

Public Meeting



NANTUCKET CONSERVATION COMMISSION

Updated Meeting Notice/Agenda for Wednesday, September 7th 2016

4:00 P.M. in the PSF Community Room 1st Floor of the Public Safety Facility 4 Fairgrounds Rd

*Matter has not been heard

I. PUBLIC MEETING

A. Public Comment

II. PUBLIC HEARING

A. Notice of Intent

1. Edwin Snider RT – 1 Brock's Court (42.3.4-84) SE48-2834 **Cont (10/19/16)**
2. Edwin Snider RT – 1 Brock's Court (42.3.4-84) SE48-2835 **Cont (10/19/16)**
3. Haulover LLC - 165 Wauwinet Road (7-1.1) SE48-2907
4. Town of Nantucket – Shimmo Creek (adjacent to 43-1) SE48- 2913 **Cont (09/21/2016)**
5. Nantucket Conservation Foundation – Medouie Creek (20-25) SE48-2915;l/
6. Sykes – 63 N. Liberty St (41-144) SE48-2911
7. *Colson – 9 Hallowell Road (30-14,15,257) SE48-2916
8. *Pocomo Road NT & Acklandia RT- 72 & 78 Pocomo Road (15-37 & 39) SE48-
9. *Clarkford Partners NT – 17 Kimball Ave (30-30) SE48-2917
10. *96 West Chester NT – 96 West Chester St (41-483) SE48-2918

B. Amended Orders of Conditions

1. *MAK Daddy Trust – 68/72 Monomoy Road (43-119,115) SE48-2803 **Cont (09/21/2016)**
2. *Smithburg, Inc – 143 Wauwinet Road (11-8) SE48-2536

PUBLIC MEETING

A. Minor Modification

1. *181 Taurus Trust – 181 Eel Point Road (33-21) SE48-2788
2. *Beach Nut, LLC – 1A Crow's Nest Way (12-24) SE48-2895
3. *Collis – 5 Galen Ave (29-122) SE48-2815

B. Certificate of Compliance

1. Collis – 5 Galen Ave (29-122) SE48-2815
2. *Giles Realty Trust – Off Tennessee Ave (60.1.2-33) SE48-2839
3. *Haulover, LLC – 165 Wauwinet Road (7-1.1) SE48-1084
4. *Haulover, LLC – 165 Wauwinet Road (7-1.1) SE48-2894
5. *Cosay – 141 Cliff Road (30-1) SE48-2671
6. *Wesquo Capital Partners – 57 Washington St (42.2.3-37) SE48-2791
7. *Wesquo Capital Partners – 57 Washington St Lot 1A (42.2.3-37) SE48-2796
8. * Wesquo Capital Partners – 57 Washington St Lot 1B (42.2.3-37) SE48-2837

C. Orders of Conditions (If the public hearing is closed – for discussion and/or issuance)

Discussion of other closed Notices of Intent

1. Haulover LLC - 165 Wauwinet Road (7-1.1) SE48-2907
2. *Nantucket Conservation Foundation – Medouie Creek (20-25) SE48-2915
3. *Sykes – 63 N. Liberty St (41.144) SE48-2911
4. *Colson – 9 Hallowell Road (30-14,15,257) SE48-2916
5. *Pocomo Road NT & Acklandia RT- 72 & 78 Pocomo Road (15-37 & 39) SE48-
6. *Clarkford Partners NT – 17 Kimball Ave (30-30) SE48-2917
7. *96 West Chester NT – 96 West Chester St (41-483) SE48-2918

D. Extension Requests

1. *Weed Realty Trust – 41 Almanac Pond Road (46-11.2) SE48-2662
2. *Rowe – 137 Wauwinet (11-11.1) SE48-2468

E. Monitoring Reports

1. *Glidden – 87 Eel Point Rd (32-11) SE48-2564
2. *CMDM, LLC 93 & 99 Eel Point Road (30-9 & 10) SE48-2479

F. Other Business

1. Approval of Minutes 08/21/2016
2. Enforcement Action
3. Reports: CPC, NP&EDC, Mosquito Control Committee, Other
4. Commissioner's Comment
5. Administrator/ Staff Report

MINOR MODIFICATIONS

181 Taurus Trust

181 Eel Point Road

(33-21)

SE48-2788

September 2, 2016

Hand Delivery

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

**Re: Minor Modification Request
DEP File #SE 48-2788
181 Eel Point Road (33-21)
Nantucket, Massachusetts**

[LEC File #: BrEI\15-102.01]

Dear Members of the Commission:

On behalf of the Applicant, 181 Taurus Trust, LEC Environmental Consultants, Inc., (LEC) is submitting a Minor Modification Request to the Order of Conditions (DEP File #SE 48-2788) issued on June 17, 2015. The Order permitted *the removal/relocation of existing structures, construction of four structures, installation of a pool with deck, abandonment of existing septic systems, restoration of disturbed areas with associated grading, landscaping, and utilities within Land Subject to Coastal Storm Flowage and the buffer zone to Coastal Bank and Bordering Vegetated Wetland*. A Minor Modification was previously issued on December 16, 2015. Construction is currently on-going.

The proposed revisions are primarily specific to landscaping elements, including the layout for retaining walls to minimize regrading. Proposed footprints to decks, patios, and porches have been slightly reconfigured, most notably adjacent to the pool and (relocated) spa. All structures, including retaining walls, are located upgradient of the Coastal Bank 50-ft Buffer Zone. The proposed Limit of Work within the 100-ft Buffer Zone has largely remained the same, except for a minor reconfiguration within the northeastern end. The proposed modifications depicted on the *Proposed Site Plan*, prepared by Bracken Engineering, Inc., last revised on September 1, 2016, comply with the *Nantucket Wetlands Protection Regulations*.

Should you have any questions or require additional information in advance of the September 9, 2016 Public Hearing, please do not hesitate to contact me at 508-746-9491 or bmadden@leceenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

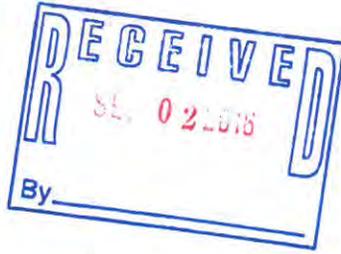


Brian T. Madden
Wildlife Scientist

Beach Nut, LLC
1A Crow's Nest Way
(12-24)
SE48-2895



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



COPY

September 2, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Minor Modification Request
D.E.P. File No SE48-2895
Applicant: Beach Nut LLC
1A Crows Nest Way Map: 12 Parcel: 24
Nantucket, MA 02554

Dear Commission Member,

On behalf of the applicant, Nantucket Surveyors LLC is requesting a Minor Modification to relocate the pool outside the 100' buffer and shift the dwelling location southerly to the center of the lot. The project was issued an Order of Conditions for the demolition/removal of an existing structure, construction of a new dwelling, second dwelling, garage, pool, pool house, pool fence, driveway, and septic components with associated grading, landscaping, and utilities within the buffer zone to Coastal Beach, Coastal Dune and Bordering Vegetated Wetland.

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

Sincerely,
Nantucket Surveyors, LLC

A handwritten signature in blue ink, appearing to read 'Paul J. Santos'.

Paul J. Santos, PLS
Agent for the Applicant

Enclosure: Architectural Site Plan revised thru 8/31/16
One (1) filing fee to the Town of Nantucket \$25.00

CC: Beach Nut LLC

Office located at 5 Windy Way • Nantucket, MA 02554

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



2016 00152054
 Cert: 25245 Doc: OOC
 Registered: 06/30/2016 08:29 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:

SE48-2895

MassDEP File #

eDEP Transaction #

Nantucket

City/Town

A. General Information

1. From: Nantucket
 Conservation Commission

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

3. To: Applicant:

a. First Name Beach Nut LLC b. Last Name _____
 c. Organization P.O Box 659
 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:

1A Crows Nest Way Nantucket
 a. Street Address _____ b. City/Town _____
12 24
 c. Assessors Map/Plat Number _____ d. Parcel/Lot Number _____
 Latitude and Longitude, if known: 41.326172 -69.993104
 d. Latitude _____ e. Longitude _____

Collis

5 Galen Ave

(29-122)

SE48-2815

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

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

B8067

September 2, 2016

Mr. Jeff Carlson, Natural Resources Coordinator
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: SE48-2815. #5 Galen Avenue. Map 29, Parcel 122.

Dear Jeff:

I am writing to request a minor modification to allow two 4' x 8' timber bordered vegetable planters, a brick patio, and bluestone stepping stones along the east side of the building.

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

Regards,

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



JLB/dmm

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

	EXISTING:
MINIMUM LOT SIZE:	5000 S.F. 4,896 S.F.±
MINIMUM FRONTAGE:	50 FT. SEE PLAN
FRONT YARD SETBACK:	10 FT. SEE PLAN
REAR/SIDE SETBACK:	5 FT. SEE PLAN
GROUND COVER % :	30 % 20.7% ±

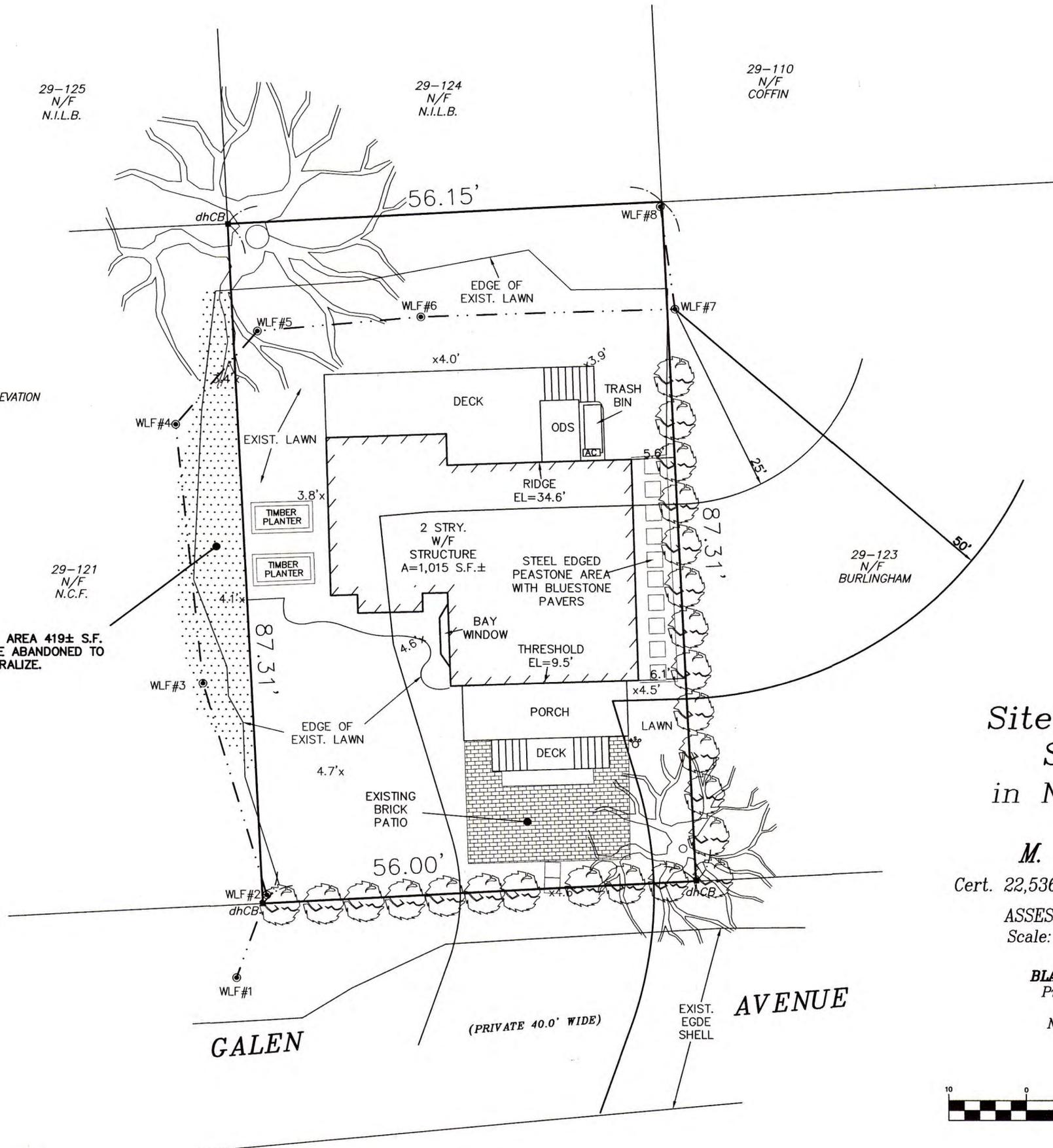
NOTES:
LOCUS IS WITHIN LAND SUBJECT TO COASTAL STORM FLOWAGE.
LOCUS IS SERVED BY MUNICIPAL WATER AND SEWER SERVICE.

L.C. PLAN 37064-A

LEGEND

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

 LAWN AREA 419± S.F. TO BE ABANDONED TO NATURALIZE.



Site Plan of Land SE48-2815

in Nantucket, MA

Prepared for

M. LEIGHTON COLLIS

Cert. 22,536 L.C. Plan 37064-A, Lot 1

ASSESSOR'S MAP 29, PARCEL 122

Scale: 1" = 10' JUNE 22, 2016

REV.: SEPTEMBER 2, 2016

BLACKWELL & ASSOCIATES, Inc.

Professional Land Surveyors

20 TEASDALE CIRCLE

NANTUCKET, MASS. 02554

(508) 228-9026

GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

CERTIFICATES OF COMPLIANCE

Collis

5 Galen Ave

(29-122)

SE48-2815

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

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

B8067

August 4, 2016

Mr. Jeff Carlson, Natural Resources Coordinator
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: SE48-2815. #5 Galen Avenue. Map 29, Parcel 122.
M. Leighton Collis, Certificate of Title 22536.

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, as modified, except for:

1. A timber framed sand area with planters within it.
2. A brick patio between the front porch and Galen Avenue.
3. Bluestone stepping stones set in peastone along the east side of the house.

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

Regards,

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



JLB/dmm



2015 00149250

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
SE48- 2815
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

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

3. To: Applicant:

M. Leighton Collis
a. First Name b. Last Name

82 Charles St
c. Organization

d. Mailing Address

Boston MA 02114
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Same As Applicant
a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

5 Galen Avenue Nantucket
a. Street Address b. City/Town

29 122
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 41d 17' 26.1" 70d 05' 58.4"
d. Latitude e. Longitude



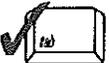
Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE48- 2815
 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

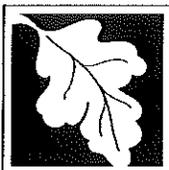
2. This request is in reference to work regulated by a final Order of Conditions issued to:
M. Leighton Collis
 Applicant
8/19/2015 SE48-2815
 Dated DEP File Number

3. The project site is located at:
5 Galen Ave Nantucket
 Street Address City/Town
29 122
 Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:
M. Leighton Collis
 Property Owner (if different)
Nantucket
 County Book Page
22536
 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
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE48- 2815
 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:

M. Leighton Collis
 Applicant
8/19/2015 SE48-2815
 Dated DEP File Number

3. The project site is located at:

5 Galen Ave Nantucket
 Street Address City/Town
29 122
 Assessors Map/Plat Number Parcel/Lot Number

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

M. Leighton Collis
 Property Owner (if different)
Nantucket
 County Book Page
22536
 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).

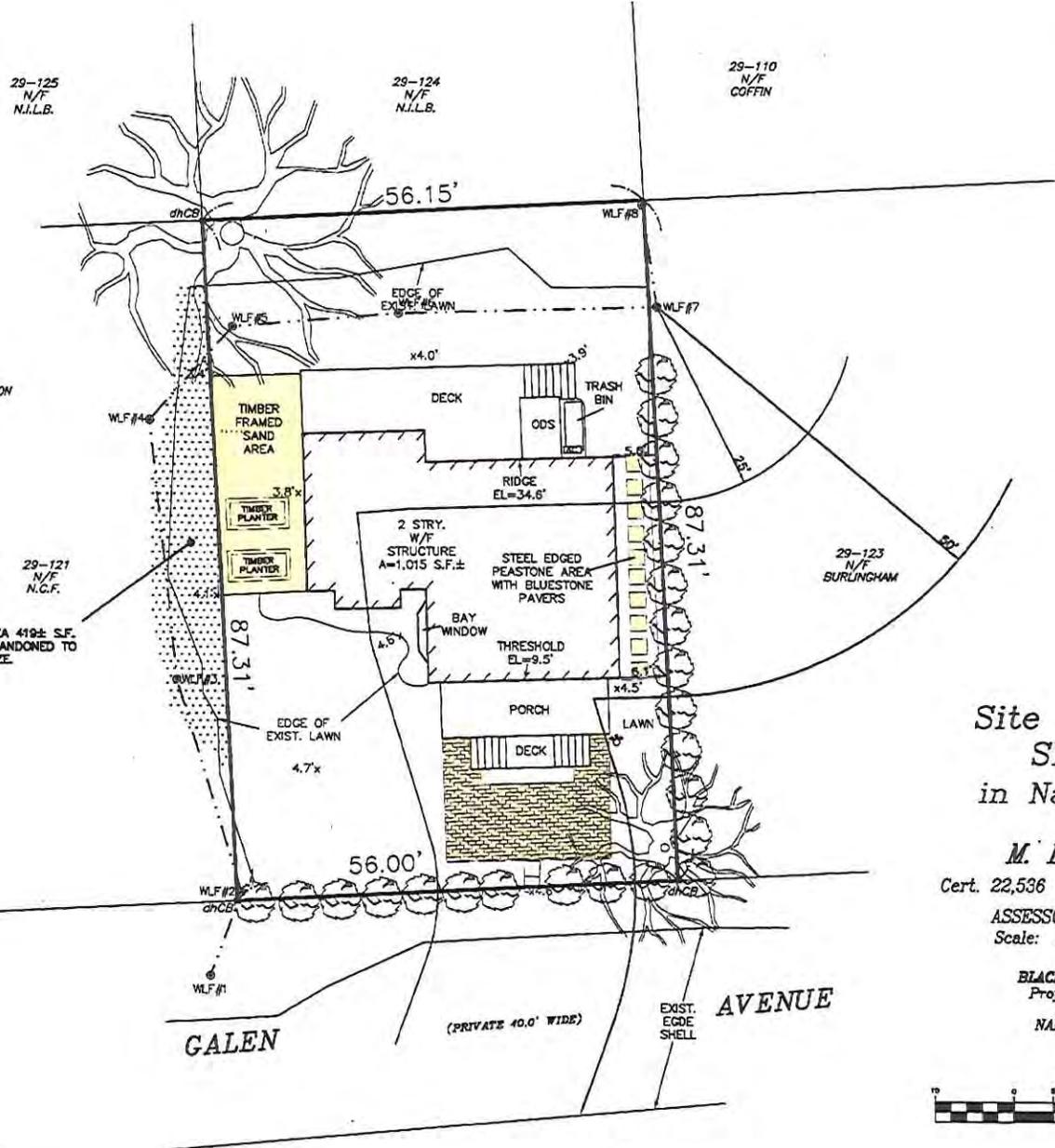
- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

MINIMUM LOT SIZE:	5000 S.F.	EXISTING	4,896 S.F.±
MINIMUM FRONTAGE:	50 FT.	SEE PLAN	
FRONT YARD SETBACK:	10 FT.	SEE PLAN	
REAR/SIDE SETBACK:	5 FT.	SEE PLAN	
GROUND COVER %:	30 %	20.7% ±	

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

L.C. PLAN 37064-A



LEGEND

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

LAWN AREA 419± S.F. TO BE ABANDONED TO NATURALIZE.



