is completed where applicable.
 - Protective fencing shall be erected at the drip-line of existing trees to be protected before construction begins and shall remain in place until all construction is complete.
 - Minimize grading and construction operations as much as possible in the root zones of existing trees to remain. Landscape Designer to approve all grading construction, trenching or other disturbance required within the root zones of trees. The contractor is responsible for consulting with an arborist prior to major excavation. Do not shred or tear roots with excavation equipment. Clean cut roots larger than 1" with saw or chippers.
 - The contractor is to strip and stockpile all available topsoil prior to grading operations. Protect the stockpile with air fencing or other run-off control measures.
 - The contractor shall distribute all his materials and equipment and spread any stockpiles in such a manner as to protect existing conditions such as utilities, paving, vegetation, etc. Do not stockpile soil or construction materials or drive vehicles within the drip line of trees to remain. The contractor shall obtain the approval of the owner for all construction access areas, staging and stockpile areas prior to construction.
 - The contractor shall preserve and protect all existing conditions unless otherwise noted. Methods used to protect all existing conditions shall be maintained and replaced if damaged during construction.
 - The contractor shall provide mock-ups of all vertical and horizontal surfaces for owner's approval prior to construction.
 - The contractor shall make the alignment of all paving, walls, and site features in the field for approval by the Landscape Designer prior to construction.
 - The contractor shall keep the site clean and free of trash at all times during construction. The contractor shall provide receptacles to be used on site during construction and shall remove trash from the site on a daily basis.
 - Upon completion of the project all excess soil, temporary fencing, erosion control measures, stabilization materials, and other debris shall be removed from the site and disposed of legally. All paved areas, walls, etc. shall be thoroughly washed and cleaned upon completion of the project.
 - The contractor is responsible for coordinating with all other trades on the site.
- LAYOUT NOTES**
- New work shall meet and match alignment of existing features and finished grades at limits of work and at existing pavement or other facilities to remain. The contractor shall verify all existing conditions and make necessary minor adjustments in the proposed work to meet the intent of the plans and to provide smooth transitions between existing conditions and new work.
 - The layout is intended in part to relate to existing architectural and site features. In general the measurements on the drawings are reasonable and accurate for their purposes. However, in the execution of work on the project, the contractor is to verify all dimensions with actual conditions on the job in order to make a perfect fit.
 - For layout, all angles are 90 degrees unless otherwise noted.
 - All dimensions are in feet of siding, face of riser and face of wall unless otherwise noted.
 - The contractor shall make the alignment of walls and all other hardscape features, per layout dimensions, in the field for approval by the Landscape Designer prior to beginning construction.



