

1. Board Of Health Packet

Documents: 34 BREWSTER.PDF, ADDRESSES FOR HPW AGGREGATE PLAN.PDF, NITROGEN AGGREGATE PLAN HUMMOCK PD ASSOC.PDF, MASSACHUSETTS AUDUBON SOCIETY LETTER.PDF, VARIANCE REQUEST FOR MILLIES TRAILER.PDF, WEINMAN VARIANCE TO 64 07.PDF

VAUGHAN, DALE, HUNTER AND BEAUDETTE

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

WHALER'S LANE

P.O. BOX 659

NANTUCKET, MASSACHUSETTS 02554

TEL: (508) 228-4455

FAX: (508) 228-3070

EDWARD FOLEY VAUGHAN

KEVIN F. DALE

RICHARD P. BEAUDETTE

LORI D'ELIA

BRYAN J. SWAIN

WILLIAM F. HUNTER

OF COUNSEL

June 10, 2016

BY HAND DELIVERY and EMAIL

Mr. Roberto Santamaria, Chairman
Nantucket Board of Health
2 Fairgrounds Road
Nantucket, Massachusetts 02554

*Re: Kathy Trustman and Carl Goldberg
34 Brewster Road, Nantucket, MA 02554
Assessor's Map 54, Parcel 288*

Dear Chairman Santamaria:

This letter will serve to confirm that I represent Kathy Trustman and Carl Goldberg ("Trustman"), the owners of the vacant land located at 34 Brewster Road, Nantucket, Massachusetts 02554 shown as Lot 135 on Land Court Plan No. 10937-19 filed with Certificate of Title No. 15139, by virtue of Owner's Certificate of Title No. 20965 at the Nantucket Registry District ("Trustman Land"). The Trustman Land has an area of approximately 40,000 square feet and is located in the Harbor Watershed Protection District. The Trustman Land is subject to certain Nantucket Board of Health Regulations which limit the number of bedrooms on the Trustman Land to four (4) bedrooms (one (1) bedroom per 10,000 square feet of lot area) and which also requires the installation of an approved Nitrogen Reducing Technology waste water disposal system for new construction (Section 64-04 F.2).

Mr. Roberto Santamaria, Chairman
Nantucket Board of Health
June 10, 2016
Page 2 of 3

Trustman asks the Board of Health to grant them a Special Variance pursuant to Section 64-07 of the Nantucket Board of Health Regulations to permit the installation of a five (5) bedroom conventional septic system to service a four (4) bedroom primary dwelling and a one (1) bedroom secondary dwelling on the Trustman Land on a temporary basis on the express condition that Trustman abandon this septic system and connect to the municipal sewer system when it is available pursuant to Section 59-02 and 69-03 of the Board of Health regulations.

By way of background, the 20156 Nantucket Town Meeting voted to appropriate sufficient funds to install municipal sewer service in “Nantucket Harbor Shimmo” and the Trustman Land is located in this new sewer district (“Article 18”). On April 7, 2016, the Nantucket voters approved the sewer article by a majority vote. On September 28, 2015, the Nantucket Board of Health issued to Trustman a Disposal Works Construction Permit No. BHP-2015-0615 for the installation of a four (4) bedroom I/A septic system on the Trustman Land, and Trustman reasonably relied on the historical policy custom and practice of the Nantucket Board of Health to allow for one (1) additional “bonus” bedroom upon the installation of an I/A septic system. The Nantucket Board of Health has now abandoned its policy to allow an additional “bonus” bedroom in connection with the installation of an I/A septic system and this change of policy effectively prohibits Trustman from constructing a secondary dwelling on the Trustman land.

Mr. Roberto Santamaria, Chairman
Nantucket Board of Health
June 10, 2016
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The Special Variance is appropriate under Section 64-07 B.1 and 2 of the regulations because it will avoid a manifest injustice for Trustman and the installation of a five (5) bedroom conventional septic system on the Trustman Land temporarily until municipal sewer service becomes available establishes a level of environmental protection equivalent to that provided under the Nantucket Board of Health Regulations because the availability of municipal sewer service will be available to the Trustman Land in the near future.

Enclosed for your review are copies of the Trustman Certificate of Title No. 20965, Septic Design Plan dated September 21, 2015 and Disposal Works Construction Permit No. BHP-2015-0615.

Please schedule this matter for hearing on June 16, 2016 before the Nantucket Board of Health. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to be 'R. Santamaria', written over a horizontal line.

KFD/kw
Enclosures
Cc: Mr. Carl Goldberg
Ms. Kathy Trustman
Jeff Blackwell, R.L.S.

Transfer Certificate of Title

Cert No:20965
Doc No:104562

From Transfer
Certificate No. 20964 Originally Registered October 23, 2003

the Registry District of Nantucket County

This is to Certify that

KATHY TRUSTMAN and CARL GOLDBERG

of 58 Welch Road, Brookline in the County of Norfolk and the Commonwealth of Massachusetts
02445,

are the owners in fee simple, as tenants in common of that land situated in Nantucket,
in the County of Nantucket and said Commonwealth, bounded and described as follows:

Lot 135 on Plan No. 10937-19, drawn by Blackwell and Associates, Inc., Surveyors, dated
June 12, 2000, filed with Certificate of Title No. 15139 at the Registry District of Nantucket County.

Said lot is subject to the right of others in Brewster Road.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General
Laws, and that the title of said

KATHY TRUSTMAN and CARL GOLDBERG

to said land is registered under said Chapter subject, however, to any of the encumbrances mentioned in
section forty-six of said chapter, which may be subsisting, and subject also as aforesaid.

Witness **KARYN F. SCHEIER**, Esquire, Chief Justice of the Land Court, at Nantucket in said County of
Nantucket the twenty-third day of October in the year two thousand and three
at ten o'clock and twenty-five minutes in the forenoon.

Attest, with the Seal of said Court,


Joanne L. Kelley, Assistant Recorder

Purported Property Address: 34 Brewster Road

Land Court Case No. 10937

CERTIFICATE OF TITLE NO. 20965

Memoranda Of Encumbrances

Cert No: 20964,20965

Book/Page:

Cert No 20965
Document Number 104561
Kind CERT OF MUN LIEN
In Favor of ALGER SARAH F TR
Date of Instr 10/08/2003
Terms
Date of Reg 10/23/2003
Time of Reg 10:25AM

Cert No 20965
Document Number 150279
Kind CERT OF MUN LIEN
In Favor of NANTUCKET TOWN
Date of Instr 12/01/2015
Terms
Date of Reg 12/18/2015
Time of Reg 1:44PM

Cert No 20965
Document Number 150280
Kind MORTGAGE
In Favor of HINGHAM INSTITUTION FOR SAVINGS
Date of Instr 12/17/2015
Terms \$2,000,000.00
Date of Reg 12/18/2015
Time of Reg 1:44PM

