

# REQUESTS FOR DETERMINATION

Udelson

94 Tom Nevers Road

(91-41)



**SITE DESIGN ENGINEERING, LLC.**

11 Cushman Street, Middleboro, MA 02346

P: 508-967-0673 F: 508-967-0674

---

# **REQUEST FOR DETERMINATION OF APPLICABILITY**

## **Verification of Coastal Wetland Boundaries and Associated Buffer Zones and Request to Perform Brush Cutting within portions of the Coastal Bank Buffer Zone**

**94 Tom Nevers Road  
Map 91 Parcel 41  
Nantucket, MA**

*Prepared for:*

**John D. Udelson  
49 Union Park Unit 3  
Boston, MA 02118**

*Prepared By:*

**Site Design Engineering, LLC  
11 Cushman Street  
Middleboro, MA 02346**

**July 21, 2016**

**SDE No.: 14009**

WPA FORM 1

---

***SITE DESIGN ENGINEERING, LLC.***

11 Cushman Street, Middleboro, MA 02346  
P: 508-967-0673 F: 508-967-0674



# 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:

John D. Udelson

Name

E-Mail Address

49 Union Park Unit 3

Mailing Address

Boston

City/Town

MA

State

02118

Zip Code

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Site Design Engineering, LLC

Firm

Mark Rits

Contact Name

mrits@sde-ldec.com

E-Mail Address

11 Cushman Street

Mailing Address

Middleboro

City/Town

MA

State

02346

Zip Code

508-802-5832

Phone Number

508-967-0674

Fax Number (if applicable)

## B. Determinations

1. I request the Nantucket Conservation Commission make the following determination(s). Check any that apply:

- 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):

94 Tom Nevers Road

Street Address

Nantucket

City/Town

91

Assessors Map/Plat Number

41

Parcel/Lot Number

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

See Attached Narrative

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

RDA Site Plan - 94 Tom Nevers Road

Title

20-Jul-2016

Date

Title

Date

Title

Date

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

See Attached Narrative



## 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).

See Attached Narrative

---

---

---

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:

John D. Udelson

Name

49 Union Park Unit 3

Mailing Address

Boston

City/Town

MA

State

02118

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

Date

Signature of Representative (if any)

Date

# PROJECT NARRATIVE

---

***SITE DESIGN ENGINEERING, LLC.***

11 Cushman Street, Middleboro, MA 02346  
P: 508-967-0673 F: 508-967-0674

## PROJECT DESCRIPTION

### **94 Tom Nevers Road NANTUCKET, MASSACHUSETTS**

July 21, 2016

#### **INTRODUCTION**

The purpose of this Request for Determination of Applicability (RDA) is to request that the Nantucket Conservation Commission (Commission) confirm the extent of Coastal Wetland resource area boundaries and associated buffer zones under the Massachusetts Wetland Protection Act (WPA) and Nantucket Wetlands Protection Bylaw (Bylaw) and to request approval to perform brush cutting in portions of the 100-foot Coastal Bank buffer zone for property located at 94 Tom Nevers Road (Map 91 Parcel 41) in Nantucket (Subject Property).

This RDA application is being submitted by the following property owner:

#### **94 Tom Nevers Road**

(Map 91 Lot 41)  
John D. Udelson  
49 Union Park Unit 3  
Boston, MA 02118

#### **SITE OVERVIEW & EXISTING CONDITIONS**

The Subject Property consists of an approximately 2.94-acre lot located on the south side of Tom Nevers Road (see Figures 1 through 3 and Site Plan). To the east and west, the Subject Property is bordered by residentially developed properties. To the north, the Subject Property is bordered by Tom Nevers Road, a paved public way, and residentially developed properties. To the south, the Subject Property is bordered by the Atlantic Ocean (see Figures 1 through 3 and Site Plan). The Subject Property is currently undeveloped. The southern portion of the Subject Property is comprised of a steep Coastal Bank fronted by a Coastal Dune and medium to coarse grained Coastal Beach. The face of the Coastal Bank is well vegetated and does not exhibit any evidence of active erosion. Large portions of the Coastal Dune are also well vegetated. The top of the Coastal Bank was delineated in the field as the abrupt break in slope located at approximately the 40-foot contour and was survey located by Frank Holdgate Land Surveying (Holdgate) (see Site Plan). The extent of the Coastal Dune and Coastal Beach have also been included on the Site Plan. The 25-foot, 50-foot, and 100-foot Coastal Bank buffer zones have been calculated from the surveyed flag locations and have also been included on the Site Plan.

#### **PROPOSED ACTIVITIES**

The Applicant is proposing to perform brush cutting within portions of the 100-foot Coastal Bank buffer zone. No brush cutting is currently proposed inside the 50-foot Coastal Bank buffer zone (see Site Plan). No other activities are proposed as part of this RDA.

#### **NHESP / MESA**

Portions of the Coastal Dune and Coastal Beach on the Subject Property are located within Natural Heritage and Endangered Species Program (NHESP) mapped Estimated or Priority Habitat of Rare and Endangered Species as indicated on the 2008 NHESP Atlas as available from MassGIS (see Figure 5). No work is proposed on or near this portion of the Subject Property.

---

### ***SITE DESIGN ENGINEERING, LLC.***

11 Cushman Street, Middleboro, MA 02346  
P: 508-967-0673 F: 508-967-0674

## **EROSION / SEDIMENTATION CONTROL & CONSTRUCTION PROTOCOL**

No erosion or sedimentation controls are necessary as no work other than brush cutting is proposed on the Subject Property as part of this RDA.

## **WETLAND RESOURCE AREAS**

The purpose of this RDA is to request that the Commission confirm the presence and extent of the following wetland resource areas and associated buffer zones subject to the jurisdiction of the Nantucket Conservation Commission under the State Wetlands Protection Act (310 CMR 10.00, Act) and it implementing Regulations (Regs) and the Nantucket Wetlands Protection Bylaw (§136-7, Bylaw) and that the Commission allow the Applicant to perform brush cutting within portions of the 100-foot BVW buffer zone:

- Coastal Beach (see Site Plan);
- Coastal Dune (see Site Plan);
- Coastal Bank (see Site Plan);
- 25-foot Coastal Bank Buffer Zone (see Site Plan);
- 50-foot Coastal Bank buffer zone (see Site Plan); and
- 100-foot Coastal Bank buffer zone (see Site Plan)

The extent of all Coastal wetland resource areas on the Subject Property was determined by Site Design Engineering, LLC (SDE) and was survey located by Holdgate.

## **CONCLUSION**

The Applicant is requesting that the Commission confirm the presence and extent of all Coastal wetland resource areas and associated buffer zones on the Subject Property. The Applicant is also requesting that the Commission approve the proposed brush cutting as indicated on the Site Plan. Portions of the proposed brush cutting will be located inside the 100-foot Coastal Bank buffer zone. No brush cutting is proposed inside the 50-foot Coastal Bank buffer zone at this time. With the exception of the proposed brush cutting, the Applicant is not proposing any new work on the Subject Property as part of this RDA. Therefore, the Applicant respectfully requests that the Commission confirm the extent of Coastal wetland resource areas and associated buffer zones on the Subject Property and grant permission to perform the brush cutting as proposed.