**Jardins
Intl.**

33 Pleasant Street
Natick, MA 01908
508.222.9933 781.222.9937

Residence
57 Washington Street
Natick, MA
Layout Plan

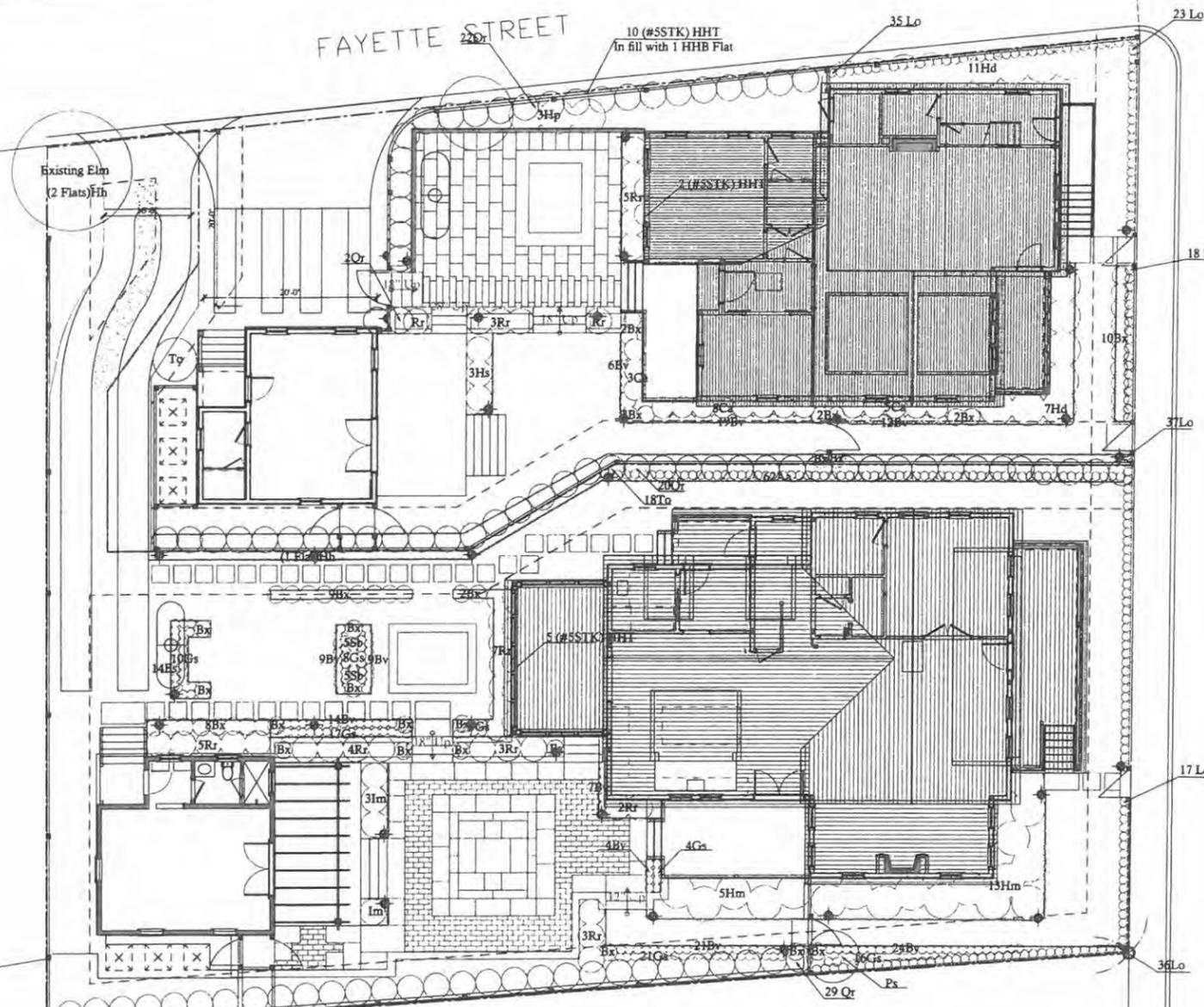


Planting Notes

1. Contractor is responsible for contacting for determining of the location of all existing utilities prior to commencing the work.
2. Remove all rocks and debris larger than 2" diameter from all planting beds.
3. Before planting all beds should be prepared with 66% topsoil and 33% manure loam, which shall be incorporated to a minimum depth of 18".
4. Lawn areas shall receive 12" of top soil. Lawn to be seeded with a Cape Cod lawn mix.
5. Meadow areas shall be de-compacted and seeded once if fall and again in spring.
6. After completion of planting, all shrub beds shall be top-dressed with 2" of mulch. Mulch to be kept away from all collars of plants.
7. All Planting shall have a replacement guarantee for a period of one year beginning at the dated of Landscape Completion. Barring damage due to extraordinary weather events.
8. Existing vegetated area between abutting properties and newly landscaped areas shall be clear of major debris, and kept in a state of "controlled neglect". This buffer is important to maintain in a wild state for privacy.

PLANTING SCHEDULE:

Sym	Total	Botanical Name	Common Name	Size	Spacing
Aa	62	<i>Azalea chinensis</i> 'Vision In White'	Vision In White False Goats Beard	1g	12" o.c.
Bv	125	<i>Buxus sempervirens</i> 'Green Mountain'	Green Mountain Boxwood	1g	12" o.c.
Be	14	<i>Buxus sempervirens</i> 'Green Velvet'	Green Velvet Boxwood	4-5"	12" o.c.
Bx	54	<i>Buxus sempervirens</i> 'Green Velvet'	Green Velvet Boxwood	10g	2' o.c.
Ca	16	<i>Clethra alnifolia</i> 'Hummingbird'	Hummingbird Summersweet	5g	3' o.c.
Ga	82	<i>Geranium sanguineum</i> 'Razanne'	Cranesbill	1g	12" o.c.
Hd	18	<i>Hydrangea macrophylla</i> 'Domotoi'	Domotoi Hydrangea	10g	4' o.c.
HHT	4	<i>Hedera Helix</i> 'Baltica' (Note: Flats include 100 plugs)	Baltic Ivy	Flat	6" o.c.
HHT	17	<i>Hedera Helix</i> 'Thorndale' (Note #SSTK)	Thorndale Ivy	SSTK	N/A
Hm	18	<i>Hydrangea macrophylla</i> 'Blauaise'	Teller Blue Hydrangea	10g	4' o.c.
Hp	3	<i>Hydrangea paniculata</i> 'Kyushu'	Kyushu Hydrangea	10g	4' o.c.
Hs	3	<i>Hydrangea macrophylla</i> 'Sister Theresa'	Sister Theresa Hydrangea	10g	4' o.c.
Im	4	<i>Ilex x meserveae</i>	Blue Prince Holly	5g	3' o.c.
Lo	166	<i>Ligustrum ovalifolium</i>	California Privet	3'-4"	12" o.c.
Ps	1	<i>Prunus subhirtella</i> 'Autumnalis'	Winter-flowering Cherry	2.5" Cal	3' o.c.
Rr	34	<i>Rosa x 'Radwhite'</i>	White Out Rose	5g	4' o.c.
Qr	73	<i>Quercus robur</i>	English Oak	12-14'	3' o.c.
To	19	<i>Thuja occidentalis</i> 'Emerald Green'	Emerald Green Arborvitae	10-12'	3' o.c.
Sb	10	<i>Stachys Byzantine</i> 'Helen Von Stein'	Lamb's Ear	1g	12" o.c.



Wesquo Capital
Partners

57 Washington St
(42.2.3-37 Lot 1B)

SE48-2837



P.O. Box 3627, Nantucket, Massachusetts 02584-3627

Tel. (508) 228-0240 Fax (508) 228-9856

www.nantucketsurveyors.com

nsllcinfo@nantucketsurveyors.com

April 15, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Minor Modification Request
D.E.P. File No SE48-2837
Applicant: Wesquo Capital Partners
57 Washington Street Map: 42.2.3 Parcel: 37 (Lot 1B)
Nantucket, MA 02554

Dear Commission Member,

On behalf of the applicant, Nantucket Surveyors LLC is requesting a Minor Modification to incorporate a detailed Landscape Plan to the file. The project was issued an Order of Conditions for the construction of a new building with an additional structure and associated grading, landscaping and utilities within Land Subject to Coastal Storm Flowage and buffer zone to a Coastal Beach on November 18, 2015.

We have also filed herewith the record Plan of Land for the subject property.

Thank you for your attention to this matter. If you have any questions, please contact our office.

Sincerely,
Nantucket Surveyors, LLC


Paul J. Santos, PLS
Agent for the Applicant

Enclosure: Landscape Plan dated April 13, 2016
One (1) filing fee to the Town of Nantucket \$25.00

CC: Wesquo Capital Partners

Office located at 5 Windy Way • Nantucket, MA 02554

Land Surveying • Topographic Surveys • Civil Engineering • Construction • Marine • Environmental Permitting



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
SE48- 2837
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

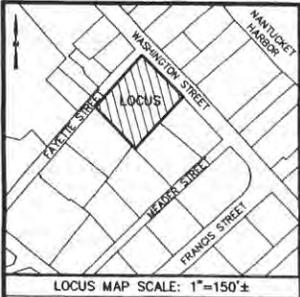
a. First Name Wesquo Capital Partners b. Last Name _____
c. Organization 37 Old South Road, Unit 6
d. Mailing Address _____
e. City/Town Nantucket f. State MA g. Zip Code 02554

4. Property Owner (if different from applicant):

a. First Name _____ b. Last Name _____
c. Organization Wesquo Property B, LLC
d. Mailing Address 37 Old South Road, Unit 6
e. City/Town Nantucket f. State MA g. Zip Code 02554

5. Project Location:

a. Street Address 57 Washington Street b. City/Town Nantucket
c. Assessors Map/Plat Number 42.2.3 d. Parcel/Lot Number 37
Latitude and Longitude, if known: e. Latitude N 41.280258 f. Longitude -70.094898