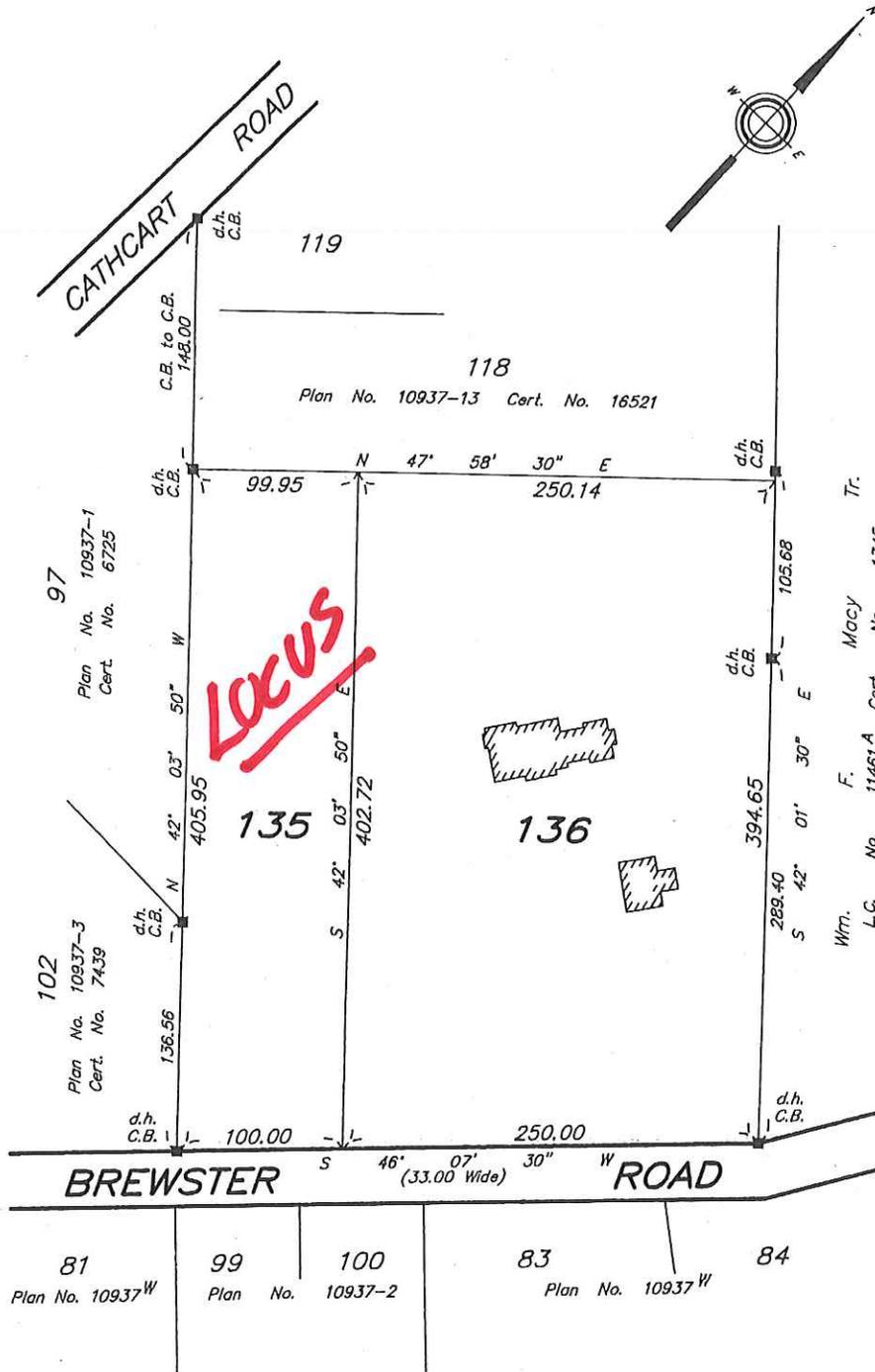
Cert No
Document Number

SUBDIVISION PLAN OF LAND IN NANTUCKET

Blackwell and Associates, Inc., Surveyors

June 12, 2000

10937-19



THIS PLAN FILED WITH CERTIFICATE NO. 15139

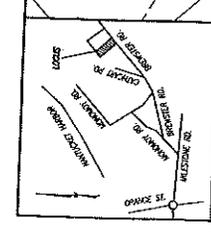
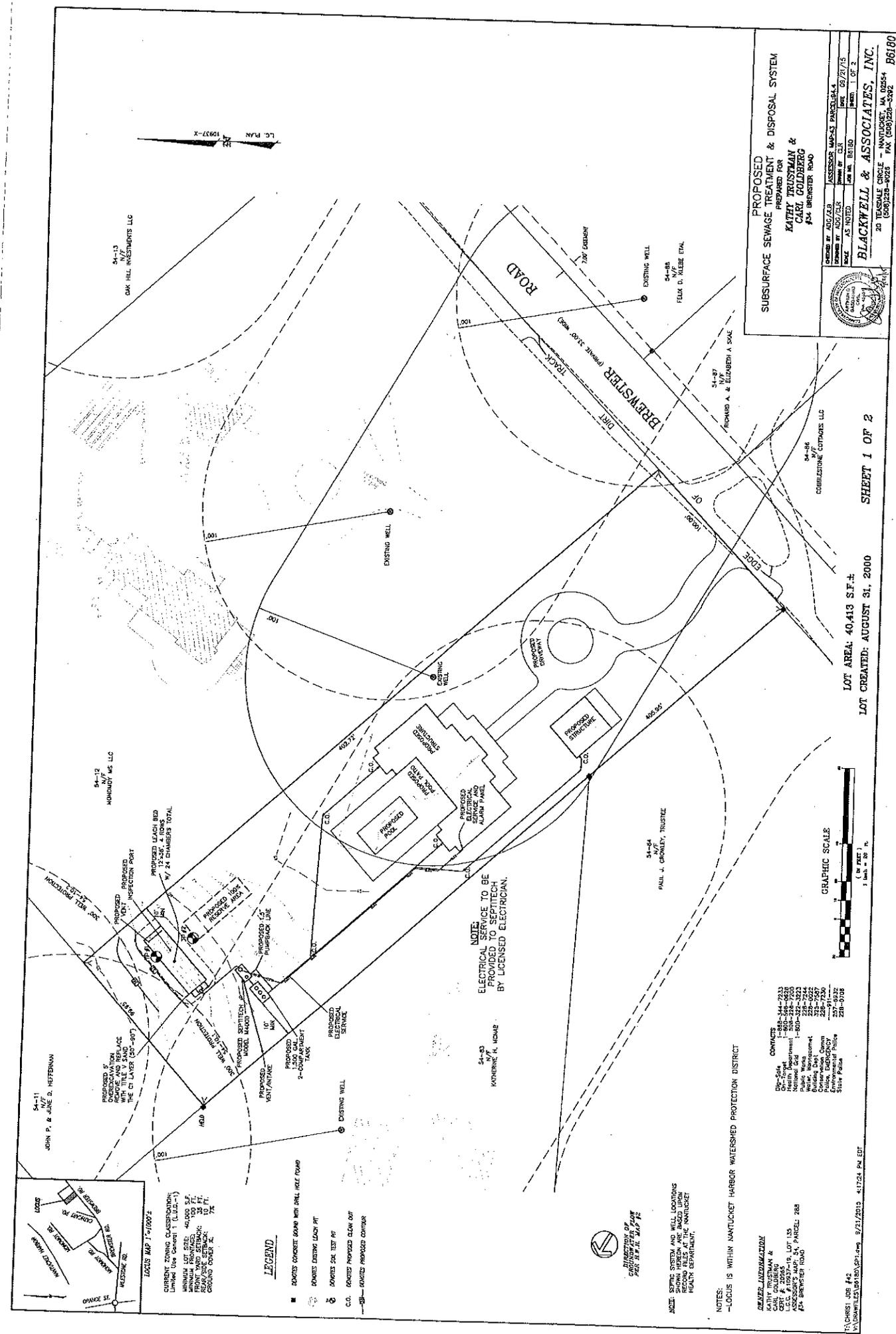
Subdivision of Lot 90
Shown on Plan 10937-X
Filed with Cert. of Title No. 5243
Registry District of Nantucket County

Separate certificates of title may be issued for land
shown hereon as Lots 135 and 136
By the Court.

Ann Marie J. Brun
Deputy Recorder

AUG. 31, 2000
JAV-04ME

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
AUG. 31, 2000
Scale of this plan 80 feet to an inch
Louis A. Moore, Engineer for Court



CURRENT ZONING CLASSIFICATION: LOT 15
 MINIMUM LOT SIZE: 40,000 S.F.
 MINIMUM FRONT SETBACK: 100 FT.
 MINIMUM SIDE SETBACK: 10 FT.
 MINIMUM REAR SETBACK: 10 FT.
 GROUND COVER: 2%

LEGEND
 ■ EXISTING CONCRETE DRIVE WITH DRILL RIGGLE FOUND
 ○ EXISTING EXTERIOR LIGHT FIXTURE
 ○ EXISTING DIE TEST PIT
 ○ EXISTING PROPOSED CLEAN OUT
 --- EXISTING PROPOSED DRIVEWAY

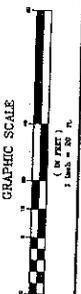
NOTE:
 ELECTRICAL SERVICE TO BE PROVIDED TO SEPTIC TANK BY LICENSED ELECTRICIAN.



STATE OF MASSACHUSETTS
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 KATHY TRUOSTMAN & CARY GOLDBERG
 L.L.C., P. 10037-19, LOT 135
 555 SASSER'S MAP 54, PARCEL 288
 454 BRONXWATER ROAD
 NANTUCKET, MASSACHUSETTS 02554

NOTES:
 -LOUIS IS WITHIN NANTUCKET HARBOR WATERSHED PROTECTION DISTRICT

CONTACTS:
 DEP-204
 Nantucket Regional Office
 Nantucket City
 Water, Inspection
 Planning, Design
 Public Participation
 State Police



LOT AREA: 40,413 S.F.
 LOT CREATED: AUGUST 31, 2000

SHEET 1 OF 2

PROPOSED SUBSURFACE SEWAGE TREATMENT & DISPOSAL SYSTEM
 PREPARED FOR
KATHY TRUOSTMAN & CARY GOLDBERG
 #54 BRONXWATER ROAD
 NANTUCKET, MASSACHUSETTS 02554

DRAWN BY: ASG/ALB
 CHECKED BY: ASG/ALB
 SCALE: AS NOTED
 DATE: 08/21/15
 SHEET: 1 OF 2

ASSESSOR: MAP 54-3 PARCELS 14, 15
 DATE: 08/21/15
 SHEET: 1 OF 2

BLACKWELL & ASSOCIATES, INC.
 20 TEASDALE CIRCLE - NANTUCKET, MA 02554
 (508) 225-8928 FAX (508) 225-3382

Board of Health
Town of Nantucket

P.I. _____
F.I. _____

Map-Block-Lot
54288
Permit No
BHP-2015-0615
FEE
\$550.00

DISPOSAL WORKS CONSTRUCTION PERMIT

Permission is hereby granted Toscana Corp.

to (Construct) an Individual Sewage Disposal System.

at No 34 BREWSTER RD

as shown on the application for Disposal Works Construction Permit No. BHP-2015-061 Dated September 29, 2015

Issued On: Sep-29-2015

EXPIRES 9-30-2017

A. B. Crowley
Board of Health

Commonwealth of Massachusetts
Board of Health
Town of Nantucket

Map-Block-lot
54288

CERTIFICATE OF COMPLIANCE

THIS IS TO CERTIFY, That the Individual Sewage Disposal System (Construct)

by Toscana Corp.