---

## ***SITE DESIGN ENGINEERING, LLC.***

11 Cushman Street, Middleboro, MA 02346

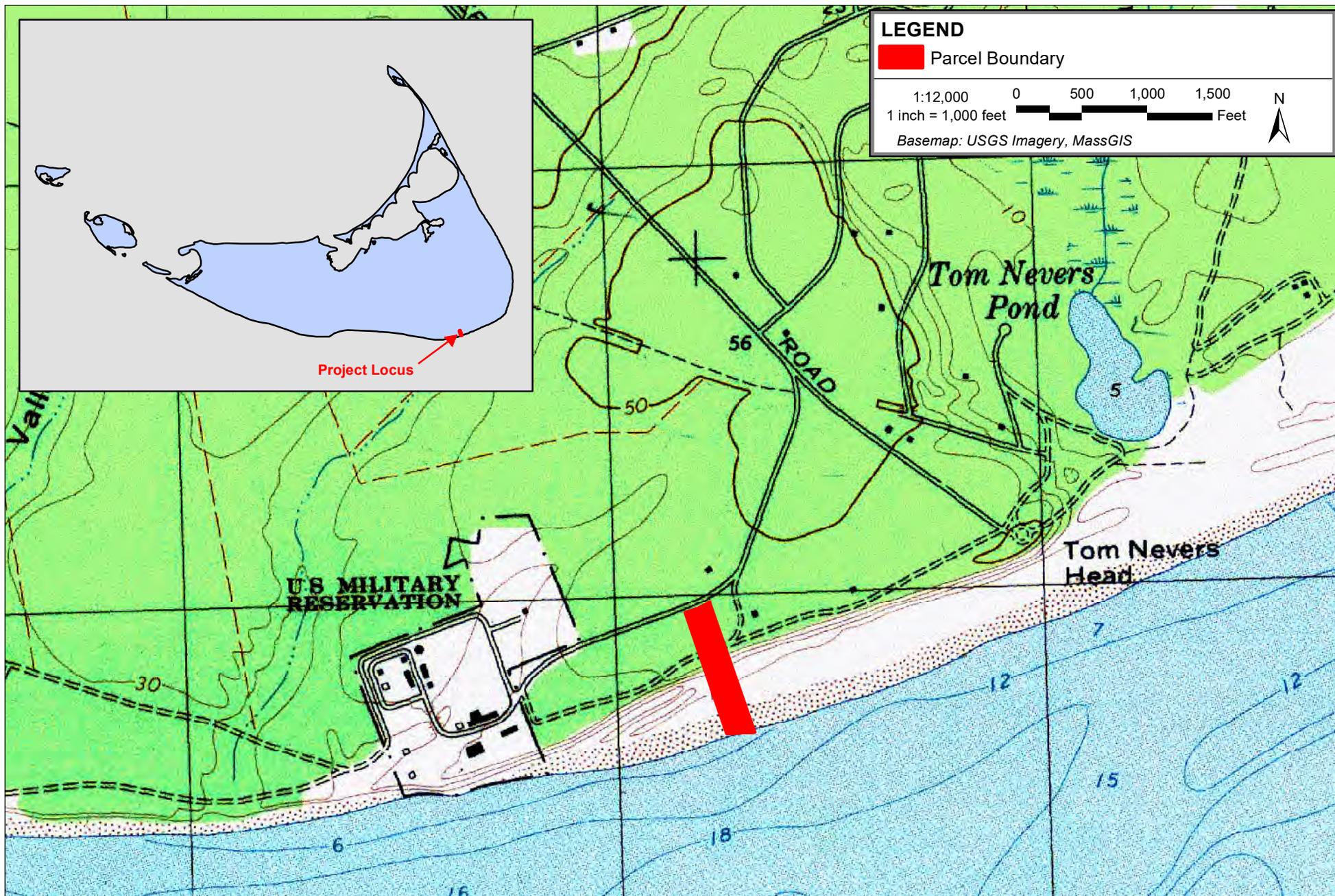
P: 508-967-0673 F: 508-967-0674

## FIGURES

---

***SITE DESIGN ENGINEERING, LLC.***

11 Cushman Street, Middleboro, MA 02346  
P: 508-967-0673 F: 508-967-0674



94 Tom Nevers Road - Nantucket, Massachusetts  
 Map 91 Lot 41  
 SDE Project No. 14009

Figure 1 - USGS Locus Map  
 July 21, 2016

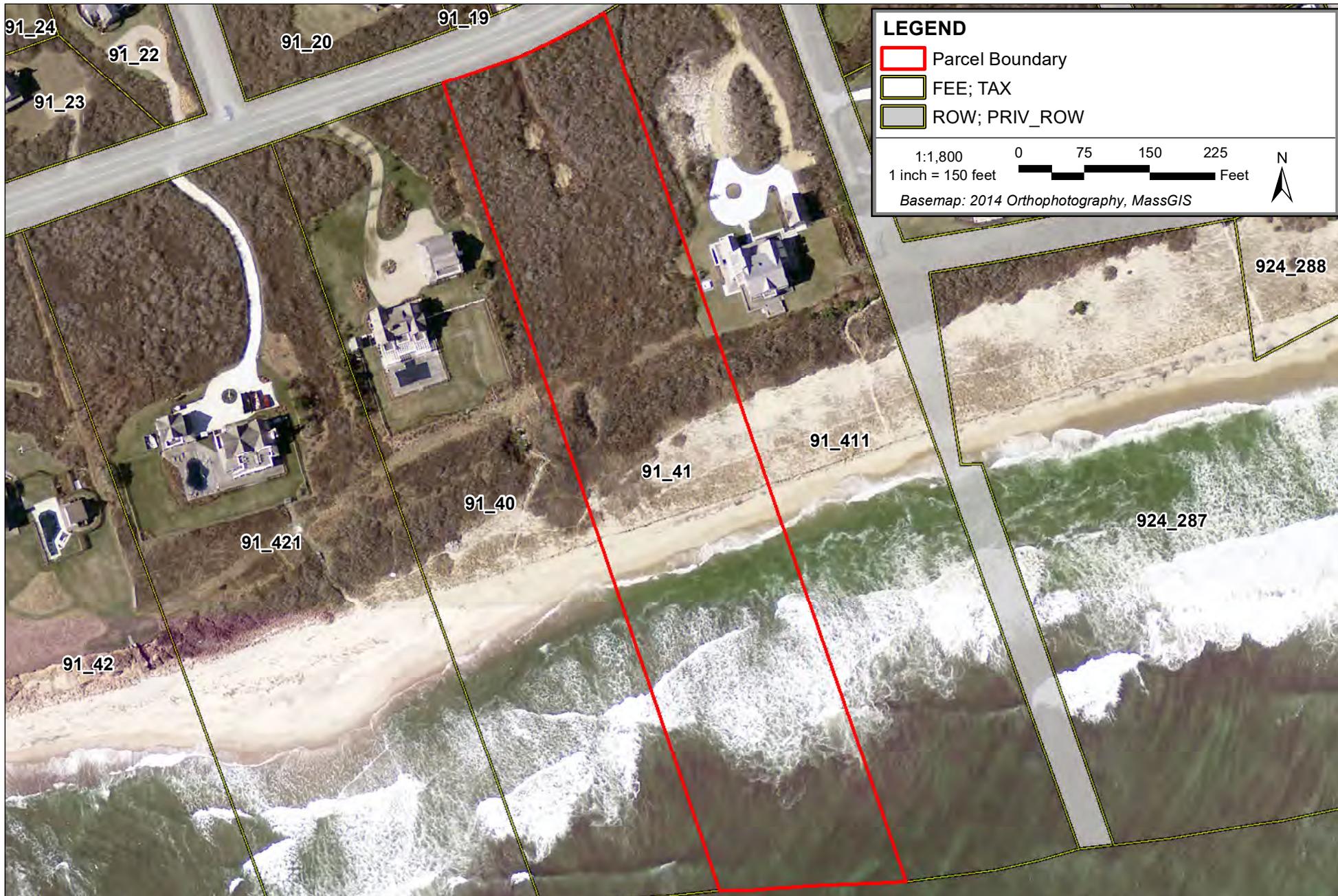




94 Tom Nevers Road - Nantucket, Massachusetts  
Map 91 Lot 41  
SDE Project No. 14009

Figure 2 - Site Overview  
July 21, 2016

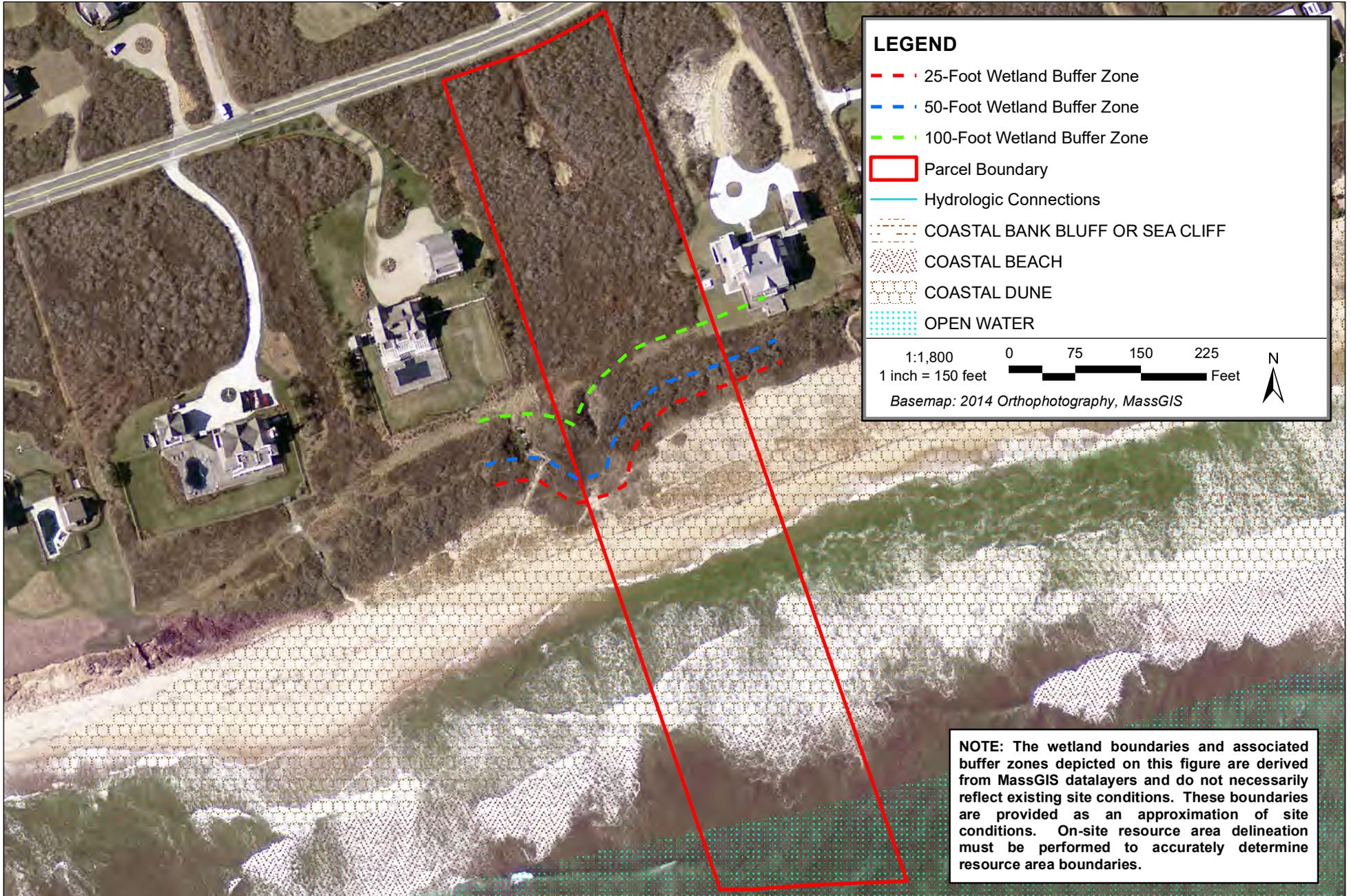




94 Tom Nevers Road - Nantucket, Massachusetts  
 Map 91 Lot 41  
 SDE Project No. 14009

Figure 3 - Detailed Site Overview  
 July 21, 2016





94 Tom Nevers Road - Nantucket, Massachusetts  
 Map 91 Lot 41  
 SDE Project No. 14009

Figure 4 - DEP Wetland Resource Area Boundaries  
 July 21, 2016





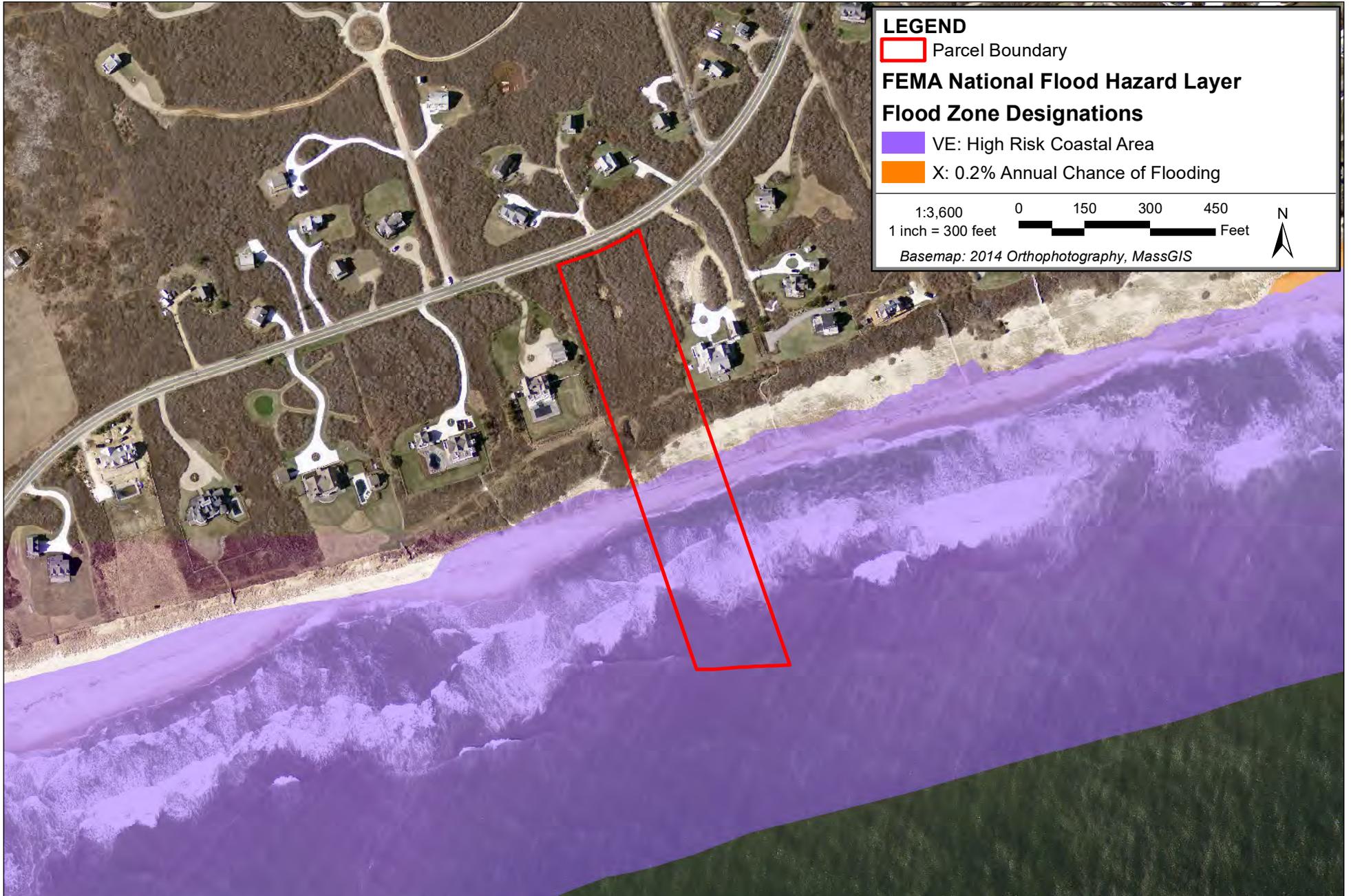
**LEGEND**

- Parcel Boundary
- NHESP Certified Vernal Pools
- Potential Vernal Pools
- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife

1:3,600      0      150      300      450  
 1 inch = 300 feet           Feet     

*Basemap: 2014 Orthophotography, MassGIS*





94 Tom Nevers Road - Nantucket, Massachusetts  
Map 91 Lot 41  
SDE Project No. 14009

Figure 6 - FEMA Flood Zones  
July 21, 2016





# MINOR MODIFICATIONS

Five Quaise, LLC  
5 Quaise Pastures  
(26-21)  
SE48-2488



**WPA Form 8A – Request for Certificate of Compliance**

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

**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:(current Title holder):

5 Quaise LLC, C/O Arthur Reade – Reade Gullicksen, Hanley & Gifford

Name

6 Young's Way

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

Phone Number

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

5 Quaise LLC, C/O Arthur Reade – Reade, Gullicksen, Hanley & Gifford

Applicant

09/21/2012

Dated

SE48-2488

DEP File Number

3. The project site is located at:

5 Quaise Pastures Road

Street Address

26

Assessors Map/Plat Number

Nantucket

City/Town

21

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for: (name on Order)

5 Quaise LLC, C/O Arthur Reade – Reade, Gullicksen, Hanley & Gifford

Property Owner (if different)

Nantucket

County

21361

Certificate (if registered land)

Book

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.



**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:

SE48-2488

Provided by DEP

---

**A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

---

**B. Submittal Requirements**

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



## **SITE DESIGN ENGINEERING, LLC.**

11 Cushman Street, Middleboro, MA 02346  
P: 508-967-0673 F: 508-967-0674

---

August 5, 2016

SDE No. 12096

Jeff Carlson  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

**Subject: Request for Certificate of Compliance  
5 Quaise Pastures Road, Nantucket, MA  
Assessors Map 26, Parcel 21  
DEP File No.: SE48-2488**

Dear Mr. Carlson:

The purpose of this letter is to request that the Conservation Commission (Commission) issue a Certificate of Compliance (COC) for the above referenced Order of Conditions (OOC). The hearing for SE48-2488 was closed on September 19, 2012 and the OOC was issued on September 21, 2012. The OOC had an expiration date of September 21, 2015. SE48-2488 allowed for the removal of an existing single family residence (SFR) and existing septic system and the construction of a new SFR, deck, pool, and associated landscaping/grading. Portions of the proposed work were located within the buffer zones of a Coastal Bank and Bordering Vegetated Wetland (BVW). The proposed work required a waiver from the two-foot groundwater separation requirement in Section 3.02(B)(1) of the Bylaw. An As-Built Plot Plan prepared by Site Design Engineering, LLC and J. Marcklinger & Associates, Inc. Professional Land Surveyors dated August 5, 2016 is included and shows the locations of all site work performed on the Subject Property under this OOC. Since the site work has been completed and is in substantial compliance with the approval issued under SE48-2488, the Applicant respectfully requests that the Commission grant a COC for the above referenced OOC.

If you have any questions, please feel free to call me at (508) 802-5832 or email me at ([mrirts@sde-ldec.com](mailto:mrirts@sde-ldec.com)).

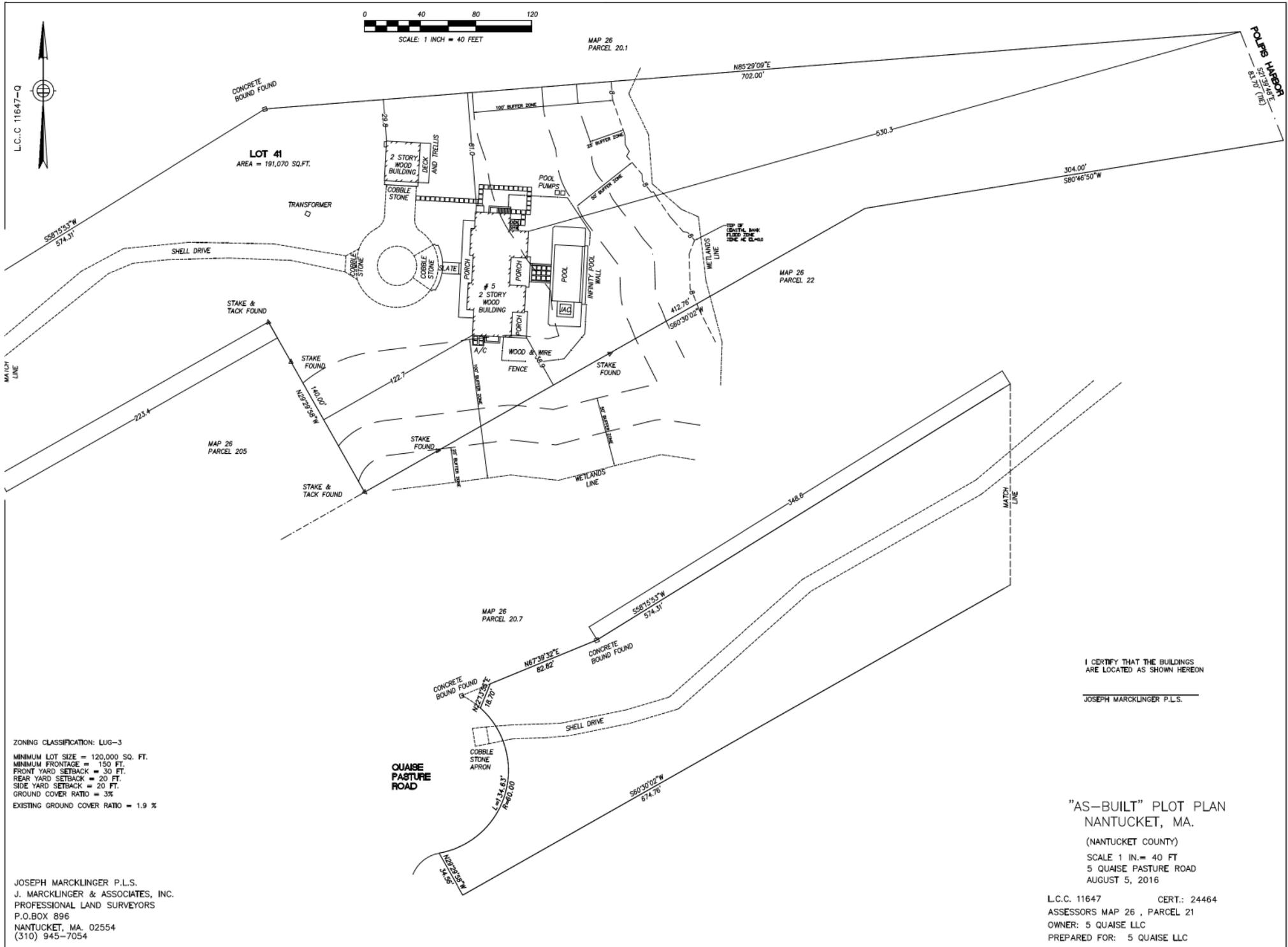
Respectfully,

A handwritten signature in black ink, appearing to read 'Mark Rits'.

Mark Rits  
Site Design Engineering, LLC.



SCALE: 1 INCH = 40 FEET



ZONING CLASSIFICATION: LUG-3  
 MINIMUM LOT SIZE = 120,000 SQ. FT.  
 MINIMUM FRONTAGE = 150 FT.  
 FRONT YARD SETBACK = 30 FT.  
 REAR YARD SETBACK = 20 FT.  
 SIDE YARD SETBACK = 20 FT.  
 GROUND COVER RATIO = 3%  
 EXISTING GROUND COVER RATIO = 1.9 %

JOSEPH MARCKLINGER P.L.S.  
 J. MARCKLINGER & ASSOCIATES, INC.  
 PROFESSIONAL LAND SURVEYORS  
 P.O. BOX 896  
 NANTUCKET, MA. 02554  
 (310) 945-7054

I CERTIFY THAT THE BUILDINGS  
 ARE LOCATED AS SHOWN HEREON  
 \_\_\_\_\_  
 JOSEPH MARCKLINGER P.L.S.

"AS-BUILT" PLOT PLAN  
 NANTUCKET, MA.  
 (NANTUCKET COUNTY)  
 SCALE 1 IN. = 40 FT  
 5 QUAISE PASTURE ROAD  
 AUGUST 5, 2016

L.C.C. 11647      CERT.: 24464  
 ASSESSORS MAP 26 , PARCEL 21  
 OWNER: 5 QUAISE LLC  
 PREPARED FOR: 5 QUAISE LLC

Nantucket Conservation  
Foundation

183, 185, 187 Eel Point Road

(33-1-3)

SE48-2319



**NANTUCKET CONSERVATION FOUNDATION, INC.**

POST OFFICE BOX 13, 118 CLIFF ROAD, NANTUCKET, MASSACHUSETTS 02554-0013, 508-228-2884

July 27, 2016

Dr. Ernest Steinauer, Chairman  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Minor Modification Request  
183, 185 & 187 Eel Point Road  
SE48-2319

Dear Dr. Steinauer and Conservation Commissioners:

The Science and Stewardship Department of the Nantucket Conservation Foundation would like to submit a request for a minor modification to the Order of Conditions (OOC) issued August 9, 2010 and modified August 22, 2012 for invasive species removal at Eel Point. The request is to add an additional type of herbicide and methodology of application for treatment of non-native, invasive gray/rusty willow (*Salix cinerea*) populations on the property.

The current OOC (as modified) allows for the use of a Glyphosate-based or Triclopyr-based herbicide to be applied to cut stems and stumps in the late summer and fall.

The modifications requested are to add the following options for herbicide application, in addition to those already permitted in the existing OOC:

1. To allow the use of the following herbicide: "Imazapyr" (trade name), with the active ingredient of "2-(4-isopropyl-4-methyl-5-oxy-2-imidazolin-2-yl) nicotinic acid with isopropyl amine (2)". Enclosed with this request is a fact sheet with additional information on Imazapyr.
2. To allow the following method of application: "EZ-Ject Herbicide Lance." This is a spring-loaded shell containing the active herbicide which is injected directly into the base of the shrub or tree. Enclosed with this request is a fact sheet with additional information on the EZ-Ject Herbicide Lance.
3. To allow the use of Imazapyr applied via an EZ-Ject Herbicide Lance at any time of the year, as treatments do not need to be limited to the growing season to be effective.

Since the initiation of permitted herbicide treatments of gray/rusty willow at this site, we

have been successful at treating small sapling and medium sized willows following both Glyphosate and Renovate-based treatment of cut stems and stumps, as detailed in annual project reports submitted to the Commission. Most of the remaining, untreated gray/rusty willows present at Eel Point are very large, mature trees. Because of their large size, felling these trees to treat the cut stumps with herbicide with subsequent manual removal of the cut debris would cause a great deal of disturbance to the sensitive vegetation and soils present within the wetland resource area.

During the “Invasive Plant Workshop – Management of Invasive Plants on Nantucket” held at the Bartlett Farm Hayloft on Wednesday March 30, 2016 (sponsored by the Nantucket Land Council and the Nantucket Biodiversity Initiative), Seth Wilkinson (Restoration Ecologist and President of Wilkinson Ecological Design, based in Orleans, MA) presented information on the use of Imazapyr applied via an EZ-Ject lance. His firm has experienced high rates of success in treating invasive gray/rusty willow using this method.

This type of treatment has multiple environmental benefits over alternate application methods, including no chemical mixing, measuring or spraying required and no risk of spray or drift that would impact non-target wetland vegetation. Additionally, it appears to be effective at killing the tree without the need for immediate manual cutting and removal, which would cause much less disturbance to wetland soils and native vegetation communities.

Approval of the use of Imazapyr applied via an EZ-Ject lance on this project will provide us with one more tool to effectively control the invasive species at Eel Point.

I will be at the Commission’s meeting to answer any questions that the Commission might have.

Thank you very much for your time and consideration of this request.

Sincerely,

Karen C. Beattie  
Science and Stewardship Department Manager  
Nantucket Conservation Foundation

# EZ-Ject™ HERBICIDE SYSTEM

## The fastest, easiest way to selectively control trees, stumps, woody brush, and invasive plants

Foresters, agricultural producers, and land/ROW managers now have an efficient, effective, economical way to control unwanted woody vegetation. With one simple movement, the spring-loaded EZ-Ject injects a herbicide shell into the base of a tree, stump, or brush. The herbicide is absorbed by the tree, effectively killing roots, trunk, and foliage.

### EZ-Ject Herbicide Lance

- A single compression stroke of the EZ-Ject Lance head drives the shell through the bark and into the cambium layer of the tree.
- Once in the cambium, the tree's sap dissolves the chemical which is taken up into the tree killing roots, trunk and foliage.
- Load up to 400 herbicide shells through the screw off end cap.
- Fully loaded, the EZ-Ject Lance weighs less than 10 pounds.
- Gravity fed, spring-loaded head injects shells through bark with minimal operator effort.



### Easy to use, effective

- Each ready-to-use EZ-Ject Herbicide Shell contains a small amount of chemical held in a dry, stable form within a brass shell.
- Systemic herbicides kill the tree completely. There is rarely any regrowth or suckers. Dead tree and stump can be removed or left to decompose naturally.

### A variety of forestry uses

- Control non-compatible species
- Thin hardwoods
- Manage juvenile spacing
- Kill stumps

### Lance handle



**The standard EZ-Ject Lance** is 63.5" (161 cm) long and has a capacity of 400 shells, 100 in each of four chambers.

**The short EZ-Ject Lance** is 41.25" (104 cm) long and has a capacity of 228 shells, 57 in each of four chambers.



### Injector nose

### Spring-loaded injector head

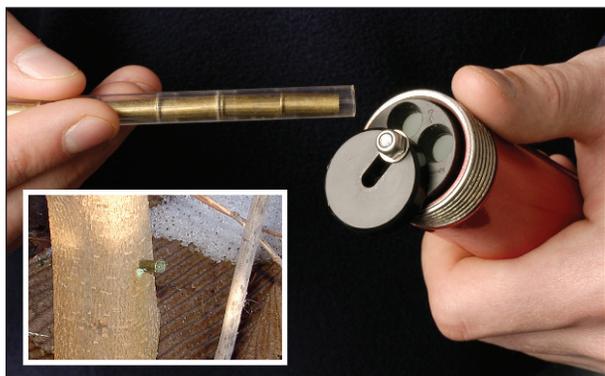


### Control trees in many situations

- Utility right-of-ways
- Buffer zones
- Watersheds
- Drainage areas
- Woodlots
- Roadsides
- Irrigation canals
- CPC land
- Prairies

### End cap

# EZ-Ject™ HERBICIDE SYSTEM



Simply load shells into lance end, screw on end cap, and begin injecting. Lance shaft contains four chambers into which shells are loaded. Fully loaded, the lance weighs less than ten pounds.

Herbicide shells are packaged 25 to a tube with 48 tubes contained in each 1200 shell box.

## Applicator benefits

- Lightweight, simple to use, less fatigue.
- Easy loading, worry-free operation
- Easy to use in overgrown or difficult-to-reach areas.
- Ideal for densely grown conifers.
- No chemical mixing, measuring, or spraying.
- Safer than chain saws—no blades, flying debris, fumes, or noise.
- Minimal training, worry-free operation.
- Work in any weather.

## Forest and crop tree benefits

- Selectively kill undesirable trees.
- No off-target herbicide effects.
- Because treated trees die slowly, slower canopy opening allows crop trees to adapt.
- No disease transmission.
- Less fire hazard than mechanical options.

## Environmental benefits

- Manage vegetation in sensitive sites without drift or spill risks.
- Thin stands without felling. No slash to impede wildlife movement.
- Create wildlife habitat trees, such as snags for perching birds.
- Retain beneficial foraging vegetation while controlling unwanted trees and brush.