LOCUS MAP SCALE: 1"=150'±

REFERENCES:
 OWNER REF.: WESQUO PROPERTY B, LLC
 TOTAL AREA=12,975± S.F.
 DEED REF.: DEED BOOK 1488, PAGE 313
 PLAN REF.: PLAN BOOK 2015, PAGE 45
 ASSESSORS REF.: MAP: 42.2.3 PARCEL: 37

CURRENT ZONING: ROH
 MINIMUM LOT SIZE: 5,000 S.F.
 MINIMUM FRONTAGE: 50'
 FRONT YARD SETBACK: NONE
 SIDE AND REAR SETBACK: 5'
 MAXIMUM G.C.R.: 50%

NOTES:

1. THE PLANNING BOARD DETERMINES THAT:
 LOT(S) 1A & 1B DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
2. THE PREMISES SHOWN ON THIS PLAN IS LOCATED WITHIN FLOOD HAZARD ZONES "AE" (EL. 9) & "VE" (EL. 11) AS DELINEATED ON THE "FIRM" MAP NO. 25019C0088G; EFFECTIVE DATE: JUNE 9, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

LEGEND:

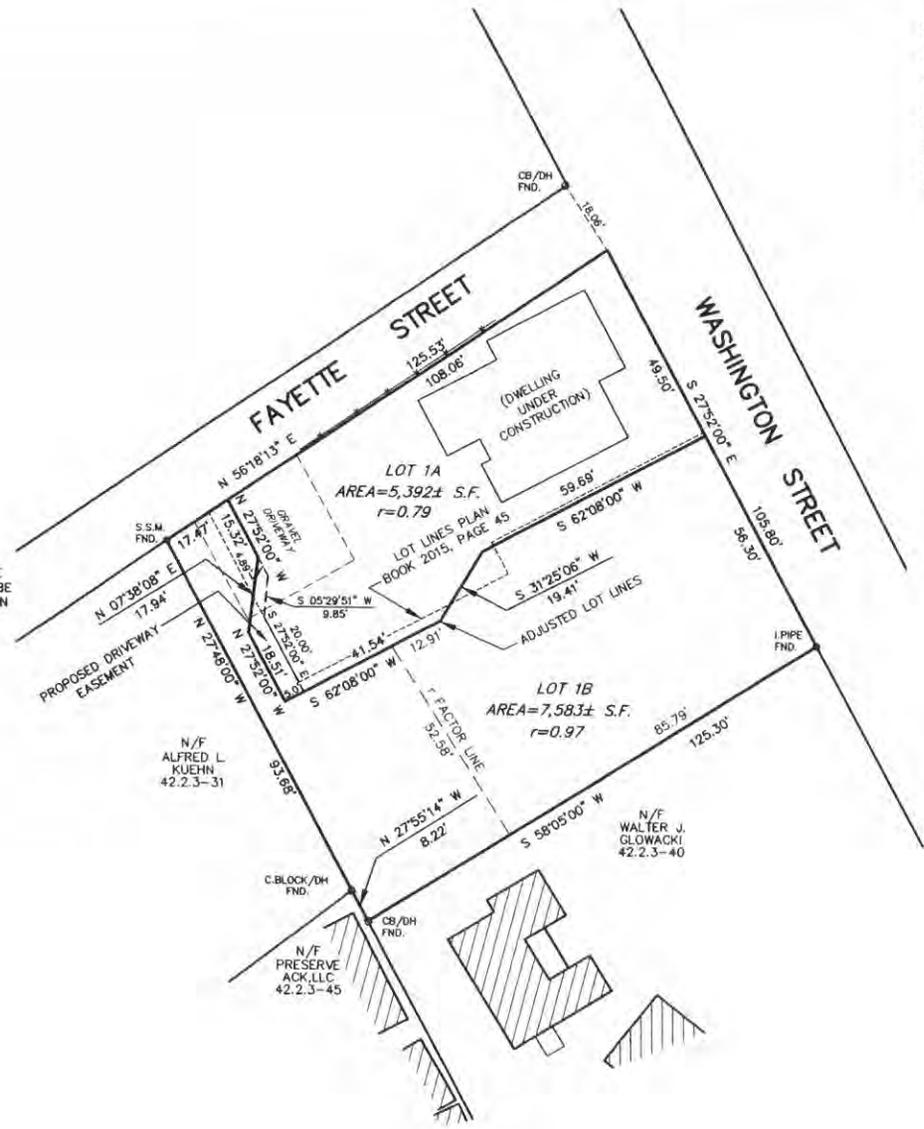
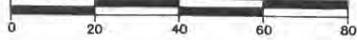
CONC.	CONCRETE
Dd Bk	DEED BOOK
DHCB	DRILL HOLE/CONCRETE BOUND
FND	FOUND
GC	GROUND COVER
IP	IRON PIPE
N/F	NOW OR FORMERLY
Pg	PAGE
PI BK	PLAN BOOK
S.F.	SQUARE FEET
SSM	STEEL SURVEYORS MARKER

PLAN OF LAND

BEING AN ADJUSTMENT OF LOT LINES
 PLAN BOOK 2015, PAGE 45
 #57 WASHINGTON STREET
 IN
 NANTUCKET, MASSACHUSETTS
 SCALE: 1"=20' DATE: NOVEMBER 09, 2015

PREPARED FOR:
 WESQUO PROPERTY B, LLC
 NANTUCKET SURVEYORS, LLC
 5 WINDY WAY
 NANTUCKET, MA 02554
 (508) 228-0240

GRAPHIC SCALE
 1"=20'



MERIDIAN: PI BK 12, Pg 37

NANTUCKET REGISTRY OF DEEDS
 Date: 12/7/2015
 Time: 9:29 AM
 Plan BK: _____ PG: _____
 Plan File: No 2015-91
 Attest: Conny # Ferreira Register
 Sheet 1 of 1
 RESERVED FOR REGISTRY USE ONLY

2015 00000003
 Bk: Pg: 0 Page: 0
 Doc: PLAN 12/07/2015 09:29 AM

THE AREA CALCULATIONS FOR EACH LOT COMPLIES WITH LOT AREA REQUIREMENTS AS PROVIDED IN NANTUCKET ZONING BYLAW CH. 139 SS. 2A AND 16A.
 PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