Site Plan of Land SE48-2815

in Nantucket, MA

Prepared for

M. LEIGHTON COLLIS

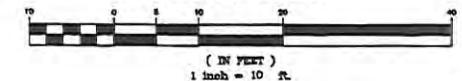
Cert. 22,536 L.C. Plan 37064-A, Lot 1

ASSESSOR'S MAP 29, PARCEL 122

Scale: 1" = 10' JUNE 22, 2016

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

GRAPHIC SCALE



**NEW
INFORMATION
FOR CURRENT
HEARING**

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

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

B8067

September 2, 2016

Mr. Jeff Carlson, Natural Resources Coordinator
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: SE48-2815. #5 Galen Avenue. Map 29, Parcel 122.

Dear Jeff:

I am writing to request a Certificate of Compliance for the referenced project. I certify that the project was completed in substantial compliance with the Order of Conditions, as modified.

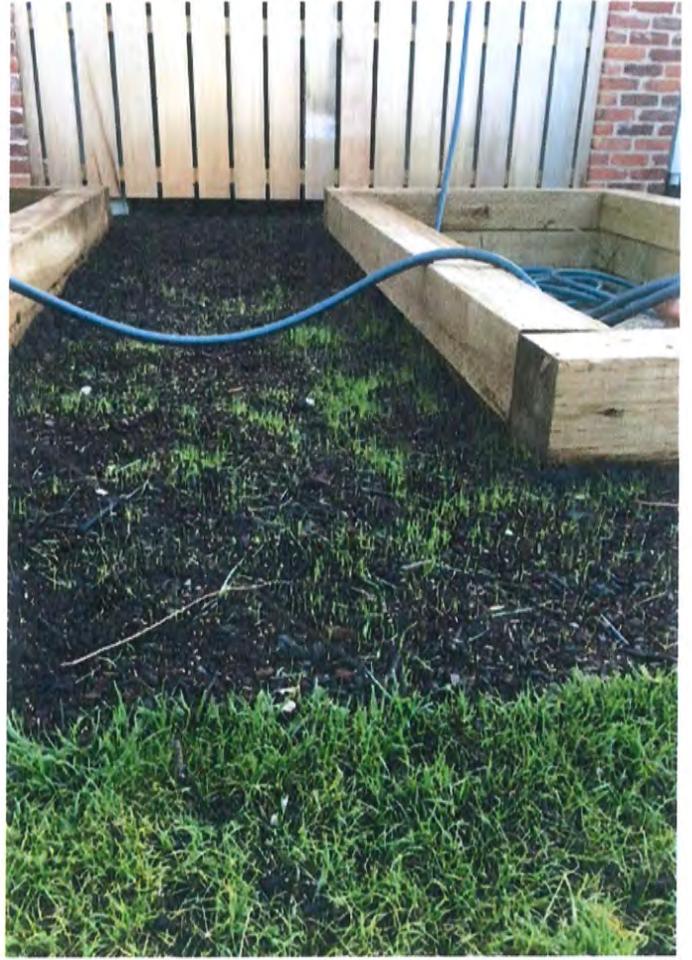
If you have any questions, please call. Thank you.

Regards,

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



JLB/dmm



CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

	<u>EXISTING:</u>
MINIMUM LOT SIZE:	5000 S.F. 4,896 S.F.±
MINIMUM FRONTAGE:	50 FT. SEE PLAN
FRONT YARD SETBACK:	10 FT. SEE PLAN
REAR/SIDE SETBACK:	5 FT. SEE PLAN
GROUND COVER % :	30 % 20.7% ±

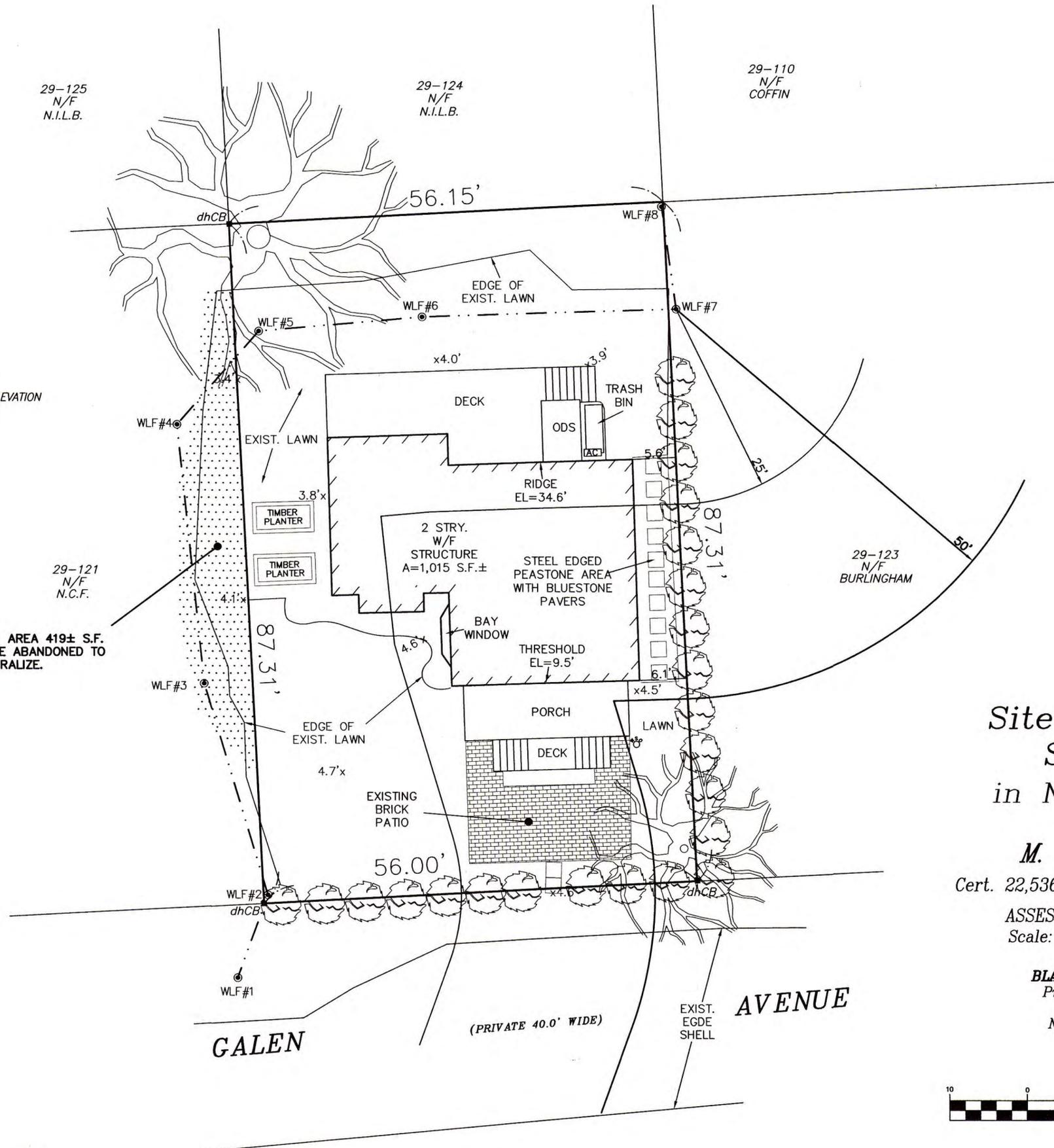
NOTES:
LOCUS IS WITHIN LAND SUBJECT
TO COASTAL STORM FLOWAGE.
LOCUS IS SERVED BY MUNICIPAL
WATER AND SEWER SERVICE.

L.C. PLAN 37064-A

LEGEND

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

..... LAWN AREA 419± S.F. TO BE ABANDONED TO NATURALIZE.



**Site Plan of Land
SE48-2815**

in Nantucket, MA

Prepared for

M. LEIGHTON COLLIS

Cert. 22,536 L.C. Plan 37064-A, Lot 1

ASSESSOR'S MAP 29, PARCEL 122

Scale: 1" = 10' JUNE 22, 2016

REV.: SEPTEMBER 2, 2016

BLACKWELL & ASSOCIATES, Inc.

Professional Land Surveyors

20 TEASDALE CIRCLE

NANTUCKET, MASS. 02554

(508) 228-9026

GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

Giles

Off Tennessee Ave

(60.1.2-33)

SE48-2839



August 22, 2016

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

RE: Off Tennessee Ave
Map 60.1.2 Parcel 33
SE48-2839

Dear Jeff:

I am writing on behalf of the Giles Realty Trust to request a Certificate of Compliance for the referenced project. The work was completed in substantial compliance with the issued Order of Conditions. Attached are a Site Plan, photographs, front-page copy of the Order recorded at the Nantucket Registry of Deeds, and the required filing fee.

Please feel free to contact me should you have any questions or concerns with this request.

Sincerely,
Nantucket Engineering & Survey, P.C.
By: Arthur D. Gasbarro, PE, PLS, LEED AP

A handwritten signature in blue ink that reads "Arthur D. Gasbarro". The signature is written in a cursive style.

CC: Kenneth & Roberta Giles, Trustees



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:

Arthur D. Gasbarro, PE, PLS - Nantucket Engineering & Survey, P.C.
Name
20 Mary Ann Drive
Mailing Address
Nantucket MA 02554
City/Town State Zip Code
508-825-5053
Phone Number

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

Giles Realty Trust
Applicant
12/2/15 SE48-2839
Dated DEP File Number

3. The project site is located at:

Off Tennessee Av2 Nantucket
Street Address City/Town
60.1.2 33
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
County Book Page
23190
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 (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>).

Walking Path Start at Driveway – 8/18/16



Walking Path Middle Section – 8/18/16



Walking Path Northern End – 8/18/16



Walking Path Saltmarsh– 8/18/16





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:
SE48-2839
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information (cont.)

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

Nantucket 23,190
a. County b. Certificate Number (if registered land)
c. Book d. Page

7. Dates: 10/30/15 12/02/2015 12/02/2015
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

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

Site Plan of Land
a. Plan Title b. Prepared By c. Signed and Stamped by
Blackwell & Associates, Inc Arthur D. Gasbarro, III
10/29/2015 1" = 10'
d. Final Revision Date e. Scale
f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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

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

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

Approved subject to:

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

Site Plan of Land in Nantucket, MA

Prepared for

GILES REALTY TRUST

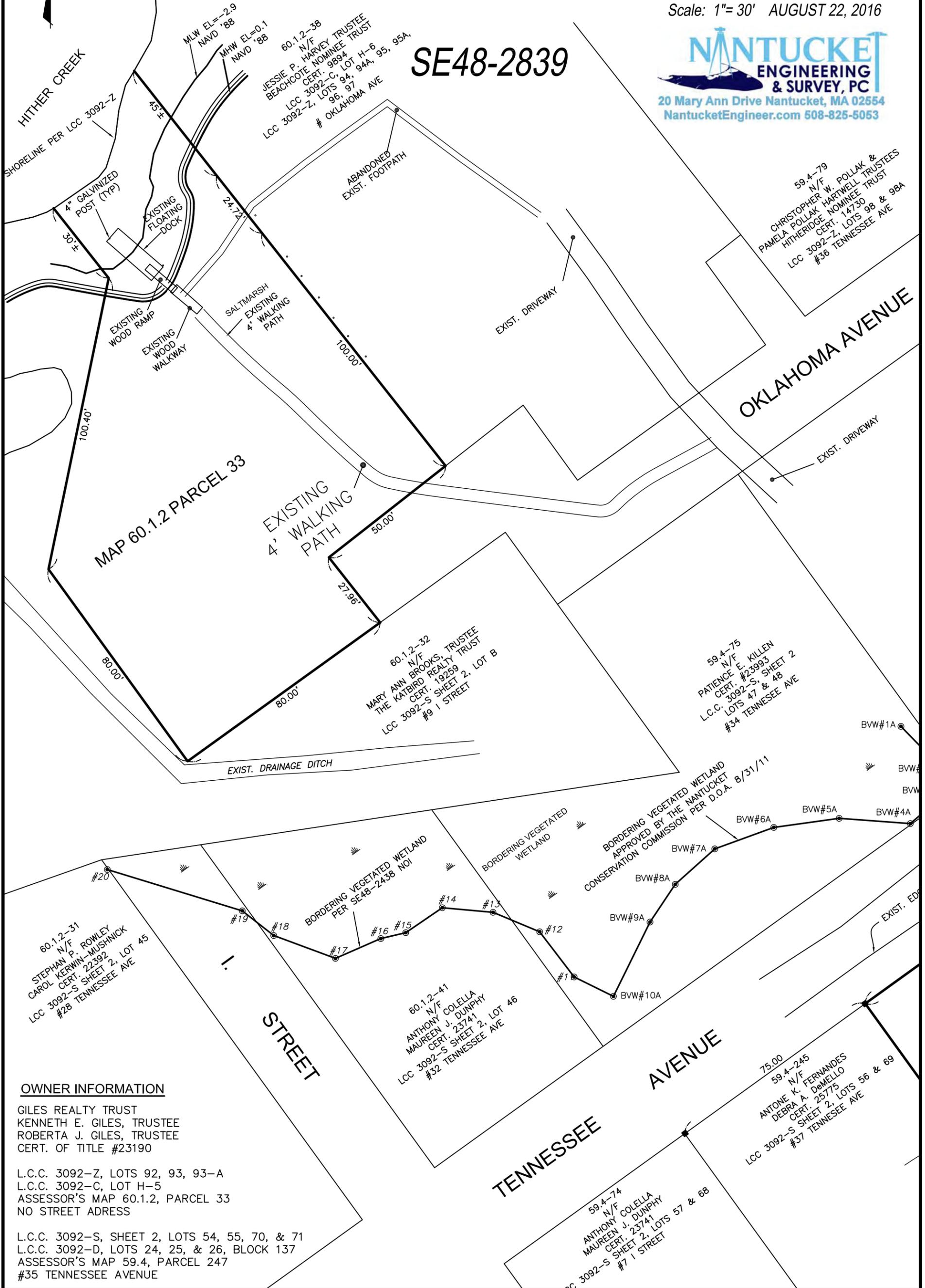
ASSESSOR'S MAP 60.1.2, PARCEL 33

Scale: 1"= 30' AUGUST 22, 2016



THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET BUILDING DEPARTMENT AND NANTUCKET CONSERVATION COMMISSION ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

SE48-2839



OWNER INFORMATION

GILES REALTY TRUST
KENNETH E. GILES, TRUSTEE
ROBERTA J. GILES, TRUSTEE
CERT. OF TITLE #23190

L.C.C. 3092-Z, LOTS 92, 93, 93-A
L.C.C. 3092-C, LOT H-5
ASSESSOR'S MAP 60.1.2, PARCEL 33
NO STREET ADDRESS

L.C.C. 3092-S, SHEET 2, LOTS 54, 55, 70, & 71
L.C.C. 3092-D, LOTS 24, 25, & 26, BLOCK 137
ASSESSOR'S MAP 59.4, PARCEL 247
#35 TENNESSEE AVENUE

Haulover, LLC

165 Wauwinet Road

(7-1.1)

SE48-1084

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

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

B4719

August 29, 2016

Mr. Jeff Carlson, Natural Resources Coordinator
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: SE48-1084, # 165 Wauwinet Road, Map 7 Parcel 1.1

Dear Jeff:

I am writing to request a Certificate of Compliance. I certify that the project was completed in substantial conformance with the Order of Condition except the following:

1. Construction of a balcony on the northwesterly side of the house.
2. Ramp # 2 to the main ramp.
3. Ramp # 1 connecting the parking area to the deck.

These three elements are the subject of the Order of Conditions issued 6/15/2016, SE48-2894.

If you have any questions, please call.