Installer

at No 34 BREWSTER RD

has been installed in accordance with the provisions of TITLE 5 of the State Environmental Code as described in the application for Disposal Works Construction Permit No. BHP-2015-061 Dated September 29, 2015

Printed On: Sep-29-2015

Board of Health

Agreement:

- (1) The undersigned agrees to install the aforescribed Individual Sewage Disposal System in accordance with the provisions of new Title 5 of the State Sanitary Code.
- (2) A representative of the Nantucket Board of Health shall be present at all percolation tests whenever possible. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to performing the percolation test.
- (3) A representative of the Nantucket Board of Health shall inspect the Individual Sewage Disposal System prior to covering. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to covering the system.
- (4) The undersigned further agrees not to place the system in operation until a Certificate of Compliance has been issued by the Board of Health.

Signed _____

9-17-15
Date

Application Approved By _____

A. B. Crowley

9/29/15
Date

Application Disapproved for the following reasons: _____

NOTES:

Issued _____

9/29/15
Date



Town of Nantucket
Board of Assessors
37 Washington Street
Nantucket, MA 02554
508-228-7200 ext. 7035

January 9, 2013

TO WHOM IT MAY CONCERN:

I, Deborah Dilworth, Assessor for the Town of Nantucket, certify that effective December 20, 2012, the attached list labeled "**Town of Nantucket Assessor's Information Effective 12/20/12 for Hummock Pond of Nantucket Subdivision**" is accurate based on current Town assessment data as to location, ownership and size of all of the buildable lots which comprise the subdivision known as Hummock Pond of Nantucket as shown on the specified Assessor's Map and Lot numbers and on Land Court Plan 35893-H filed at the Nantucket Registry District.

Deborah S. Dilworth
Assessor

.....

Town of Nantucket Assessor's Information Effective 12/20/12 for Hummock Pond of Nantucket Subdivision.													
Assessor Map #	Assessor Lot #	Reg. Plan 35893H Lot #	Area Assessed (Sq ft)	Street Number	Street Name	Grantee	Co. grantee's Name	Mailing Address	City	State	Zip	Country	Registry of Deeds Certificate #
65	61	74	27,443	2	AHAB DR	ROSS RICHARD J		2 AHAB DR	NANTUCKET	MA	02554	USA	C0018991
65	62	75	22,651	4	AHAB DR	4 AHAB ROAD LLC		4 OLD ORCHARD RD	MORRISTOWN	NJ	07960	USA	C0022299
65	63	76	27,007	6	AHAB DR	KAPLAN NORTON M & JOANNE		9 DANIEL RD	HOPKINTON	MA	01748	USA	C0015367
65	65	41	33,977	7	AHAB DR	BLAKE CLIFFORD H TRUSTEE		5 MYRNA ROAD	LEXINGTON	MA	02420	USA	C0021477
65	64	77	27,878	8	AHAB DR	HELD RONALD J & KATHLEEN E	7 AHAB DR NANTUCKET NOM TRST	6 ARDLEY PL	WINCHESTER	MA	01890	USA	C0014994
65	68	49	22,651	9	AHAB DR	RICH JOHN F & LANE NANCY		252 FURNACE ST	MARSHFIELD	MA	02050	USA	C0015368
65	67	48	27,878	11	AHAB DR	ROSS GREGORY A & CAROL E TRS	ROSS REALTY TRUST	169 GUGGINS LANE	BOXBOROUGH	MA	01719	USA	C0018922
65	57	70	25,265	12	AHAB DR	MARVIN ANN D TRST	MARVIN A D REV TRUST	12 WALDRON AVE	SUMMIT	NJ	07091	USA	C0022627
65	56	69	23,522	14	AHAB DR	JACKSON BEVERLY		P O BOX 406	GOSHEN	NY	10924	USA	C019811
65	55	68	21,344	16	AHAB DR	HOLLAND MARY B TRST	MBH REVOCABLE TRUST	13920 EDGEWATER DR	LAKEWOOD	OH	44107	USA	C0023871
82	95	52	28,750	17	AHAB DR	ABBOTT ALISON PROLL ADRIAN &	DOUGHERTY ELIZABETH	62 OLD COLONY RD	WESTON	MA	02493	USA	C016171
65	54	67	22,651	18	AHAB DR	BERNER DENNIS J & KATHLEEN L TR	BERNER NOM TRUST	3204 SAHALEE DR W	SAMMAMISH	WA	98074	USA	C0023092
82	96	53	27,878	19	AHAB DR	PATTERSON LAUREN B		10 TAPPANWOOD DR	LOCUST VALLEY	NY	11560	USA	C0023344
65	53	66	25,265	20	AHAB DR	ALLISON MICHAEL W TRST ETAL	ALLISON FAMILY IRREV TRUST	435 WOODTICK ROAD	WOLCOTT	CT	06716	USA	C0021730
82	97	54	20,038	21	AHAB DR	FINE MURRAY C & MARGARET		PO BOX 1158	BOSTON	MA	02117	USA	C0018950
65	52	65	30,056	22	AHAB DR	MOISAN USA M		115 CAT SWAMP RD	WOODBURY	CT	06798	USA	C0022477
82	107	64	24,829	24	AHAB DR	VON SUMMER HOLLIS		1991 BROADWAY APT 2	NEW YORK	NY	10023	USA	C0021924
82	106	63	20,473	26	AHAB DR	GUARDENIER ELIZABETH ETAL TRS	BOUNTY NOMINEE TRUST	3 PETERSVILLE FARM RD	MT KISCO	NY	10549	USA	C0017995
82	105	62	24,394	28	AHAB DR	CORCORAN DONNA R		50 PAGE RD	LINCOLN	MA	01773	USA	C0016425
82	104	61	25,265	30	AHAB DR	BOWMAN JOEL M & MICHAELSON	PATRICIA & MICHAELSON RICHARD	939 MYRTLE ST NE	ATLANTA	GA	30309	USA	C0016377
82	103	60	24,829	32	AHAB DR	SIMS THEODORE S & BUI LINDA TM		53 SEAVER STREET	BROOKLINE	MA	02445	USA	C0017841
82	102	59	24,829	34	AHAB DR	GAYNOR PAUL J & KETTERER KAREN TRST		11 DAVIS BROOK DR	NATICK	MA	01760	USA	C0022684
82	93	46	27,443	2	ISHMAEL RD	SILVERMAN ERIC & MELANIE		146 CENTRAL PARK WEST	NEW YORK	NY	10023	USA	C0023330
82	92	45	24,829	4	ISHMAEL RD	RORICK NICHOLAS R & SUEANNE TR	RORICK NICHOLAS FAMILY TR AGRMT	110 S PACIFIC STREET	OCEANSIDE	CA	92054	USA	C0022264
82	91	44	24,394	6	ISHMAEL RD	BRIDGES FAMILY LLC		41 WALDRON AVE	SUMMIT	NJ	07901	USA	C0024125
82	90	43	23,087	8	ISHMAEL RD	CALDOW SAMANTHA A TRST ETAL		9978 HIDDEN OAKS COU	VIENNA	VA	22181	USA	C0024405
65	66	42	24,394	10	ISHMAEL RD	GRANER JANET L & NEIL J		10 ISHMAEL RD	NANTUCKET	MA	02554	USA	C0024219
82	98	55	31,799	1	MELVILLE CT	BAZOS ANDREW & ANN		188 NORTHRUP STREET	BRIDGEWATER	CT	06752	USA	C0021533
82	99	56	30,056	2	MELVILLE CT	SANDERS SUSANNAH E TRUSTEE	GALE NOMINEE TRUST	P O BOX 111	NEW LONDON	NH	03257	USA	C0017488
82	100	57	23,087	4	MELVILLE CT	FISHER STEPHEN D & DEBORAH L		RTE 1 BOX 180	MADRID	NY	13660	USA	C0013789
82	101	58	22,216	6	MELVILLE CT	ALTMARE JOHN N ETAL TRS	6 MELVILLE COURT REALTY TR	P O BOX 637	SHREWSBURY	MA	01545	USA	C0020744
65	58	71	24,394	3	MOBY WY	HALLINAN CORNELIA I TRST		PO BOX 415	GAMBIER	OH	43022	USA	C0023996
65	60	73	21,780	4	MOBY WY	FISHER KAREN F C/O NGUYEN MATTHEW		1400 MCKINNEY STREET	HOUSTON	TX	77010	USA	C0018018
65	59	72	25,265	5	MOBY WY	MOBY WAY LLC C/O MCDONOUGH C/O MCDONOUGH JOHN C & SUSAN		533 VALLEY ROAD	NEW CANNAN	CT	06840	USA	C0021854
65	69	50	25,265	3	QUEQUEG DR	LEONARD SUSAN S TRUSTEE		7364 OAK MOSS DRIVE	SARASOTA	FL	34241	USA	C0017598
65	70	51	26,136	5	QUEQUEG DR	HART ALLEEN F		132 ST BOTOLPH ST	BOSTON	MA	02116	USA	C0018096
Total Area (Sq. ft.)			913,018										