NANTUCKET PLANNING BOARD

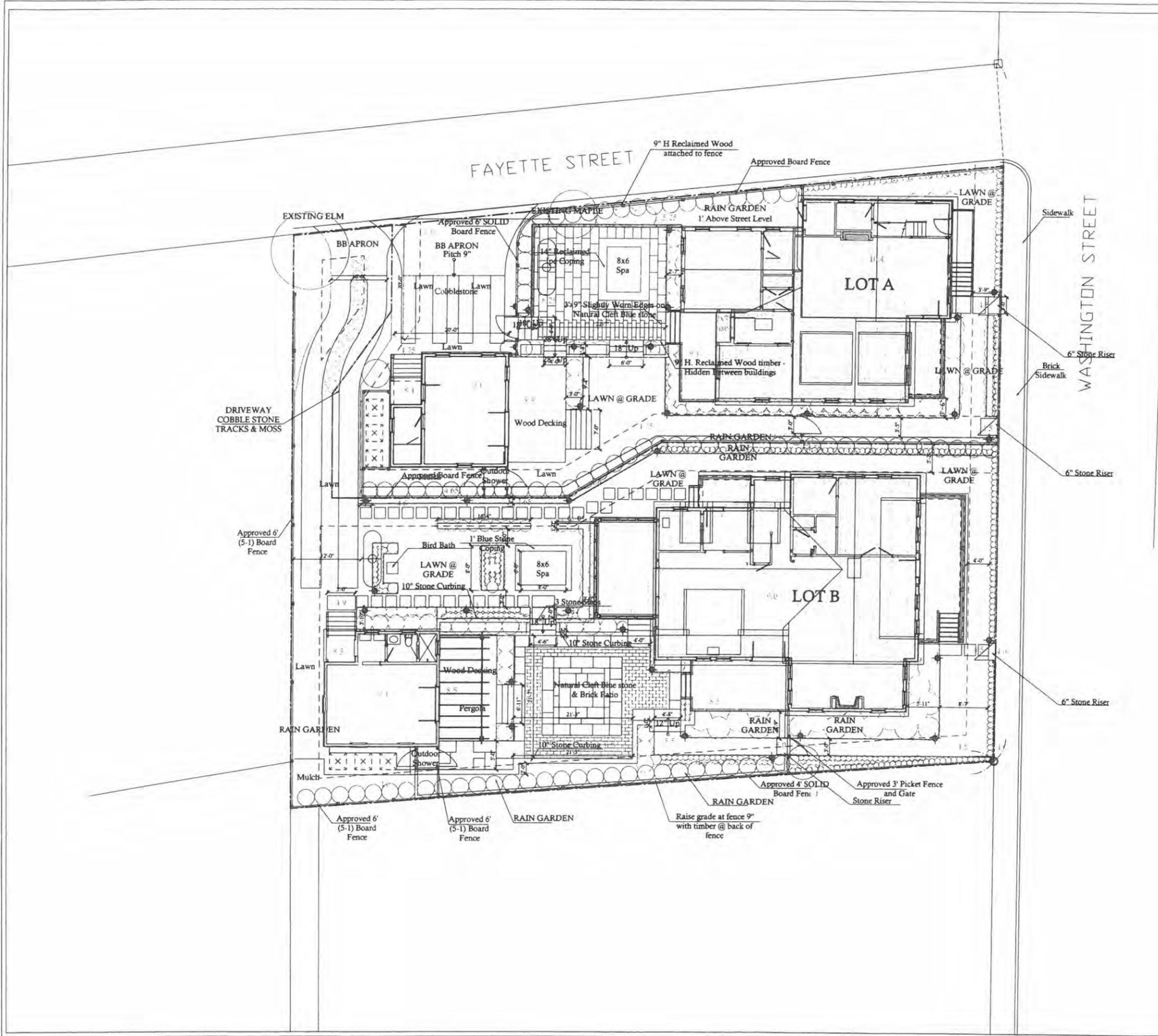
APPROVAL UNDER THE
 SUBDIVISION CONTROL LAW
 NOT REQUIRED

[Signature]
 BARRY REED
[Signature]
 LINNA WILLIAMS
[Signature]
 NATHANIEL LOWELL

JOHN McLAUGHLIN
[Signature]
 JOSEPH MARCKLINGER
 DATE APPROVED: 11-19-15
 DATE SIGNED: 11-19-15
 FILE NO.: 7090



"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."
Paul J. Santos
 PROFESSIONAL LAND SURVEYOR
 DATE: 11/9/15



- General Notes**
1. The contractor shall fully acquaint himself with the conditions on the site. The contractor shall thoroughly examine and be familiar with the drawings and specifications. Should the contractor find, after visiting the site or during construction, any discrepancy, omission, ambiguity, or conflict in or among the contract documents or in a doubt as to their meaning, he shall bring them items to the attention of the Landscape Designer for direction before proceeding with the work.
 2. The contractor shall determine the exact location of all existing utilities before commencing work, and shall be fully responsible for any and all damages which may be occasioned by the contractor's failure to exactly locate and preserve any and all utilities.
 3. All work shall conform to requirements of the local soil conservation district and applicable federal, state, local statutes, ordinances, regulations, laws and codes. The contractor shall take all necessary steps to ensure such compliance at no additional cost to the Owner.
 4. The contractor is responsible for obtaining all necessary permits for construction.
 5. The contractor is responsible for licensing as required by applicable regulatory agencies.
 6. The contractor is responsible for all sales, use and capital gains taxes.
 7. The contractor shall obtain owner's approval for times of day during which construction operations may occur. All construction shall occur within times specified by local ordinance.
 8. The contractor shall identify all staging areas and limit of work for approval by the Landscape Designer prior to the start of work. Areas outside the limit of work should not be used for storage or movement of materials, machinery or debris.
 9. The contractor shall provide erosion control materials around limits of work. Such materials shall be in place prior to demolition and remain in place until work is completed where applicable.
 10. Protective fencing shall be erected at the drip-line of existing trees to be protected before construction begins and shall remain in place until all construction is complete.
 11. Minimize grading and construction operations as much as possible in the root zones of existing trees to remain. Landscape Designer to approve all grading construction, trenching or other disturbance required within the root zone of trees. The contractor is responsible for consulting with an arborist prior to major excavation. Do not shred or tear roots with excavation equipment. Clean cut roots larger than 1" with saw or chippers.
 12. The contractor is to strip and stockpile all available topsoil prior to grading operations. Protect the stockpile with air fencing or other run-off control measures.
 13. The contractor shall distribute all his materials and equipment and spread any stockpiles in such a manner as to protect existing conditions such as utilities, paving, vegetation, etc. Do not stockpile soil or construction materials or drive vehicles within the drip line of trees to remain. The contractor shall obtain the approval of the owner for all construction access areas, staging and stockpile areas prior to construction.
 14. The contractor shall preserve and protect all existing conditions unless otherwise noted. Methods used to protect all existing conditions shall be maintained and replaced if damaged during construction.
 15. The contractor shall provide mock-ups of all vertical and horizontal surfaces for owner's approval prior to construction.
 16. The contractor shall make the alignment of all paving, walls, and site features in the field for approval by the Landscape Designer prior to construction.
 17. The contractor shall keep the site clean and free of trash at all times during construction. The contractor shall provide receptacles to be used on site during construction and shall remove trash from the site on a daily basis.
 18. Upon completion of the project all excess soil, temporary fencing, erosion control measures, stabilization materials, and other debris shall be removed from the site and disposed of legally. All paved areas, walls, etc. shall be thoroughly washed and cleaned upon completion of the project.
 19. The contractor is responsible for coordinating with all other trades on the site.