Regards,

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

SE48-1084
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):

Haulover LLC
Name
1010 Wisconsin Ave. NW
Mailing Address
Washington MA 02554
City/Town State Zip Code
508-228-4455
Phone Number

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

Catherine Conover
Applicant
July 10, 1997 SE48-1084
Dated DEP File Number

3. The project site is located at:

165 Wauwinet Rd Nantucket
Street Address City/Town
7 1.1
Assessors Map/Plat Number Parcel/Lot Number

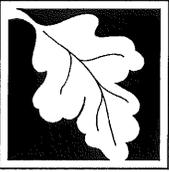
4. The final Order of Conditions was recorded at the Registry of Deeds for : (name on Order)

Catherine Conover
Property Owner (if different)
Nantucket
County Book Page
24394
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
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE48-1084

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?

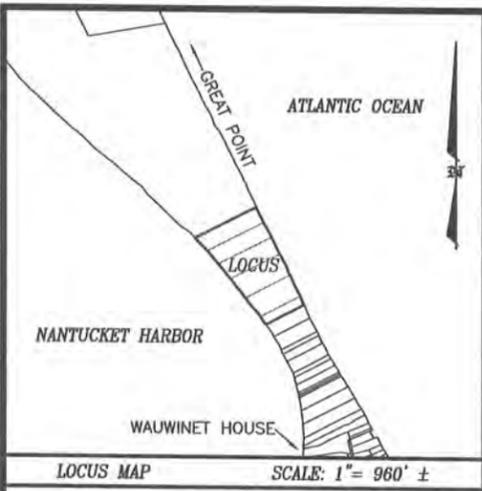
Yes

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

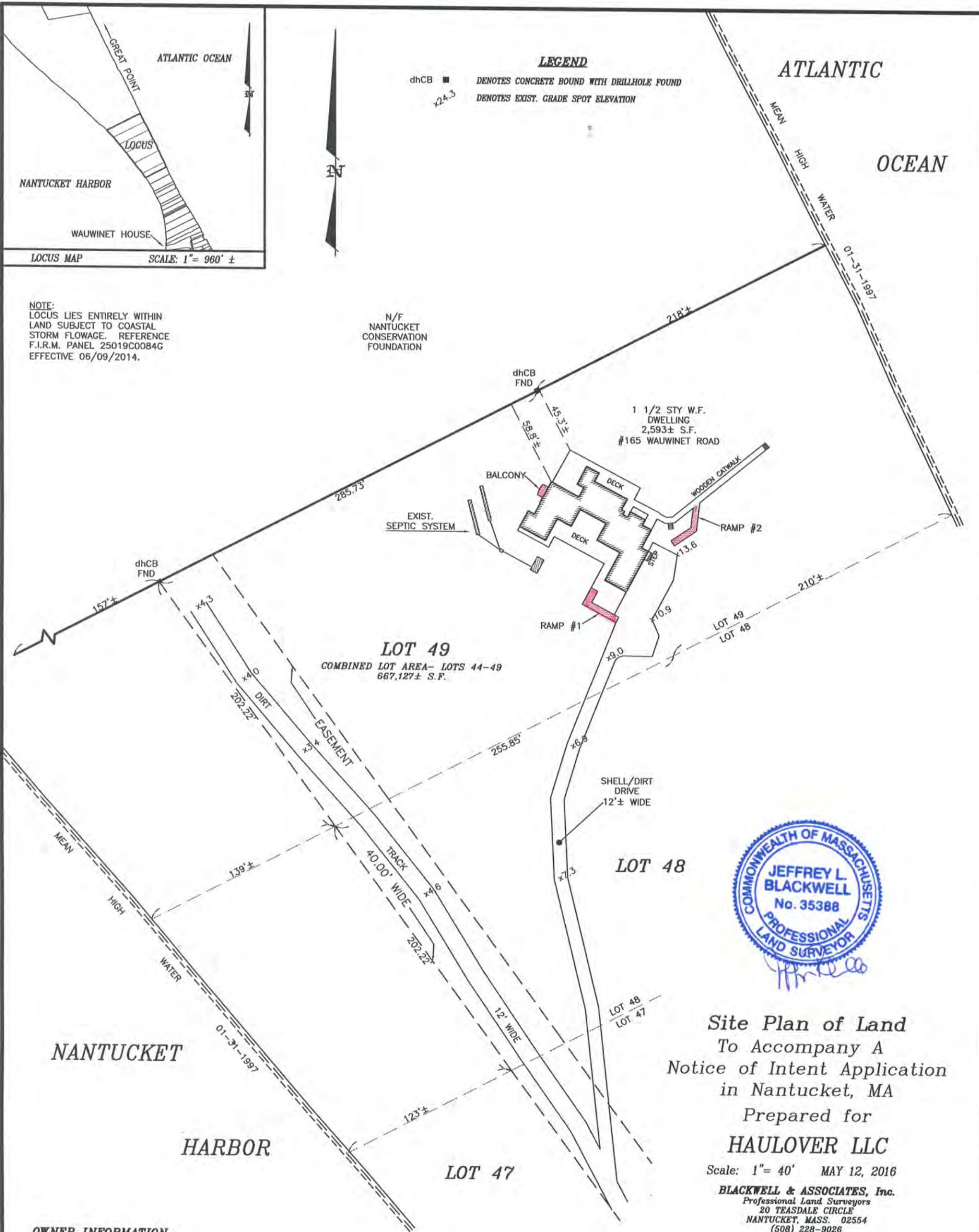
Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or 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>).



LEGEND
 dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
 x24.3 DENOTES EXIST. GRADE SPOT ELEVATION

NOTE:
 LOCUS LIES ENTIRELY WITHIN
 LAND SUBJECT TO COASTAL
 STORM FLOWAGE. REFERENCE
 F.I.R.M. PANEL 25019C0084G
 EFFECTIVE 06/09/2014.

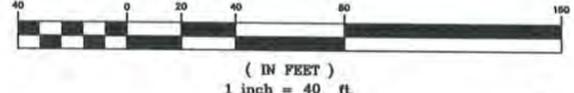
N/F
 NANTUCKET
 CONSERVATION
 FOUNDATION



Site Plan of Land
 To Accompany A
 Notice of Intent Application
 in Nantucket, MA
 Prepared for
HAUOVER LLC

Scale: 1" = 40' MAY 12, 2016
BLACKWELL & ASSOCIATES, Inc.
 Professional Land Surveyors
 20 TEASDALE CIRCLE
 NANTUCKET, MASS. 02554
 (508) 228-9026

GRAPHIC SCALE



(IN FEET)
 1 inch = 40 ft.

OWNER INFORMATION

HAUOVER LLC
 CERT. 24394; LCC 10943, LOTS 44-49
 ASSESSOR MAP 7 PARCEL 1.1
 #165 WAUWINET ROAD

Haulover, LLC

165 Wauwinet Road

(7-1.1)

SE48-2894

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

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

B4719

August 29, 2016

Mr. Jeff Carlson, Natural Resources Coordinator
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: SE48-2894, # 165 Wauwinet Road, Map 7 Parcel 1.1

Dear Jeff:

I am writing to request a Certificate of Compliance. I certify that the site conditions conform with the Order of Conditions.

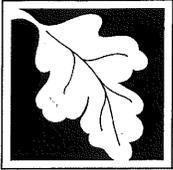
If you have any questions, please call.

Regards,

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

SE48-2894

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:(current Title holder):

Haulover LLC
Name
1010 Wisconsin Ave NW
Mailing Address
Nantucket MA 02554
City/Town State Zip Code
508-228-4455
Phone Number

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

Haulover LLC
Applicant
6/15/16 SE48-2894
Dated DEP File Number

3. The project site is located at:

165 Wauwinet Rd Nantucket
Street Address City/Town
7 1.1
Assessors Map/Plat Number Parcel/Lot Number

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

Haulover LLC
Property Owner (if different)
Nantucket
County Book Page
24394
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
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE48-2894
Provided by DEP

A. Project Information (cont.)

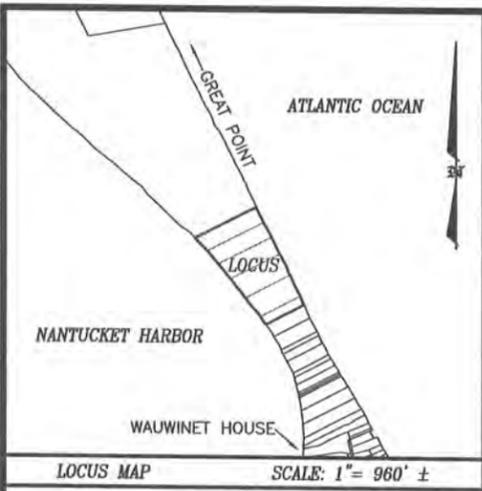
6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

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>).

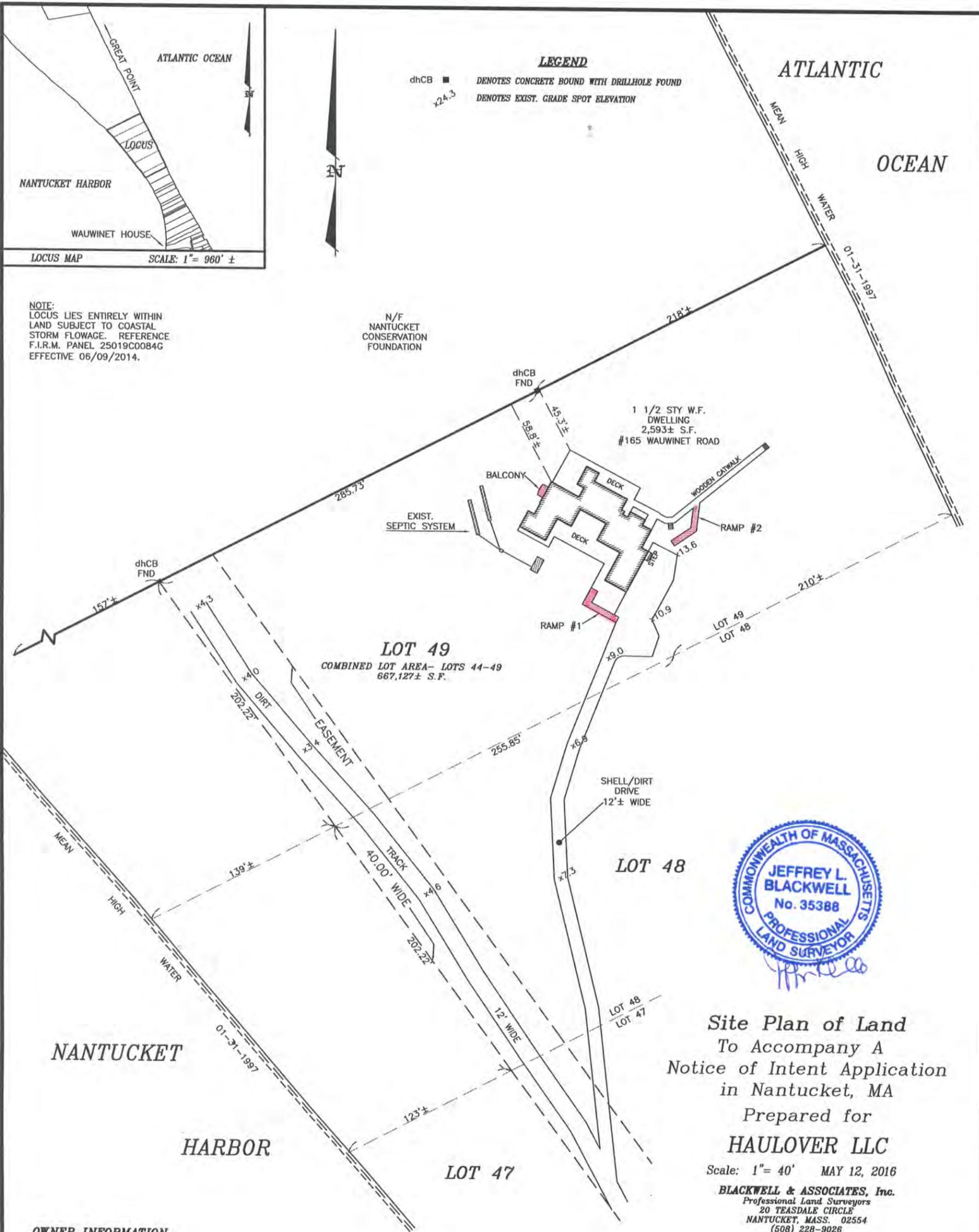


LEGEND

- dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- x24.3 DENOTES EXIST. GRADE SPOT ELEVATION

NOTE:
LOCUS LIES ENTIRELY WITHIN
LAND SUBJECT TO COASTAL
STORM FLOWAGE. REFERENCE
F.I.R.M. PANEL 25019C0084G
EFFECTIVE 06/09/2014.

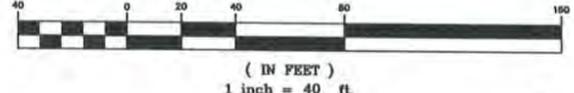
N/F
NANTUCKET
CONSERVATION
FOUNDATION



Site Plan of Land
To Accompany A
Notice of Intent Application
in Nantucket, MA
Prepared for
HAUOVER LLC

Scale: 1" = 40' MAY 12, 2016
BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026

GRAPHIC SCALE



OWNER INFORMATION

HAUOVER LLC
CERT. 24394; LCC 10943, LOTS 44-49
ASSESSOR MAP 7 PARCEL 1.1
#165 WAUWINET ROAD

Cosay

141 Cliff Road

(30-1)

SE48-2671



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

NS9596

September 2, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554



COPY

Re: Certificate of Compliance Request SE48-2671
Applicant: Gary & Healy C. Cosay
141 Cliff Road
Map: 30 Parcel: 1
Nantucket, MA 02554

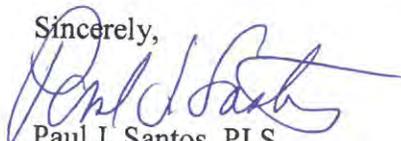
Dear Commissioners:

I am writing on behalf of Gary & Healy C. Cosay to request a Certificate of Compliance for the above referenced project. The lot is subject to an Order of Conditions recorded as Land Court Document #144827, DEP File No. SE48-2671. See also Determination of Applicability dated 12/16/15 "Shed Addition" The Order of Conditions permitted the removal of an existing wooden set of beach stairs, the installation of a seasonal set of aluminum beach stairs, and the construction of a platform at the top of the bank along a Coastal Bank and the buffer zone to a Bordering Vegetated Wetland.

The work outlined in the Order of Conditions has been completed in substantial compliance with the order.

Thank you for your attention to this matter.

Sincerely,



Paul J. Santos, PLS
Nantucket Surveyors, LLC

Enclosures

- One (1) filing fee check to Town of Nantucket for \$25.00

Cc: William F. Hunter, Esq.
Gary & Healy C. Cosay

Office located at 5 Windy Way • Nantucket, MA 02554

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



Cert: 19657 Doc: OOC
Registered: 06/18/2014 02:09 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
SE48-2671
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:

Gary & Healy C. Cosay
a. First Name b. Last Name

c. Organization

141 Cliff Road

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:

141 Cliff Road Nantucket
a. Street Address b. City/Town

30 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

**141 Cliff Road, Nantucket, MA
Applicant: Gary & Healy C. Cosay
Certificate of Compliance Request**



Front View of Stairs



Side View of Stairs



View of Supports



View of Platform

Wesquo Capital Prtnr

57 Washington St

(42.2.3-37)

SE48-2791



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

NS10634

September 2, 2016

COPY

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554



Re: Certificate of Compliance Request SE48-2791
Applicant: Wesquo Capital Partners
57 Washington Street
Map: 42.2.3 Parcel: 37
Nantucket, MA 02554

Dear Commissioners:

I am writing on behalf of Wesquo Capital Partners to request a Certificate of Compliance for the above referenced project. The lot is subject to an Order of Conditions recorded in Dd. Bk. 1490 Pg. 1, DEP File No. SE48-2791. The Order of Conditions permitted the demolition of an existing dwelling and garage within Land Subject to Coastal Storm Flowage.

The work outlined in the Order of Conditions has been completed in compliance with the order.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul J. Santos', written over a faint, larger version of the signature.

Paul J. Santos, PLS
Nantucket Surveyors, LLC

Enclosures

- One (1) filing fee check to Town of Nantucket for \$25.00

Cc: Wesquo Capital Partners

Office located at 5 Windy Way • Nantucket, MA 02554

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

Wesquo Capital Prtnr

57 Washington St

LOT 1A

(42.2.3-37)

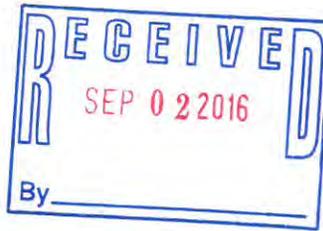
SE48-2796



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

NS10634

September 2, 2016



COPY

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Certificate of Compliance Request SE48-2796
Applicant: Wesquo Capital Partners
57 Washington Street (Lot 1A)
Map: 42.2.3 Parcel: 37
Nantucket, MA 02554

Dear Commissioners:

I am writing on behalf of Wesquo Capital Partners to request a Certificate of Compliance for the above referenced project. The lot is subject to an Order of Conditions recorded in Dd. Bk. 1489 Pg. 334 as amended in Dd. Bk. 1512 Pg. 286, (Minor Modification approval 4/20/16), DEP File No. SE48-2796. The Order of Conditions permitted the relocation and enlargement of an existing structure and construction of a second structure with associated grading, landscaping and utilities within Land Subject to Coastal Storm Flowage and buffer zone to a Coastal Beach.

The work outlined in the Order of Conditions has been completed within substantial compliance of the order.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul J. Santos'.