## Diamondback™ Herbicide Shells

Active ingredient: Glyphosate

### Diamondback controls:

- Alder
- Ash
- Aspen, quaking
- Bigleaf maple
- Birch
- Black cherry
- Cascara
- Ceanothus
- Chamise
- Cherry
- Cottonwood
- Dogwood
- Douglas fir
- Elderberry
- Elm
- Eucalyptus
- Hackberry
- Hawthorn
- Hazel
- Hemlock
- Hickory
- Locust, honey
- Lodgepole pine
- Madron
- Manzanita
- Maple
- Mountain maple
- Oak
- Persimmon
- Pin cherry
- Poison ivy
- Poison oak
- Ponderosa pine
- Poplar
- Poplar, yellow
- Redbud
- Sagebrush
- Sassafras
- Sourwood
- Sumac
- Sweetgum
- Tan oak
- Vine maple
- Waxmyrtle
- Western red cedar
- Willow



Find out more at  
[www.EZJect.com](http://www.EZJect.com)  
888-395-6732

## Tree and brush varieties controlled

EZ-Ject Herbicide Shells control dozens of varieties of trees and woody vegetation.

## Timing of injections

Use year-around, unless bark is frozen to the point of preventing shell penetration. Use in all weather conditions, including rain.

## Application rate

Insert one shell every two to three inches around the circumference of the tree.

## Copperhead™ Herbicide Shells

Active ingredient: Imazapyr

### Copperhead controls:

#### Woody Brush and Trees

- Alder
- American beech
- Ash
- Aspen
- Autumn olive
- Bald cypress
- Bigleaf maple
- Birch
- Black oak
- Blackgum
- Blueberry
- Boxelder
- Brazilian peppertree
- Ceanothus
- Cherry
- Chinaberry
- Chinese tallow-tree
- Chinquapin
- Cottonwood
- Cypress
- Dogwood
- Eucalyptus
- Fetterbrush
- Hawthorn
- Hickory
- Huckleberry
- Madrone
- Maple
- Melaleuca
- Mulberry
- Oak
- Persimmon
- Poison oak
- Popcorn-tree
- Poplar
- Privet
- Red alder
- Red maple
- Saltcedar
- Sassafras
- Sourwood
- Sparkleberry
- Staggerbrush
- Sumac
- Sweetgum
- Sycamore
- Tanoak
- TiTi
- Tree of heaven
- Willow
- Yellow poplar
- Wild grape
- Wild rose, including Multiflora rose
- Macartney rose
- Trumpet creeper
- Virginia creeper

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



### IMAZAPYR

In addition to the review that is presented below, a comprehensive review available from USDA Forest Service provides information that incorporates more recent studies and data. The US Forest Service risk assessment report is available at: <http://www.fs.fed.us/foresthealth/pesticide/risk.shtml>

### **Review conducted by MDAR and MassDEP for use in Sensitive Areas of Rights-of-Way in Massachusetts**

Common Trade Name(s): Arsenal

Chemical Name: Imazapyr!

2-(4-isopropyl-4-methyl-5-oxy-2-imidazolin-2-yl)  
nicotinic acid with isopropyl amine (2)

CAS No.: 81510-83-0

### GENERAL INFORMATION

Imazapyr is effective against and provides residual control of a wide variety of annual and perennial weeds, deciduous trees, vines and brambles in non-cropland situations. It also provides residual control and may be applied either pre or postemergence. Postemergence is the preferred method especially for the control of perennial species. Imazapyr is readily absorbed by the foliage and from soil by the root systems. Imazapyr kills plants by inhibiting the production of an enzyme, required in the biosynthesis of certain amino acids, which is unique to plants (10, 100).

### ENVIRONMENTAL FATE

#### Mobility

There are few studies which have investigated the mobility of Imazapyr in soil, but available reports indicate that Imazapyr does not leach and is strongly absorbed to soil (100). Imazapyr has a high water solubility (1 — 1.5%) which could generally indicate a high leaching potential, but as with other organic acids Imazapyr is much less mobile than would normally be expected (100). No soil partition coefficients have been reported, but they may be expected to be quite high (100).

One field study investigated Imazapyr mobility in a sandy loam soil (0.9% organic matter, 8.0% clay; 38.8% silt). Imazapyr did not leach below the 18—21 inch layer after 634 days and 49.6 inches of rain. The levels found below the 12 inch layer were just above the 5 ppb detection limit. In addition, this study investigated the off-target mobility of Imazapyr and found no residues further than 3 inches from the sprayed area after 1 year (102).

Although low levels of Imazapyr did move to the 18 to 21 inch layer this was only after nearly 2 years and fifty inches of rain. This indicates that imazapyr is relatively non-mobile and does not leach through the soil profile. Imazapyr remains near the soil surface and heavy precipitation may cause some off target movement from surface erosion of treated soils.

### Persistence

The main route of Imazapyr degradation is photolysis. In a study of photodegradation in water, the half—life of Imazapyr was calculated as 3.7, 5.3 and 2.5 days in distilled water, pH 5 and pH 9 buffers respectively (101). A soil photolysis study for Arsenal on sandy loam calculated a half—life of 149 days (101).

Studies have investigated the persistence of Imazapyr in soil under aerobic and anaerobic conditions. The half-life of Imazapyr in soil has been reported as varying from 3 months to 2 years (100). A laboratory study found the half-life to be 17 months (101). Detectable residues were found in a field study in all soil layers to 21 inches at 634 days (102). Vegetation was sprayed with radio-labelled Imazapyr at a rate of 1 lb. a.i./acre. The soil was a sandy loam (0.9% organic matter) which received 49.6 inches of rain during 634 days. The highest level of radioactivity (0.234 ppm Imazapyr) was found in the top 3 inches of soil at 231 days after application and there were detectable levels in the 9-12 inch layer. The concentrations in the top layer increased steadily from day 4 to 231 when they reached their maximum (0.234 ppm) and then declined. At day 634 the level in the top layer (0-3 inch) was 0.104 ppm (102). These data indicate that Imazapyr is persistent in soil and, most importantly, that Imazapyr is translocated within plants from the plant shoots back to the roots and released back into soil. Very little of the Imazapyr actually reached the soil during application. The soil residues may be due to the decay of plant material containing Imazapyr in the soil (102).

## TOXICITY REVIEW

### Acute (Mammalian)

The acute oral LD50 in both male and female rats was greater than 5000 mg/kg using technical Imazapyr. The acute dermal LD50 in male and female rabbits was greater than 2000 mg/kg. The compound was irritating to the rabbit eye but recovery was noted 7 days after application of 100 mg of the test substance. It was classified as mildly irritating to the rabbit skin following application of 0.5 grams of the material on abraded or intact skin (103).

Arsenal product formulation was tested in a similar battery of tests. The rat oral LD50 value was greater than 5000 mg/kg and the rabbit dermal LD50 was greater than 2148 mg/kg. The irritation was observed following installation of 0.5 ml of the test substance in the skin study and 0.1 ml in the eye study (104).

Technical Imazapyr was administered to rats as an aerosol for four hours at a concentration of 5.1 mg/L. There were ten rats per sex and the animals were observed for 14 days after treatment before they were sacrificed. Slight nasal discharge was seen in all rats on day one but disappeared on day two (105).

The inhalation LC50 is greater than 5.0 mg/L for both the formulation and the technical product (105,106). Technical Imazapyr was applied dermally at the following dosages: 0, 100, 200 and 400 mg/kg/day (109). Arsenal was used at 0, 25, 50 and 100% of the formulated solution in sterile saline. Each dose group consisted of 10 male and 10 female rabbits and the test substance was applied to either intact or abraded skin and occluded for 6 hours each day.

The result of the dermal studies with Imazapyr as well as Arsenal were non remarkable with regard to body weights, food consumption, hematology, serum chemistry, clinical observations, necropsy observations and histopathology. It was noted that Arsenal, undiluted, was locally irritating (109).

### Subchronic and Chronic Studies (Mammalian)

In the subchronic tests a NOEL for systemic toxicity with dermal administration in rabbits was 400 mg/kg/d (2,109). After dietary administration for 13 weeks in the rat, there was no effect at 10,000 ppm (571. mg/kg/d) which was the highest dose tested (141).

A bioassay is currently underway to evaluate the potential oncogenicity of technical Imazapyr. Groups of 65 rats per sex per dose group have received 0, 1000, 5000 or 10,000 ppm in the diet. Hematology, clinical chemistry and urinalysis tests were conducted at 3, 6 and 12 months and will also be done at 18 months and at study termination. At the 12 month sacrifice the only effect noted was a slight increase in mean food consumption in all treated female groups. Most of the increases were statistically significant, but they did not always exhibit a dose response. The oncogenicity test is due to be submitted to the EPA in the spring of 1989 (115).

### Oncogenicity Studies

Chronic bioassays as discussed in the subchronic/chronic section are underway.

### Mutagenicity Testing

Five different bacterial strains of Salmonella typhimurium (TA1535, TA98, TA100, TA1537, and TA1538) and one of Escherichia coli (WP-2 uvrA-) were used to evaluate the mutagenicity of Imazapyr. It is unclear whether the compound used was technical or formulated Imazapyr. Dose levels up to 5000 micrograms/plate were used and each strain was evaluated both in the presence or absence of PCB—induced rat liver 5—9 microsomes. Negative results were noted in all assays. The six tester strains were designed to detect either base-pair substitutions or frameshift mutations (113).

### Developmental Studies (Mammalian)

Two teratology studies have been done and both of these studies evaluated technical Imazapyr. One study used rats as the test species and the other utilized rabbits (111,112).

Pregnant rats received dosages of 0, 100, 300 or 1000 mg/kg/d of Imazapyr during days 6—15 of gestation. There were 22 rats in the control group and 24, 23 and 22 in the low, mid and high dose groups. All doses were administered orally by gavage. Salivation was noted only during the dosing period in 6 of the 22 females in the highest dose group (1000 mg/kg). No other adverse observations were noted in the treated dams (111). Fetal body weight and crown-rump length data for the treated groups were comparable to controls. Fetal development (external, skeletal and visceral) “revealed no aberrant structural changes which appeared to be the result of the exposure to Imazapyr” (111). The NOEL for maternal toxicity was 300 mg/kg and the NOEL for teratogenicity and fetotoxicity was 1000 mg/kg (116).

Four groups of 18 pregnant rabbits were exposed on days 6-18 of gestation to doses of 0, 25, 100, 400 mg/kg/d Imazapyr. There was no statistically significant difference between control and treated groups at any dose (112).

### Avian

Acute oral LD50s of Imazapyr in bobwhite quail and mallard duck were 2150 mg/kg. The 8 day dietary LC50 in the bobwhite quail and mallard duck were greater than 5000 ppm (101).

### Invertebrates

The dermal honey bee LD50 for Imazapyr is greater than 100 mg/bee (101). The LD50 (48 hr) was greater than 100 mg/L for the water flea (100).

### Aquatic

The LC50s of Imazapyr in the rainbow trout, bluegill sunfish and channel catfish were greater than 100 mg/L (101).

#### SUMMARY

Imazapyr is a relatively immobile herbicide in the soil profile even when used in sandy and low organic content soils. It is also persistent in soils. The low mobility and persistence may result in off-target movement of Imazapyr from surface erosion of treated soils.

The atypical soil—plant flux characteristics of Imazapyr and delayed maximum soil concentrations indicate that repeated annual applications may result in build—up of Imazapyr in soil. Consequently, an interval is required to allow for the degradation of soil residues before a repeated application is made.

The oral LD50 of Imazapyr in rats is greater than 5000 mg/kg and the dermal LD50 is greater than 2000 mg/kg in rabbits. The oncogenicity bioassay is currently underway and the only effect reported in the interim study was an increase in food consumption in the treated females. No mutagenic effects were observed.

The acute oral LD50s of Imazapyr and the Arsenal formulation are greater than 5000 mg/kg. In the subchronic 13 week rat study there was no effect observed at the highest dose tested 10,000 ppm. The oncogenicity study is currently underway.

#### REFERENCES

2. Farm Chemicals Handbook: 1985 Dictionary, buyer's guide to trade names and equipment. Pub. by Meister Pub. Co.

101. American Cyanamid Arsenal Herbicide Environmental and Toxicological Data Summary.

102. AC 243,997 [2—(4-isopropyl-4—methyl-5-oxo-2-imidazolin-2-71)nicotinic acid]: Weed & Soil Metabolism in a field plot. American Cyanamid Company, POM Vol. 23-32. 1986 (Confidential Information).

103. Acute Toxicology of AC 243,997 to Rats and Rabbits. American Cyanamid Company, A83-24.

104. Acute Toxicology of AC 252,925 22.6% to Rats and Rabbits. American Cyanamid Company, A83-67.

105. Acute Inhalation Toxicity of AC 243,997 in Sprague-Dawley Rats. Food and Drug Research Laboratories, Inc. Study No. 7624.

106. Acute Inhalation Toxicity of AC 252,925 in Sprague-Dawley Rats. Food and Drug Research Laboratories, Inc. Study No. 7607.

107. Evaluation of the Sensitization Potential of AC 243,997 in Guinea Pigs. Toxicology Pathology Services, Inc. Study No. 186A—201-231-83.

108. Evaluation of the Sensitization Potential of AC 252,925 in Guinea Pigs. Toxicology Pathology Services, Inc. Study No. 186A—201-231-83.

109. Twenty-one Day Dermal Toxicity Study with AC 243,997 in Rabbits. Toxicology Pathology Services, Inc. Study No. 186B—301-230-83.

110. Twenty—one Day Dermal Toxicity Study with AC 252,925 in Rabbits. Toxicology Pathology Services, Inc. Study No. 187B-230-83.

111. Teratology Study in Albino Rats with AC 243,997. ToxiGenics Study No. 450-1222.

112. Teratology Study in Albino Rabbits with Ac 243,997. ToxiGenics Study No. 450-1224.

113. Bacterial/Microsome Reverse Mutation (Ames) Test on CL 243,997. American Cyanamid Company GTOX Volume 3, Number 13.

114. Herbicide AC 243,997: The Absorption, Excretion, Tissue Residues and Metabolism of Carboxyl Carbon—14 Labeled AC 243,997 Nicotinic acid, 2-(4—*isopropyl*—4-methyl—5—oxo—2-imidzolin—2-yl) in the Rat. American C~anamid Company Report No. PD-M Volume 20—3.

Eleven Crook Lane, LLC

10 Hickory Meadow

Lane

(41-904)

SE48-2682

**Main Office:**  
49 Herring Pond Road  
Buzzards Bay, MA 02532  
Tel (508) 833-0070  
Fax (508) 833-2282



**Nantucket Office:**  
19 Old South Road  
Nantucket, MA 02554  
Tel (508) 325-0044

August 5, 2016

**Hand Delivery**

Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

**Re: DEP File # SE 048-2682  
10 Hickory Lane (Lot 7)  
Nantucket, Massachusetts**

Dear Members of the Commission:

On behalf of the Applicant, Elizabeth Wetherell, please accept this letter as a request for a Minor Modification for the above referenced project. A revised Development Site Plan and exhibit plan comparing the approved site plan and the proposed changes.

The following changes are proposed:

- Relocation and layout of buildings;
- Relocation of swimming pool;
- Grading between the 100' buffer and the open space boundary.

No additional clearing beyond the original approval is required.

Should you have any questions or require additional information in advance of the August 10, 2016 public hearing, please do not hesitate to contact me at 508-833-0070

Sincerely,

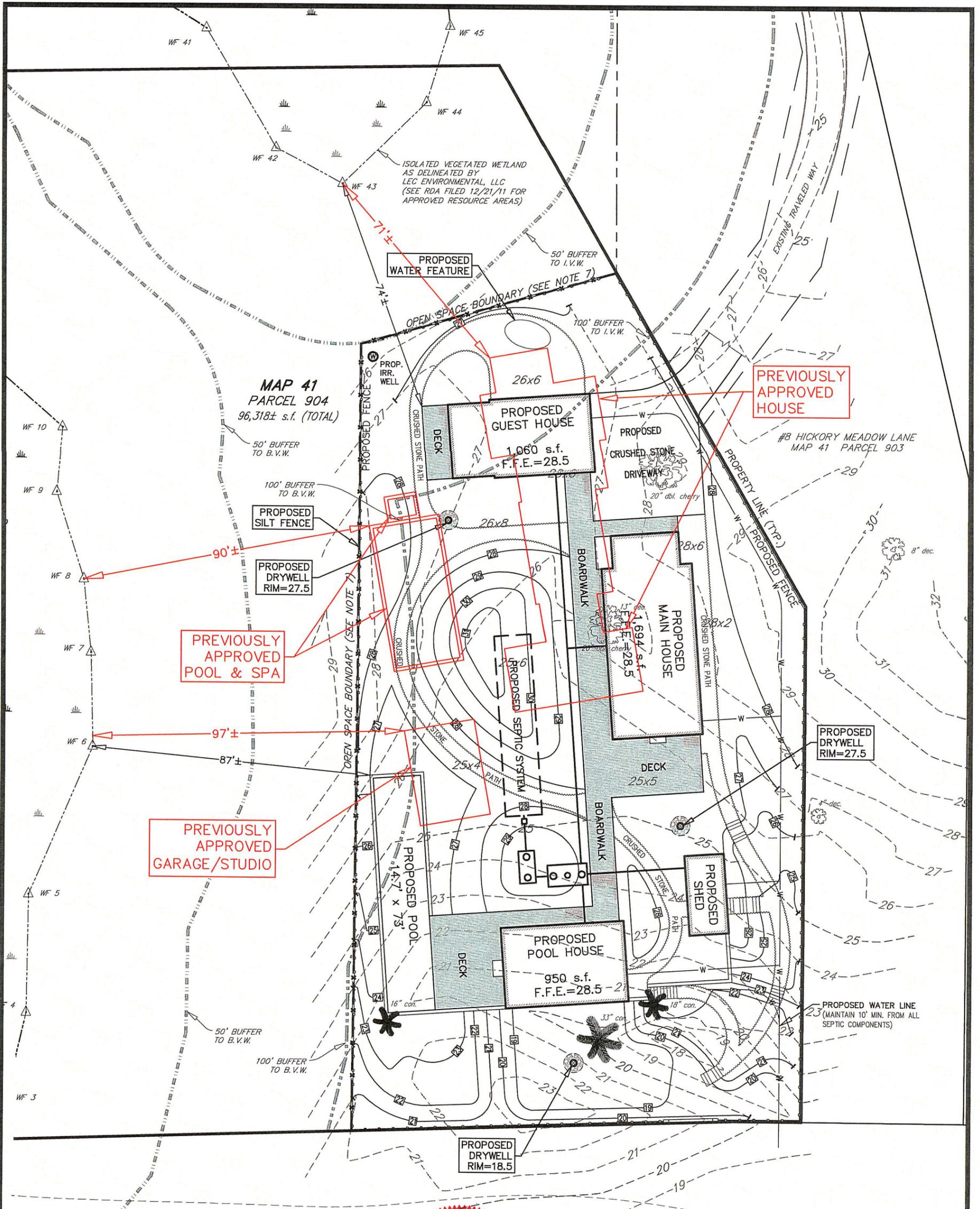
Bracken Engineering, Inc.

A handwritten signature in blue ink, appearing to read 'Donald F. Bracken, Jr.', is written over the typed name.