- Layout Notes**
1. New work shall meet and match alignment of existing features and finished grades at limits of work and at existing pavement or other facilities to remain. The contractor shall verify all existing conditions and make necessary minor adjustments in the proposed work to meet the intent of the plans and to provide smooth transitions between existing conditions and new work.
 2. The layout is intended in part to relate to existing architectural and site features. In general the measurements on the drawings are reasonable and accurate for their purposes. However, in the execution of work on the project, the contractor is to verify all dimensions with actual conditions on the job in order to make a perfect fit.
 3. For layout, all angles are 90 degrees unless otherwise noted.
 4. All dimensions are in feet of siding, face of riser and face of wall unless otherwise noted.
 5. The contractor shall make the alignment of walls and all other hardscape features, per layout dimensions, in the field for approval by the Landscape Designer prior to beginning construction.



**Jardins
Intl.**

33 Pleasant Street
Natick, MA 01908
508.222.9933 781.222.9937

Residence
57 Washington Street
Natick, MA
Layout Plan

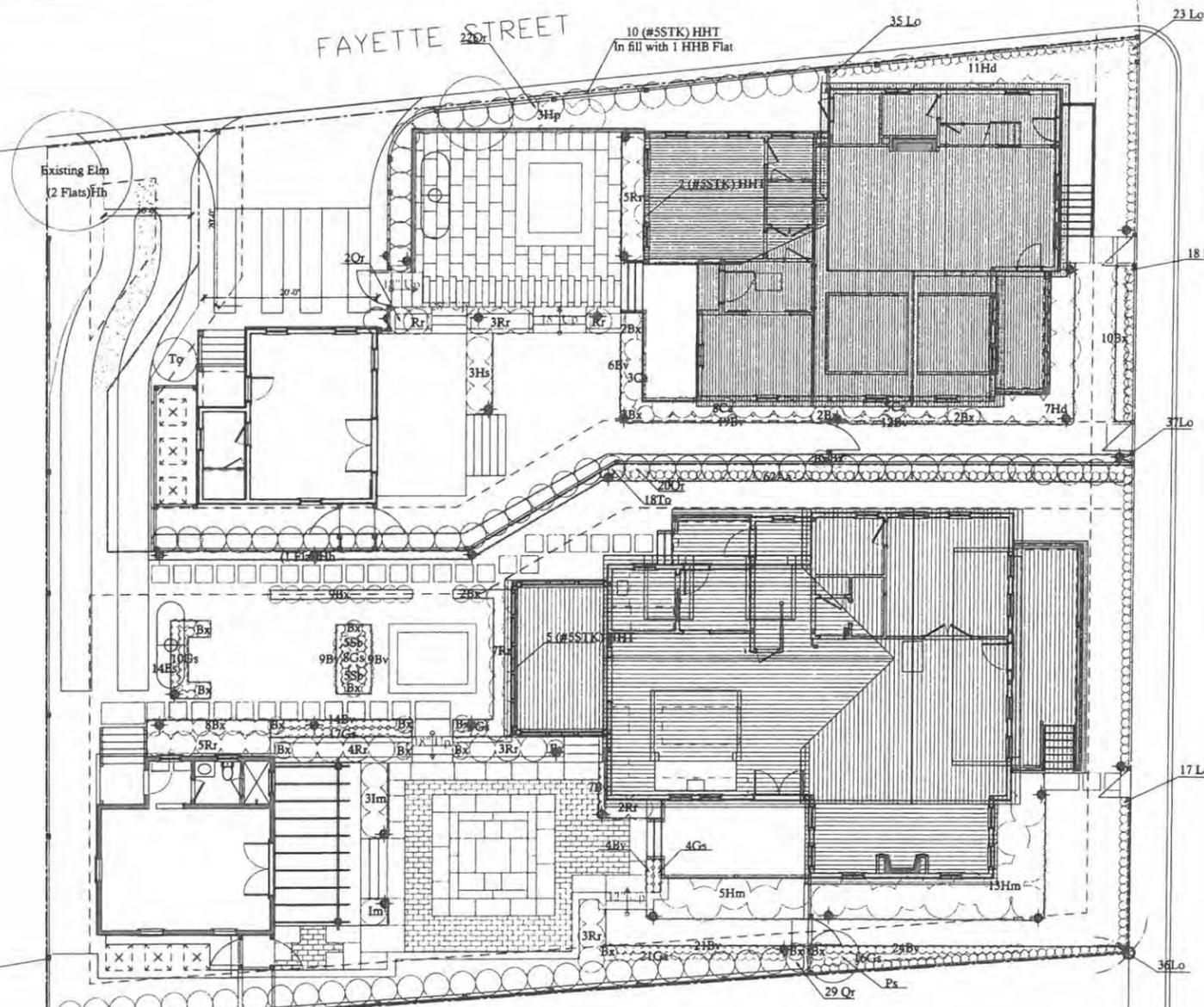


Planting Notes

1. Contractor is responsible for contacting for determining of the location of all existing utilities prior to commencing the work.
2. Remove all rocks and debris larger than 2" diameter from all planting beds.
3. Before planting all beds should be prepared with 66% topsoil and 33% manure loam, which shall be incorporated to a minimum depth of 18".
4. Lawn areas shall receive 12" of top soil. Lawn to be seeded with a Cape Cod lawn mix.
5. Meadow areas shall be de-compacted and seeded once if fall and again in spring.
6. After completion of planting, all shrub beds shall be top-dressed with 2" of mulch. Mulch to be kept away from all collars of plants.
7. All Planting shall have a replacement guarantee for a period of one year beginning at the dated of Landscape Completion. Barring damage due to extraordinary weather events.
8. Existing vegetated area between abutting properties and newly landscaped areas shall be clear of major debris, and kept in a state of "controlled neglect". This buffer is important to maintain in a wild state for privacy.