Paul J. Santos, PLS
Nantucket Surveyors, LLC

Enclosures

- One (1) filing fee check to Town of Nantucket for \$25.00

Cc: Wesquo Capital Partners

Office located at 5 Windy Way • Nantucket, MA 02554

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



Town of Nantucket Conservation Commission Minor Modification Request Approval

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

DEP File Number
SE48-2796
Provided by DEP

A. General Information

From:

Nantucket Conservation Commission

To:

Applicant:

Wesquo Capital Partners

Name

37 Old South Road, unit 6

Mailing Address

Nantucket

MA

02554

City/Town

State

Zip Code

Property Owner (if different from applicant):

Same As Applicant

Name

Mailing Address

City/Town

State

Zip Code

Project Location:

57 Washignton Street (Lot 1A)

Street Address

42.2.3

Assessors Map/Plat Number

Nantucket

City/Town

37

Parcel /Lot Number

2. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Layout Plan

04/13/16

Title

Date

Planting Plan

04/13/2016

Title

Date

Title

Date

4. Description of Minor Modification:

Detail of Landscape Plan

3. Dates:

04/01/16

Date Minor Modification Filed

04/20/16

Date of Approval

06/24/2015

Order of Conditions Date of Issuance*

**Note: The date of issuance for the Order of Conditions is this minor modification.*

and is not extended further by



2015 00003521

Bk: 1512 Pg: 286 Page: 1 of 16
Doc: AMENDME 11/23/2016 02:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Amended 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:
SE48-2796
MassDEP File #
eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

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

3. To: Applicant:

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

4. Property Owner (if different from applicant):

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

5. Project Location:

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



2015 00001820

Bk: 1489 Pg: 334 Page: 1 of 16
Doc: OOC 07/06/2015 0:28 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by Mass DEP:
SE48-275
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

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

3. To: Applicant:

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

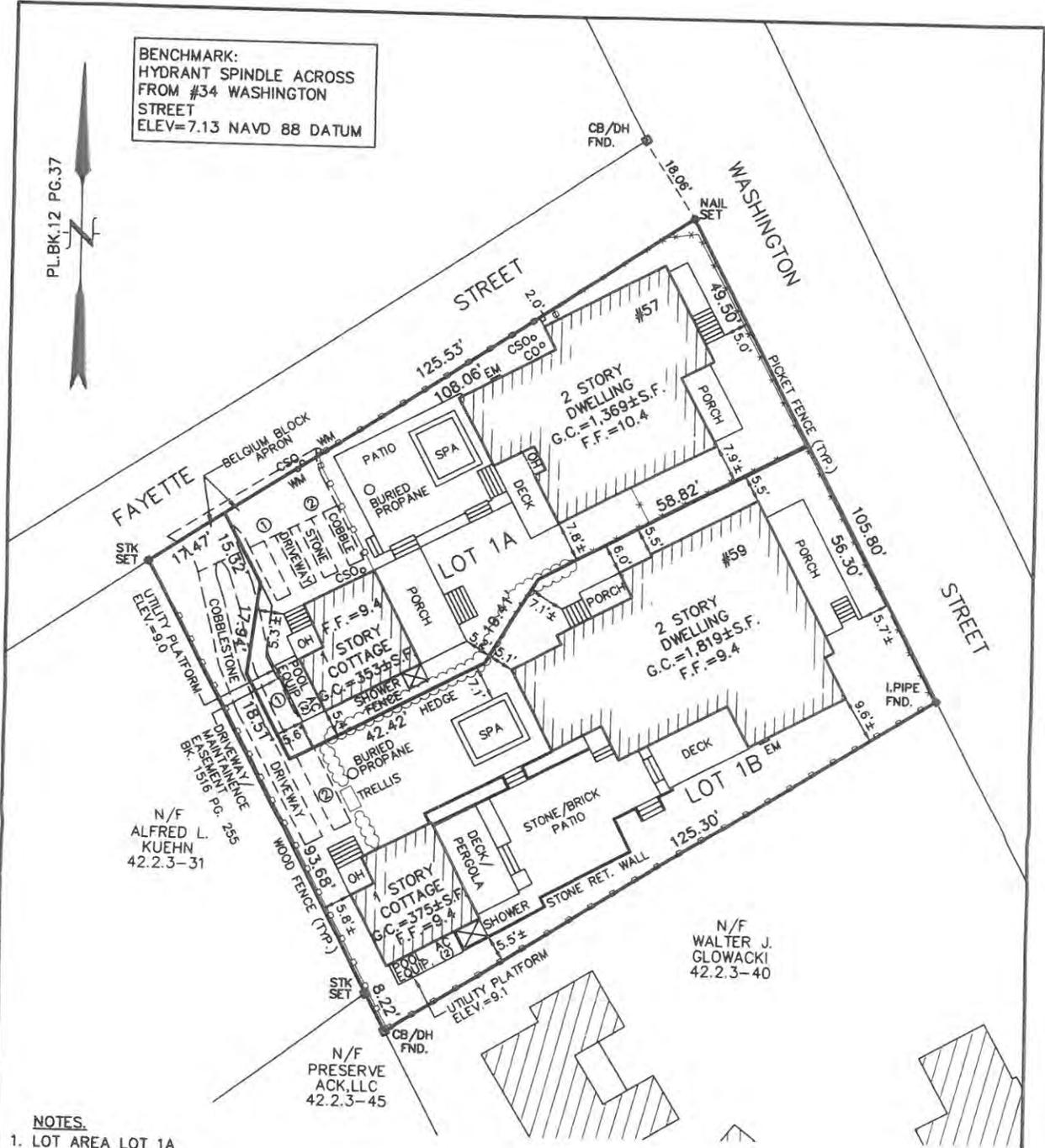
4. Property Owner (if different from applicant):

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

5. Project Location:

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

BENCHMARK:
HYDRANT SPINDLE ACROSS
FROM #34 WASHINGTON
STREET
ELEV=7.13 NAVD 88 DATUM



N/F
ALFRED L.
KUEHN
42.2.3-31

N/F
WALTER J.
GLOWACKI
42.2.3-40

N/F
PRESERVE
ACK,LLC
42.2.3-45

NOTES.

1. LOT AREA LOT 1A
5,400±S.F.
2. LOT AREA LOT 1B
7,575±S.F.
3. TOTAL LOT AREA LOT 1A/1B
12,975±S.F.

CURRENT ZONING: ROH
MINIMUM LOT SIZE: 5,000 S.F.
MINIMUM FRONTAGE: 50'
FRONTYARD SETBACK: NONE
SIDE AND REAR SETBACK: 5'
ALLOWABLE G.C.R.: 50%
EXISTING G.C.R.: 32% (LOT 1A)
EXISTING G.C.R.: 29% (LOT 1B)

THE STRUCTURES SHOWN ON THIS PLAN ARE LOCATED WITHIN FLOOD HAZARD ZONE "AE" (EL.9) AS DELINEATED ON "FIRM" MAP NO. 25019C0088G; EFFECTIVE DATE: JUNE 9, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN RELIES ON CURRENT DEEDS AND PLANS OF RECORD, VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON. THIS PLAN IS NOT REPRESENTED TO BE A TITLE EXAMINATION OR A RECORDABLE SURVEY.

- SEE ORDER OF CONDITIONS SE48-2796
57 WASHINGTON STREET
- SEE AMENDED ORDER OF CONDITIONS SE48-2796
57 WASHINGTON STREET
- SEE ORDER OF CONDITIONS SE48-2837
59 WASHINGTON STREET
- SEE MINOR MODIFICATION SE48-2796
57 WASHINGTON STREET
- SEE MINOR MODIFICATION SE48-2837
59 WASHINGTON STREET

AS-BUILT PLOT PLAN
#57 & #59 WASHINGTON STREET
IN
NANTUCKET, MASSACHUSETTS
SCALE: 1"=20' DATE: 8/4/16

DEED REFERENCE: Bk. 1488, Pg. 313
PLAN REFERENCE: PLAN NO. 2015-97
REVISED 8/1/16

ASSESSOR'S REFERENCE:
MAP: 42.2.3 PARCEL: 37

PREPARED FOR:
WESQUO CAPITAL PARTNERS
NANTUCKET SURVEYORS LLC
5 WINDY WAY
NANTUCKET, MA. 02554



Wesquo Capital Prtnr

57 Washington St

LOT 1B

(42.2.3-37)

SE48-2837



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

NS10634

September 2, 2016

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554



COPY

Re: Certificate of Compliance Request SE48-2837
Applicant: Wesquo Capital Partners
57 Washington Street (Lot 1B)
Map: 42.2.3 Parcel: 37
Nantucket, MA 02554

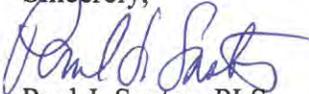
Dear Commissioners:

I am writing on behalf of Wesquo Capital Partners to request a Certificate of Compliance for the above referenced project. The lot is subject to an Order of Conditions recorded in Dd. Bk. 1512 Pg. 302, (Minor Modification approval 4/20/16), DEP File No. SE48-2837. The Order of Conditions permitted the construction of a new building with an additional structure with associated grading, landscaping and utilities within Land Subject to Coastal Storm Flowage and buffer zone to a Coastal Beach.

The work outlined in the Order of Conditions has been completed within substantial compliance of the order.

Thank you for your attention to this matter.

Sincerely,


Paul J. Santos, PLS
Nantucket Surveyors, LLC

Enclosures

- One (1) filing fee check to Town of Nantucket for \$25.00

Cc: Wesquo Capital Partners

Office located at 5 Windy Way • Nantucket, MA 02554

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



Town of Nantucket Conservation Commission
Minor Modification Request Approval

DEP File Number
 SE48-2837
 Provided by DEP

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

A. General Information

From:

Nantucket Conservation Commission

To:

Applicant:

Wesquo Capital Partners
 Name
37 Old South Road, unit 6
 Mailing Address
Nantucket MA 02554
 City/Town State Zip Code

Property Owner (if different from applicant):

Same As Applicant
 Name

 Mailing Address

 City/Town State Zip Code

Project Location:

57 Washignton Street (Lot 1B)
 Street Address
42.2.3
 Assessors Map/Plat Number
Nantucket
 City/Town
37
 Parcel /Lot Number

2. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

<u>Layout Plan</u>	<u>04/13/16</u>
Title	Date
<u>Planting Plan</u>	<u>04/13/2016</u>
Title	Date
_____	_____
Title	Date

4. Description of Minor Modification:

Detail of Landscape Plan

3. Dates:

<u>04/01/16</u>	<u>04/20/16</u>	<u>11/18/2015</u>
Date Minor Modification Filed	Date of Approval	Order of Conditions Date of Issuance*

**Note: The date of issuance for the Order of Conditions is this minor modification.*

and is not extended further by



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
SE48- 2837
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

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

3. To: Applicant:

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

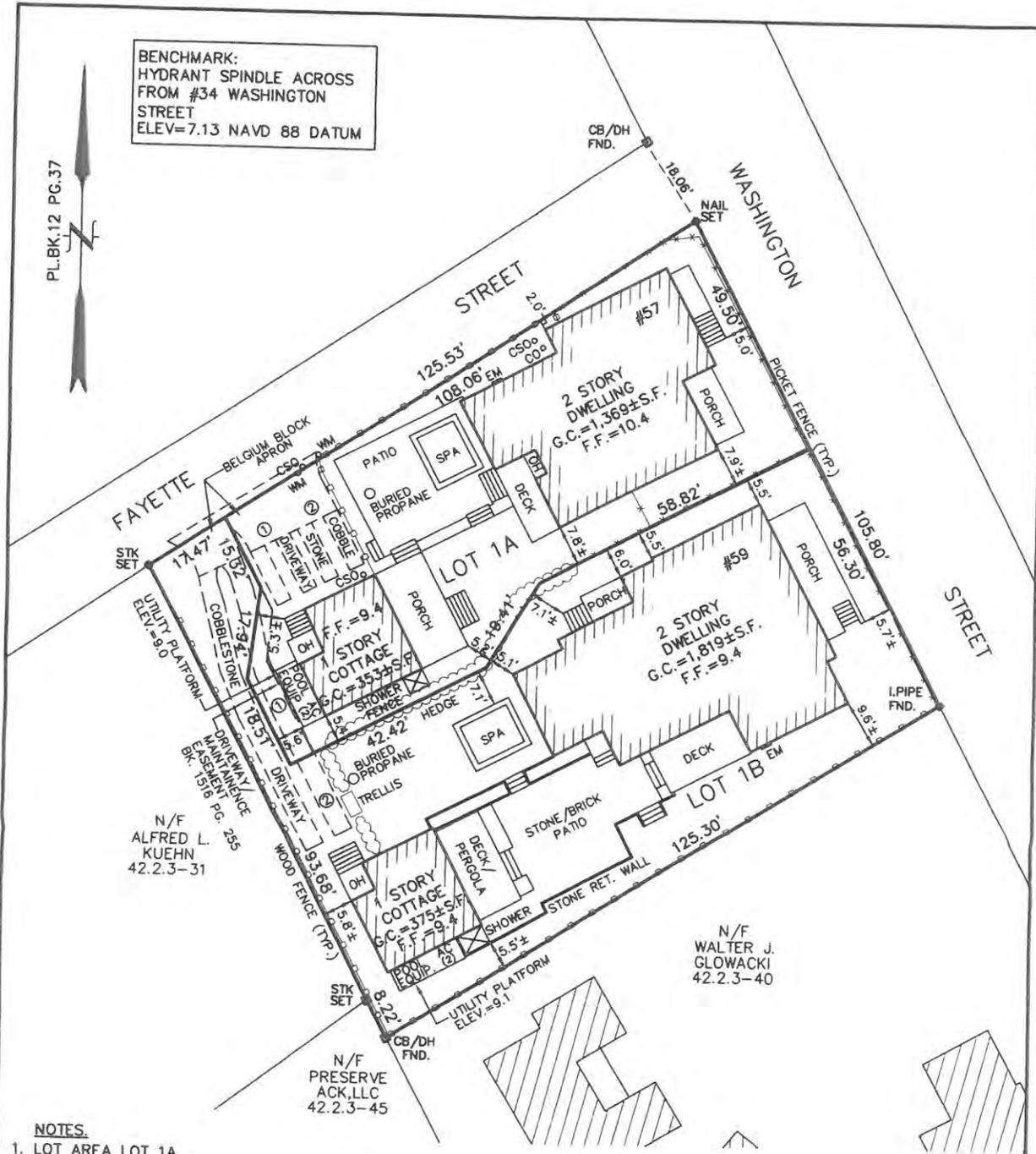
4. Property Owner (if different from applicant):

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

5. Project Location:

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

BENCHMARK:
HYDRANT SPINDLE ACROSS
FROM #34 WASHINGTON
STREET
ELEV=7.13 NAVD 88 DATUM



N/F
ALFRED L.
KUEHN
42.2.3-31

N/F
WALTER J.
GLOWACKI
42.2.3-40

N/F
PRESERVE
ACK,LLC
42.2.3-45

NOTES.

1. LOT AREA LOT 1A
5,400±S.F.
2. LOT AREA LOT 1B
7,575±S.F.
3. TOTAL LOT AREA LOT 1A/1B
12,975±S.F.

CURRENT ZONING: ROH
MINIMUM LOT SIZE: 5,000 S.F.
MINIMUM FRONTAGE: 50'
FRONTYARD SETBACK: NONE
SIDE AND REAR SETBACK: 5'
ALLOWABLE G.C.R.: 50%
EXISTING G.C.R.: 32% (LOT 1A)
EXISTING G.C.R.: 29% (LOT 1B)

THE STRUCTURES SHOWN ON THIS PLAN ARE LOCATED WITHIN FLOOD HAZARD ZONE "AE" (EL.9) AS DELINEATED ON "FIRM" MAP NO. 25019C0088G; EFFECTIVE DATE: JUNE 9, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN RELIES ON CURRENT DEEDS AND PLANS OF RECORD, VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON. THIS PLAN IS NOT REPRESENTED TO BE A TITLE EXAMINATION OR A RECORDABLE SURVEY.

- SEE ORDER OF CONDITIONS SE48-2796
57 WASHINGTON STREET
- SEE AMENDED ORDER OF CONDITIONS SE48-2796
57 WASHINGTON STREET
- SEE ORDER OF CONDITIONS SE48-2837
59 WASHINGTON STREET
- SEE MINOR MODIFICATION SE48-2796
57 WASHINGTON STREET
- SEE MINOR MODIFICATION SE48-2837
59 WASHINGTON STREET

AS-BUILT PLOT PLAN
#57 & #59 WASHINGTON STREET
IN
NANTUCKET, MASSACHUSETTS
SCALE: 1"=20' DATE: 8/4/16

DEED REFERENCE: Bk. 1488, Pg. 313
PLAN REFERENCE: PLAN NO. 2015-97
REVISED 8/1/16

ASSESSOR'S REFERENCE:
MAP: 42.2.3 PARCEL: 37

PREPARED FOR:
WESQUO CAPITAL PARTNERS
NANTUCKET SURVEYORS LLC
5 WINDY WAY
NANTUCKET, MA. 02554



EXTENSION REQUESTS

Weed Realty Trust
41 Alamanac Pond Rd
(46-11.2)
SE48-2662



September 1, 2016

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

RE: 41 Almanac Pond Road
Map 46 Parcel 11.2
SE48-2662

Dear Jeff:

I am writing to request three one-year extensions to the approved Order of Conditions. Attached is the required form, front-page of the recorded Order and filing fee. The brush cutting activity has occurred, per the notification provided prior to the start of work. The owners are actively working with the utility companies; however, it is a slow process. It is anticipated that the additional time will be necessary so that there is an active permit during the construction period, including site restoration.

I plan to attend your next meeting should you have any questions, comments or concerns regarding this request.

Sincerely,
Nantucket Engineering & Survey, P.C.
By: Arthur D. Gasbarro, PE, PLS, LEED AP

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

CC: Julia Jensen Weed, Trustee
Arthur I. Reade, Jr.