Donald F. Bracken, Jr. PE

cc: DEP; Elizabeth Wetherell



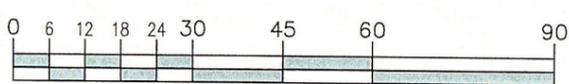


**PREVIOUSLY APPROVED POOL & SPA**

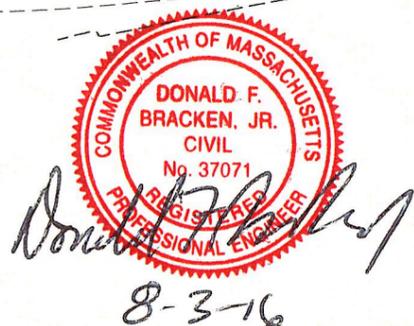
**PREVIOUSLY APPROVED GARAGE/STUDIO**

**PREVIOUSLY APPROVED HOUSE**

**PLAN SCALE**



1 inch = 30 feet



**Notes**

- LOCUS: 10 HICKORY MEADOW LANE aka 141 WEST CHESTER STREET MAP 41 PARCEL 904
- OWNER: ELEVEN CROOKED LANE, LLC 4 NORTH WATER STREET NANTUCKET, MA 02554
- DEED REF: Cert. #25311
- PLAN REF: L.C. Plan 12325-B (LOT 7)
- THIS PLAN IS FOR A MODIFICATION TO A PREVIOUSLY APPROVED ORDER OF CONDITIONS (PREVIOUSLY APPROVED IN RED), SEE DEP FILE SE48-2682 FOR MORE DETAIL.

**PROPOSED SITE PLAN MODIFICATIONS IN NANTUCKET, MASSASHUSETTS**

Prepared for:

**ELEVEN CROOKED LANE, LLC**  
 #10 HICKORY MEADOW LANE  
 MAP 41 PARCEL 904



49 HERRING POND ROAD  
 BUZZARDS BAY, MA 02532

(tel) 508.833.0070  
 (fax) 508.833.2282

19 OLD SOUTH ROAD  
 NANTUCKET, MA 02554

(tel) 508.325.0044  
 www.brackeneng.com

Date:	Drawn:	Checked:
AUGUST 3, 2016	RMM/BEI/DLH	DFB

# CERTIFICATES OF COMPLIANCE

Thompson  
14 Fargo Way  
(14-17)  
SE48-2645

July 1, 2016

**Email** [JCarlson@nantucket-ma.gov]

Ernest Steinauer, Chair  
Town of Nantucket  
Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

**RE: Request for Certificate of Compliance  
14 Fargo Way  
Nantucket, Massachusetts**

[LEC File #: ThomR\07-394.01]

Dear Members of the Commission:

On behalf of the Owner, Roy Thompson, LEC Environmental Consultants, Inc. (LEC) is requesting a Certificate of Compliance (COC) for the Order of Conditions (OOC, DEP File No. SE48-2645) issued April 2, 2014 for construction of a shoreline protection project at the above-referenced site.

As shown on the attached as-built plan, the completed project includes the two, lower sand-filled tubes (4 feet by 3 feet), anchored by a series of posts. The three, upper sand-filled tubes shown on the proposed plan higher than the 100-year elevation were not placed.

The owner has not put in plantings on the bluff for the following reason. All loss of nourishment sand has been from wave action at the bottom. Since the project was built, the owner determined that the only way to add the required amount of nourishment material each year is by loading it from the top and raking it down to the bottom where the sand has been lost. This process would cause extensive damage to the plantings if they were put in place.

Attached to this letter please find the following:

- DEP WPA Form 8A – Request for Certificate of Compliance;
- A compliance letter from the project engineer, Green Seal Environmental, Inc. dated June 15, 2016, as required in section A.6. of the form;
- As-Built plan entitled *Spring 2016 Monitoring Survey* prepared by Green Seal Environmental, Inc. dated April 21, 2016; and,
- Check #13438 payable to the Town of Nantucket for \$25.00 for the By-law filing fee.

As part of this COC Request, the owner would like to request that the following on-going maintenance and reporting conditions be included as part of the Certificate:

1. Any broken anchor posts can be replaced and any leaning anchor posts can be adjusted;
2. Elevations of the initially installed sand filled tubes can be restored upon any collapsing or deflation caused by the release of sand from the tubes; and,



3. Monitoring survey plans and photos will be submitted annually every spring only along the shoreline within 200 feet to the east of the project area unless there is a visual reason to do more.

Thank you for your consideration of this request. If you have any questions or require additional information, please do not hesitate to contact me in our Plymouth office at 508-746-9491 or at [shumphries@lecenvironmental.com](mailto:shumphries@lecenvironmental.com).

Sincerely,

**LEC Environmental Consultants, Inc.**

A handwritten signature in black ink that reads "Stanley M. Humphries".

Stanley M. Humphries  
Senior Coastal Geologist

CC: Roy Thompson, Barry Fogel, Tim Bennett



**WPA Form 8A – Request for Certificate of Compliance**

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

**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:

Roy Thompson  
Name  
57 Sammis Street  
Mailing Address  
Rowayton CT 06853  
City/Town State Zip Code  
203-853-7571  
Phone Number

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

Roy Thompson  
Applicant  
4/2/2014 SE48-2645  
Dated DEP File Number

3. The project site is located at:

14 Fargo Way Nantucket  
Street Address City/Town  
14 17  
Assessors Map/Plat Number Parcel/Lot Number

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

Roy S. Thompson, Trustee of Cotockta Nominee Trust  
Property Owner (if different)  
Nantucket \_\_\_\_\_  
County Book Page  
15618  
Certificate (if registered land)

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).  
Construction of an assembly of two sand filled tubes with posts and nourishment material.  
Three rows of smaller sand filled tubes and plantings were not constructed.

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



**WPA Form 8A – Request for Certificate of Compliance**

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

---

**A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

---

**B. Submittal Requirements**

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



June 15, 2016

Ernest Steinauer, Chair  
Town of Nantucket  
Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

RE: Request for Certificate of Compliance  
DEP File No. SE48-2645  
14 Fargo Way  
Nantucket, MA

Dear Commission Members:

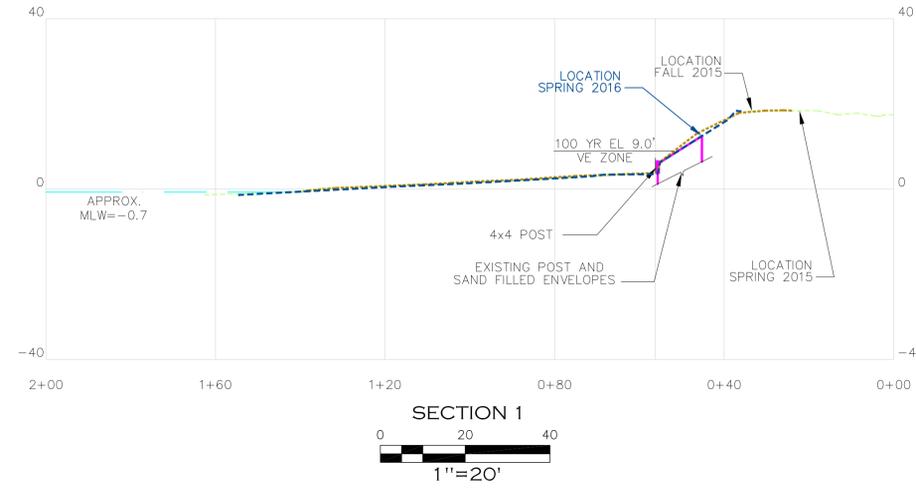
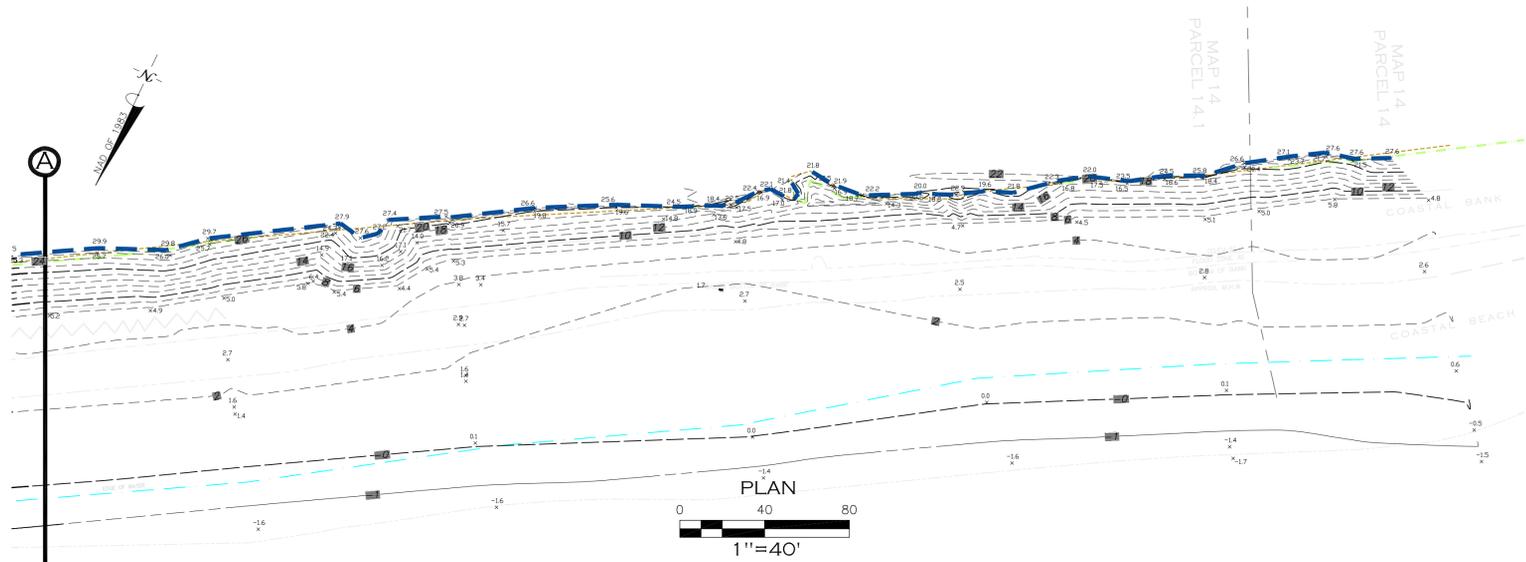
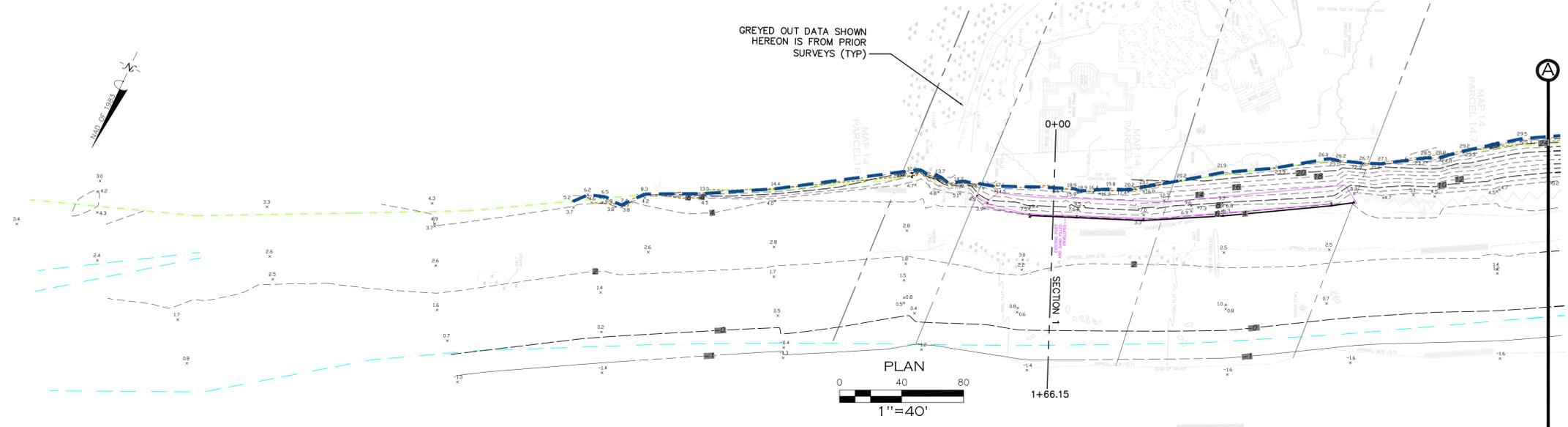
On behalf of the Owner, Roy Thompson, Green Seal Environmental is pleased to submit an As-Built Plan entitled *Spring Monitoring on 14 Fargo Way, Map 14 Parcel 17 in Nantucket, Mass. prepared for Roy Thompson* dated April 21, 2016.

As shown on the plan, the completed project includes two rows of sand-filled coir tubes with anchors, 4"x4" posts, and sand fill covering the tubes as observed and surveyed on November 19, 2015. This completed work substantially complies with that approved by the Commission as shown on the approved plan dated March 18, 2014.

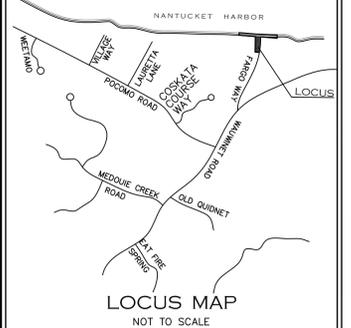
Sincerely,  
**GREEN SEAL ENVIRONMENTAL, INC.**

A handwritten signature in black ink, appearing to read "Timothy R. Bennett", with a horizontal line extending to the right.

Timothy R. Bennett, PLS  
Director of Land Surveying



- MONITORING SURVEY LEGEND**
- 20.0' SPOT ELEVATION SPRING 2016
  - TOP OF BANK SPRING 2016
  - CONTOUR MAJOR SPRING 2016
  - CONTOUR MINOR SPRING 2016
  - EDGE OF WATER 04/21/2016
  - EXISTING POST AND SAND FILLED ENVELOPES
  - TOP OF BANK FALL 2015
  - TOP OF BANK SPRING 2015



**NOTES**

LOCUS: #14 FARGO WY  
 OWNER: THOMPSON ROY S TRST  
 PLAN REF: L.C. PLAN #16220P

DATE OF SURVEY: 11/19/2015

**FLOOD ZONE**

SITE IS LOCATED IN FLOOD ZONE "X" AND FLOOD ZONE "VE (EL 9)" ON FLOOD MAP 2519C0086G EFFECTIVE DATE: 06/09/2014

**BENCHMARK**

CONCRETE BOUND  
 ELEVATION = 21.24 HTL

- LEGEND**
- WLF-19 VEGETATED WETLAND
  - CBDFnd CONCRETE BOUND FOUND

THIS MAPPING IS MADE FOR THE PARTY NAMED HEREON, HIS OR HER MORTGAGEE AND GUARANTOR, EXCLUSIVELY: NO FURTHER LIABILITY IS ASSUMED.

© 2016 GREEN SEAL ENVIRONMENTAL, INC.

REVISIONS		
DATE	DESCRIPTION	INIT.

**SPRING 2016 MONITORING SURVEY**  
 ON  
**#14 FARGO WY**  
 MAP 14 PARCEL 17  
 IN  
**NANTUCKET, MASS.**  
 PREPARED FOR  
**ROY THOMPSON**

 Green Seal Environmental, Inc.  
 114 State Road, Building B  
 Sagamore Beach, MA 02562  
 Tel: (508) 888-6034  
 Fax: (508) 888-1506  
 www.gseenv.com

DRAWN BY: JDP DATE: 04/21/2016  
 CHECK BY: TRB SCALE: 1"=40'  
 JOB # THMP-1190 SHEET NO. 1 OF 1

3/1/2016 10:00 AM C:\Users\jdp\Documents\Projects\1190 THMP-1190\1190 THMP-1190.dwg (1190 THMP-1190.dwg)

PKG Design Build, LLC

3 & 3A Pilgrim Road

(41-612 & 613)

SE48-2382

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

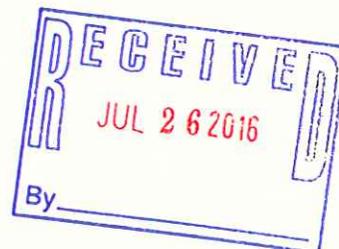
OF COUNSEL

July 25, 2016

**EMAIL**

Ernest Steinauer, Chairman  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Certificate of Compliance Application SE48-2382  
Carl M. Jelleme  
Peter Glazer, PKG Design Build, LLC, Applicant  
Pilgrim Court Subdivision  
3 and 3A Pilgrim Road, Nantucket, MA 02554



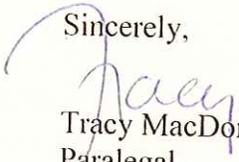
Dear Chairman Steinauer:

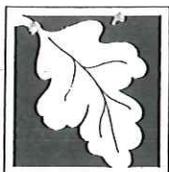
On behalf of our clients, Carl Jelleme and Peter Glazer, I respectfully submit this application for a Certificate of Compliance for the work performed in accordance with Conservation Commission's Order of Conditions #SE48-2382, issued on April 15, 2011, registered as Document No. 133744 at the Nantucket Registry District of the Land Court on Certificate of Title No. 22095 for the Pilgrim Court subdivision. The work is complete and signed off by the Town Engineer.

I have also enclosed a check in the amount of \$25.00, representing the filing fee. Please include this matter for consideration at your next scheduled meeting.

Thank you for your time and consideration of this matter.

Sincerely,

  
Tracy MacDonald  
Paralegal



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

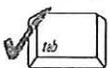
DEP File Number:

SE48-2382

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:(current Title holder):

Carl M. Jelleme

Name

29 Quaise Road

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-4455

Phone Number

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

Peter Glazer

Applicant

April 15, 2011

Dated

SE48-2382

DEP File Number

3. The project site is located at:

3 and 3A Pilgrim Road

Street Address

41

Assessors Map/Plat Number

Nantucket, MA 02554

City/Town

612 & 613;

Lots 13-18 LCPN 14393-D

4. The final Order of Conditions was recorded at the Registry of Deeds for : (name on Order)

Carl M. Jelleme

Property Owner (if different)

Nantucket

County

22095

Certificate (if registered land)

Doc. No. 133744

Book

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).

Four horizontal lines for providing details of satisfactorily completed portions of work.