PLANTING SCHEDULE:

Sym	Total	Botanical Name	Common Name	Size	Spacing
Aa	62	<i>Azalea chinensis</i> 'Vision In White'	Vision In White False Goats Beard	1g	12" o.c.
Bv	125	<i>Buxus sempervirens</i> 'Green Mountain'	Green Mountain Boxwood	1g	12" o.c.
Be	14	<i>Buxus sempervirens</i> 'Green Velvet'	Green Velvet Boxwood	4-5"	12" o.c.
Bx	54	<i>Buxus sempervirens</i> 'Green Velvet'	Green Velvet Boxwood	10g	2' o.c.
Ca	16	<i>Clethra alnifolia</i> 'Hummingbird'	Hummingbird Summersweet	5g	3' o.c.
Ga	82	<i>Geranium sanguineum</i> 'Razanne'	Cranesbill	1g	12" o.c.
Hd	18	<i>Hydrangea macrophylla</i> 'Domotoi'	Domotoi Hydrangea	10g	4' o.c.
HHT	4	<i>Hedera Helix</i> 'Baltica' (Note: Flats include 100 plugs)	Baltic Ivy	Flat	6" o.c.
HHT	17	<i>Hedera Helix</i> 'Thorndale' (Note #SSTK)	Thorndale Ivy	SSTK	N/A
Hm	18	<i>Hydrangea macrophylla</i> 'Blauaise'	Teller Blue Hydrangea	10g	4' o.c.
Hp	3	<i>Hydrangea paniculata</i> 'Kyushu'	Kyushu Hydrangea	10g	4' o.c.
Hs	3	<i>Hydrangea macrophylla</i> 'Sister Theresa'	Sister Theresa Hydrangea	10g	4' o.c.
Im	4	<i>Ilex x meserveae</i>	Blue Prince Holly	5g	3' o.c.
Lo	166	<i>Ligustrum ovalifolium</i>	California Privet	3'-4"	12" o.c.
Ps	1	<i>Prunus subhirtella</i> 'Autumnalis'	Winter-flowering Cherry	2.5" Cal	3' o.c.
Rr	34	<i>Rosa x 'Radwhite'</i>	White Out Rose	5g	4' o.c.
Qr	73	<i>Quercus robur</i>	English Oak	12-14'	3' o.c.
To	19	<i>Thuja occidentalis</i> 'Emerald Green'	Emerald Green Arborvitae	10-12'	3' o.c.
Sb	10	<i>Stachys Byzantine</i> 'Helen Von Stein'	Lamb's Ear	1g	12" o.c.



CERTIFICATES OF COMPLIANCE

Cunningham

103 Eel Point Road

(32-6)

SE48-2545



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

2545
 Provided by DEP

A. Project Information

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Margaret Cunningham
 Name
 % Foster Dykema Cabot Co, 101 Arch St, 18th Floor
 Mailing Address
 Boston, MA
 City/Town MA State 02110 Zip Code
 617-423-3900
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Margaret Cunningham
 Applicant
 4/1/2013
 Dated
 2545
 DEP File Number

3. The project site is located at:

103 Eel Point Rd.
 Street Address Nantucket
 City/Town
 32
 Assessors Map/Plat Number 6
 Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Margaret Cunningham
 Property Owner (if different)
 Nantucket
 County
 15185
 Book
 Certificate (if registered land) Page

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary):

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

EXTENSION REQUESTS

Nantucket Yacht Club

1 South Beach Street

(42.4.2-010)

SE48-2559

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

20 TEASDALE CIRCLE
NANTUCKET, MASSACHUSETTS 02554
(508) 228-9026
FAX: (508) 228-5292
www.blackwellsurvey.com

B5640

April 13, 2016

Mr. Jeffrey Carlson, Natural Resources Coordinator
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, Mass. 02554

Re: SE48-2559; Extension Request: ON-GOING USE OF A SEASONAL FLOAT SYSTEM , Nantucket Yacht Club, applicant and property owner ; # 1 South Beach Street, Nantucket, Massachusetts.

Title reference: Certificate of Title #5160 / Tax Map: 42.4.2-010

Dear Mr. Carlson:

On behalf of the applicant and property owner I am requesting a one (1) year Extension of the Order of Conditions (recorded as Land Court Doc.: 141162) issued on May 15, 2013 for the above referenced file number. We are in the process of completing all the requirements set forth in the Order of Conditions and expect to have Additional Information to the Commission once further studies are conducted this spring. This extension will allow the applicant ample time to comply with Additional Condition number 21 as approved in your Orders.

Enclosed please find a filing fee check in the amount of \$10.00 to properly process this request.

Please feel free to contact me at your convenience, if you require any additional information or if you have any questions in this matter.

Sincerely,



Leo C. Asadoorian, PS, CSE
Blackwell & Associates, Inc

w/enclosures

cc: Peter McEachern, NYC General Manager
Whitney Gifford, Esq.
Pamela Neubert, PhD.
DEP, Southeast Region.



**WPA Form 7 – Request for Extension Permit for
Orders of Conditions**

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.



- Applicant:
 NANTUCKET YACHT CLUB
 Name
 P.O. BOX 667- 1 SOUTH BEACH STREET
 Mailing Address
 NANTUCKET MA 02554
 City/Town State Zip Code
- Property Owner (if different):
 SAME
 Name
 Mailing Address
 City/Town State Zip Code

B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

MAY 15, 2013 Issued by: NANTUCKET
 Date Conservation Commission

for work at: 1 BEACH STREET 42.4.2 10
 Street Address Assessor's Map/Plat Number Parcel/Lot Number

recorded at the Registry of Deeds for:

NANTUCKET
 County Book Page
 5160
 Certificate (if registered land)

is hereby extended until: _____ Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

Draft Minutes



CONSERVATION COMMISSION PUBLIC MEETING

2 Bathing Beach Road
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Wednesday, April 6, 2016 4:00 P.M.
4 Fairgrounds Road, Training Room

Commissioners: Ernie Steinauer (Chair), Andrew Bennett (Vice Chair), Ashley Erisman, David LaFleur,
Ben Champoux, Ian Golding, Joe Topham

Called to order at 4:00 p.m.