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

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

A. General Information

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



- Applicant:
Weed Realty Trust – Julia R. Jensen Weed, Trustee
Name
247 Beebe Road
Mailing Address
Putney VT 05348
City/Town State Zip Code
- Property Owner (if different):
Name
Mailing Address
City/Town State Zip Code

B. Authorization

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

5/14/14 Issued by: Nantucket
Date Conservation Commission

for work at: 41 Almanac Pond Road 46 11.2
Street Address Assessor's Map/Plat Number Parcel/Lot Number

recorded at the Registry of Deeds for:

Nantucket
County Book Page
25,101
Certificate (if registered land)

is hereby extended until: 5/14/2020
Date Date the Order was last extended (if applicable)

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



2014 00144568

Cert: 25101 Doc: OOC
Registered: 05/22/2014 03:12 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
SE48-2662
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:

Julia R. Jensen Weed, Trustee
a. First Name b. Last Name
Weed Realty Trust
c. Organization
247 Beebe Road
d. Mailing Address
Putney VT 05348
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

See attached list
a. First Name b. Last Name
c. Organization
d. Mailing Address
e. City/Town f. State g. Zip Code

5. Project Location:

41 Almanac Pond Road Nantucket
a. Street Address b. City/Town
46 11.2
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

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:
SE48-2662
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Nantucket 25,101
a. County b. Certificate Number (if registered land)
- c. Book d. Page
7. Dates: 3/28/2014 5/14/2014 5/14/2014
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Site Plan of Land to Accompany a Notice of Intent
a. Plan Title
Blackwell & Associates, Inc. Arthur D. Gasbarro, III P.L.S.
b. Prepared By c. Signed and Stamped by
4/29/2014 1"=80'
d. Final Revision Date e. Scale
Site Plan of Land 5/9/2014
f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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

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

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

Approved subject to:

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

Rowe

137 Wauwinet Road

(11-11.1)

SE48-2468



August 25, 2016

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

RE: 137 Wauwinet Road
Map 11 Parcel 11.1
SE48-2468

Dear Jeff:

I am writing to request a one-year extension to the approved Order of Conditions. Attached is the required form, front-page of the recorded Order and filing fee. The project is for the upgrade of a failed septic system to incorporate Innovative/Alternative (IA) Technology. It is anticipated that the additional time will be necessary so that there is an active permit during the construction period, including site restoration.

I plan to attend your next meeting should you have any questions, comments or concerns regarding this request.

Sincerely,
Nantucket Engineering & Survey, P.C.
By: Arthur D. Gasbarro, PE, PLS, LEED AP

A handwritten signature in blue ink that reads "Arthur D. Gasbarro". The signature is written in a cursive style and is positioned below the typed name.

CC: John Rowe



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

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

A. General Information

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



- Applicant:

John G. Rowe
Name

4 Conklin Lane
Mailing Address

Huntington NY 11743
City/Town State Zip Code
- Property Owner (if different):

Name

Mailing Address

City/Town State Zip Code

B. Authorization

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

12/8/2013 Issued by: Nantucket
Date Conservation Commission

for work at: 137 Wauwinet Road 11 11.1
Street Address Assessor's Map/Plat Number Parcel/Lot Number

recorded at the Registry of Deeds for:

Nantucket _____
County Book Page

10933
Certificate (if registered land)

is hereby extended until: 12/8/2017 _____
Date Date the Order was last extended (if applicable)

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



2016 00152518

Cert: 10933 Doc: OOC
Registered: 08/25/2016 01:14 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions- Reissue

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

Provided by MassDEP:

SE48- 2468

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:

John G. Rowe
a. First Name b. Last Name

c. Organization
4 Conklin Lane

d. Mailing Address
Huntington NY 11743
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:

137 Wauwinet Road Nantucket
a. Street Address b. City/Town

11 11.1
c. Assessors Map/Plat Number d. Parcel/Lot Number

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions- Reissue

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

Provided by MassDEP:
SE48- 2468
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Nantucket 10933
a. County b. Certificate Number (if registered land)
- c. Book d. Page
7. Dates: 04/20/2012 12/04/2013 12/18/2013
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Septic System Repair Plan
a. Plan Title
Watts Engineering Services, LLC Brent A. Watts, P.E
b. Prepared By c. Signed and Stamped by
11/13/2013 1"=20'
d. Final Revision Date e. Scale
- f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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

- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
j. Wetland Scenic Views (bylaw) k. Recreation (Bylaw)
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

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

Monitoring Reports

87 Eel Point R.T

87 Eel Point Road

(32-11)

SE48-2564

FINDINGS and ADDITIONAL CONDITIONS

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

Address: 87 Eel Point Road
Assessor's Map and Parcel: 32-11
Property Owner: 87 Eel Point Road Realty Trust
Applicant: Richard J. Glidden, Trustee
DEP File Number: SE48-2564
Filing Date: April 26, 2013
Date Hearing Closed: May 29, 2013
Date Orders Issued: June 12, 2013
Plan of Record Information: Site Plan of Land to Accompany a Notice of Intent,
Dated 4/26/2013, Final Revision 5/24/2013, stamped by
Arthur D. Gasbarro, P.E.

Permit Overview:

This Order permits the applicant to construct and maintain sand filled coir tubes, sand drift fencing, maintaining of a sacrificial sand cover, and restoration of vegetation on a Coastal Bank, Coastal Beach and Land Subject to Coastal Storm Flowage.

Project Proposal:

The Order of Conditions is based on information submitted in the Notice of Intent dated April 26, 2013, its attachments and the plan of record, Site Plan of Land to Accompany a Notice of Intent, Dated 4/26/2013, Final Revision 5/24/2013, stamped by Arthur D. Gasbarro, P.E. The Commission also considered and relied upon other pertinent supplemental information including and not limited to:

1. Original Filing Package by 87 Eel Point Road Realty Trust dated 4/26/2013
2. Letter from Ellen Harde dated 5/6/2013
3. Letter from Blackwell & Associates, Inc w/attachments dated 5/24/2013

Additional Findings:

1. The Commission finds that the areas subject to regulation are coastal beach, coastal bank, land subject to coastal storm flowage and their associated buffer zones.
2. The Commission finds that the property is not located within Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife as defined by the Massachusetts Natural Heritage and Endangered Species Program.
3. The Commission finds that the combination of the fencing, intermediate posts and coir logs are a coastal engineering structure.
4. The Commission finds that the project is a water dependent project as it requires direct wetlands access for its intended use and therefore cannot be located out of the Area Subject to Protection Under the Bylaw.
5. The Commission finds that coastal beach is determined to be significant to storm damage prevention, flood control and protection of wildlife habitat as defined by the Commonwealth of Massachusetts Wetlands Protection Act (MGL Chapter 131§40).
6. The Commission finds that coastal bank is determined to be significant to storm damage prevention, and flood control because it supplies sediment to the coastal

- beach as defined by the Commonwealth of Massachusetts Wetlands Protection Act (MGL Chapter 131§40).
7. The Commission finds that coastal bank is determined to be significant to storm damage prevention, and flood control because it is a vertical buffer to storm waters as defined by the Commonwealth of Massachusetts Wetlands Protection Act (MGL Chapter 131§40).
 8. The Commission finds that the coastal beach is significant to the protection of the following interests: flood control, erosion control, storm damage prevention, fisheries, shellfish, wildlife, recreation and wetland scenic views as defined by the Town of Nantucket Wetlands Protection Bylaw (Chapter 136).
 9. The Commission finds that the coastal bank is significant to the protection of the following interests: flood control, erosion control, storm damage prevention, wildlife, and wetland scenic views as defined by the Town of Nantucket Wetlands Protection Bylaw (Chapter 136).
 10. The Commission finds that the land subject to coastal storm flowage is significant to the protection of the following interests: flood control, erosion control, storm damage prevention, wildlife, and water quality as defined by the Town of Nantucket Wetlands Protection Bylaw (Chapter 136).
 11. The Commission recognizes that the coastal bank is unstable and subject to collapse and/or erosion due to wave action, overland stormwater erosion and/or groundwater flow/discharge.
 12. The Commission recognizes the coastal bank to exist in a highly dynamic coastal environment and to be comprised of mixed glacial till material with locally perched groundwater.
 13. The Commission finds that the project as conditioned by this Order will not adversely impact the interests protected by the Town of Nantucket Wetlands Protection Bylaw (Chapter 136) and is conditioned to mitigate effects to the resource areas. Further, the Commission finds that given the historical site conditions and current site conditions that there are no reasonable alternatives to this project as conditioned.

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:

14. 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.
15. The only work areas permitted by this Order include the land specific to 87 Eel Point Road. No work is to be performed outside of this area.
16. A detailed as-built plan, stamped by a licensed engineer or surveyor is required to be filed with the Commission upon completion of initial construction. This survey shall include the project area, and one quarter mile to the east and west of the project area.
17. Detailed survey plans as stamped by a licensed surveyor or licensed engineer shall be submitted to the Commission twice a year and post storm events, with storm events being defined as a period of sustained winds in excess of 40 MPH for a period of 6 hours, to show from the top of the bank to the beach/bank interface landward of the toe and then extending to Mean Low Water. This survey shall

- include the project area, and one quarter mile to the east and west of the project area. These reports shall also include photographs taken throughout the year and after storm events.
18. Reports shall be submitted to the Commission showing the amount of sand delivered to the project area and to which project area it was delivered.
 19. Photographs of the project area are required monthly and in addition photographs shall be required to be submitted, demonstrating the condition of the entire project area within 24 hours of each storm event.
 20. All structural materials, such as the coir logs, posts, fencing materials and anchors, shall be marked for identification. Distinguishing marks shall include tagging of plastic and branding of wood or metal.
 21. The applicant shall be responsible for retrieving any and all materials stored, dislodged or washed off site for the life of the project.
 22. Upon meeting any of the failure criteria a public hearing will be held to determine if the project will be removed in its entirety at the applicant's expense.
 23. The applicant will be required to maintain an escrow account for the purpose of removal of the project materials for the duration of the project. The amount of the escrow fund is to be determined based on an estimate for the work provided to the Commission prior to the start of work.
 24. The applicant will be required to provide the quarterly reporting for one year post removal of the structure to demonstrate any impacts from the structure to the remaining coastal beach/bank.
 25. Nourishment is required to be maintained to the volumes specified in the plan of record. All nourishment sands are to be beach compatible sand. The applicant shall provide the Commission with a grain size analysis from each sand source being used for the nourishment prior to the delivery to the beach. Following the installation of any post-construction nourishment a new detailed as-built by a licensed surveyor or engineer must be provided to the Commission showing the new profile and location.
 26. The applicant shall provide the Commission with contact information including name, mailing address, and phone number of all participants in the project as well as any contractor working on the project.
 27. All vehicle access along the beach to the project area shall be from the 40th pole access. The applicant shall get a written sign off from the Beach Manager on a bi-weekly basis from April 1st to September 15th to use vehicles on the beach. The sign-off will serve to confirm the presence or absence of any protected species within the project area or route of travel to and from the project area.
 28. Prior to the start of work a sign-off from the Nantucket Islands Land Bank is required to allow for the use of the 40th Pole beach as an access point.
 29. Pedestrian access across the public beach shall be maintained at all times.
 30. No machinery or materials are to be stored on the beach.
 31. Vegetation surveys including species composition and photographs shall be provided to the Commission at the beginning and end of each growing season for the duration of the project.

WAIVERS UNDER THE NANTUCKET WETLANDS BYLAW/REGULATIONS

Waivers are required to Section 2.01(B)(8) that water dependent projects shall be designed and performed so as to cause no adverse effects on wildlife, erosion control, marine fisheries, shellfish beds, storm damage prevention, flood control and recreation, Section 2.05(B)(3) that all projects shall be restricted to activity as determined by the Commission to have no adverse effect on bank height, bank stability, wildlife habitat, vegetation, wetland scenic view or the use of a bank as a sediment source, and Section 2.10(B)(1) that the work shall not reduce the ability of the land to absorb and contain flood waters, or to buffer inland areas from flooding and wave damage of the Nantucket Wetlands Protection Regulations. The Commission finds that given the existing site conditions, the project as proposed and conditioned will not have an adverse impact and that there are no reasonable alternatives to this project. Therefore the Commission grants a waiver under Section 1.03(F)(3)(a) of the Nantucket Wetland Protection Regulations.



August 13, 2016

Jeff Carlson, Natural Resource Coordinator
Nantucket Marine & Coastal Resources
2 Bathing Beach Road
Nantucket, MA 02554
Via E-mail

RE: Monitoring Report
87 Eel Point Road
Map 32 Parcel 11
SE48-2564

Dear Jeff:

I am writing to provide the monitoring report required per the referenced Order of Conditions. Attached are current photographs and an existing conditions site plan. The Order issued by the Nantucket Conservation Commission requires annual sand nourishment. The volume of sand added this spring was 100 cubic yards. The maintenance activity included the replacement of 520-feet of sand-filled coir tubes, the replacement of 43 sand drift panels, reset 12 posts and replaced 1 post. The upper portions of the coastal bank remain vegetated and stable, with no visible impacts to the beach or bank resource areas.

Please feel free to contact me with any questions, comments or comments regarding this matter.

Sincerely,
Nantucket Engineering & Survey, P.C.
By: Arthur D. Gasbarro, P.E., P.L.S.

A handwritten signature in blue ink that reads "Arthur D. Gasbarro". The signature is written in a cursive style and is enclosed in a light blue rectangular box.

Cc: 87 Eel Point Road Realty Trust

Eastern End of the Project – 6/17/16



Middle Section of the Project – 6/17/16

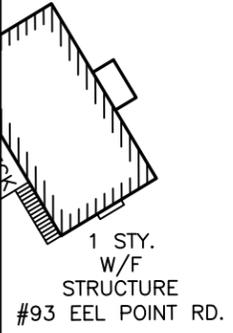
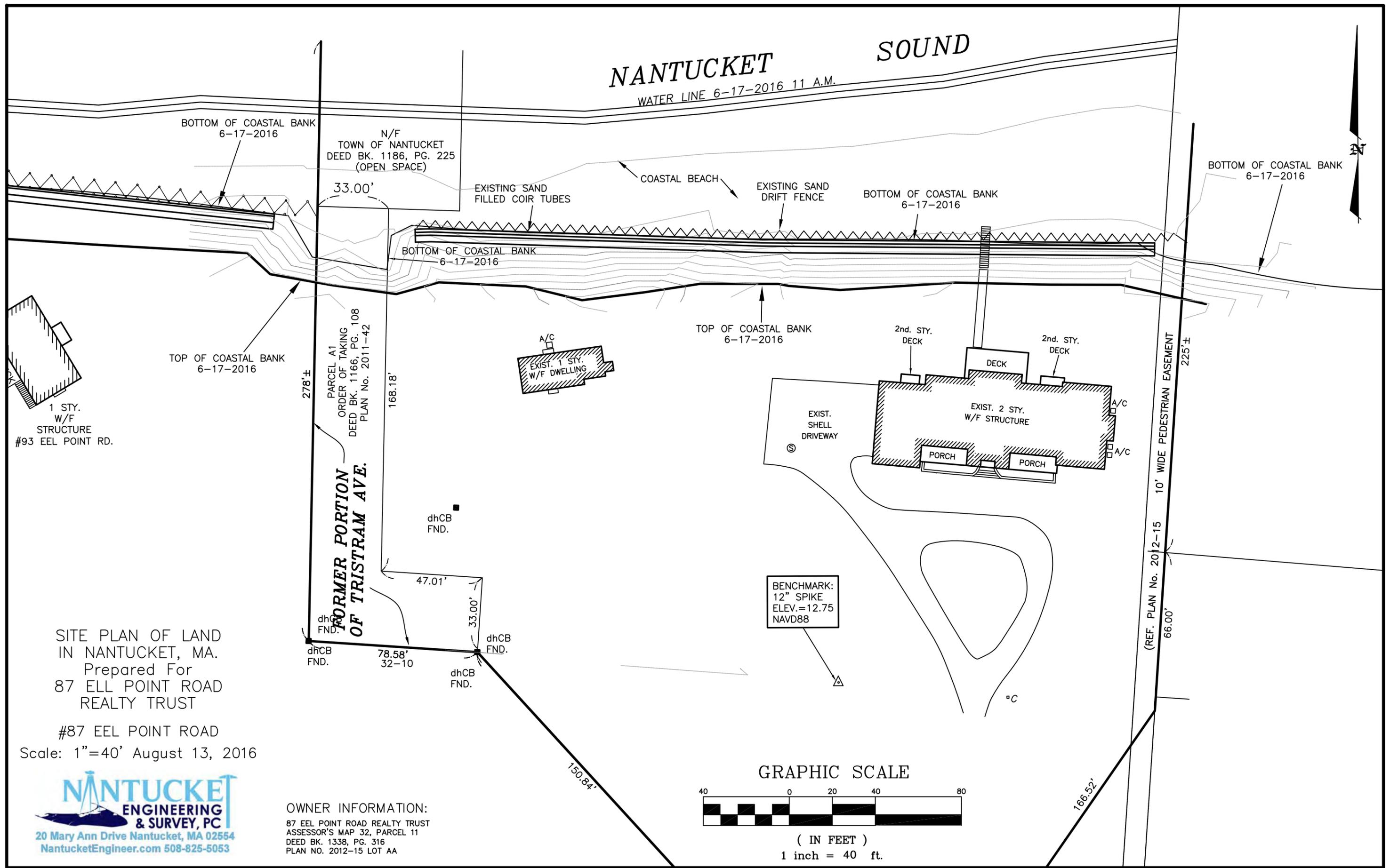


Western End of the Project – 6/17/16



NANTUCKET SOUND

WATER LINE 6-17-2016 11 A.M.