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



---

### A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

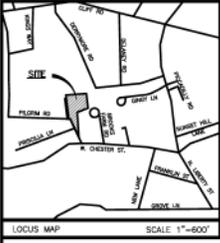
If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

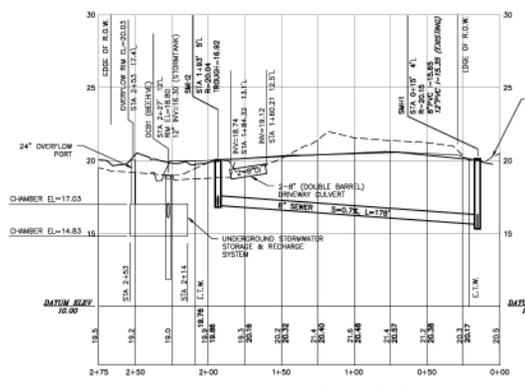
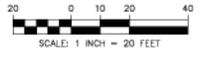
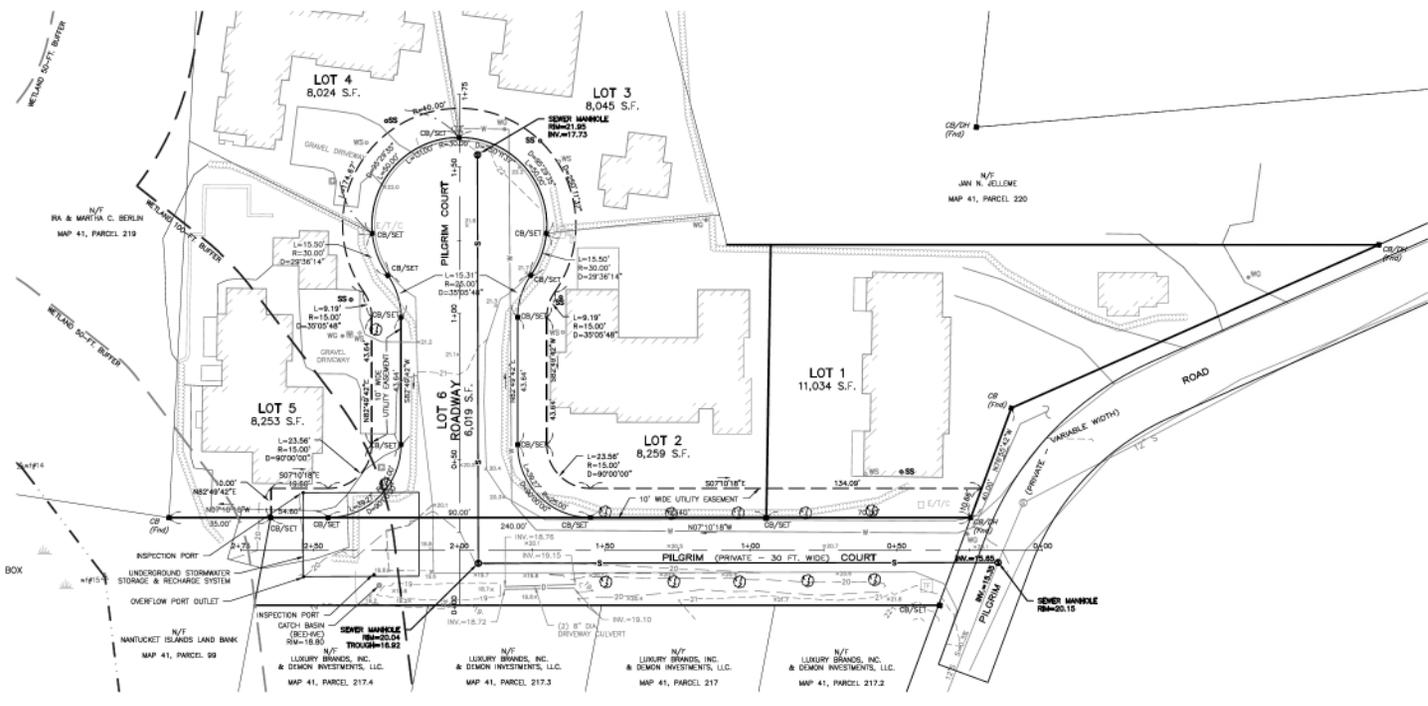
---

### B. Submittal Requirements

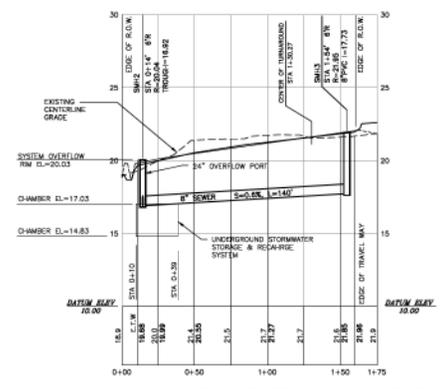
Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



- LEGEND**
- PROPERTY LINE
  - CB (Fnd) CONCRETE BOUND/FOUND
  - CB/SET CONCRETE BOUND/SET
  - 10' ± TOPOGRAPHIC CONTOUR
  - 17.6' ± SPOT ELEVATION
  - +SS SEWER STUB
  - ⊙ SEWER MANHOLE
  - S SEWER MAIN
  - HYDRANT
  - =WG WATER GATE
  - =WS WATER STUB
  - W WATER METER
  - W WATER MAIN
  - UNDERGROUND PROPANE TANK
  - TRANSFORMER
  - /□/□/□ ELECTRIC/TELEPHONE/CABLE TV SERVICE BOX
  - ELECTRIC HANDHOLE
  - TELEPHONE SERVICE BOX
  - TREE
  - HEDGE LINE
  - LIMIT OF WETLAND
  - 50 FT. BUFFER ZONE
  - 100 FT. BUFFER ZONE



**PILGRIM COURT PROFILE**  
SCALE HORIZONTAL 1" = 40'  
VERTICAL 1" = 4'



**PILGRIM COURT - EXTENSION PROFILE**  
SCALE HORIZONTAL 1" = 40'  
VERTICAL 1" = 4'



NO.	DATE	DESCRIPTION	DCM	APPROVED

DATE:	JULY 31, 2015
DRAWN BY:	SKD
DESIGN BY:	RTDCM
CHECK BY:	DCM
PROJECT NO.:	9053
ISSUED FOR:	APPROVAL



**ROAD AS-BUILT PLAN**  
PILGRIM COURT  
ASSESSORS MAP XL PARCEL XXXX  
NANTUCKET, MASSACHUSETTS  
PREPARED FOR PKG DESIGN BUILD, LLC.

DRAWING TITLE:  
**ROAD AS-BUILT PLAN**

SCALE: **AS NOTED**  
SHEET NO.

Schwenk

17 Dukes Road

(41-313)

**Main Office:**

49 Herring Pond Road  
Buzzards Bay, MA 02532  
Tel (508) 833-0070  
Fax (508) 833-2282



**Nantucket Office:**

19 Old South Road  
Nantucket, MA 02554  
Tel (508) 325-0044

August 1, 2016

Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

RE: 17 Dukes Road, SE48-2811.

Dear Commission Members:

Please find accompanying this letter WPA Form 8A, Sewer As-Built Plan and check for \$25.

To the best of my knowledge, all work has been completed in substantial conformance with the approved plans.

Please contact our office if you have any questions.

Sincerely,  
Bracken Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Donald F. Bracken, Jr.', written in a cursive style.

Donald F. Bracken, Jr., P.E.



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  
and the Town of Nantucket Wetlands Bylaw Chapter 136

DEP File Number:

SE48-2811

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:

Karen Schwenk

Name

P.O. Box 663

Mailing Address

Nantucket

MA

02554

City/Town

State

Zip Code

Phone Number

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

Karen Schwenk

Applicant

August 19, 2015

SE48-2811

Dated

DEP File Number

3. The project site is located at:

17 Dukes Road

Nantucket

Street Address

City/Town

Map 41

Parcel 313

Assessors Map/Plat Number

Parcel/Lot Number

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

Property Owner (if different)

Nantucket

1500

1 - 16

County

Book

Page

Certificate (if registered land)

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.



**WPA Form 8A – Request for Certificate of Compliance**

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

\_\_\_\_\_  
Provided by DEP

---

**A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

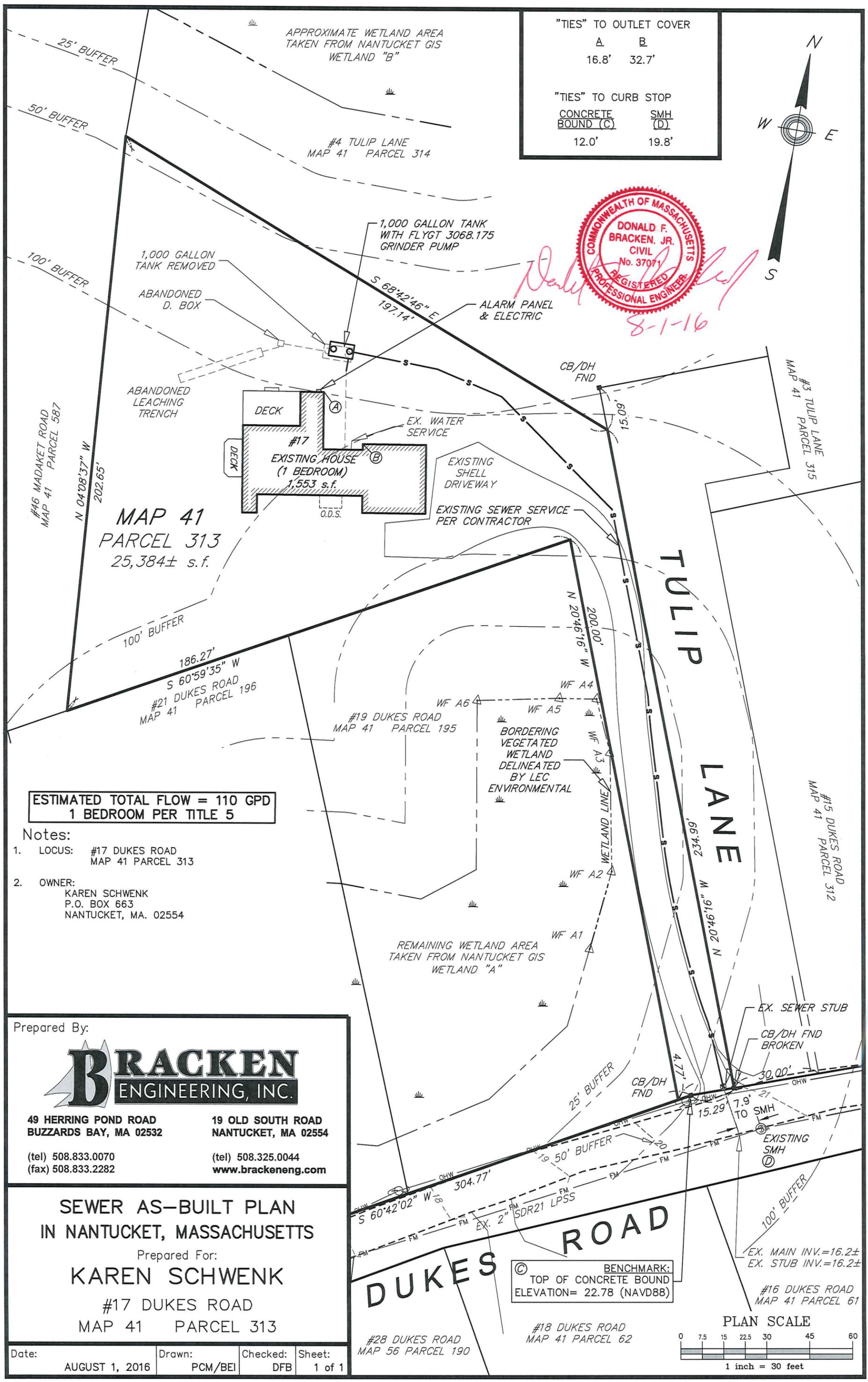
Yes      If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

---

**B. Submittal Requirements**

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



"TIES" TO OUTLET COVER	
A	B
16.8'	32.7'
"TIES" TO CURB STOP	
CONCRETE BOUND (C)	SMH (D)
12.0'	19.8'



**ESTIMATED TOTAL FLOW = 110 GPD  
1 BEDROOM PER TITLE 5**

**Notes:**

1. LOCUS: #17 DUKES ROAD  
MAP 41 PARCEL 313
2. OWNER:  
KAREN SCHWENK  
P.O. BOX 663  
NANTUCKET, MA. 02554

Prepared By:

**BRACKEN ENGINEERING, INC.**

49 HERRING POND ROAD BUZZARDS BAY, MA 02532 (tel) 508.833.0070 (fax) 508.833.2282

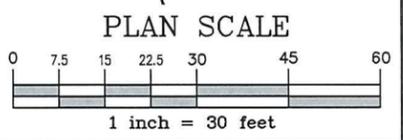
19 OLD SOUTH ROAD NANTUCKET, MA 02554 (tel) 508.325.0044 www.brackeneng.com

**SEWER AS-BUILT PLAN  
IN NANTUCKET, MASSACHUSETTS**

Prepared For:  
**KAREN SCHWENK**  
#17 DUKES ROAD  
MAP 41 PARCEL 313

Date:	Drawn:	Checked:	Sheet:
AUGUST 1, 2016	PCM/BEI	DFB	1 of 1

© BENCHMARK:  
TOP OF CONCRETE BOUND  
ELEVATION= 22.78 (NAVD88)



Swain Point N.T

260 Polpis Road

(25-1)

SE48-1133

**BLACKWELL & ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS**

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

B7694

July 26, 2016

Mr. Jeff Carlson, Administrator  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Swain's Point Nominee Trust. Map 25, Parcel 1. SE 48-1133.

Dear Jeff:

I am writing to request a Certificate of Compliance.

I certify that the project was completed in substantial compliance with the Order of Conditions.

If you have any questions, please call. Thank you.

Sincerely,

Blackwell & Associates, Inc.  
By Jeffrey L. Blackwell, P.L.S.



JLB/dmm

DEQE File No. SE 48 - 1133

(To be provided by DEQE)



Commonwealth  
of Massachusetts



City/Town Nantucket

Applicant SWAIN POINT NOMINEE TRUST

AMENDED

**Order of Conditions**

issued under the  
Massachusetts Wetlands Protection Act (G. L. c.131, Sec. 40)  
and the  
Nantucket Wetlands Bylaw (Chapter 136)

FROM THE NANTUCKET CONSERVATION COMMISSION John F. Gibson, III TR.

To: SWAIN POINT NOMINEE TRUST SWAIN'S POINT NOMINEE TRUST  
(Name of Applicant) (Name of property owner)

Address 260 POLPIS RD. Address 260 POLPIS RD.

This Order is issued as follows:

by hand delivery to applicant or representative on \_\_\_\_\_ (date)

by certified mail, return receipt requested on 9/8/99 (date)

This project is located at 260 POLPIS RD 25 1  
(Address) (Assessor's Map #) (Parcel #)

The property is recorded at the Registry of Nantucket

Book \_\_\_\_\_ Page \_\_\_\_\_

Certificate (if registered) 17928, Land Court Plan: \_\_\_\_\_

The Notice of Intent for this project was filed on 12/11/97 (date)

The public hearing was closed on 7/22/99 (date)

**Findings**

The Nantucket Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act and/or the Bylaw (checked as appropriate):

- Public water supply
- Private water supply
- Ground Water supply
- Erosion control (Bylaw)
- Wetland scenic views (Bylaw)
- Flood Control
- Storm damage protection
- Prevention of pollution
- Recreation (Bylaw)
- Land containing shellfish
- Fisheries
- Protection of wildlife habitat (Act)
- Wildlife (Bylaw)

Total Filing Fee Submitted \$ 220.00 State Share \$ 97.50

City/Town Share \$ 122.50 (1/2 fee in excess of \$25)

Total Refund Due \$ \_\_\_\_\_ City/Town Portion \$ \_\_\_\_\_ State Portion \$ \_\_\_\_\_  
(1/2 total) (1/2 total)



**WPA Form 8A – Request for Certificate of Compliance**

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

**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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

08/12/1999

Dated

SE48-2633

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

17928

Certificate (if registered land)

Book

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.



**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**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:

Jeffrey L. Blackwell  
Name  
20 Teasdale Circle  
Mailing Address  
Nantucket MA 02554  
City/Town State Zip Code  
508-228-9026  
Phone Number

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

Swain's Point Nominee Trust  
Applicant  
08/12/1999 SE48-2633  
Dated DEP File Number

3. The project site is located at:

260 Polpis Rd Nantucket  
Street Address City/Town  
25 1  
Assessors Map/Plat Number Parcel/Lot Number

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

Swain's Point Nominee Trust  
Property Owner (if different)  
Nantucket  
County Book Page  
17928  
Certificate (if registered land)

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.



**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**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:

Jeffrey L. Blackwell  
Name  
20 Teasdale Circle  
Mailing Address  
Nantucket MA 02554  
City/Town State Zip Code  
508-228-9026  
Phone Number

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

Swain's Point Nominee Trust  
Applicant  
08/12/1999 SE48-2633  
Dated DEP File Number

3. The project site is located at:

260 Polpis Rd Nantucket  
Street Address City/Town  
25 1  
Assessors Map/Plat Number Parcel/Lot Number

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

Swain's Point Nominee Trust  
Property Owner (if different)  
Nantucket  
County Book Page  
17928  
Certificate (if registered land)

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.

Swain Point N.T

260 Polpis Road

(25-1)

SE48-1652

**BLACKWELL & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS

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

B7694

July 26, 2016

Mr. Jeff Carlson, Administrator  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Swain's Point Nominee Trust. Map 25, Parcel 1. SE 48-1652

Dear Jeff:

I am writing to request a Certificate of Compliance.

I certify that the project was completed in substantial compliance with the Order of Conditions, except for the following:

1. The approved steel arch culvert was not constructed.
2. A timber bridge supported between concrete headwalls was substituted.

If you have any questions, please call. Thank you.

Sincerely,

Blackwell & Associates, Inc.  
By Jeffrey L. Blackwell, P.L.S.



JLB/dmm







Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**

SE48-1652

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

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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

10/24/2003

Dated

SE48-2633

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

Book

Page

17928

Certificate (if registered land)

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.



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

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**

SE48-1652

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

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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

10/24/2003

Dated

SE48-2633

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

17928

Certificate (if registered land)

Book

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.

Swain Point N.T

260 Polpis Road

(25-1)

SE48-1266

**BLACKWELL & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS

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

B7694

July 26, 2016

Mr. Jeff Carlson, Administrator  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Swain's Point Nominee Trust. Map 25, Parcel 1. SE 48-1266.

Dear Jeff:

I am writing to request a Certificate of Compliance.

I certify that the project was completed in substantial compliance with the Order of Conditions.

If you have any questions, please call. Thank you.

Sincerely,

Blackwell & Associates, Inc.  
By Jeffrey L. Blackwell, P.L.S.



JLB/dmm

RECEIVED

MAY 27 1999

086621

DEQE File No. SE48-1266  
(To be provided by DEQE)



Commonwealth  
of Massachusetts



City/Town Nantucket

Applicant Swain Pt  
Nominee Trust

**Order of Conditions**

Issued under the  
Massachusetts Wetlands Protection Act (G. L. c.131, Sec. 40)  
and the  
Nantucket Wetlands Bylaw (Chapter 136)

FROM THE NANTUCKET CONSERVATION COMMISSION

To: Swains Pt Nominee Trust John F. Gibson III, Tr.  
(Name of Applicant) (Name of property owner)

Address c/o Daylor Consulting Address \_\_\_\_\_

This Order is issued as follows:

by hand delivery to applicant or representative on \_\_\_\_\_ (date)

by certified mail, return receipt requested on 5/14/99 to Sherling Wall (date)

This project is located at 260 Poppis Rd 25 1  
(Address) (Assessor's Map #) (Parcel #)

The property is recorded at the Registry of Nantucket

Book \_\_\_\_\_ Page \_\_\_\_\_

Certificate (if registered) 17928 Land Court Plan: \_\_\_\_\_

The Notice of Intent for this project was filed on 1/25/99 (date)

The public hearing was closed on 4/15/99 (date)

**Findings**

The Nantucket Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act and/or the Bylaw (checked as appropriate):

- Public water supply
- Flood Control
- Private water supply
- Storm damage protection
- Ground Water supply
- Prevention of pollution
- Erosion control (Bylaw)
- Recreation (Bylaw)
- Wetland scenic views (Bylaw)
- Land containing shellfish
- Fisheries
- Protection of wildlife habitat (Act)
- Wildlife (Bylaw)

Total Filing Fee Submitted 250 - State Share 112.50

City/Town Share 137.50 (1/2 fee in excess of \$25)

Total Refund Due \$ \_\_\_\_\_ City/Town Portion \$ \_\_\_\_\_ State Portion \$ \_\_\_\_\_  
(1/2 total) (1/2 total)



**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:

SE48-1266

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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

05/13/1999

Dated

SE48-1266

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

17928

Certificate (if registered land)

Book

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.



**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**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:

Jeffrey L. Blackwell  
Name  
20 Teasdale Circle  
Mailing Address  
Nantucket MA 02554  
City/Town State Zip Code  
508-228-9026  
Phone Number

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

Swain's Point Nominee Trust  
Applicant  
05/13/1999 SE48-1266  
Dated DEP File Number

3. The project site is located at:

260 Polpis Rd Nantucket  
Street Address City/Town  
25 1  
Assessors Map/Plat Number Parcel/Lot Number

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

Swain's Point Nominee Trust  
Property Owner (if different)  
Nantucket  
County Book Page  
17928  
Certificate (if registered land)

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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

SE48-1266  
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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

05/13/1999

Dated

SE48-1266

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

17928

Book

Page

Certificate (if registered land)

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.