True copy
 [Signature]
 Assessor, Town of Nantucket, MA

Island Surveyors, LLC

Edward F. King Jr., PLS

Post Office Box 1197

Nantucket, MA 02554

(508)-228-2720

e-mail: acksurvey@hotmail.com

K-173

June 6, 2016

Nantucket Board of Health

Roberto Santamaria

Health Director

3 East Chestnut St, Nantucket, MA 02554

Ph: 508-228-7200 ext 7014 & 7020

Fx: 508-325-6117

Re: Credit land for The Hummock Pond of Nantucket Homeowners Association, Inc.

The Hummock Pond of Nantucket Homeowners Association, Inc. on behalf of its 36 lot owners is requesting to designate 13 +/- acres of "credit land" on lot 78, which is owned by the Association, as shown on Land Court Plan 35893-H and as shown in this application as Site Plan K-173 for the purposes of gaining approval for an Aggregate Determination Plan with the Nantucket Board of Health and Mass DEP. This request is meant to permit our homeowners to continue to replace and repair their 4 bedroom capacity septic systems and qualify under Title V requirements of 10,000 sq. ft. per bedroom. A conservation restriction, held jointly by the Nantucket Land Council and Nantucket Lands Bank, that meets DEP requirements for "credit land", is already in place on the property. The conservation restriction holders have given their approval for this use.

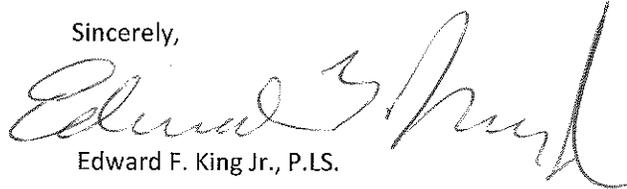
As background, the Hummock Pond of Nantucket Subdivision was approved in 1981 by special permit, as a cluster subdivision, located in LUG-2 (2 acre) Zoning area. The lots range between ½ to ¾ of an acre. 56 acres of open space was set aside to meet the overall 2 acre zoning requirement. The homes had 4 bedroom septic systems installed even though 2 acre zoning with the set aside land taken into account would have supported 8 bedrooms. At the time no formal plan was submitted to count all or a portion of the open space for septic system capacity determination. The lots are fully built out and have been for more than 20 years.

Up until recently owners have been able to repair or replace their existing 4 bedroom capacity system. Recent regulations which strictly apply Title V regulations to any replacement or repair of the septic systems within the Hummock Pond Watershed, and which could be extended in the future, have prevented homeowners from being able to replace or repair traditional systems within the existing 4 bedroom capacity. This causes an unfair hardship on lot owners who have up until this time been able to perform these actions.

Our request is that the Board takes these facts and situation into account and approves an Aggregate Plan to be able to meet the 10,000 square foot per bedroom requirement by allocating the credit land as needed to each lot that will restore the ability to repair or replace their 4 bedroom capacity traditional septic systems.

Thank you for your consideration. If you have any questions or require more information please call at any time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edward F. King Jr.", written in black ink.

Edward F. King Jr., P.L.S.

Enclosure

EFK

Hummock Pond Of Nantucket Homeowners Association, Inc.
10 Ishmael Road, Nantucket, MA 02554

June 2, 2016

Cormac Collier, Executive Director
Nantucket Land Council
6 Ash Lane
Nantucket, MA 02554

Eric Savetsky, Executive Director
Nantucket Islands Land Bank
22 Broad Street
Nantucket, MA 02554

Dear Cormac and Eric,

By this letter, the Hummock Pond of Nantucket Homeowners Association, Inc. on behalf of our 36 lot owners is requesting your agreement, as holders of a Conservation Restriction dated September 22, 2011 and approved by the Town of Nantucket, for us to designate 13 +/- acres of "credit land" on lot 78 as shown on Land Court Plan 35893-H, and as shown as the shaded area in the attached map K173, for the purposes of filing an Aggregate Determination Plan with the Nantucket Board of Health and Mass DEP which will permit our homeowners to continue to replace or repair their 4 bedroom capacity septic systems and qualify under Title V requirements of 10,000 sq. ft. per bedroom.

As background, the Hummock Pond of Nantucket Subdivision was approved in 1981 by special permit, as a cluster subdivision, located in LUG-2 (2 acre) Zoning area. The lots range between $\frac{1}{2}$ to $\frac{3}{4}$ of an acre. 56 acres of open space was set aside to meet the overall 2 acre zoning requirement. The homes had 4 bedroom septic systems installed even though 2 acre zoning, with the set aside land taken into account, would have supported 8 bedrooms. At the time the development predated Title V so no formal plan was submitted to count all or a portion of the open space for septic system capacity determination.

Recent regulations which strictly apply Title V regulations to any replacement or repair of the septic systems within the Hummock Pond Watershed, and which could be extended in the future, have prevented homeowners from being able to replace or repair traditional systems. This causes an unfair hardship on lot owners who have up until this time been able to perform these actions.

The Mass DEP solution for this kind of issue is to apply for an Aggregate Determination Plan which will permit other land to be added in as "credit land" so the Title V requirements can be met. We plan, with your agreement, to apply for an Aggregate Determination with enough credit land from Lot 78 to bring each home up to the 40,000 sq. ft. Title V requirement. This is not to locate systems on this section of the property but to simply use it in the calculation.

We would agree to waive any right to use the credit portion of lot 78 for any other purpose including the right stated in Section B, Paragraph 2 of the conservation easement which would

permit the location of septic systems. We also would waive any other right which might conflict with Mass DEP regulations for credit land.

We would appreciate your consideration of this request so we might submit an Aggregate Determination plan to the Nantucket Board of Health and the Mass DEP.

Sincerely,


Neil J. Graner, President

Hummock Pond of Nantucket Homeowners Association, Inc.


Janet L. Graner, Treasurer

Please indicate your acceptance of this request by signing below. Your signatures indicate that you have determined that our proposed use of the property is an allowed use per the terms of the conservation restriction.