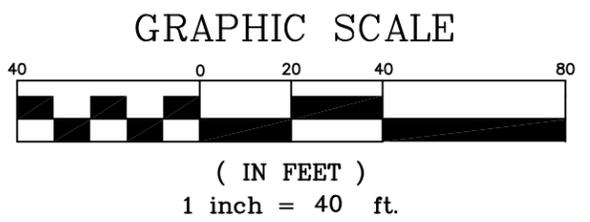


SITE PLAN OF LAND
IN NANTUCKET, MA.
Prepared For
87 ELL POINT ROAD
REALTY TRUST

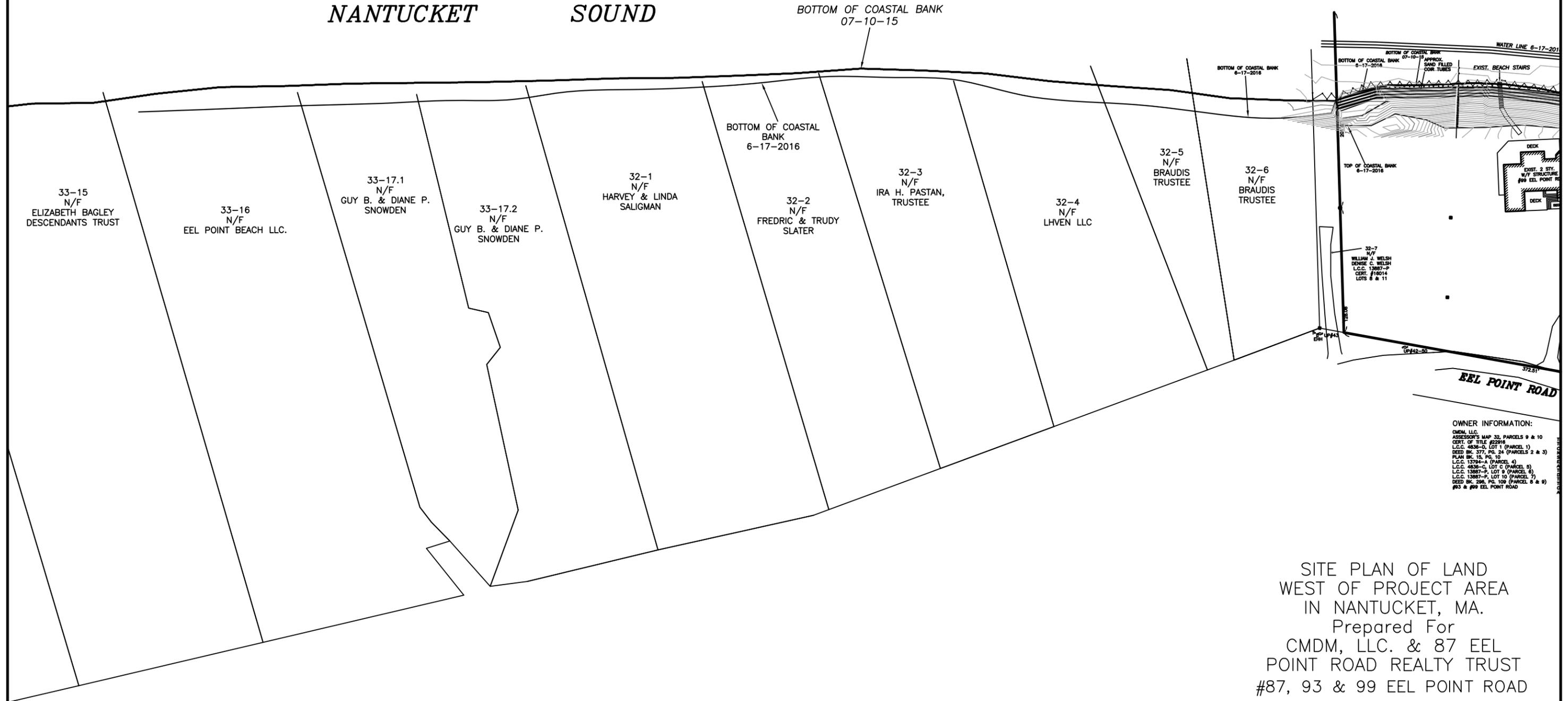
#87 EEL POINT ROAD
Scale: 1"=40' August 13, 2016



OWNER INFORMATION:
87 EEL POINT ROAD REALTY TRUST
ASSESSOR'S MAP 32, PARCEL 11
DEED BK. 1338, PG. 316
PLAN NO. 2012-15 LOT AA



NANTUCKET SOUND



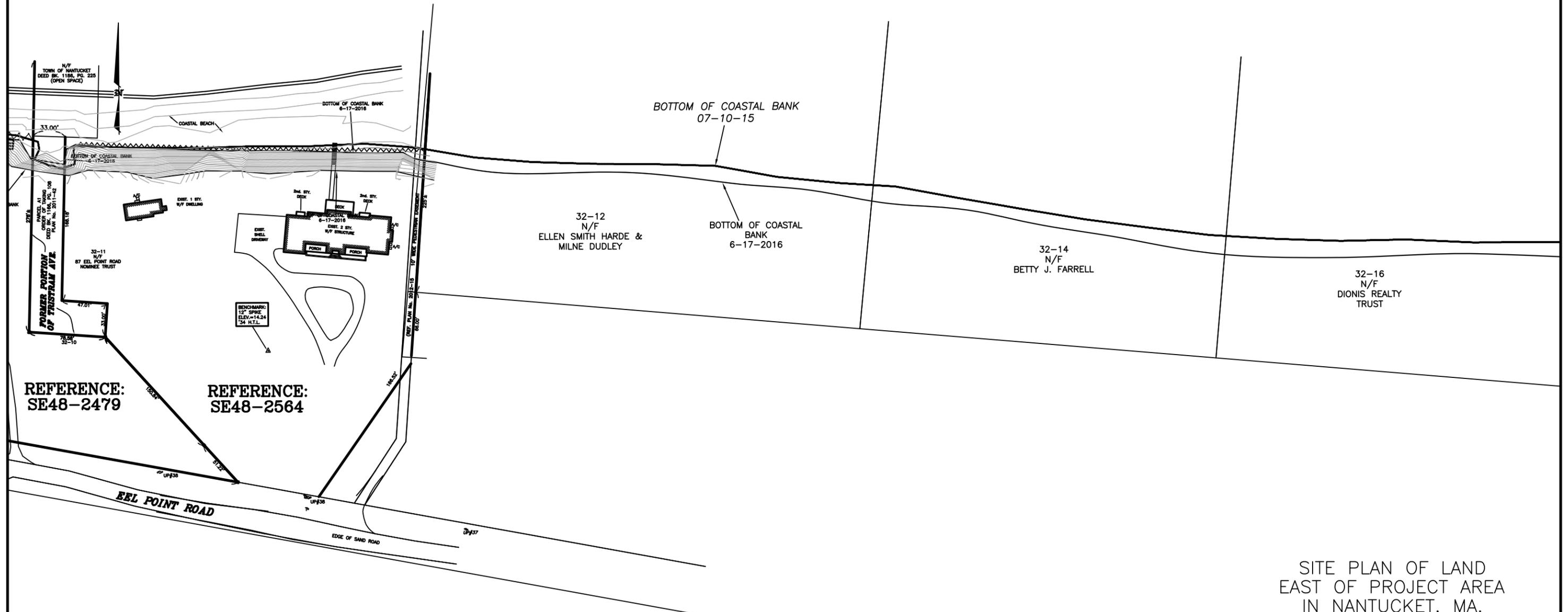
THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET CONSERVATION COMMISSION ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

OWNER INFORMATION:
 CMDM, LLC.
 ASSESSOR'S MAP 32, PARCELS 9 & 10
 CERT. OF TITLE #22918
 L.C.C. 4838-D, LOT 1 (PARCEL 1)
 DEED BK. 377, PG. 24 (PARCELS 2 & 3)
 PLAN BK. 15, PG. 10
 L.C.C. 13794-A (PARCEL 4)
 L.C.C. 4838-C, LOT C (PARCEL 5)
 L.C.C. 13887-P, LOT 9 (PARCEL 6)
 L.C.C. 13887-P, LOT 10 (PARCEL 7)
 DEED BK. 286, PG. 109 (PARCEL 8 & 9)
 #93 & #99 EEL POINT ROAD

SITE PLAN OF LAND WEST OF PROJECT AREA IN NANTUCKET, MA.
 Prepared For
 CMDM, LLC. & 87 EEL POINT ROAD REALTY TRUST
 #87, 93 & 99 EEL POINT ROAD
 MAP 32 PARCELS 9, 10, & 11
 Scale: 1"=100' August 13, 2016



NANTUCKET SOUND



REFERENCE:
SE48-2479

REFERENCE:
SE48-2564

SITE PLAN OF LAND
EAST OF PROJECT AREA
IN NANTUCKET, MA.
Prepared For
CMDM, LLC. & 87 EEL
POINT ROAD REALTY TRUST
#87, 93 & 99 EEL POINT ROAD
MAP 32 PARCELS 9, 10, & 11
Scale: 1"=100' August 13, 2016

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET CONSERVATION COMMISSION ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

NANTUCKET
ENGINEERING
& SURVEY, PC
20 Mary Ann Drive Nantucket, MA 02554
NantucketEngineer.com 508-825-5053

CMDM, LLC

93 & 99 Eel Point Road

(30-9 & 10)

SE48-2479



August 16, 2016

Woods Hole Group # 2007-0141

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

Re: Monitoring Report
Coastal Bank Stabilization
CMDM, LLC
93 & 99 Eel Point Road
Nantucket, MA
Map 30 Parcels 9 & 10
DEP File No: SE 48-2479

Dear Commission Members:

The enclosed monitoring report and detailed survey plans are being submitted per the Order of Conditions for the above referenced project.

If you have any questions, or require any additional information, please give me a call.

Sincerely,

Lee L. Weishar, PhD., PWS
Senior Scientist

LLW/beg

Enclosures

cc: CMDM, LLC
Art Gasbarro, Nantucket Engineering & Surveying, PC

www.woods-hole-group.com

FAX: 508.540.1001

TELEPHONE: 508.540.8080

Woods Hole Group 81 Technology Park Drive E. Falmouth, MA 02536 USA

**Monitoring Report
for
CMDM LLC
93 & 99 Eel Point Road**

August 2016

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

Prepared by:
Lee Weishar, PhD; PWS
Woods Hole Group
81 Technology Park Drive
East Falmouth MA 02536
(508) 540-8080

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4.0 VEGETATION MONITORING.....	1
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1.0 INTRODUCTION

This monitoring report is submitted to the Nantucket Conservation Commission as part of the requirements under the Order of Conditions SE 48-2479. The report is a summary of the storm conditions that occurred during the 2015-2016 winter season, a brief description of the repair activities that have occurred at the property, photographs of the current conditions, and includes copies of the vegetation monitoring reports and the most recent topographic survey that shows the base of the coastal bank and the coastal bank at 93 & 99 Eel Point Road, Nantucket, MA.

2.0 REPAIRS

During the winter of 2015-2016 there were no major storm events, however as a result of normal winter conditions, the following maintenance activities were performed in the spring of 2016:

- New Coir Envelopes – Approximately 1,200 linear feet of coir envelopes were replaced. These envelopes had become deflated over the past several years. They released their sand into the littoral system as designed and needed to be replaced. Additionally, approximately another 160 linear feet of coir envelopes were repaired/patched;
- This spring approximately 1,290 cubic yards of beach quality sand was placed on the beach to cover the coir envelopes;
- Sand Drift Fencing – Approximately 30 fence panels in their entirety were completely replaced. Additionally approximately 14 panels were repaired by installing new slates. The drift fence repair required the straightening and/or replacement of 6 fence posts;
- Beach Grass Planting – The face of the repaired coastal bank was planted with approximately 11,200 square feet of beach grass.

3.0 CURRENT CONDITIONS

Figures 1-3 show the current condition of the bank stabilization project.

4.0 VEGETATION MONITORING

The project is required to monitor the Seabeach Knotweed bi-annually as part of the monitoring requirements. The monitoring of this plant is not required by the Nantucket Conservation Commission but is required by the Massachusetts Natural Heritage and Endangered Species Program (NHESP). Copies of the November 3, 2015 and June 17, 2016 reports were filed with the NHESP and the Commission, and are being reproduced in Appendices A & B of this report. Please note that the June 17, 2016 report concludes the three year monitoring requirement.

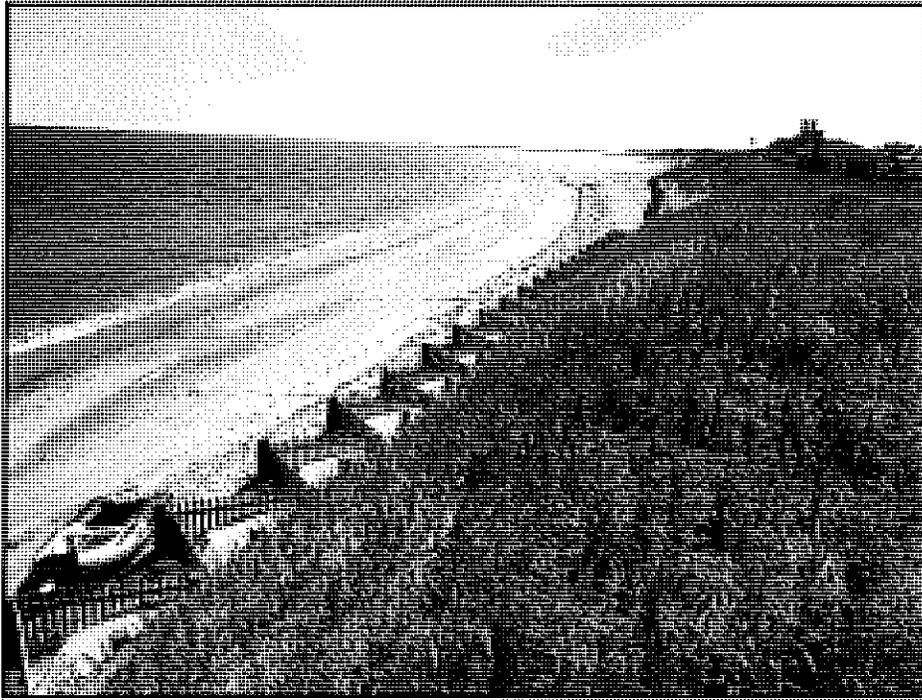


Figure 1. Eastern End of Coastal Bank, June 2016.



Figure 2. Middle Section of Coastal Bank, June 2016.



Figure 3. Western End of Coastal Bank, June 2016.

5.0 TOPOGRAPHIC SURVEY

A copy of the most recent Existing Conditions Site Plan by Nantucket Engineering & Surveying, Sheets 1-3, dated 8/15/16, which includes the project area and one quarter mile to the east and west of the project area, is included with this report in Appendix C.

APPENDIX A



WILKINSON
ECOLOGICAL DESIGN

November 3, 2015

Dr. Eve Schlüter, Senior Endangered Species Review Biologist
NHESP - Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

**RE: Monitoring for Plant Community Restoration & *Polygonum glaucum* Replanting
93 - 99 Eel Point Road, Nantucket, Massachusetts
Scientific Collection Permit # 531.12WP
NHESP Tracking # 07-23765**

Dear Dr. Schlüter,

The most recent site visits at 93 and 99 Eel Point Road to assess the condition of the plant community restoration and *Polygonum glaucum* (seabeach knotweed) replanting project occurred on September 21, and November 4, 2015. This restoration is associated with a coastal bank stabilization project along the bank to Nantucket Sound fronting 93 and 99 Eel Point Road. On behalf of the property owners (CMDM LLC), Wilkinson Ecological Design Inc. (WED) harvested *P. glaucum* plants and seed from the coastal bank in October 2012. Collection of *P. glaucum* was authorized by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) under Scientific Collection Permit 531.12WP.

In the spring of 2013, propagated *P. glaucum* plugs were planted on the coastal bank among the restoration grasses and forbs. Restoration plants were installed following the specifications in the Protocol for Plant Community Restoration and sea-beach knotweed (*Polygonum glaucum*) Replanting, prepared by WED, and dated October 26, 2012. *Polygonum glaucum* individuals were observed growing on the bank during the fall 2013 investigation but were not observed during the fall 2014 or spring 2015 investigation. *Polygonum glaucum* seeds that have been stored since collection were spread over portions of the upper and middle coastal bank in June 2015.

Condition of the Restoration Area and *Polygonum glaucum* Replanting:

American beachgrass (*Ammophila breviligulata*) was covering all but the lower zone of the coastal bank during a site visit on September 21, 2015. As expected, the lower zone of the bank, often subject to high energy waves from winter storms and periodic loss of sand, was very sparsely vegetated with different annual plant species associated with the beach strand plant community. The sand-filled coir tubes were effectively covered with sand and no obvious signs of damage to the structure or structure function were observed. Seeds of *P. glaucum* had been broadcast over portions of the bank in the spring, however, *P. glaucum* was not observed growing among the *A. breviligulata* on the bank during the site visits in October and November.

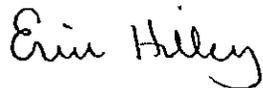
Initial invasive plant management of Japanese knotweed (*Fallopia japonica*), a state-listed invasive plant species that was introduced to the bank through sand nourishment began in September 2015. Treatment methods of *F. japonica* followed the Japanese Knotweed Removal Protocol, dated June 26, 2015, and approved by Jeff Carlson, Nantucket Natural Resources Coordinator. At the time of treatment, *F. japonica* was approximately 12 inches to 18 inches tall with the tallest stems reaching 24 inches in height. *F. japonica* was spread intermittently over the project area with more dense pockets in areas that received the most recent sand nourishment such as close to the beach stairs. It was observed during a follow-up site visit on November 4, 2015, that the initial treatment of *F. japonica* was successful in killing the existing shoots. Because the invasion was detected early, it is hoped that treatments this fall and next year will be effective in eradicating this invasive plant from the coastal bank.

Project Projections and Recommendations:

In the spring, WED will assess the condition of the coastal bank and restoration plants, and will search for *P. glaucum*. Also, the extent of re-sprouting *F. japonica* will be assessed and management treatments will begin in July. At that time we will coordinate with the project team to determine what actions if any should be considered regarding the restoration planting.