Swain Point N.T

260 Polpis Road

(25-1)

SE48-2633

**BLACKWELL & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS

---

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

B7694

July 26, 2016

Mr. Jeff Carlson, Administrator  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Swain's Point Nominee Trust. Map 25, Parcel 1. SE 48-2633.

Dear Jeff:

I am writing to request a Certificate of Compliance.

I certify that the project was completed in substantial compliance with the Order of Conditions.

If you have any questions, please call. Thank you.

Sincerely,

Blackwell & Associates, Inc.  
By Jeffrey L. Blackwell, P.L.S.



JLB/dmm



2014 00143704

Cert: 17928 Doc: OOC  
Registered: 02/11/2014 11:37 AM



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:  
SE48-2633  
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:

Arthur I. Reade, Jr. Trustee  
a. First Name b. Last Name  
Swain's Point Nominee Trust  
c. Organization  
6 Young's Way  
d. Mailing Address  
Nantucket MA 02554  
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:

260 Polpis Road Nantucket  
a. Street Address b. City/Town  
25 1  
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: d m s d m s  
d. Latitude e. Longitude



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

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

SE48-2633  
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:
 

Jeffrey L. Blackwell  
Name

20 Teasdale Circle  
Mailing Address

Nantucket MA 02554  
City/Town State Zip Code

508-228-9026  
Phone Number
2. This request is in reference to work regulated by a final Order of Conditions issued to:
 

Swain's Point Nominee Trust  
Applicant

02/05/2013 SE48-2633  
Dated DEP File Number
3. The project site is located at:
 

260 Polpis Rd Nantucket  
Street Address City/Town

25 1  
Assessors Map/Plat Number Parcel/Lot Number
4. The final Order of Conditions was recorded at the Registry of Deeds for:
 

Swain's Point Nominee Trust  
Property Owner (if different)

Nantucket \_\_\_\_\_  
County Book Page

17928  
Certificate (if registered land)
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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**

SE48-2633  
Provided by DEP

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

**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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

02/05/2013

Dated

SE48-2633

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

17928

Certificate (if registered land)

Book

Page

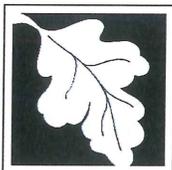
5. This request is for certification that (check one):

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.



**WPA Form 8A – Request for Certificate of Compliance**

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

**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:

Jeffrey L. Blackwell

Name

20 Teasdale Circle

Mailing Address

Nantucket

City/Town

MA

State

02554

Zip Code

508-228-9026

Phone Number

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

Swain's Point Nominee Trust

Applicant

02/05/2013

Dated

SE48-2633

DEP File Number

3. The project site is located at:

260 Polpis Rd

Street Address

25

Assessors Map/Plat Number

Nantucket

City/Town

1

Parcel/Lot Number

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

Swain's Point Nominee Trust

Property Owner (if different)

Nantucket

County

Book

Page

17928

Certificate (if registered land)

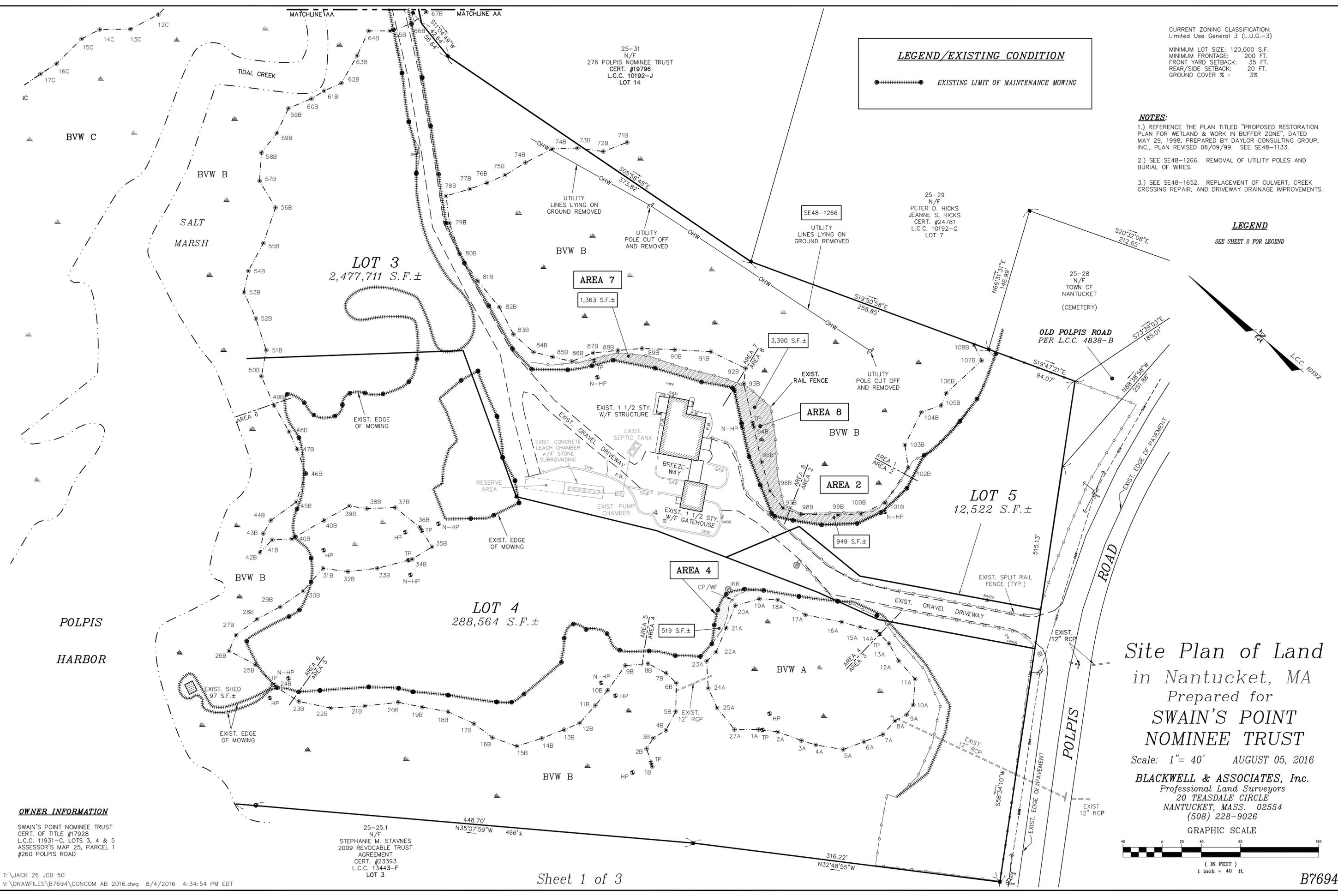
5. This request is for certification that (check one):

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.



**LEGEND/EXISTING CONDITION**

●●●●●●●● EXISTING LIMIT OF MAINTENANCE MOWING

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

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

- NOTES:**
- 1.) REFERENCE THE PLAN TITLED "PROPOSED RESTORATION PLAN FOR WETLAND & WORK IN BUFFER ZONE", DATED MAY 29, 1998, PREPARED BY DAYLOR CONSULTING GROUP, INC., PLAN REVISED 06/09/99. SEE SE48-1133.
  - 2.) SEE SE48-1266. REMOVAL OF UTILITY POLES AND BURIAL OF WIRES.
  - 3.) SEE SE48-1652. REPLACEMENT OF CULVERT, CREEK CROSSING REPAIR, AND DRIVEWAY DRAINAGE IMPROVEMENTS.

**LEGEND**  
SEE SHEET 2 FOR LEGEND

**OWNER INFORMATION**

SWAIN'S POINT NOMINEE TRUST  
CERT. OF TITLE #17928  
L.C.C. 11931-C, LOTS 3, 4 & 5  
ASSESSOR'S MAP 25, PARCEL 1  
#260 POLPIS ROAD

25-25.1  
N/F  
STEPHANIE M. STAVNES  
2009 REVOCABLE TRUST  
AGREEMENT  
CERT. #23393  
L.C.C. 13443-F  
LOT 3

25-29  
N/F  
PETER D. HICKS  
JEANNE S. HICKS  
CERT. #24781  
L.C.C. 10192-G  
LOT 7

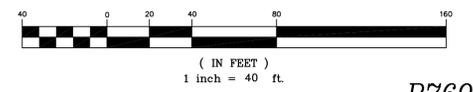
25-28  
N/F  
TOWN OF NANTUCKET  
(CEMETERY)

**Site Plan of Land  
in Nantucket, MA  
Prepared for  
SWAIN'S POINT  
NOMINEE TRUST**

Scale: 1" = 40' AUGUST 05, 2016

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

GRAPHIC SCALE

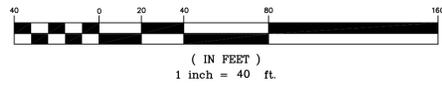


# Site Plan of Land in Nantucket, MA Prepared for SWAIN'S POINT NOMINEE TRUST

Scale: 1" = 40' AUGUST 05, 2016

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

GRAPHIC SCALE



**NOTE:**

1.) REFERENCE THE PLAN TITLED "PROPOSED RESTORATION PLAN FOR WETLAND & WORK IN BUFFER ZONE", DATED MAY 29, 1998, PREPARED BY DAYLOR CONSULTING GROUP, INC., PLAN REVISED 06/09/99. SEE SE48-1133.

2.) SEE SE48-1266. REMOVAL OF UTILITY POLES AND BURIAL OF WIRES.

3.) SEE SE48-1652. REPLACEMENT OF CULVERT, CREEK CROSSING REPAIR, AND DRIVEWAY DRAINAGE IMPROVEMENTS.

**LEGEND/EXISTING CONDITION**

●●●●●●●●●● EXISTING LIMIT OF MAINTENANCE MOWING

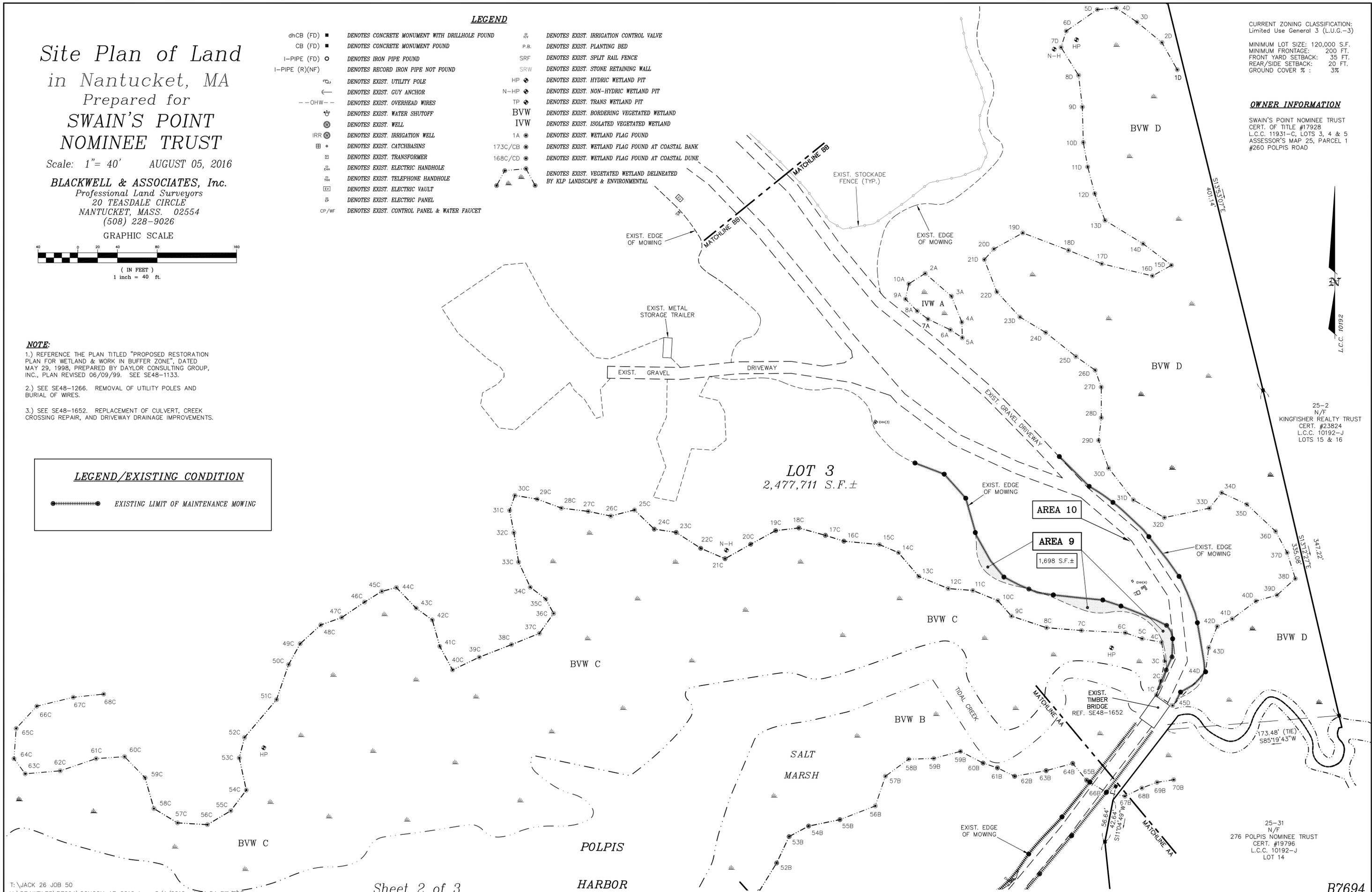
LEGEND			
dhCB (FD) ■	DENOTES CONCRETE MONUMENT WITH DRILLHOLE FOUND	⊕	DENOTES EXIST. IRRIGATION CONTROL VALVE
CB (FD) ■	DENOTES CONCRETE MONUMENT FOUND	P.B.	DENOTES EXIST. PLANTING BED
I-PIPE (FD) ○	DENOTES IRON PIPE FOUND	SRF	DENOTES EXIST. SPLIT RAIL FENCE
I-PIPE (R)(NF)	DENOTES RECORD IRON PIPE NOT FOUND	SRW	DENOTES EXIST. STONE RETAINING WALL
⊕	DENOTES EXIST. UTILITY POLE	HP	DENOTES EXIST. HYDRIC WETLAND PIT
←	DENOTES EXIST. GUY ANCHOR	N-HP	DENOTES EXIST. NON-HYDRIC WETLAND PIT
---OHW---	DENOTES EXIST. OVERHEAD WIRES	TP	DENOTES EXIST. TRANS WETLAND PIT
⊕	DENOTES EXIST. WATER SHUTOFF	BVW	DENOTES EXIST. BORDERING VEGETATED WETLAND
⊕	DENOTES EXIST. WELL	IVW	DENOTES EXIST. ISOLATED VEGETATED WETLAND
IRR ⊕	DENOTES EXIST. IRRIGATION WELL	1A	DENOTES EXIST. WETLAND FLAG FOUND
⊕	DENOTES EXIST. CATCHBASINS	173C/CB	DENOTES EXIST. WETLAND FLAG FOUND AT COASTAL BANK
⊕	DENOTES EXIST. TRANSFORMER	168C/CD	DENOTES EXIST. WETLAND FLAG FOUND AT COASTAL DUNE
⊕	DENOTES EXIST. ELECTRIC HANDHOLE	⊕	DENOTES EXIST. VEGETATED WETLAND DELINEATED BY KLP LANDSCAPE & ENVIRONMENTAL
⊕	DENOTES EXIST. TELEPHONE HANDHOLE		
⊕	DENOTES EXIST. ELECTRIC VAULT		
⊕	DENOTES EXIST. ELECTRIC PANEL		
CP/WF	DENOTES EXIST. CONTROL PANEL & WATER FAUCET		

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

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

**OWNER INFORMATION**

SWAIN'S POINT NOMINEE TRUST  
CERT. OF TITLE #17928  
L.C.C. 11931-C, LOTS 3, 4 & 5  
ASSESSOR'S MAP 25, PARCEL 1  
#260 POLPIS ROAD



25-2  
N/F  
KINGFISHER REALTY TRUST  
CERT. #23824  
L.C.C. 10192-J  
LOTS 15 & 16

25-31  
N/F  
276 POLPIS NOMINEE TRUST  
CERT. #19796  
L.C.C. 10192-J  
LOT 14

CURRENT ZONING CLASSIFICATION:  
Limited Use General 3 (L.U.G.-3)  
MINIMUM LOT SIZE: 120,000 S.F.  
MINIMUM FRONTAGE: 200 FT.  
FRONT YARD SETBACK: 35 FT.  
REAR/SIDE SETBACK: 20 FT.  
GROUND COVER % : 3%

**NOTE:**

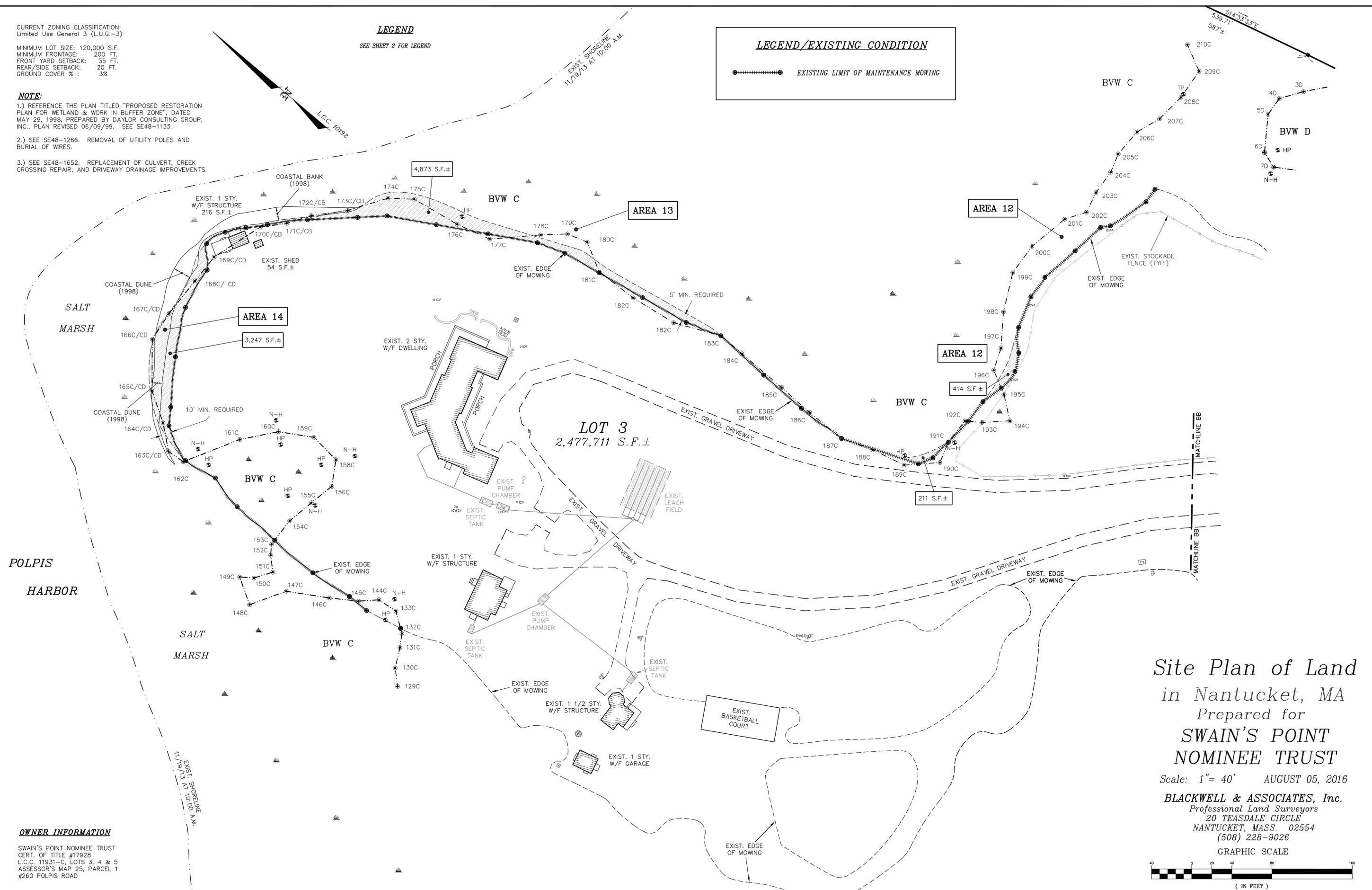
- 1.) REFERENCE THE PLAN TITLED "PROPOSED RESTORATION PLAN FOR WETLAND & WORK IN BUFFER ZONE", DATED MAY 29, 1998, PREPARED BY DAYLOR CONSULTING GROUP, INC., PLAN REVISED 06/09/99. SEE SE48-1133.
- 2.) SEE SE48-1266. REMOVAL OF UTILITY POLES AND BURIAL OF WIRES.
- 3.) SEE SE48-1652. REPLACEMENT OF CULVERT, CREEK CROSSING REPAIR, AND DRIVEWAY DRAINAGE IMPROVEMENTS.