Dated: 6/6/16
Cormac Collier, Executive Director
Nantucket Land Council

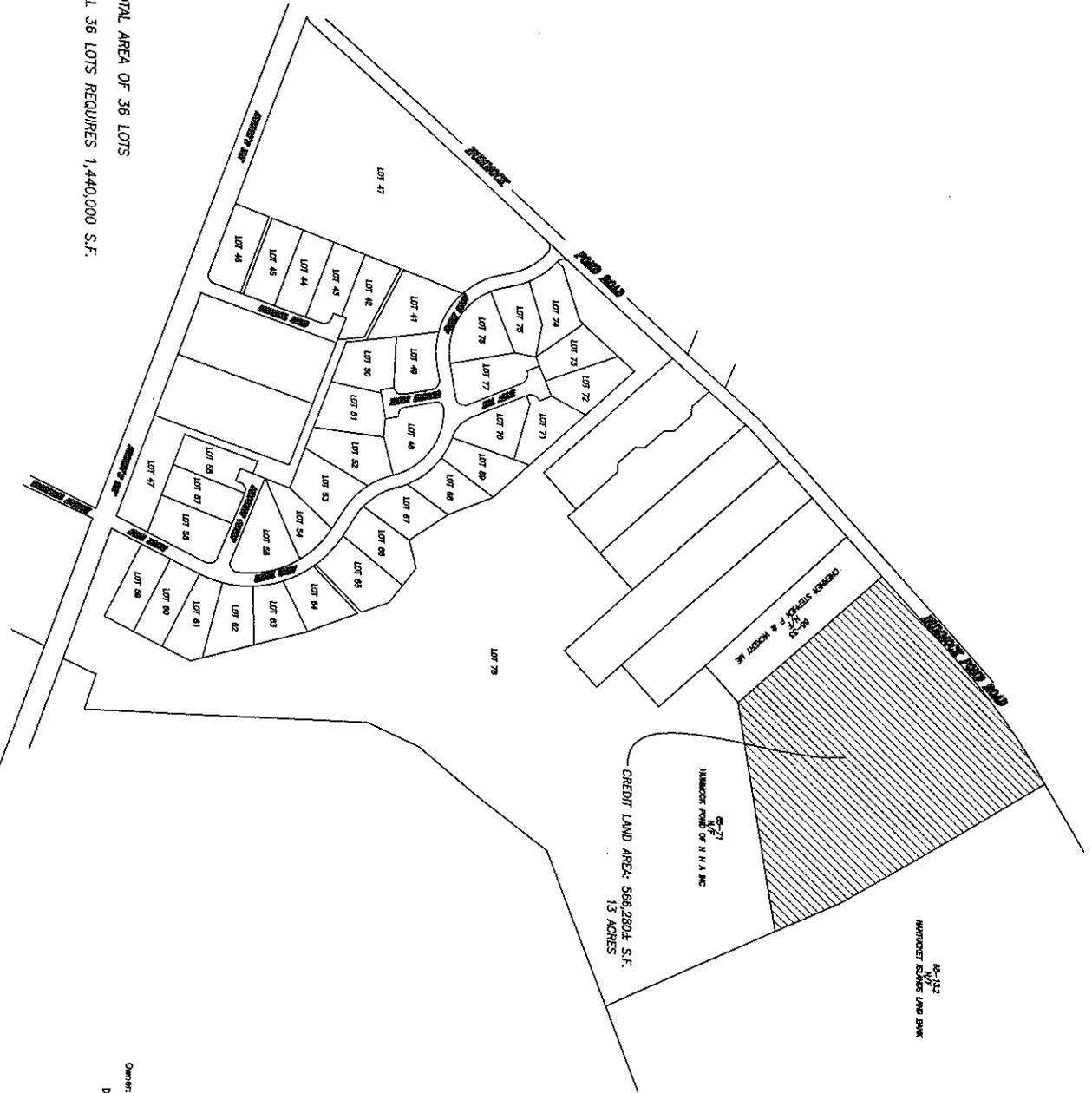


Dated: 6/6/16
Eric Savetsky, Executive Director
Nantucket Islands Land Bank

LOT 41	33,900±	S.F.
LOT 42	24,206±	S.F.
LOT 43	23,119±	S.F.
LOT 44	24,441±	S.F.
LOT 45	24,647±	S.F.
LOT 46	27,312±	S.F.
LOT 48	27,741±	S.F.
LOT 49	22,579±	S.F.
LOT 50	25,181±	S.F.
LOT 51	26,160±	S.F.
LOT 52	28,808±	S.F.
LOT 53	27,850±	S.F.
LOT 54	20,221±	S.F.
LOT 55	31,822±	S.F.
LOT 56	30,032±	S.F.
LOT 57	23,159±	S.F.
LOT 58	20,071±	S.F.
LOT 59	24,828±	S.F.
LOT 60	24,828±	S.F.
LOT 61	25,247±	S.F.
LOT 62	24,536±	S.F.
LOT 63	20,514±	S.F.
LOT 64	24,291±	S.F.
LOT 65	29,950±	S.F.
LOT 66	25,549±	S.F.
LOT 67	22,751±	S.F.
LOT 68	21,302±	S.F.
LOT 69	23,352±	S.F.
LOT 70	25,234±	S.F.
LOT 71	24,131±	S.F.
LOT 72	25,211±	S.F.
LOT 73	21,880±	S.F.
LOT 74	25,011±	S.F.
LOT 75	22,774±	S.F.
LOT 76	27,227±	S.F.
LOT 77	27,688±	S.F.

907,333± S.F. TOTAL AREA OF 36 LOTS

EXISTING 4 BEDROOM SYSTEMS ON ALL 36 LOTS REQUIRES 1,440,000 S.F.



**SITE PLAN
OF LAND IN
NANTUCKET, MASS.**

SCALE: 1" = 150' DATE: JUNE 6, 2016

Owner: HUNNOCK FOND OF NANTUCKET HOMEOWNERS ASSOCIATION INC
 Deed: . . . GEN. 2492 . . . Plan: L.C. 3894-74 LOTS 47 & 78
ISLAND SURVEYORS, LLC
 Professional Land Surveyors
 80 OLD SOUTH ROAD
 NANTUCKET, MASS. 02554
 (508) 228-8720

Massachusetts Audubon Society
Gary Clayton, President
208 S. Great Rd.
Lincoln, MA 01773

Dear Mr. Clayton,

Audubon Society land on Nantucket.

Nantucket has one of the highest incidences of tick-borne disease in the country according to the Center for Disease Control. Local surveys estimate that 40% to 60% of the Island's population have had a tick borne disease at some time in their life.

We have an integrated plan to reduce the incidence of tick-borne disease that includes improved education, improved disease surveillance, the prudent use of acaricides and a reduction Nantucket's deer density. We are also exploring ways to reduce the incidence of tick-borne disease in the mice population.

Deer reduction is controversial, however there is scientific evidence that a lower deer population will have an effect on the incidence of tick-bone disease. Deer density is positively correlated with tick abundance and there is a temporal correlation between the rise in the density of deer in the eastern U.S. and the epidemic curve for Lyme disease.

There are between 45 and 50 deer per square mile on Nantucket. Scientific studies indicate that if deer herd density is reduced to or below 8-10 deer per square mile, tick numbers and the prevalence of tick-borne disease can be lowered to levels that decrease risk of human disease. The ideal deer management density goals for Massachusetts Fish and Wildlife to maintain a healthy deer population in balance with the environment are essentially the same.

We have been able to lobby the state to make minor changes in the hunting regulations to make it easier for Island hunters and this past year we initiated a program for hunters to donate their excess deer meat to the local food bank. One of the problems is that a significant proportion of the land on the Island is closed to deer hunting, including your 970 acres.

Tick-borne disease will never be totally eliminated from the Island, but reducing the deer population will help in reducing the incidence. Also, according to Massachusetts Fish and Wildlife, it will improve the health of the deer population.

We respectfully request that the Audubon Society lift the restriction on hunting deer on your Nantucket property. Please contact me if you require additional information. I will also be willing to talk with you or your Board in-person.

Malcolm W. MacNab MD, PhD
Chairman Nantucket Board of Health

mwwmacnab@comcast.net
Cell: 973 978-5043

cc. Jim Kelly, Chairman Nantucket Board of Selectman
Roberto Santamaria, Nantucket Health Director
Libby Gibson, Nantucket Town Manager
Ernie Steinauer, Sanctuary Director



NANTUCKET HEALTH DEPARTMENT
3 EAST CHESTNUT STREET
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200
Fax 508.325.6117

**BOARD OF HEALTH REGULATION
VARIANCE REQUEST**
\$20 per request

I am requesting: (Check one.)

- A variance of a Local Board of Health Regulation
- A variance of a State Public Health Regulation (310 CMR 15, 105 CMR 590, etc...)

Please write an explanation of the variance requested (use separate paper if needed):

See Attached

Requestor Name: Chris Cochran

Company Name: (if applicable) Mullies

Address: 326 Madaket Rd MAP: 60 PARCEL: 104

Phone No. 310 795 6922 Fax No. _____

Email: christopher@cochran@gmail.com

Requestor's Signature: *[Signature]* Date: _____

Please be advised that the Health Department accepts variance requests up to one week before a scheduled Board of Health meeting. Applications received after this deadline will be placed at the subsequent scheduled meeting.

Received by: _____

Date: _____

Chris Cochran
Millie's
326 Madaket Road
Nantucket, MA 02554

5/30/16

Roberto Santamaria
Health Director
Nantucket Health Department
3 East Chestnut Street
Nantucket, MA 02554

Health Director,

Millie's would like to request a variance for its concession trailer that operates at Cisco Brewery from May to September. We request to be able to bring the trailer back to Millie's on a weekly basis due to adequate grey water storage and a refrigerated truck that brings product to and from the mobile unit. We will also preform a deep clean at Millie's of the truck during its weekly return. Spec sheet of trailer is attached.