Should NHESP require additional information at this time regarding the monitoring of this project, please do not hesitate to contact me or WED President, Seth Wilkinson.

Yours sincerely,



Erin Hilley MS/ Conservation Biologist
508.255.1113 ext. 110 (office)
erin@wilkinsonecological.com

cc. Nantucket Conservation Commission, CMDM LLC., Arthur Gasbarro, Lee Weishar, and Beth Hays

PHOTOGRAPH LOG

Project /Client:

Location: 93 & 99 Eel Point Road, Nantucket

Project No. N/A

Photo No.

1

Date:

9/21/15

Photo Direction: East

Description:

View east showing the coastal bank from the top of the stairs at 99 Eel Point Road. *Ammophila breviligulata* is covering the middle and upper zones of the bank.



Photo No.

2

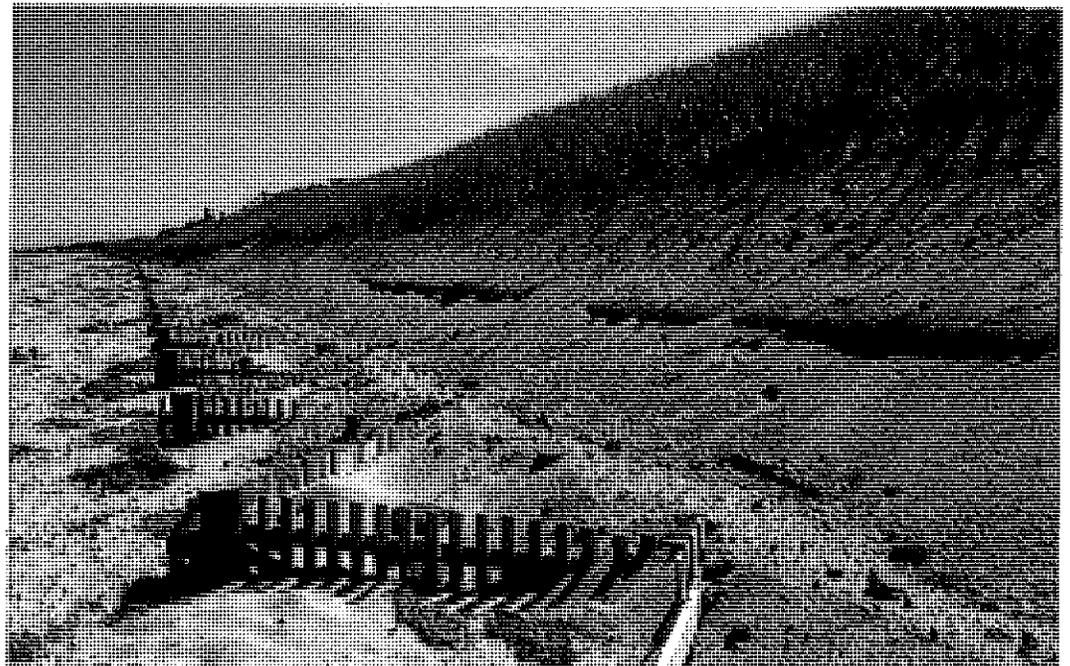
Date:

9/21/15

Photo Direction:
east

Description:

View of the bank from the bottom of the stairs at 99 Eel Point Road.



PHOTOGRAPH LOG

Client / Project:

Location: 93 & 99 Eel Point Road, Nantucket

Project No. N/A

Photo No.
3

Date:
9/21/15

Photo Direction :
West

Description:

View west showing the coastal bank from the top of the stairs at 99 Eel Point Road. Overall, the bank restoration is in good condition.

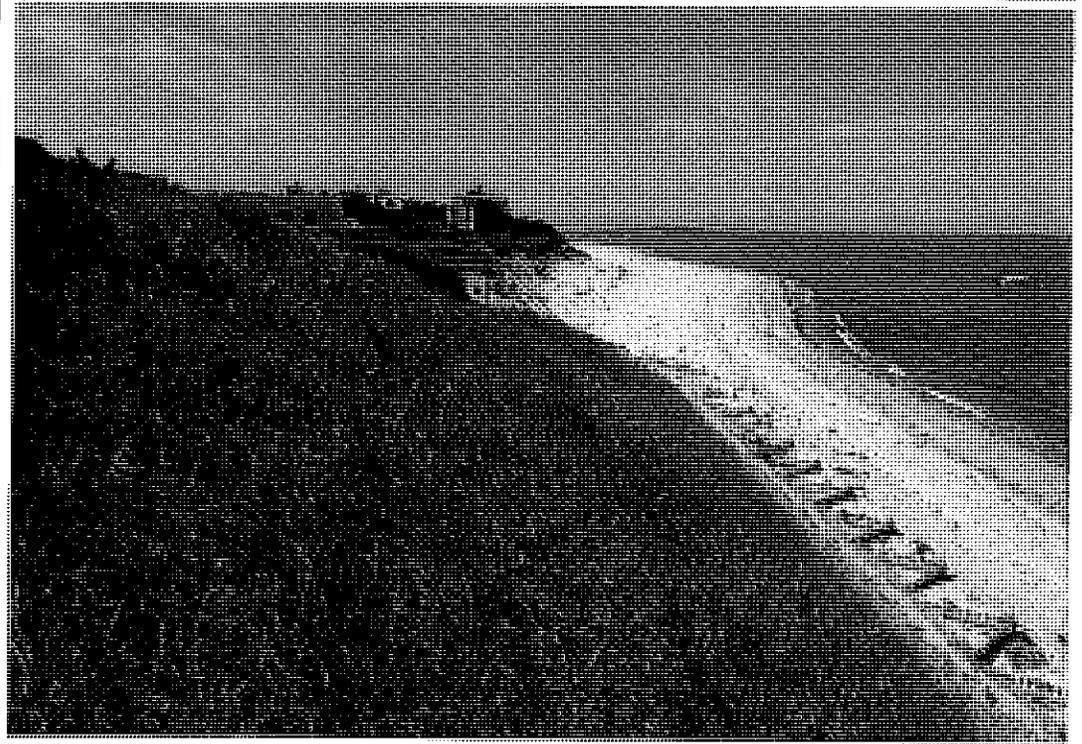


Photo No.
4

Date:
9/21/15

Photo Direction:
southeast

Description:

View from the top of the stairs at 99 Eel Point Road showing *Ammophila breviligulata* growing at the top of the bank.



PHOTOGRAPH LOG

Client / Project:

Location: 93 & 99 Eel Point Road, Nantucket

Project No. N/A

Photo No.

5

Date:

9/21/15

Photo Direction:
southeast

Description:

View west from the eastern end of the project area. There is good vegetative cover on the Middle and Upper zone of the bank. The Lower zone is more dynamic and subject to winter storm damage.

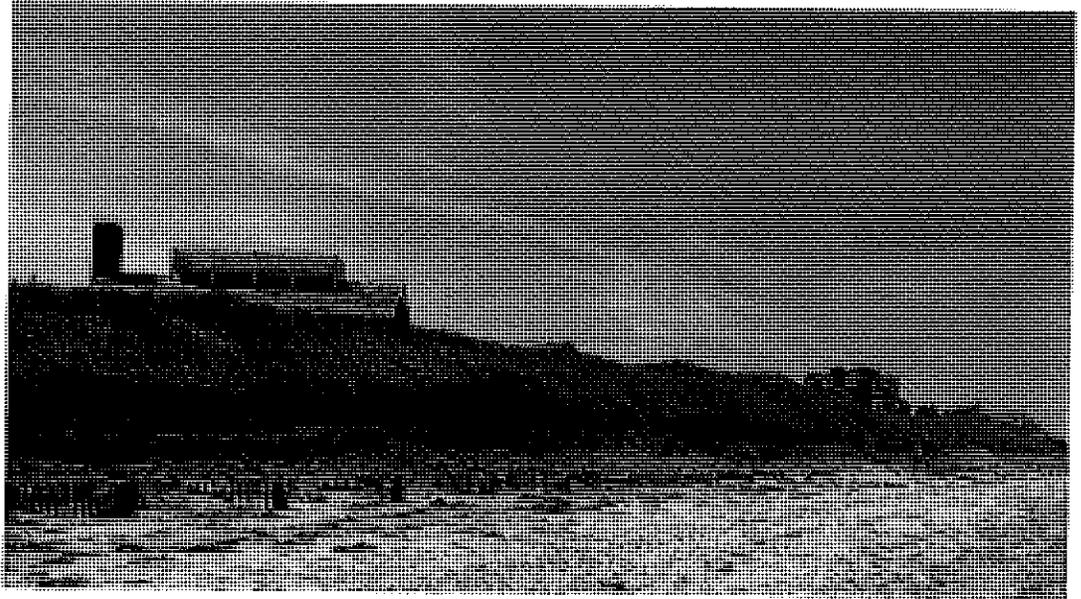


Photo No.

6

Date:

9/21/15

Photo Direction: East

Description:

View east toward the stairs at 93 Eel Point Road showing the drift fence covered with sand.



APPENDIX B



WILKINSON
ECOLOGICAL DESIGN

June 17, 2016

Dr. Eve Schlüter, Senior Endangered Species Review Biologist
NHESP – Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

**RE: Monitoring for Plant Community Restoration & *Polygonum glaucum* Replanting
93 - 99 Eel Point Road, Nantucket, Massachusetts
Scientific Collection Permit # 531.12WP
NHESP Tracking # 07-23765**

Dear Dr. Schlüter,

I visited the site at 93 and 99 Eel Point Road, on June 9, 2016, to assess the condition of the plant community restoration and *Polygonum glaucum* (seabeach knotweed) replanting project that is part of the coastal bank stabilization project along the bank to Nantucket Sound. This report serves to address the Restoration Monitoring requirement outlined in the Monitoring & Maintenance Summary, dated 11/16/2013, prepared by Woods Hole Group.

On behalf of the property owners (CMDM LLC), Wilkinson Ecological Design Inc. (WED) harvested *P. glaucum* plants and seed from the coastal bank in October 2012. Collection of *P. glaucum* was authorized by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) under Scientific Collection Permit 531.12WP. In the spring of 2013, propagated *P. glaucum* plugs were planted on the coastal bank among the restoration grasses and forbs. Restoration plants were installed according to the specifications in the Protocol for Plant Community Restoration and Sea-beach Knotweed (*Polygonum glaucum*) Replanting, prepared by WED, and dated October 26, 2012. *Polygonum glaucum* individuals were observed growing on the bank during the fall 2013 investigation but were not observed during subsequent monitoring visits in the fall 2014, spring and fall 2015, and my most recent site visit. Seeds of *P. glaucum* that had been stored since collection were spread over portions of the upper and middle coastal bank in June 2015, to supplement the *P. glaucum* seed bank. Japanese knotweed (*Fallopia japonica*), a state-listed invasive plant species introduced through sand nourishment was first observed growing on the bank in the spring 2015, and treatment to eradicate it began in fall 2015.

Condition of the Restoration Area and *Polygonum glaucum* Replanting:

At the time of my most recent site visit, American beachgrass (*Ammophila breviligulata*) was covering the sand covered portion of the bank which included the area upslope of the sand-filled coir tubes. The upper sand-filled coir tube and portions of the lower sand-filled coir tube were also planted with *A. breviligulata*. The face of the sand-filled coir tubes were largely uncovered but in very good condition at the time of my site visit with no significant signs of structural damage. The temporary access area at the top of the bank was also vegetated with *A. breviligulata* as well as seaside goldenrod (*Solidago sempervirens*), poison ivy (*Toxicodendron radicans*), ox-eye daisy (*Leucanthemum vulgare*), and other herbaceous plant species. I did not observe *P. glaucum* on the bank or at the top of the bank during my site visit. Due to the bank's

steep slope and loose sand it was not feasible to conduct a complete thorough search for *P. glaucum* seedlings which would also be small in stature at this time and not particularly easy to observe. Although it was not surprising that I did not observe *P. glaucum*, given its transient nature, annual life history, and the coastal stabilization activities that have occurred to maintain the coir tubes and sacrificial sand nourishment, future site visits later in the growing season will provide better opportunities to survey for *P. glaucum*.

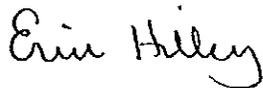
Invasive plant management of *F. japonica* began in September 2015. Treatment methods of *F. japonica* followed the Japanese Knotweed Removal Protocol, dated June 26, 2015, and approved by Jeff Carlson, Nantucket Natural Resources Coordinator. At the time of the initial treatment, *F. japonica* was approximately 12 inches to 18 inches tall and was spread intermittently over the project area with more dense pockets in areas that received the most recent sand nourishment. The initial treatment of *F. japonica* was largely successful in removing *F. japonica*, however some re-sprouts of this tenacious invasive plant were observed during my site visit.

Project Projections and Recommendations:

Follow-up management treatments to eradicate *F. japonica* from the bank will begin in July and should continue until this aggressive invasive plant is unquestionably removed from the project area. Future sand nourishment sources should be carefully vetted so that invasive plants are not introduced. This report concludes the three year monitoring requirement. At this time, the bank is covered with *A. breviligulata*. I have not observed *P. glaucum* on the bank at Eel Point since the fall 2013. It is our hope that *P. glaucum* seeds from previously planted plugs and from the seed spread in the fall 2015, which may be covered with sand on the coastal beach or bank at this time, will eventually find their way to suitable sites for germination and colonize areas along this shoreline.

Should NHESP require additional information at this time regarding the monitoring of this project, please do not hesitate to contact me or WED President, Seth Wilkinson.

Yours sincerely,



Erin Hilley MS/ Conservation Biologist
508.255.1113 ext. 110 (office)
erin@wilkinsonecological.com

cc. Nantucket Conservation Commission, CMDM LLC., Arthur Gasbarro, Lee Weishar, and Beth Hays

PHOTOGRAPH LOG

Project /Client:		Location: 93 & 99 Eel Point Road, Nantucket	Project No.: N/A
Photo No. 1	Date: 6/9/16		
Photo Direction: East			
Description: <p>View east showing the coastal bank from the top of the stairs at 99 Eel Point Road. <i>Ammophila breviligulata</i> is covering the middle and upper zones of the bank.</p>			

Photo No. 2	Date: 6/9/16		
Photo Direction: East			
Description: <p>View of the bank from the bottom of the stairs at 99 Eel Point Road with vegetated sand-filled coir tubes.</p>			

PHOTOGRAPH LOG

Client / Project:	Location: 93 & 99 Eel Point Road, Nantucket	Project No. N/A
--------------------------	--	------------------------

Photo No. 3	Date: 6/9/16
------------------------------	------------------------

Photo Direction :
West

Description:

View west showing the coastal bank from the top of the stairs at 99 Eel Point Road.

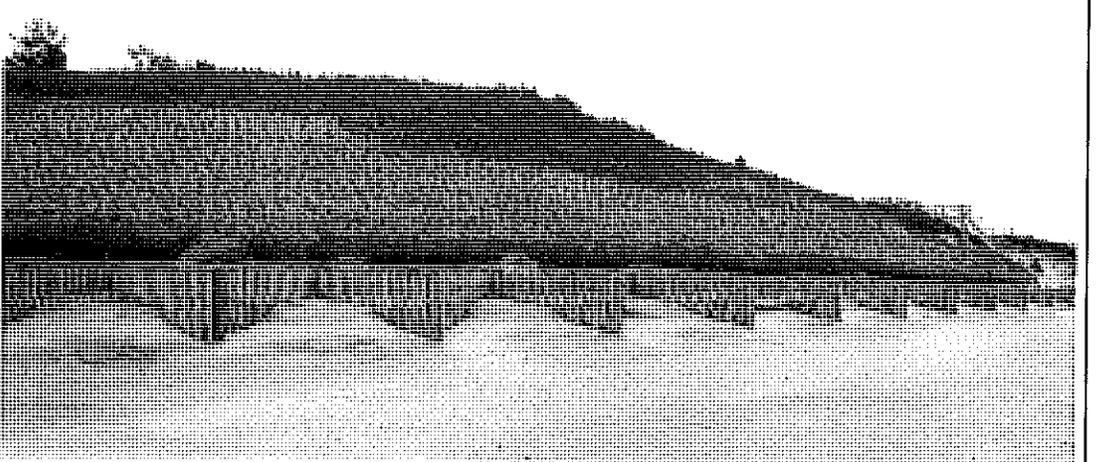


Photo No. 4	Date: 6/9/16
------------------------------	------------------------

Photo Direction:
south

Description:

View of the bank west of the stairs at 99 Eel Point Road showing *Ammophila breviligulata* covering the bank.



PHOTOGRAPH LOG

Client / Project:	Location: 93 & 99 Eel Point Road, Nantucket	Project No. N/A
--------------------------	--	------------------------

Photo No. 5	Date: 6/9/16
------------------------------	------------------------

Photo Direction: west

Description:

View west from the eastern end of the project area. There is good vegetative cover on the Middle and Upper zone of the bank. The Lower zone is more dynamic and subject to winter storm damage.