**LEGEND**

SEE SHEET 2 FOR LEGEND

**LEGEND/EXISTING CONDITION**

●——● EXISTING LIMIT OF MAINTENANCE MOWING

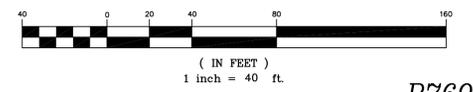


Site Plan of Land  
in Nantucket, MA  
Prepared for  
**SWAIN'S POINT  
NOMINEE TRUST**

Scale: 1" = 40' AUGUST 05, 2016

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

GRAPHIC SCALE



**OWNER INFORMATION**

SWAIN'S POINT NOMINEE TRUST  
CERT. OF TITLE #17928  
L.C.C. 11931-C, LOTS 3, 4 & 5  
ASSESSOR'S MAP 25, PARCEL 1  
#260 POLPIS ROAD

# Monitoring Reports

Swain Point N.T

260 Polpis Road

(25-1)

SE48-2633

## **FINDINGS and ADDITIONAL CONDITIONS**

Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40)  
Town of Nantucket Wetlands Bylaw (Chapter 136)

Address: 260 Polpis Road  
Assessor's Map and Parcel: 25-1  
Property Owner: Swain's Point Nominee Trust  
Applicant: Swain's Point Nominee Trust  
DEP File Number: SE48-2633  
Filing Date: December 20, 2014  
Date Hearing Closed: February 5, 2014  
Date Orders Issued: February 5, 2014  
Plan of Record Information: Site Plan of Land to Accompany a Notice of Intent (3 sheets), dated 12/20/2013 and stamped by Jeffrey L. Blackwell, P.L.S.

### **Permit Overview:**

This order permits the expansion and marking of no disturb buffer zones, removal of fallen utility poles and wiring and removal of the remaining portions of the old bridge within a Tidal Creek, Bordering Vegetated Wetlands and their associated buffer zones. Waivers are required for this project.

### **Additional Findings:**

1. The area falls inside mapped habitat areas and requires NHESP review.

**In addition to the General Conditions contained elsewhere in this document, the Commission includes the following Special Conditions pursuant to MGLCh131s40 and the Town of Nantucket Wetlands Protection Bylaw, Chapter 136:**

18. All work shall be performed in accordance with the Site and Work Description contained within the Notice of Intent and plan notes set out on the plan of record, provided project narratives, waiver requests and protocols.
19. Photographs shall be provided to the Commission at the beginning and end of each growing season demonstrating the condition of the new no disturb buffer zones, the disturbed areas from the utility pole removal and the area from which the portions of the bridge were removed for three years or until a Certificate of Compliance is issued.

### **WAIVERS UNDER THE NANTUCKET WETLANDS BYLAW/REGULATIONS**

Waivers are required to Section 3.02(B)(1) that all projects that are not water dependent shall maintain at least a 25-foot natural undisturbed area adjacent to vegetated wetlands. The Commission finds that the increase in undisturbed area, the removal of debris and the removal of the remainder of the bridge will serve to provide a long-term net benefit to the resource area. Therefore, the Commission grants a waiver under section 1.03(F)(3)(c) of the Nantucket Wetland Protection Regulations.

BLACKWELL & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS

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

*Monitoring  
report*

B7694

July 26, 2016

Mr. Jeff Carlson, Administrator  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Re: Swain's Point Nominee Trust. Map 25, Parcel 1. SE 48-2633

Dear Jeff:

Enclosed please find photographs of the required no disturb buffers and bridge, as required by additional condition 19 of the Order.

If you have any questions, please call. Thank you.



Sincerely,

Blackwell & Associates, Inc.  
By Jeffrey L. Blackwell, P.L.S.

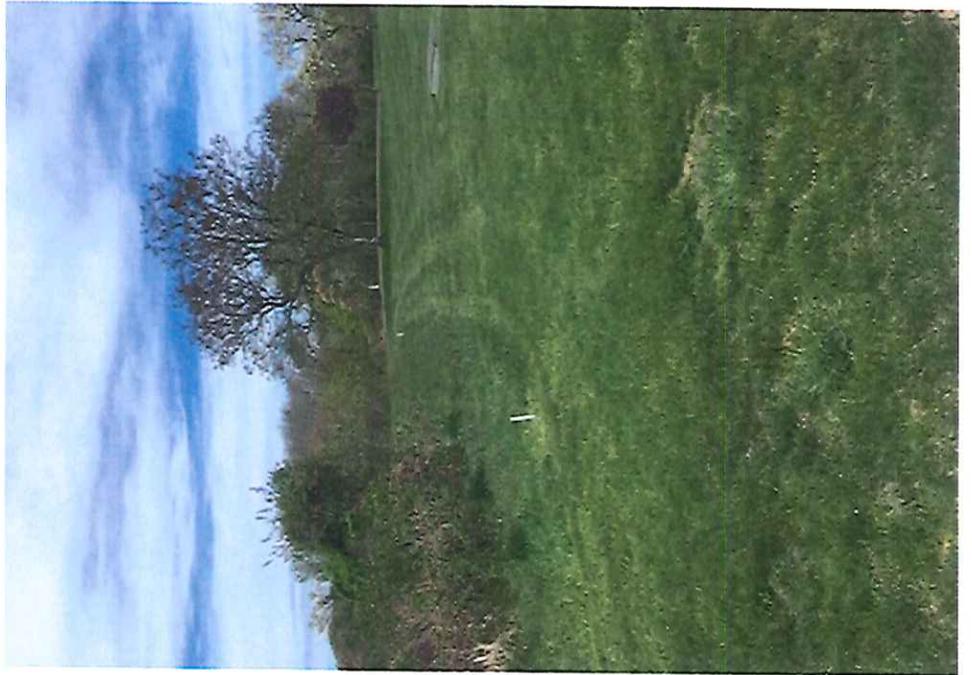
*Jeffrey L. Blackwell*

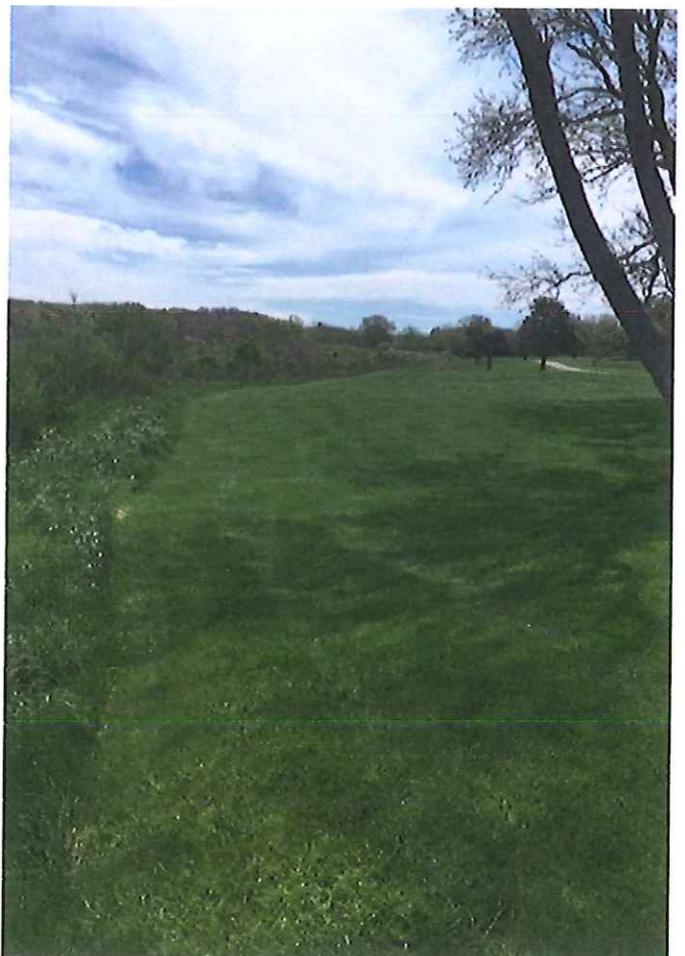
JLB/dmm

5-23-16 Photos

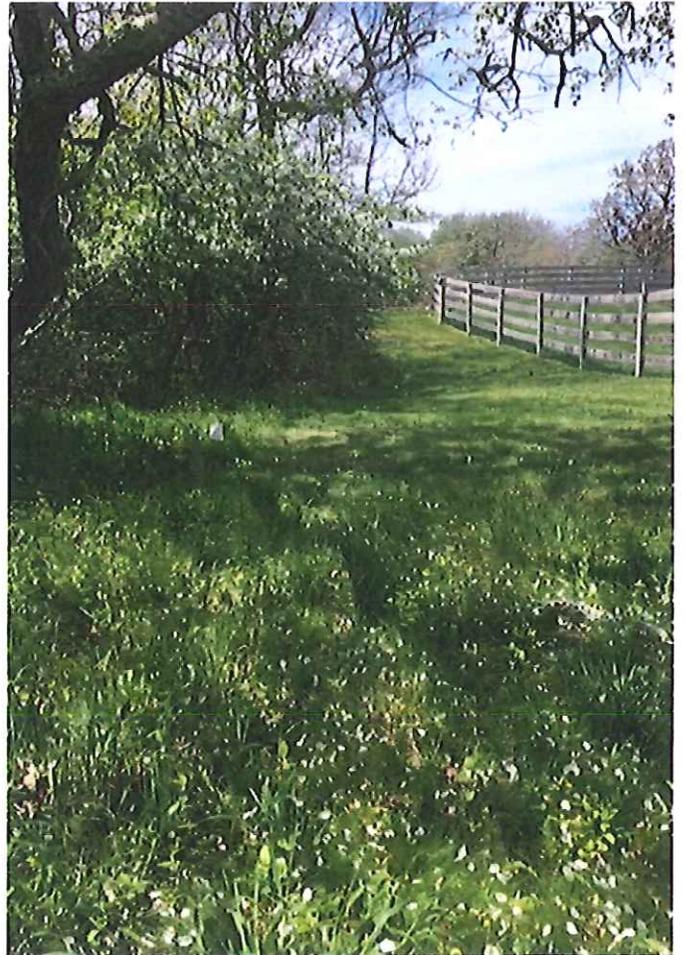


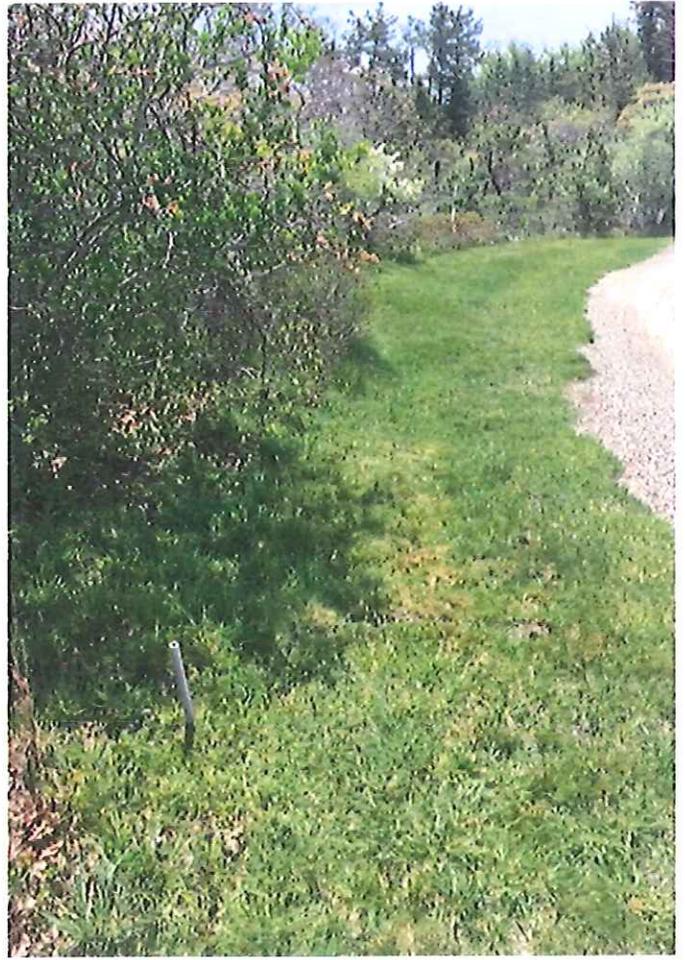
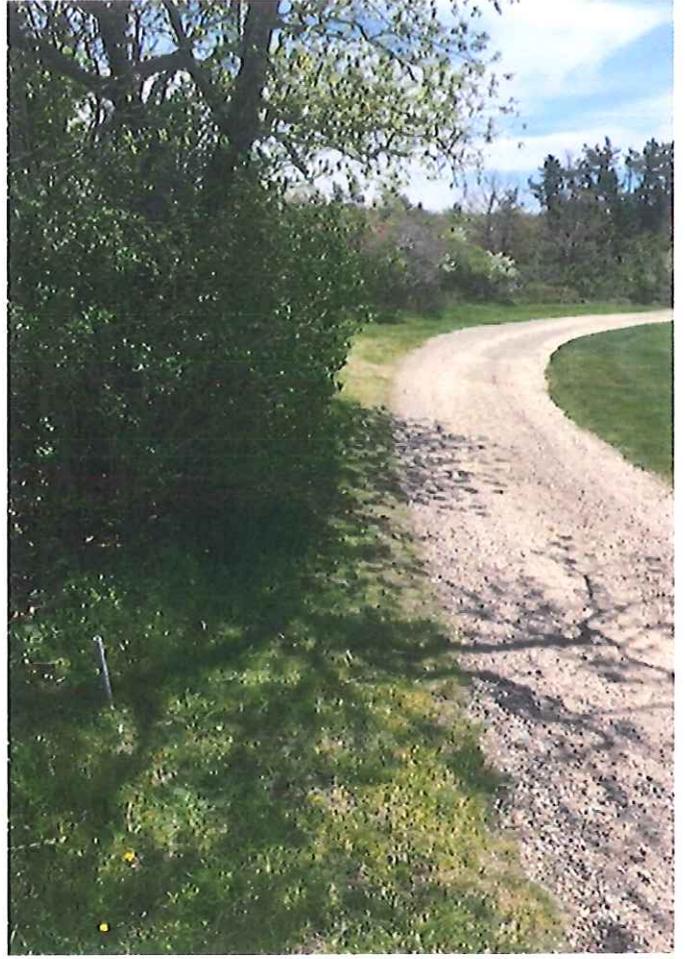


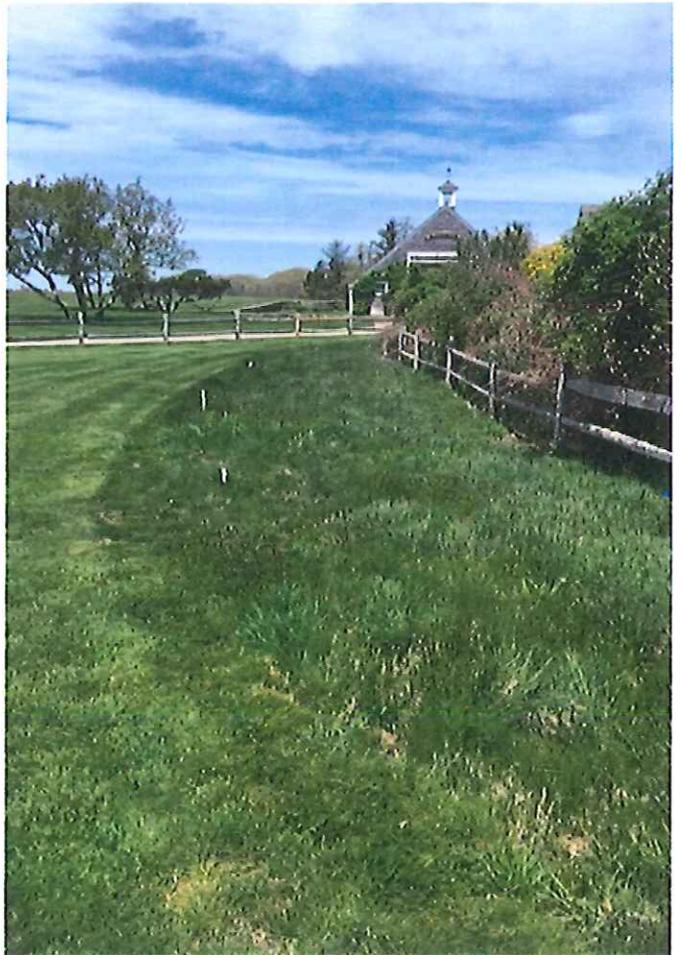


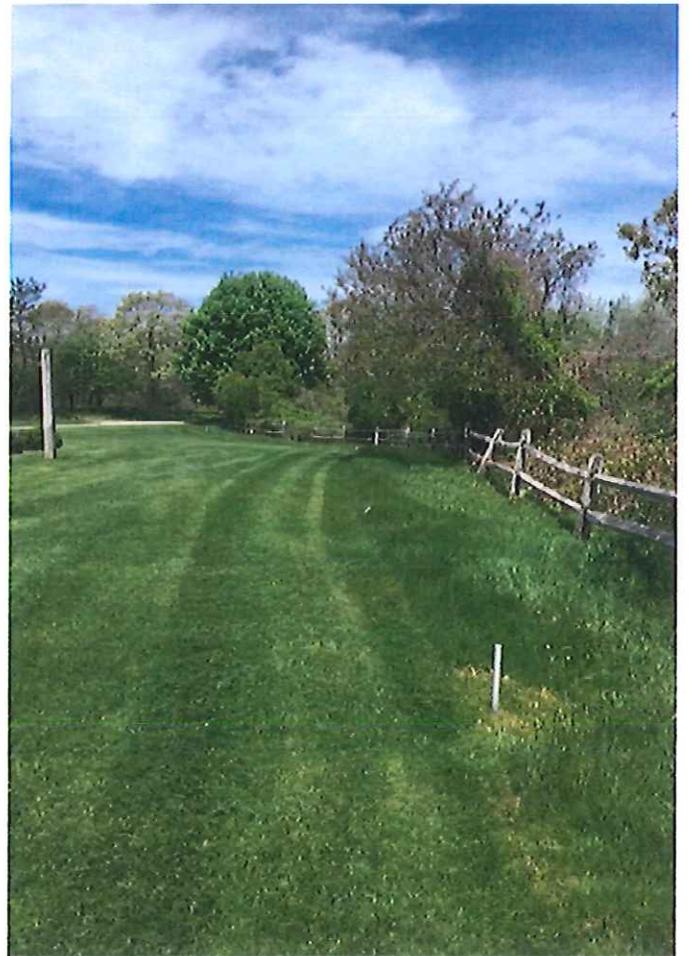












# Draft Minutes



# CONSERVATION COMMISSION

## PUBLIC MEETING

2 Bathing Beach Road  
Nantucket, Massachusetts 02554

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

Wednesday, July 27, 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: Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
Absent Members: None  
Late Arrivals: None  
Earlier Departure: None  
Agenda adopted by unanimous consent

\*Matter has not been heard

### I. PUBLIC MEETING

#### A. Election of Officers

1. Chair: Ernie Steinauer nominated Andrew Bennett. (seconded) Carried unanimously to commence on Aug 10.
2. Vice Chair: Ben Champoux nominated Ashley Erisman (seconded) Carried unanimously to commence on Aug 10.