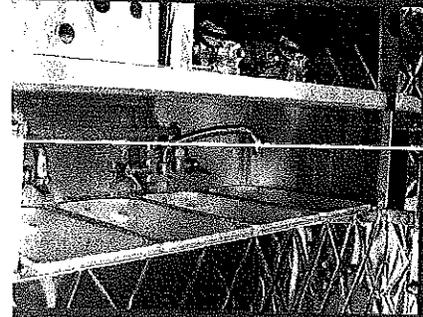
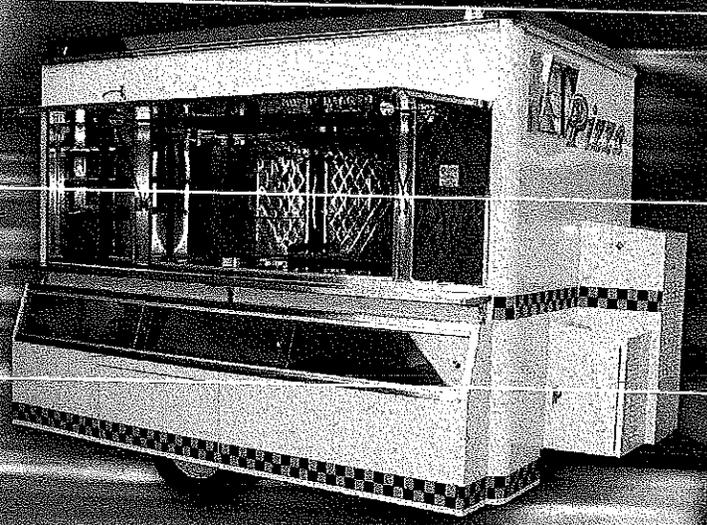
Sincerely,

Chris Cochran
Owner

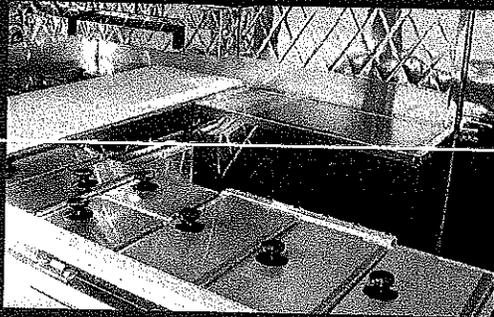
Model 650

The Commuter

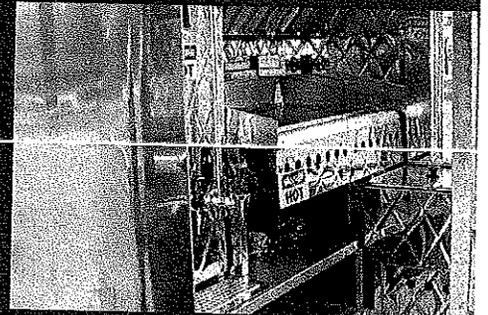
Model 650



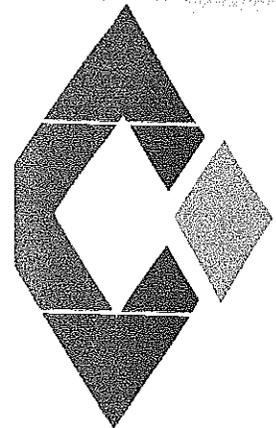
Three compartment sink and handsink



Steam tables with two separate burners



Large capacity coffee/hot water & grill



CUSTOM

Mobile Food Equipment

800-257-7855

www.foodcart.com

Model 650

Base Cart

- Completely Enclosed
- All Tubular Steel Framing and Under carriage coated with a Military Grade Rust Inhibitor
- Sliding Plexi-Glass Service Windows
- Exterior Stainless Steel
- Overall Dimensions 96"L x 48"W x 86"H (Dimensions Do Not Include Hitch or Ice Well Extension)
- Two (2) Pneumatic Trailer Wheels on Automotive Type Springs
- Fiberglass Roof

Steam Table Area

- Two (2) 16,000 BTU Burners with 100% Safety Controls
- Accommodates Five (5) 1/3 Size Pans (6 7/8" x 12 3/4" x 6") Overall Steam Table Jacket and One (1) 1/2 Size Pan (10 3/8" x 12 3/4" x 6") Over Direct Heat (Large Steam Tables Available)

Cold Storage Area

- Canned or Bottled Drink Chest Area (36" x 23" x 23")
- Capacity 14 Cases of 12oz. Soda Cans
- Meat Storage Bin (23 1/2" x 16" x 12") Insulated with Urethane with Covered Corners for Sanitary Cleaning
- Outside Drink Bin with Lights

Coffee/Hot Water Area

- Five (5) Gal. Coffee Urn with Six (6) Gal. Hot Water Capacity

Water/Waste System

- Three compartment sink and handsink
- Six (6) Gal. Hot and Seven (7) Gal. Cold Running Water and Waste Tank 15% Greater

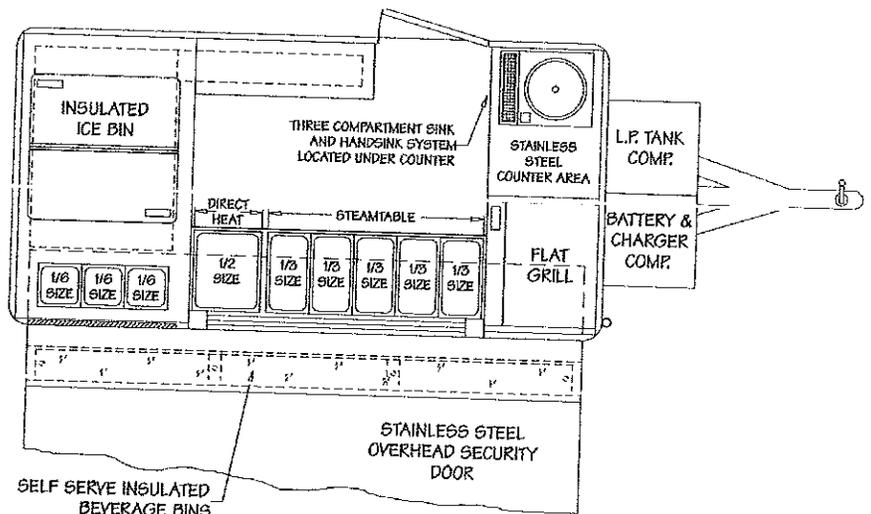
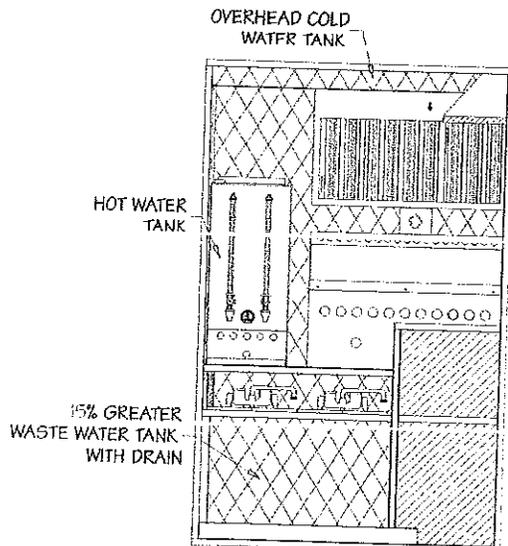
Accessories Included

- Condiment Pots, Self-Service Recessed in a Drink Compartment
- Extra Interior Shelving for Storage
- Locking Stainless Steel Door
- 7" Serving Drop Shelf (Optional Serving Shelf Displace Case Available)
- Char-Broiler or Grill
- 12 Volt Vent Fan Behind Filtered Hood
- Special Compartment for 12 Volt Battery to Operate Interior Light and Vent Fan (Marine Battery and Charger with Automatic Shut Off Included)
- 2" Ball Trailer Hitches with Jack and Swivel Caster
- Locking Operator Door and Flip Up Stainless Steel Awning Door
- Candy, Cookies, and Pastry Display
- White Aluminum or Stainless Steel Exterior
- Four Pot Bain Marie in Ice Chest
- Screen (Windows)

Options

- French Fryer
- Sky Light
- Refrigerated Cold Storage
- Mechanical Plug In Freezer
- Colored Roof
- Serving Shelf Displace Case
- Extra Wide (Up to 8 Feet)
- Extra Length (Up to 20 Feet)
- Small Generator

Custom reserves the right to change the design and specifications for any improvement without notice. It is the responsibility of the purchaser to research Health, Fire, & Zoning Codes prior to ordering.



CALL US TOLL FREE! 800-257-7855

275 South 2nd Road, PO BOX 635 Hammononton, NJ 08037 USA
 NJ 609-561-5900 FAX 609-567-9318

VISIT US ON THE WEB!
WWW.FOODCART.COM



NANTUCKET HEALTH DEPARTMENT

3 EAST CHESTNUT STREET

NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Fax 508.325.6117

BOARD OF HEALTH REGULATION
VARIANCE REQUEST

\$20 per request

I am requesting: (Check one.)

A variance of a Local Board of Health Regulation

A variance of a State Public Health Regulation (310 CMR 15, 105 CMR 590, etc...)