Staff in attendance: Jeff Carlson, Natural Resources Coordinator
Attending Members: Golding (acting chair), Erisman, LaFleur, Champoux, Topham
Absent Members: Steinauer, Bennett
Late Arrivals: None
Earlier Departure: None
Agenda adopted by unanimous consent

*Matter has not been heard

I. PUBLIC MEETING

A. Public Comment – None

II. PUBLIC HEARING

A. Notice of Intent

1. Edwin Snider RT – 1 Brock’s Court (42.3.4-84) SE48-2834 **Cont (04/20/2016)**
2. Edwin Snider RT – 1 Brock’s Court (42.3.4-84) SE48-2835 **Cont (04/20/2016)**
3. Zarella – 125 Wauwinet Road (12-8) SE48- 2856 **Cont (04/20/2016)**
4. Zarella – 129 Wauwinet Road (12-4) SE48- 2857 **Cont (04/20/2016)**
5. Nantucket Island Land Bank – 46 & 48 South Cambridge Street (59.3-41 & 42) SE48-2871

Sitting: Erisman, LaFleur, Champoux, Golding, Topham
 Recused: None
 Documentation: Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative: **Paul Santos**, Nantucket Surveyors – This was **continued** for word from Division of Fisheries and Wildlife; that came back with no adverse impact under the Wetlands Protection Act.
 Public: (unidentified speaker) – Posed a question about the level of heavy equipment traffic on South Cambridge Street. Concern among the abutters is that the road would be returned to its pre-work condition.
Victoria Girvan – Asked if the structure will be offered for move off.
Bruce Mandell, 10 Midland Avenue – Asked the commission consider making a condition of the approval that the portion of South Cambridge Street and Midland Avenue within ConCom jurisdiction and if the Land Bank uses any of the road, that the road be returned to the condition it was prior to the construction.
 Discussion: **Golding** – There had been mention of what native plants were going in.
Santos – He doesn’t recall that but there was talk about ensuring any loam that came in would be clean.
Champoux – Asked about the likelihood that brush would have to be cut in order to move the structure.
Santos – He does not believe so; most likely the structure will be razed. It has to be offered before it can be demolished. He can take before and after photos; doesn’t want his client to end up being responsible for repair to a road that they didn’t use.
 Staff: Golding – Noted that ConCom jurisdiction is only within the 100 feet buffer.
 It can be conditioned that the road would be returned to its previous condition. Have everything needed to close.
 Motion: **Motion to Close.** (made by: LaFleur) (seconded by: Topham)
 Vote: Carried unanimously

6. Great State Properties, LLC – 92 Washington Street (42.2.3-22) SE48-2870 **Cont (04/20/2016)**

7. *The Kaplan Family NT – 8 Harbor View Way (42.4.1-28) SE48-2873

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative **Paul Santos**, Nantucket Surveyors – The property is completely with land subject to coastal storm flowage, the only resource area applicable. The work to raise the existing dwelling to come into compliance with Flood Insurance regulation; it will be raised to elevation 9.5 feet with no change to grading. Only the dwelling will be raised, the other structure is a garage. The new foundation will be designed in accordance with FEMA regulations.
 Public None
 Discussion None
 Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: Topham) (seconded by: LaFleur)
 Vote Carried unanimously

8. *Pocomo Neighbours – 47,53,55,57,61,63 & 69 Pocomo Road (Multiple) SE48-2874 **Cont (04/20/2016)**

9. *Savel Nominee Trust– 47 Pocomo Road (15-19) SE48-2872

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative **David Haines**, LEC Environmental – Waiting for MNH, so will have to continue. NOI is to relocate and reconstruct a boardwalk and beach stairs. The new section of boardwalk will run perpendicular to the bank. Explained construction of the boardwalk and stairs. The vegetation is mostly beach grass. They are prepared to replant if that is necessary, but they are sure it will grow back naturally.
 Public None
 Discussion **Champoux** – Agrees with Mr. Haines that the grass will probably grow back, but suggested a photo-monitoring condition to determine whether or not additional plantings are required.
 Staff None
 Motion Continued to April 20 without objection.
 Vote N/A

10. *Nantucket Island Land Bank – Off North Gully Road (73.1.3-122) SE48-2875

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative **Rachel Freeman**, Nantucket Islands Land Bank – NOI is to replace a set of stairs that are on an abutter’s property to be maintained by the Land Bank by agreement for public access. Looking to putting a jog in the stairs with an 8” rise, 12” run and 36” width with three 48” landings; currently the stairs go straight down.
 Public None
 Discussion **Golding** – Asked how the Land Bank will draw attention to the fact the stairs are for public use. Discussion about ways that might be accomplished.
Erisman – Asked if anything large has to be removed for this work.
Freeman – No.
 Staff Have everything needed to close.
 Motion **Motion to Close and Issue.** (made by: Champoux) (seconded by: Topham)
 Vote Carried unanimously

B. Amended Orders of Conditions

1. *Five and Nine Medouie Creek RT – 5 & 9 Medouie Creek Road (20-5 & 4) SE48-2587

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site and topographical plans, photos, requisite departmental l reports and correspondence.
 Representative **Don Bracken**, Bracken Engineering, Inc. – Asked that this be continued; he noticed that the abutter notification will have to be corrected.
 Public None
 Discussion None
 Staff None
 Motion Continued to April 20 without objection.
 Vote N/A

2. *Goose Cove LLC – 7 South Cambridge Street (59.4-132) SE48-2680

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site and topographical plans, photos, requisite departmental I reports and correspondence.
 Representative **Don Bracken**, Bracken Engineering, Inc. – There are three changes; the first is are to add a pervious parking area off the driveway between the house and wetland buffer; it is between the 25- and 50-foot buffers in existing lawn area. The next change is to remove and revegetate a portion of the driveway on an abutting lot that is within the 100-foot buffer. The last change is the configuration of the lot; explained that change to include the septic within the property lines. Nothing is proposed with the 25-foot buffer.

Public None
 Discussion None
 Staff Have everything needed to close.
 Motion **Motion to Close and Issue.** (made by: Champoux) (seconded by: LaFleur)
 Vote Carried unanimously

III. PUBLIC MEETING

A. Request for Determination of Applicability

1. * Paul C. Shepard et al – 41 Nonantum Avenue (87-41)

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative **Arthur D. Gasbarro**, Nantucket Engineering & Survey – For residential development within the 100-foot buffer to a coastal bank. Does not require waivers. Propose a silt fence outside the 25-foot buffer. Construction will be outside the 50-foot buffer; the septic will be outside ConCom jurisdiction.