#### B. 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 08/10/2016)**
2. Edwin Snider RT – 1 Brock’s Court (42.3.4-84) SE48-2835 **(Cont 08/10/2016)**
3. Nantucket Islands Land Bank – 17 Commercial Wharf (42.2.4-7 & 8) SE48-2885 **(Cont 08/24/2016)**
4. Holt – 98 Squam Road (12-36) SE48-2898

Sitting Steinauer, Bennett, 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  
 Brian Madden, LEC Environmental  
 Public Emily Molden, Nantucket Land Council (NLC)  
 Discussion (4:05) **Gasbarro** – This is for a proposed pool, fence, and cabana within 100 feet of a bordering vegetated wetlands and isolated vegetated wetland; all are beyond 50-feet from the boundaries. They are requesting a waiver for three-foot separation from ground water to the bottom of the pool and for temporary dewatering outside the buffer during construction. In regards to concerns about the garage in proximity to the isolated vegetated wetland, he submitted the former plan, Order of Conditions, and Certificate of Compliance for the garage. They propose to plant native shrubs in a portion of the lawn to protect the no-disturb buffer. Mr. Madden provided additional information in terms of data forms.  
 Discussion about the area and how the isolated vegetated wetland was missed.  
**Gasbarro** – Noted that he can file a USDA survey from 1979.  
**Steinauer** – The scale of those surveys is very small.  
**Gasbarro** – He did soil tests on this property in the late 1990s and found it to be highly variable. He can provide that information if it is necessary to make a decision.  
**Madden** – He reviewed the soil map and noted something of that size wouldn’t show up on the map. Drainage patterns change and there appears to be some compaction there. There was no standing water.  
**Erisman** – She’s not comfortable with the granting the waiver for groundwater separation given the funny wetland patterns. Would like to see a survey.  
**Gasbarro** – Doesn’t think the survey would provide that level of detail. In his opinion a pool of this size will have an adverse impact on the groundwater.  
**Molden** – NLC is concerned about the situation; they requested the additional wetlands information. NLC is also concerned a similar situation, missing a resource area, might happen again and would like to hear a discussion about how to prevent that. Would like more information on the dewatering process.  
**Gasbarro** – Explained the temporary dewatering process and where that water would go. The work would not start until after the summer season.  
**Steinauer** – Noted that missing the wetland is a very rare occurrence.  
 Discussion about how the isolated vegetated wetland was not previously identified and what efforts are and might be taken to prevent that from happening again.

Staff	Previously, the resource areas were reviewed and field verified by the ConCom consultant and a third-party consultant, yet the isolated vegetated wetland was missed; information on the plan now is the correct delineation. There is no legal way to go back and issue an enforcement action on the garage. Have everything needed to close.
Motion	<b>Motion to Close.</b> (made by: Champoux) (seconded by: Bennett)
Vote	Carried unanimously
	5. * Laz Family NT – 20 Waquoit Road (90-5) SE48- 2901 ( <b>Cont 08/10/2016</b> )
	6. 78 Wauwinet Road LLC – 78 Wauwinet Road (14-18) SE48-2900
Sitting	Steinauer, Bennett, 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
Public	None
Discussion (4:27)	<b>Gasbarro</b> – They have received the Massachusetts Natural Heritage letter signing off on the project and indicating no adverse impact. <b>Champoux</b> – Suggested hiring a tree expert to assess what is best for the existing trees that might be affected by the construction work. <b>Erisman</b> – Asked about the understory cutting in the buffer zone. <b>Gasbarro</b> – A silt fence will be the delineation with no work closer than 25 feet.
Staff	Have everything needed to close.
Motion	<b>Motion to Close.</b> (made by: LaFleur) (seconded by: Champoux)
Vote	Carried unanimously
	7. *Third Time Trust – 41A Cliff Road (42.4.4-2) SE48-_____
Sitting	Steinauer, Bennett, 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
Public	None
Discussion (4:30)	<b>Santos</b> – This is outside the flood zone and MESA area; the resource area is a coastal bank along the north side of the developed lot. Work is to involve elevating and moving structure onto a new foundation with additions. The project is moving a few feet away from the coastal bank, with 464 square feet (SF) within the 25-foot setback. There is no change in back lawn area. This requires waivers for work within the 25- and 50-foot setbacks; the waivers were submitted under no adverse impact/no reasonable alternative. We don't have a Department of Environmental Protection (DEP) file number; there is no need for Massachusetts Natural Heritage to sign off on this. <b>Bennett</b> – Asked what the increase within 25-foot buffer will be. <b>Santos</b> – The total increase is 152 SF. <b>Erisman</b> – In a photo the top of the bank looks like it has a fence and behind that is Japanese knotweed; asked if they would be willing to treat the knotweed and restore that area. <b>Santos</b> – He will talk to his client about that. Asked for a 2-week continuance.
Staff	None
Motion	Continued to August 10 by unanimous consent.
Vote	N/A
	8. *102 Wauwinet Road NT - 102 Wauwinet Road (11-24.2) SE48-_____
Sitting	Steinauer, Bennett, Erisman, LaFleur, Golding, Topham
Recused	Champoux
Documentation	Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
Representative	Brian Madden, LEC Environmental
Public	None
Discussion (4:40)	<b>Madden</b> – This proposal is for beach stairs off an existing lawn area and an elevated boardwalk to a walking path. Resource areas: coastal bank and coastal dune and flood zone. The boardwalk will be elevated 18 inches off grade until after shrub line where it transitions to a walking path. They are waiting to hear from Massachusetts Natural Heritage and for a DEP file number. <b>Erisman</b> – Asked if the path is just foot traffic or if it was mown. <b>Madden</b> – All work will be outside the buffer zone area. Asked for a 2-week continuance.
Staff	None
Motion	Continued to August 10 without objection
Vote	N/A

9. \*Four Quaise Pasture Road NT – 4 Quaise Pasture Road (26-29) SE48-\_\_\_\_\_

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Recused None  
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.  
 Representative Brian Madden, LEC Environmental  
 Public None

Discussion (4:45) **Madden** – This is for a pool, decking, pool fence, and pool equipment all within existing lawn area. The existing deck is off the northeast portion of the house and will be squared off to transition to a bluestone patio. The pool, patio, and equipment are outside the 50-foot buffer. The fence encroaches into 50-foot buffer zone within the lawn area. A waiver is requested based on the layout for work within the 50-foot buffer under no adverse impact. The pool will have a two-foot separation from groundwater.  
**Champoux** – If the patio were pulled back the fence could be kept within the 50-foot buffer.  
**Golding** – Asked for information on the plantings.  
**Madden** – Asked for a 2-week continuance.  
 Staff Waiting to hear from Massachusetts Natural Heritage and DEP.  
 Motion Continued to August 10 by unanimous consent.  
 Vote N/A

10. \*The Nantucket Land Bank – 4 Polpis Harbor Road (54-187) SE48-\_\_\_\_\_

Sitting Steinauer, Bennett, 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 (NILB)  
 Public Rhoda Weinman, 248 Polpis Road  
 Seth Wilkinson, Wilkinson Ecological Design

Discussion (4:52) **Freeman** – In April, 80% of the holly trees were topped and areas brush cut without a permit; it all falls within various resource areas. NILB documented the extent of the topping and brush cutting and damage to the wetland easement. Restoration plan: this summer they are performing site cleanup and removal of invasive species; in the fall they will start planting per landscape plans. Noted that the vast majority of holly trees are sprouting new branches low on the trunks. Feels it is important, due to the age of the stand, to let the trees be and see how they recover.  
**Erisman** – Would like to know what size of plants will be coming in.  
**Champoux** – Asked about the access and if it is wide enough for a sizeable truck.  
**Freeman** – The only way to get in is by the road; which limits the size of the truck they can get in there.  
**Steinauer** – Could start with small trees. The survivorship of the trees needs to be tracked.  
**Champoux** – Suggested nursery grown stock, which can be brought in on a loader rather than a tree truck. Also talked about the new cut line is not the benchmark for the height of the trees; they need to be allowed to grow.  
**Weinman** – Asked who would actually be doing the work. The area looks terrible; she would like it restored with new trees.  
**Freeman** – Listed the people outside NILB who would be involved in the work. She is pleased with the recovery of the trees; there is no way to get it immediately back to the way it was.  
**Steinauer** – These trees are starting to sprout down low and not just at the crown. These trees have survived this and the commission is loath to clear them out in favor of new trees. We need to give them a chance.  
**Champoux** – There is encouraging growth on the trees. He would like to see NILB hire a certified arborist to oversee and consult on this project.  
**Wilkinson** – A benefit is the established root systems will help the trees recover. If NILB is going to introduce cedar to compliment the holly, noted that transplanted cedars come from heavy clay soil and are shocked when they come to Nantucket sandy soil; suggested using cedars started in pots.  
 Discussion about possible use of fertilizers that comply with local regulations.  
**Freeman** – Asked for a 2-week continuance.

Staff This stems from an enforcement action; this is the restoration plan. The size of the plants can be conditioned once the sizes are known to be available. Oversight from the commission will be of utmost importance to ensure restoration is done in compliance. Once the plant sources and sizes are identified, suggested a field viewing to see what and where plants are going. Conditions can include the size of vehicles used and prohibit pruning. We need timber management to look at the health on a regular basis to ascertain which are doing well and which should be culled in favor of the thriving trees. This is going to be a 15-year supervised project to include management of health of the trees.  
 Motion Continued to August 10 by unanimous consent.  
 Vote N/A

**B. Amended Orders of Conditions**

1. MAK Daddy Trust – 68 & 72 Monomoy Road (43-119 & 115) SE-2803

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
Recused None  
Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.  
Representative Arthur D. Gasbarro, Nantucket Engineering & Survey  
Steven Cohen, Cohen & Cohen Law PC  
Public Sarah Alger, Sarah F. Alger P.C. for immediately to the left  
Discussion (5:19) **Gasbarro** – Apologized for not including a full-size set of plans. The Order of Conditions is for work within the buffer to a coastal bank, coastal dune and land subject to coastal storm flowage; this amendment is for an approved driveway to be rerouted, the architectural plans were refined but work remains outside the 50-foot setback and reduces the size of the patio.  
**Golding** – Confirmed that the pool is within the 50-foot setback but outside the 25-foot.  
**Topham** – There is a lot of construction on the top of the bank.  
Clarification of the amended work as opposed to the previously approved work.  
**Erisman** – Asked for a landscaping plan.  
**Alger** – Two concerns: lack of offset on plans, her client’s plan in 2001 showed the limit of top of coastal bank line at the top and bottom; this plan shows the limit of top of coastal bank line only along the bottom; asked why they aren’t being held to the same standard and why the top line isn’t impacting the edge of their dwelling and the location of the proposed garage.  
**Gasbarro** – Asked for a 2-week continuance  
Staff None  
Motion Continued to August 10 by unanimous consent.  
Vote N/A

**III. PUBLIC MEETING**

**A. Certificates of Compliance (5:36)**

1. Four Saratoga LLC – 14 Tennessee Avenue (60.1.2-6) SE48-2506

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
Staff Waiting for information. Asked for a 2-week continuance.  
Discussion None  
Motion Continued to August 10 by unanimous consent.  
Vote N/A

2. Thompson – 14 Fargo Way (14-17) SE48-2645

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
Staff His review of materials indicated it is substantially lacking information: sand delivery, amount of sand, an incomplete planting plan, and a few other items. Asked for a 2-week continuance.  
Discussion **Erisman** – Asked if they are in compliance with the enforcement order.  
**Staff** – They are in compliance with the removal of things; he is asking for a guarantee they are in compliance with the 40/20 blend of sand, silt, and aggregate. If they don’t submit that information soon, they are subject to further enforcement. They are not in total compliance at this time.  
Motion Continued to August 10 by unanimous consent.  
Vote N/A

3. Cross – 9 Wauwinet Road (20-44) SE48-2243

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
Staff For renovation and addition. It is constructed in compliance and recommend this be issued.  
Discussion None  
Motion **Motion to Issue.** (made by: LaFleur) (seconded by: Champoux)  
Vote Carried unanimously

4. 48 SPR LLC – 48 Shimmo Pond Road (43-79) SE48-2789

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
Staff This is a coastal project. Asked the applicant to provide the update; they submitted the monitoring report. This is a well-done project; he will schedule a site visit. Recommend this be issued with on-going Conditions 17, 18, 20, 21, 22, 23, 26, 29, 30, and 31.  
Discussion **Varoujan Hagopian**, GEI Consultants, Inc – Reviewed photos taken before, during, and after construction. They will continue to monitor the project; their next monitoring report is due in the spring.  
**Seth Wilkinson**, Wilkinson Ecological Design – Reviewed the nourishment sand provided: about 62 cubic yards. The pre-vegetated fiber rolls are starting to show plants. Noted north-facing projects have had a very high survival rate even without a steady source of water.  
**Hagopian** – The lower section of nourishment, the grass will come through allowing them to put more sand at the toe. Noted that there is an access on a right of way if the commission wants a site visit.  
**Erisman** – She will be interested to see how it holds up in a major storm, especially the lower bank.  
Motion **Motion to Issue as recommended.** (made by: LaFleur) (seconded by: Champoux)  
Vote Carried unanimously

5. Barbieri – 14 Gosnold Road (30-83) SE48-2282 – **Reissue**

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Staff They lost original Order of Conditions; it needs to be recorded. The site is in compliance. Recommend the be reissued.  
 Discussion None  
 Motion **Motion to Reissue.** (made by: LaFleur) (seconded by: Champoux)  
 Vote Carried unanimously

6. Todd – 11 Wauwinet Road (20-43) SE48-2831

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Staff Driveway relocation. An adjustment was made in the field; a couple of cherry trees were on the edge of the layout of the driveway; the driveway was shifted to go around the trees; it is in substantial compliance. The previously existing driveway was in a berm; that has been revegetated and is in compliance. Recommend issue with on-going Conditions 19 and 21.  
 Discussion **Erisman** – Would like to see the revegetation photos.  
**Staff** – The photos are in the monitoring report, which is more detailed.  
 Motion **Motion to Issue as recommended.** (made by: Champoux) (seconded by: LaFleur)  
 Vote Carried unanimously

7. Stamas – 10A Crow’s Nest Way (12-44.6) NAN-117

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Joe Topham  
 Staff Renovation and addition. This is in compliance; recommend it be issued.  
 Discussion None  
 Motion **Motion to Issue.** B/C (made by: Bennett) (seconded by: Champoux)  
 Vote Carried unanimously

8. Mayer – 20 Giny Lane (41-848 ) NAN-101

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Staff Construction of a single-family dwelling with landscaping, accessory structure, and driveway. It is in compliance; recommend it be issued.  
 Discussion None  
 Motion **Motion to Issue.** (made by: Golding) (seconded by: Topham )  
 Vote Carried unanimously

**B. Orders of Condition**

1. Holt – 98 Squam Road – (12-36) SE48-2898

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Staff This has the “phantom” wetland; he doesn’t know what can be done to prevent missing a resource area again. Noted that the Squam area is a very difficult area to delineate wetlands. This is for a pool fence within the 50-foot buffer.  
 Discussion None  
 Motion **Motion to Issue.** (made by: LaFleur) (seconded by: Champoux)  
 Vote Carried unanimously

2. Dale Phelon/Swain’s Point Trust – 260 Polpis Road (25-1) SE48-1652 **Reissue**

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Staff While doing a title research and they found the Order of conditions hadn’t been recorded.  
 Discussion None  
 Motion **Motion to Reissue.** (made by: Champoux) (seconded by: LaFleur)  
 Vote Carried unanimously

**C. Extension Requests**

1. Blue Shutters RT – 4 Hulbert Avenue (42.1.4-2) SE48-2582

Sitting Steinauer, Bennett, Erisman, LaFleur, Champoux, Golding, Topham  
 Staff None  
 Discussion **Paul Santos**, Nantucket Surveyors – They are preparing to close out the permit; this has a planting plan associated with it. They will be submitting a compliance request probably within a couple of weeks; but this expires before then. They are asking for a 1-year extension  
 Motion **Motion to Issue a 1-year extension.** (made by: LaFleur) (seconded by: Champoux)  
 Vote Carried unanimously

2. Hither Creek Boatyard – 20 North Cambridge Street (130-87) SE48-2141

3. Hither Creek Boatyard – 20 North Cambridge Street (130-87) SE48-2109

Sitting Steinauer, Bennett, Erisman, Champoux, Golding  
 Recused LaFleur, Topham  
 Staff None  
 Discussion **Paul Santos**, Nantucket Surveyors – They are planning additional work to be under an amendment. They are asking for two years of extensions for each DEP number.  
 Motion **Motion to Issue two 1-year extensions each for SE48-2141 and SE48-2109.** (made by: Bennett) (seconded by: Champoux)  
 Vote Carried 5-0

**D. Monitoring Reports**

- 1. Waters Edge N.T – 16 Medouie Creek Road (20-26) SE48-2577
- 2. Todd – 11 Wauwinet Road (20-43) SE48-2831

**E. Other Business**

- 1. Approval of Minutes for July 13, 2016: **Approved by unanimous consent.**
- 2. Enforcement Actions:
  - a. 36 Pocomo Road – Staff has received no correspondence from the property owner; he has asked town counsel to put together the ticketing procedure. Massachusetts General Law requires that the board designate a person as the enforcement agent other than police to issue a non-criminal ticket: conservation agent to chair. **Motion to Designate the Town Conservation Agent as the enforcement agent.** (made by: LaFleur) (seconded by: Champoux) Carried unanimously
  - b. North Beach Street, aka 65 & 67 Easton Street – Town Counsel is working on this and should be able to provide an update soon
  - c. Ms Kureteck – Staff has scheduled a meeting and will be going out to take pictures.
  - d. Brocks Court – Staff will be inspecting a chicken enclosure.
- 3. Emergency Certification – None
- 4. Reports:
  - a. CPC, Golding
- 5. Commissioners Comment – None
- 6. Administrator/Staff Reports
  - a. IT has put together a requisition for new I-Pads for the ConCom members.
  - b. If anyone wants off their appointed committee, now is the time to bring that up.
  - c. Asked that if anyone is interested in the Shellfish Management Plan Information Committee to let staff know.

Motion to Adjourn: 6:33 p.m.

Submitted by:  
Terry L. Norton

PROPOSED