Please write an explanation of the variance requested (use separate paper if needed):

Please see attached letter.

Requestor Name: Rhoda H. Weinman

Company Name: (if applicable) N/A

Address: 280, 282 & 284 Popple Rd. MAP: _____ PARCEL: _____

Phone No. 508-228-9600 Fax No. 508-228-8926

Email: Weinman@nantucketrs/and/aw.net

Requestor's Signature: *Rhoda H. Weinman*

Date: 6/16/16

Please be advised that the Health Department accepts variance requests up to one week before a scheduled Board of Health meeting. Applications received after this deadline will be placed at the subsequent scheduled meeting.

Received by: *AS*

Date: _____

RECEIVED
JUN 06 2016
BY: *PQ* # *4672*

RHODA H. WEINMAN

Attorney at Law

36 Centre Street - P.O. Box 1365
Nantucket, MA 02554

weinman@nantucketislandlaw.net

Tel: (508) 228-9600

Fax: (508) 228-8926

June 6, 2016

Dr. Malcolm W. MacNab,
Chairman
Nantucket Board of Health
Nantucket, MA 02554

Dear Dr. MacNab and Board Members,

Please accept this letter as my request for a Special Variance pursuant to Section 64.07 of the Town Of Nantucket Board of Health Regulations for two (2) septic systems located partially within Zone A and Zone B of the Nantucket Harbor Watershed Protection District.

My husband, Joseph J. McLaughlin, and I own the properties located at 280 Polpis Road, 282 Polpis Road and 284 Polpis Road, which are three separate lots that are approximately three acres each. We have resided in our home at 280 Polpis Road since 1989. It is a three-bedroom home with a six-bedroom capacity septic system, and there are only two of us who have ever resided in this property since we built our home in 1988. Two of the three bedrooms are vacant, and we rarely have guests. Our cottage at 284 Polpis Road is a one-bedroom cottage with a three-bedroom capacity septic system. No one resides at the cottage, and we rarely have anyone stay there. Our property at 282 is a vacant lot and, because of the wetlands on the lot, it will probably never be built on. The properties have the following square footage:

280 Polpis Road – Map 25/Parcel 032.1 120,691 square feet - Primary Residence

282 Polpis Road – Map 25/Parcel 32.2 120,020 square feet - Vacant lot

284 Polpis Road – Map 25/Parcel 032 120,822 square feet - 1 bedroom cottage

TOTAL SQUARE FEET 361,533 square feet

Based on 361,533 square feet for the three separate lots, we are entitled to have 36 bedrooms, and we currently have a total of four bedrooms in the two

dwellings. There is most likely less nitrogen coming out of our property than that of a fully occupied property on one acre.

It should be noted that when we built our house in 1988, we met the five foot ground water separation requirement for the town on both systems. The separation for our residence at 280 Polpis Road is 5.6 feet, and the separation for the cottage at 284 Polpis Road is 5.0 feet. The last inspection report for both systems indicate this separation has essentially been maintained.

We have no intention of selling our property, but we understand and agree that at the time we sell our property, we will be responsible for installing an IA system and have every intention of doing so as we understand that this property may not continue to be occupied by only two people on nine acres.

Based on the above, I would respectfully request relief from Section 52.02 B3, Section 64.03 C and Section 64.04G2 to allow a reduction from the required six foot (6') separation between the bottom of the leaching system and maximum groundwater elevation for systems within Nitrogen Sensitive areas to a five foot (5') separation for the existing leaching systems. Said relief shall be conditioned that at the time of property transfer, a Department of Environmental Protection approved Nitrogen Reducing Technology waste water disposal system shall be installed. We would also agree to submit to the Board Inspection Reports more frequently than every five (5) from the date of relief to insure both systems are not in hydraulic failure.

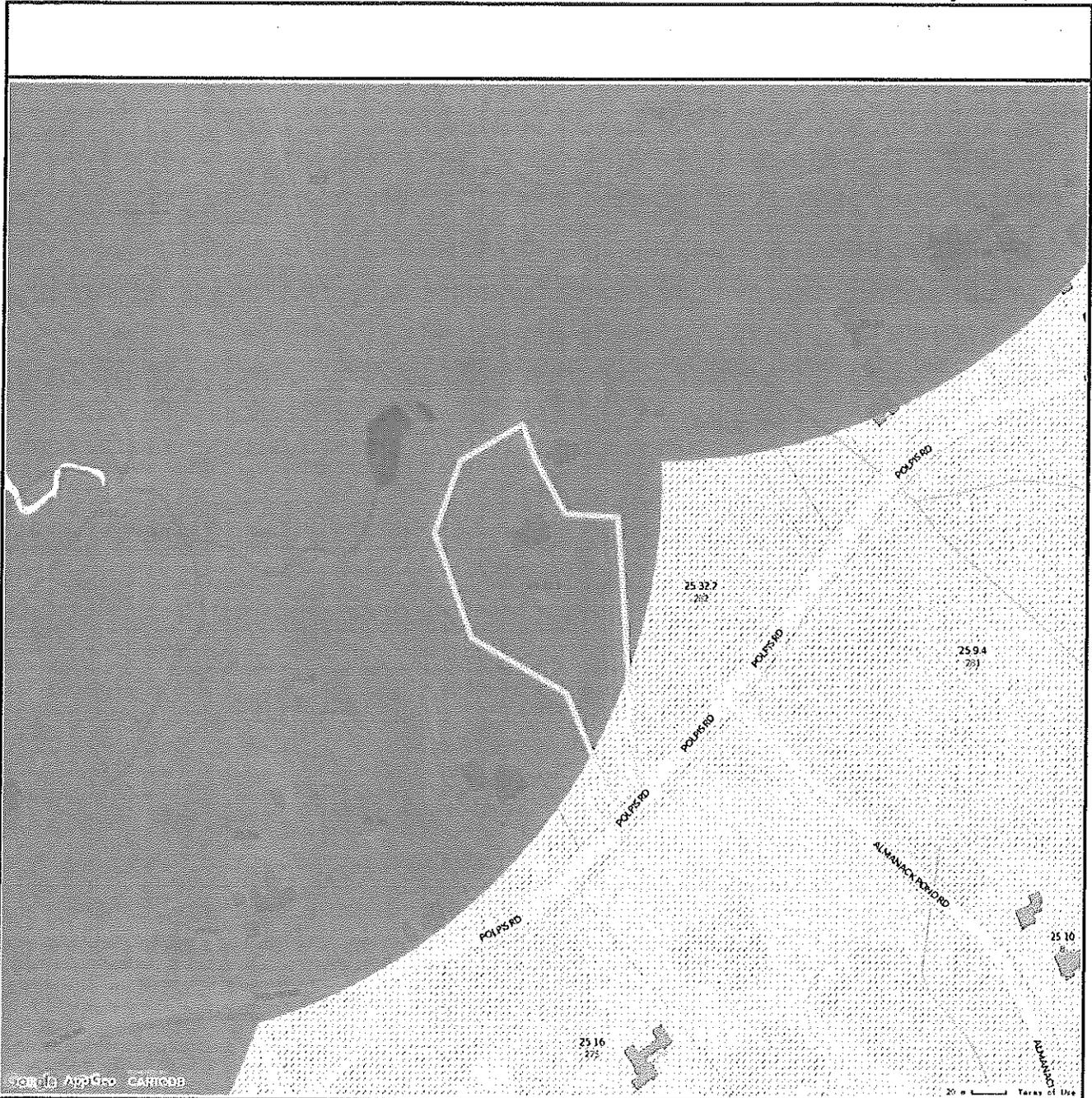
Thank you for your consideration.