Public None
 Discussion **Erisman** – Expressed concern about allowing the work within the boundary.
Gasbarro – Noted that he did not prepare the application; he’s standing in for Jeff Blackwell and that it was probably an oversight. Suggested it might be difficult to propose this project without confirming the boundary. If we’re setting the buffer zones, we need to confirm the top-of–bank boundary.
 Staff Recommend Negative 3 to allow the work. Could refuse the boundary and ask it be confirmed. Can add Positive 2A.
 Motion **Motion to Approve as recommended.** (made by: Topham) (seconded by: Champoux)
 Vote Carried unanimously

B. Minor Modifications

1. Cliff ACK Realty Trust – 96 Cliff Road (41-15) SE48-2066

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site and topographical plans, photos, requisite departmental I reports and correspondence.
 Representative **Paul Santos**, Nantucket Surveyors – This is to incorporate a detailed landscape plan into the record. There is a tree outside the 20-foot no-touch zone of the bordering vegetative wetland and outside the 50-foot no-touch zone of a vernal pool. Would like to remove the tree because the canopy is very large and against the back side of the structure. The original order was silent about that and want to validate the removal. If there is a requirement that a more significant tree be maintained on the back side of the house, that condition could be met; there is low growth proposed on the back side. Noted the tree has a 4-foot base.

Public None
 Discussion **Champoux** – It looks like a Chinese elm tree.
Erisman – Canopy trees provide habitat. Removing a tree with that canopy will also affect water infiltration.
Champoux – Asked Mr. Santos if he would be willing to plant an in-kind tree on the property.
Santos – Yes. Reiterated that the problem is the canopy goes up into the structure.
Champoux – Explained what a quantitative analysis of a tree would review to provide a baseline value of the tree. That analysis might indicate the one tree must be replaced by 3 smaller trees. If the tree is a Silver maple, it could prove dangerous; in that case the applicant would want to get rid of it and wouldn’t have the value of a Red maple or oak. Suggested a need for more information on the tree.
Golding – Asked if the house could be moved closer to the road away from the tree, since the tree is too large to move.
Santos – The septic is in the front and moving it forward would put it in the zoning setback.
Erisman – Expressed concern that once the canopy is removed, the lights on the back of the house would light up the vernal pool and impact that habitat.
Santos – Asked for a continuance in order to confirm the type of tree and propose an in-kind replacement.
 Staff The tree is big enough that, if you’re doing a wetland tap in the area, it may have been within the sample site for the 30-foot tree. Suggested the tree might be a Silver maple. Need to confirm what it is; that would determine what would replace it in order to provide similar habitat.
 Motion Continued to April 20 without objection.
 Vote N/A

2. Collis – 5 Galen Avenue (29-122) SE48-2815

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative **Arthur D. Gasbarro**, Nantucket Engineering & Survey – Asked this be held two weeks to revise the plans for a change requested by the owner.
 Public None
 Discussion None
 Staff None
 Motion Continued to April 20 without objection.
 Vote N/A

C. Certificates of Compliance

1. Raab – 8 Second Way (55-664)SE48-1666

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Staff For construction of a single-family dwelling backing onto wetlands; it has been built in compliance. This house prompted the 2-foot separation from groundwater rule and waivers for that. There have been continuing problems with flooded basements since. No on-going conditions.
 Discussion None
 Motion **Motion to Issue.** (made by: Champoux) (seconded by: Topham)
 Vote Carried unanimously

D. Orders of Condition

1. Nantucket Island Land Bank – 46 & 48 South Cambridge Street (59.3-41 & 42) SE48-2871

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Staff On Condition 20, he has to add the loam is to be clean of any invasive species. He will add Condition 21: any disturbance to the roadway is to be repaired or restored. He will add Condition 22: any invasive species found in the disturbed area is to be removed.
 Discussion None
 Motion **Motion to Approve as amended.** (made by: Champoux) (seconded by: LaFleur)
 Vote Carried unanimously

2. The Kaplan Family NT – 8 Harbor View Way (42.4.1-28) SE48-2873

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Staff Pretty straight forward.
 Discussion None
 Motion **Motion to Approve as drafted.** (made by: Topham) (seconded by: Champoux)
 Vote Carried unanimously

3. Nantucket Island Land Bank – Off North Gully Road (73.1.3-122) SE48-2875

Sitting Erisman, LaFleur, Champoux, Golding, Topham
 Staff Also straight forward.
 Discussion None
 Motion **Motion to Approve as drafted.** (made by: LaFleur) (seconded by: Champoux)
 Vote Carried unanimously

E. Other Business

1. Approval of Minutes – 03/23/2016: **Motion to Approve.** (made by: Champoux) (seconded by: Erisman) Carried unanimously
2. Reports:
 - a. CPC, Golding – Nothing to report.
 - b. Mosquito Control Committee, Erisman – First meeting is scheduled for Thursday, April 7.
3. Commissioners Comment:
 - a. Champoux – The invasive species class went well.
 - b. Erisman – Asked when the board can expect to receive data from the Polpis Harbor dredging project; there is some major algae from nutrients going into the harbor there. Staff – Stated he met with the Conservation Foundation to discuss any contribution of the Windswept Bogs to the harbor. Testing has been done last year; it shows the nitrogen coming from the bogs to be pretty substantial. The Conservation Foundation is doing further testing to ascertain whether it is coming from wetlands or the cranberry bogs. He asked them to reduce the flow and revise their testing procedures to accomplish a complete nitrogen sweep.

4. Administrator/Staff Reports

- a. Suggested ConCom do what other boards do; in the event of a restoration project, a contract between the property owner and the restorationist be in the file showing commitment by the company for the duration of the project. Discussion about putting an escrow in place for each project to ensure the restoration work is completed.
- b. Joanne Cuppone has been pulling every project since 2013 and reviewing for absent monitoring reports. Have been able to contact some representatives and owners about absent reports and inform them that if the reports are not turned in, they will be subject to enforcement. The goal is to have everyone back into compliance by June 1, 2016. Once the past three years are caught up, they will work their way back further. Found some project that have received Certificates of Compliance with on-going conditions. Estimated they found about 100 projects missing reports.

Motion to Adjourn: 5:12 p.m.

Submitted by:

Terry L. Norton

PROPOSED