Sincerely,



Rhoda H. Weinman

enclosure

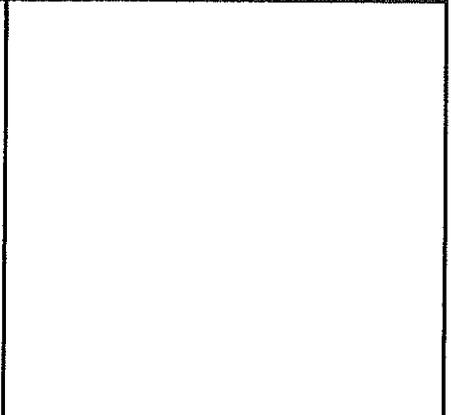


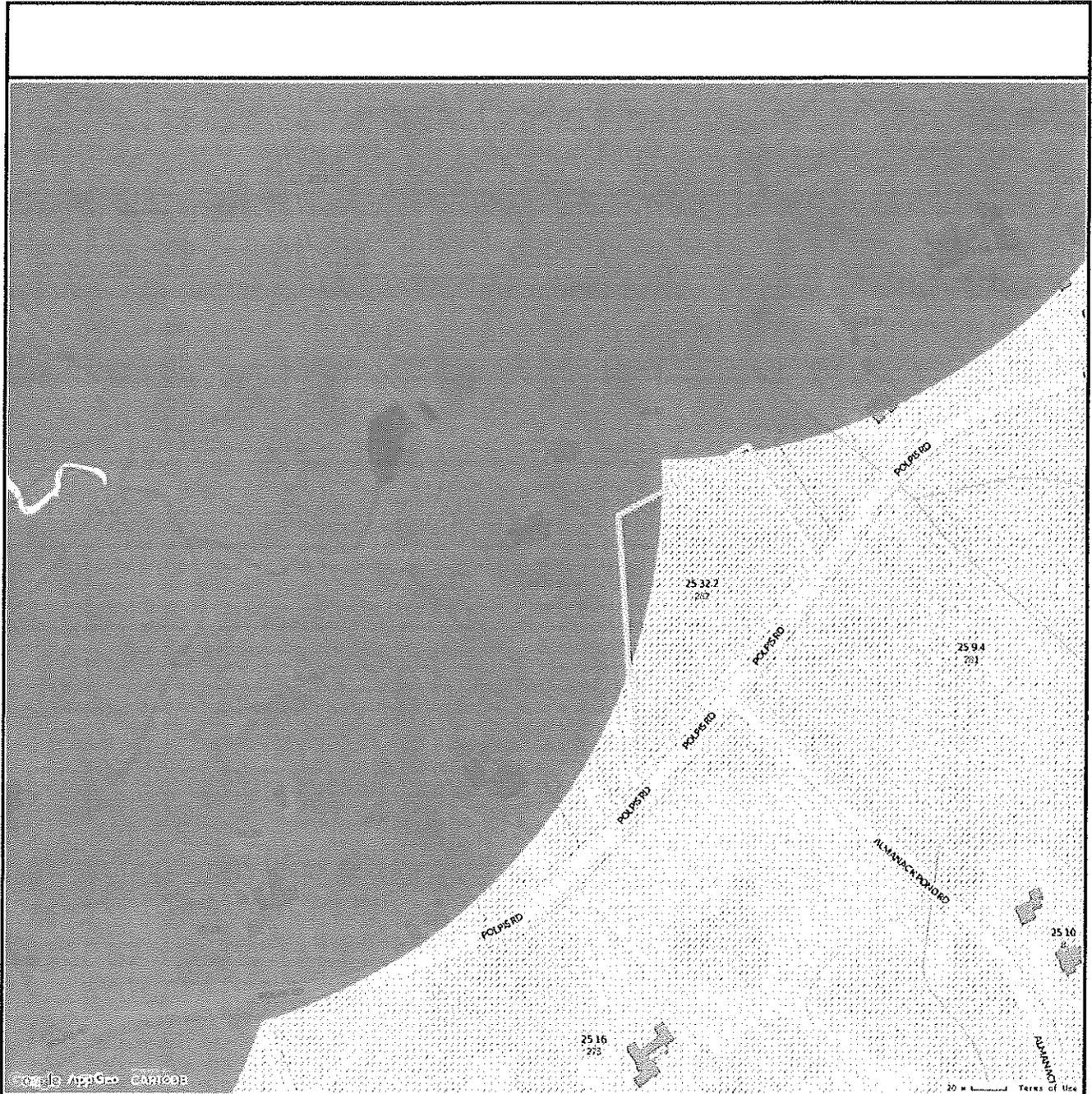
Property Information	
Property ID	25 32.1
Location	280 POLPIS RD
Owner	WEINMAN RHODA H & MCLAUGHLIN J


**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





© 2015 AppleGeo CARTOON

20 = Feet of line

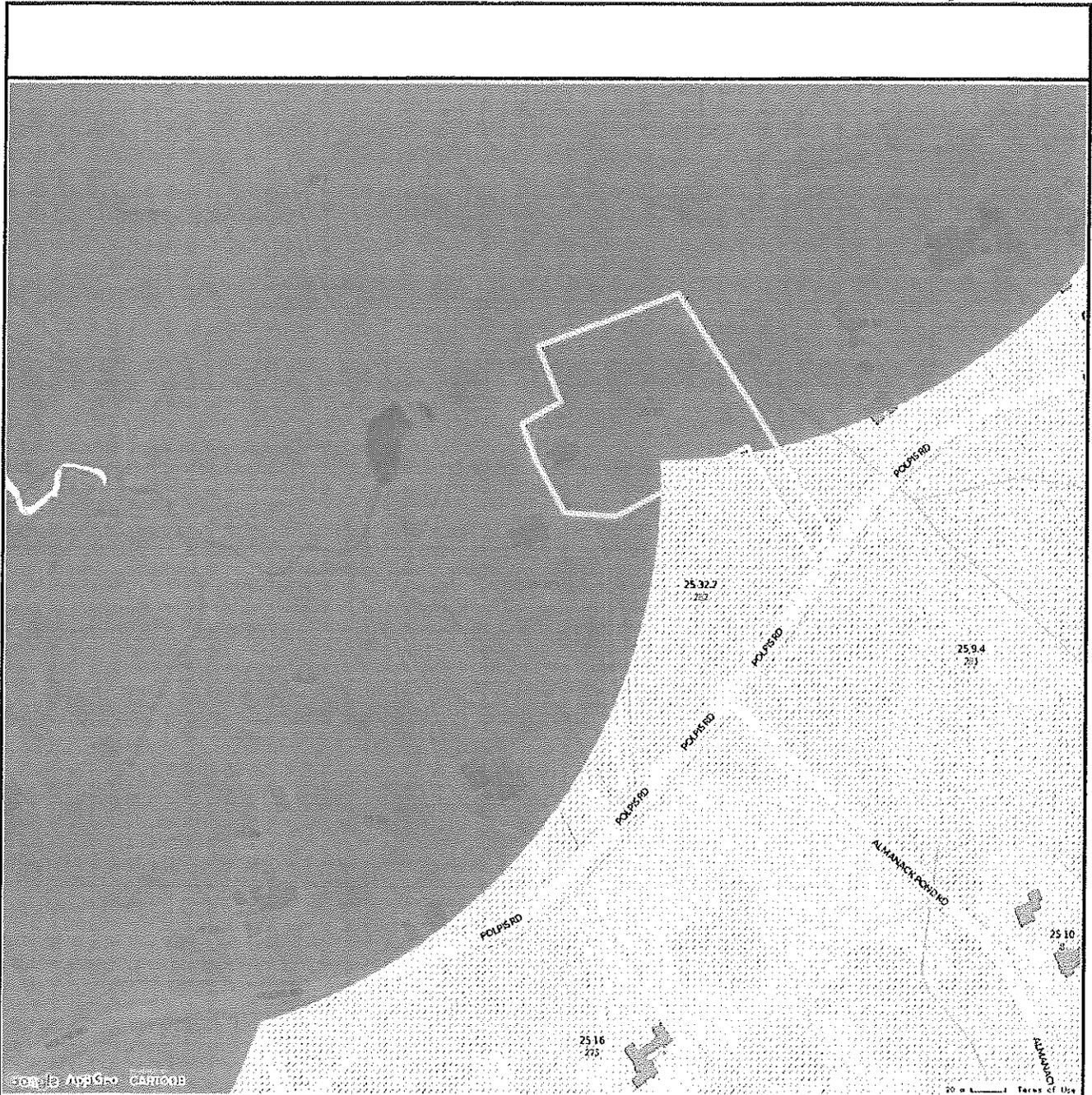
Property Information	
Property ID	25 32.2
Location	282 POLPIS RD
Owner	MCLAUGHLIN JOSEPH J TR



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

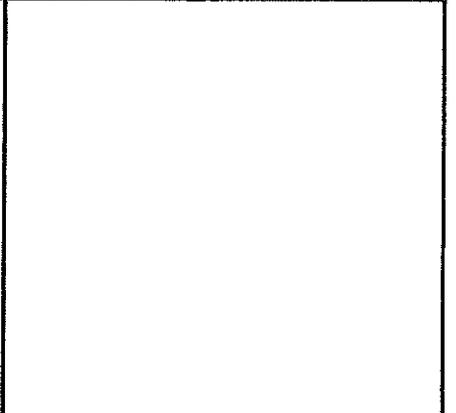
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Parcels updated December, 2014
Properties updated January, 2015



Property Information	
Property ID	25 32
Location	284 POLPIS RD
Owner	WEINMAN RHODA H


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Parcels updated December, 2014
Properties updated January, 2015



Map Theme Legends

Water Protection Districts

Hummock Pond Watershed
Protection Zones

-  Zone A
-  Zone B

Madaket Harbor Watershed
Protection Zones

-  Zone A
-  Zone B

Wellhead Protection District



Harbor Watershed Protection
Zones

-  Zone A
-  Zone B