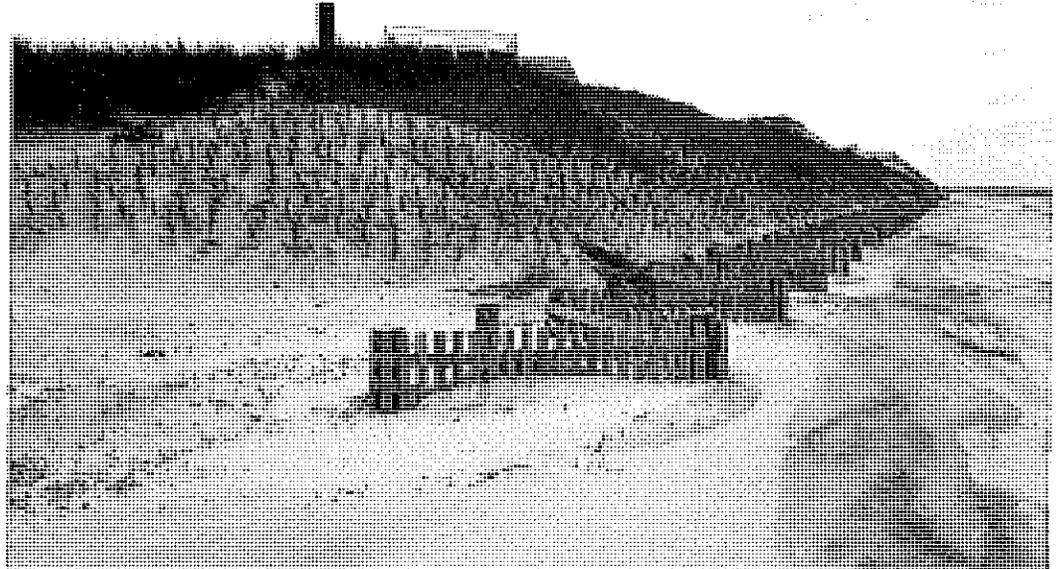


Photo No. 6	Date: 6/9/16
------------------------------	------------------------

Photo Direction: South

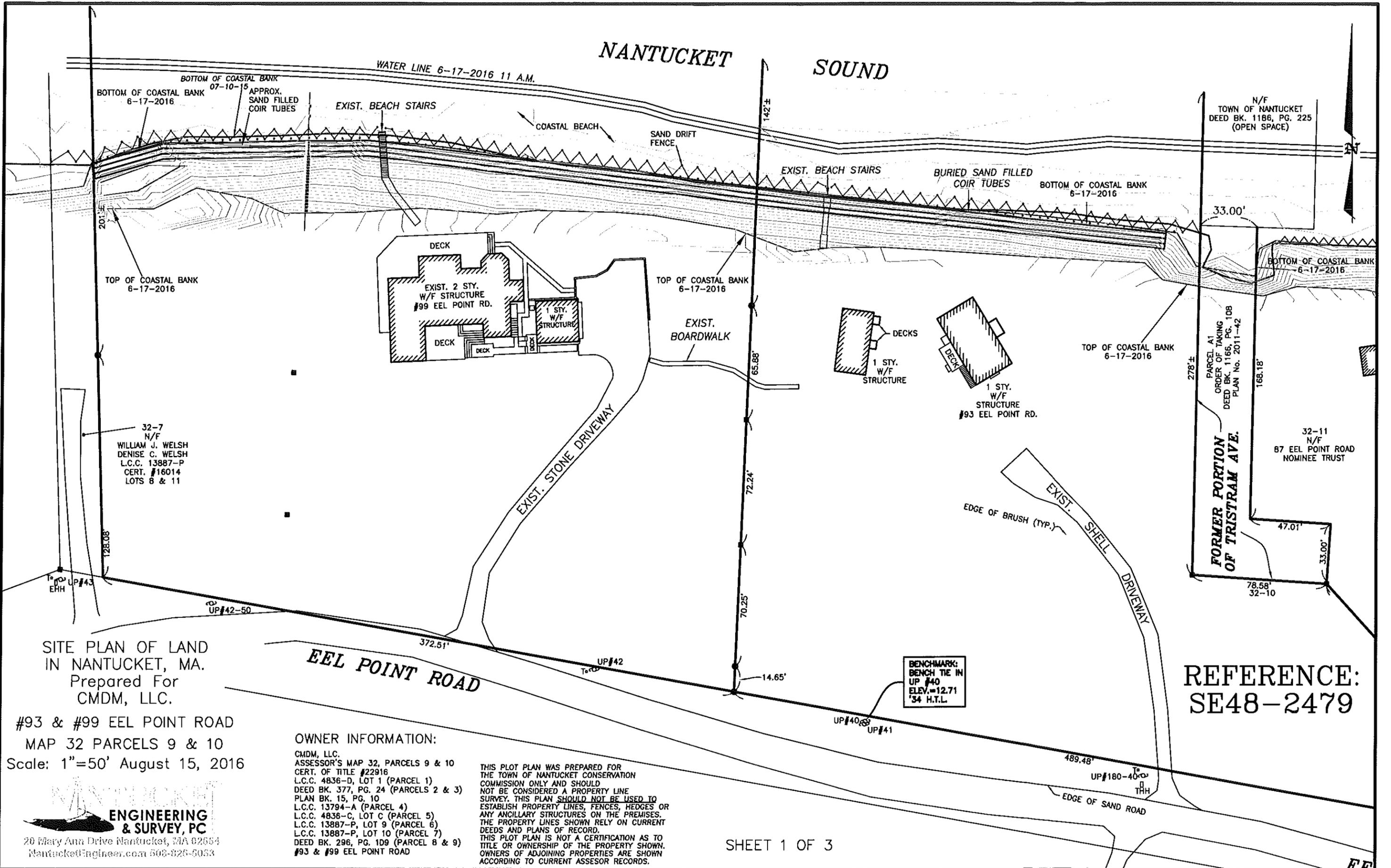
Description:

View southwest showing the entire project area.



APPENDIX C

NANTUCKET SOUND



SITE PLAN OF LAND
IN NANTUCKET, MA.
Prepared For
CMDM, LLC.

#93 & #99 EEL POINT ROAD
MAP 32 PARCELS 9 & 10
Scale: 1"=50' August 15, 2016

NANTUCKET
ENGINEERING
& SURVEY, PC
20 Mary Ann Drive Nantucket, MA 02554
NantucketEngineer.com 508-825-5053

OWNER INFORMATION:

CMDM, LLC.
ASSESSOR'S MAP 32, PARCELS 9 & 10
CERT. OF TITLE #22916
L.C.C. 4836-D, LOT 1 (PARCEL 1)
DEED BK. 377, PG. 24 (PARCELS 2 & 3)
PLAN BK. 15, PG. 10
L.C.C. 13794-A (PARCEL 4)
L.C.C. 4836-C, LOT C (PARCEL 5)
L.C.C. 13887-P, LOT 9 (PARCEL 6)
L.C.C. 13887-P, LOT 10 (PARCEL 7)
DEED BK. 296, PG. 109 (PARCEL 8 & 9)
#93 & #99 EEL POINT ROAD

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET CONSERVATION COMMISSION ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

REFERENCE:
SE48-2479

NANTUCKET SOUND

BOTTOM OF COASTAL BANK
07-10-15

33-15
N/F
ELIZABETH BAGLEY
DESCENDANTS TRUST

33-16
N/F
EEL POINT BEACH LLC.

33-17.1
N/F
GUY B. & DIANE P.
SNOWDEN

33-17.2
N/F
GUY B. & DIANE P.
SNOWDEN

32-1
N/F
HARVEY & LINDA
SALIGMAN

BOTTOM OF COASTAL
BANK
6-17-2016

32-2
N/F
FREDRIC & TRUDY
SLATER

32-3
N/F
IRA H. PASTAN,
TRUSTEE

32-4
N/F
LHMEN LLC

32-5
N/F
BRAUDIS
TRUSTEE

32-6
N/F
BRAUDIS
TRUSTEE

32-7
N/F
WILLIAM & WELSH
DOUGLAS C. WELSH
L.L.C. 1987-P
DEC. 19814
LOTS 8 & 11

EEL POINT ROAD

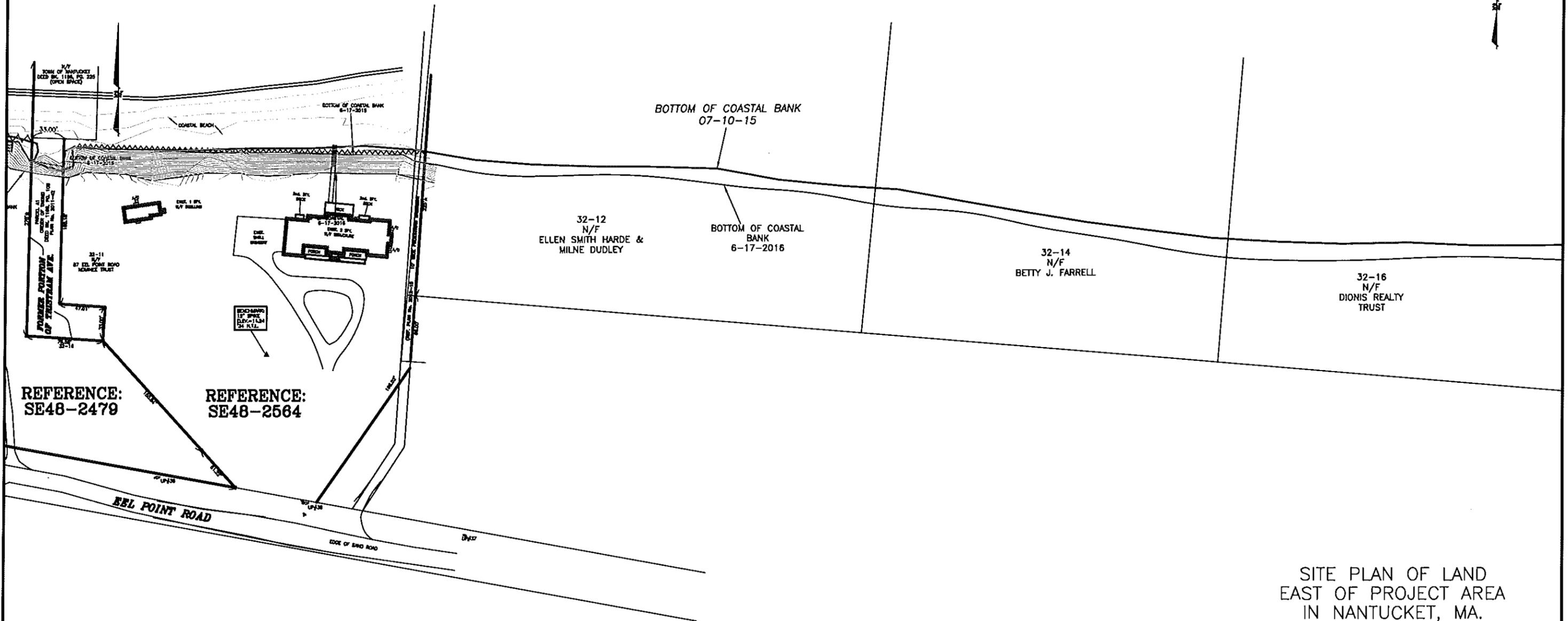
OWNER INFORMATION:
CASH, LLC
ASSET'S MAP 32 PARCELS 9 & 10
DATE OF FILE PERMITS
L.C.C. 4838-B, LOT 1 (PARCEL 9)
DEED REC. 277, PG. 24 (PARCELS 2 & 3)
PLAN REC. 15, PG. 12
L.C.C. 1208-A (PARCEL 4)
L.C.C. 4838-C, LOT 2 (PARCEL 6)
L.C.C. 1208-B, LOT 3 (PARCEL 7)
L.C.C. 1208-D, LOT 4 (PARCEL 8)
DEED REC. 298, PG. 102 (PARCEL 8 & 9)
P.O. & 87 EEL POINT ROAD

SITE PLAN OF LAND
WEST OF PROJECT AREA
IN NANTUCKET, MA.
Prepared For
CMDM, LLC. & 87 EEL
POINT ROAD REALTY TRUST
#87, 93 & 99 EEL POINT ROAD
MAP 32 PARCELS 9, 10, & 11
Scale: 1"=100' August 15, 2016

NANTUCKET
ENGINEERING
& SURVEY, PC
20 Mary Ann Drive Nantucket, MA 02554
Nantucket@Engineer.com 508-826-5053

THIS PLOT PLAN WAS PREPARED FOR
THE TOWN OF NANTUCKET CONSERVATION
COMMISSION ONLY AND SHOULD
NOT BE CONSIDERED A PERMITS
SUBMITTAL. THIS PLAN SHOULD NOT BE USED TO
OBTAIN PERMITS, FINANCIAL ASSISTANCE OR
ANY OTHER SERVICES FOR THE PROJECT.
THE PERMITS BOARD SHOULD BE CONTACTED
BEFORE ANY PLANS OF RECORD.
THIS PLOT PLAN IS NOT A CONTRACTOR AS IT
DOES NOT CONSTITUTE OF THE PROJECT'S DESIGN.
DESIGN OF ALL PROJECTS SHALL BE SUBJECT
ACCORDING TO CURRENT REGULATIONS.

NANTUCKET SOUND



REFERENCE:
SE48-2479

REFERENCE:
SE48-2564

SITE PLAN OF LAND
EAST OF PROJECT AREA
IN NANTUCKET, MA.
Prepared For
CMDM, LLC. & 87 EEL
POINT ROAD REALTY TRUST
#87, 93 & 99 EEL POINT ROAD
MAP 32 PARCELS 9, 10, & 11
Scale: 1"=100' August 15, 2016

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET CONSERVATION COMMISSION ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

NANTUCKET
ENGINEERING & SURVEY, PC
20 Mary Ann Drive Nantucket, MA 02554
NantucketEngineer.com 508-826-5053

Enforcement Actions

Edwin Snider RT

1 Brock's Court



SITE DESIGN ENGINEERING, LLC.

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

September 2, 2016

SDE No. 12035

Andrew Bennett
Chairman – Nantucket Conservation Commission
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

**Subject: Amended Notice of Intent SE48-2834
1 Brock's Court
Nantucket, Massachusetts
Tax Map 42.3.4, Parcel 84**

Dear Mr. Bennett:

The purpose of this letter is to respond to the Enforcement Order (EO) issued for the above referenced property on August 10, 2016. The items listed in the EO include the construction of a fence enclosure (chicken coop), installation of a well, and relocation of an existing dwelling with associated grading, landscaping, hardscaping, and utilities. Currently the Applicant has a Notice of Intent Application (SE48-2834) under review for the previously performed house relocation and associated grading, landscaping, hardscaping and utilities. The Applicant is proposing to amend the existing application (SE48-2834) to address the additional items listed in the enforcement order (fence enclosure and well). The Applicant understands that the existing application has been under review for an extended period of time and that the proposed revision would require re-notification to abutters.

ORIGINAL APPLICATION

Relocation of the SFR

SE48-2834 included a request to approve the relocation of the existing single family residence (SFR), the construction of a pervious patio, associated grading, and landscaping. The relocation of the SFR, the construction of the pervious patio, associated landscaping and grading were performed by a previous property owner. At the time the work was performed the historically approved wetland boundary on the Subject Property was approximately coincident with the western property boundary. The previously existing SFR was located entirely outside of the 50-foot BVW buffer zone. The SFR was moved closer to the street with the majority of the structure being located outside of the 100-foot BVW buffer zone. An addition was constructed that occupied a portion of the previous SFR footprint which was located within the 100-foot BVW buffer zone. As a result of the relocation of the previously existing SFR and the construction of the addition and wooden deck, the total structural footprint within jurisdictional areas was reduced by approximately 31%. The previously existing structure had a footprint of approximately 1,150 square feet within the 100-foot BVW buffer zone. The relocated structure has a footprint of approximately 475 square feet within the 100-foot BVW buffer zone and the existing wooden deck has a footprint of approximately 310 square feet within the 100-foot BVW buffer zone for a total structural footprint of approximately 785 square feet within the historically approved BVW buffer zone.

In addition to the relocation of the SFR, the previous owner constructed a deck, wooden retaining wall, and pervious stone patio. All of these features were constructed outside of the historical 50-foot BVW buffer zone. All work was performed within previously altered and landscaped portions of the Subject Property and was outside of the historically approved 50-foot BVW buffer zone.

The work performed by the previous property owner has resulted in less structure within the historically approved BVW buffer zone and has not resulted in any additional adverse impacts to the BVW or associated buffer zones. Therefore, the Applicant respectfully requests that the Commission approve the relocation of the SFR, the construction of the SFR addition, the construction of the pervious patio, wooden retaining wall, and associated landscaping/grading.

PROPOSED REVISIONS

Fence Enclosure (Chicken Coop)

The Applicant constructed a wood and mesh fence enclosure (chicken coop) on a portion of the Subject Property which is partially within the historically approved 50-foot BVW buffer zone. The Applicant is proposing to remove this structure from any jurisdictional portion of the Subject Property.

Well

The observed pipe located adjacent to the existing pervious driveway is not a well. This structure is a small leaching pit/infiltration device that was installed on the Subject Property to help infiltrate water from the existing crawl space foundation. Water is pumped via a sump pump to the top of this leaching chamber where it then infiltrates back into the groundwater. No roof runoff, or any other water sources are directed to this leaching chamber it simply returns groundwater which seeps into the crawlspace back into the soil.

This leaching device was not previously proposed as part of the NOI application. The existing leaching device is located outside of the historically approved 25-foot BVW buffer zone and is simply intended to infiltrate water from the crawl space foundation. The Applicant feels that this leaching system is providing an overall benefit to the area as it helps infiltrate high groundwater and that it will not result in any adverse impacts to the BVW or associated buffer zones. Therefore, the Applicant respectfully requests that the Commission approve this leaching chamber.

CONCLUSION

The Applicant is revising the existing NOI application to address the items listed in the EO. The Applicant has previously requested approval for the previously performed relocation of the SFR, construction of the wooden deck, wooden retaining wall, pervious patio, and associated landscaping/grading. Under the revised NOI, the Applicant is requesting approval for the previously installed leaching system designed to infiltrate water from the crawlspace foundation. Finally, the Applicant is proposing to remove the existing wood and mesh fence enclosure from jurisdictional portions of the Subject Property.

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SDE No. 12035
1 Brock's Court
SE48-2834 revised NOI Application
September 2, 2016

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If you have any questions, please feel free to contact me via email at or at 508-802-5832.

Respectfully,
Site Design Engineering, LLC.

A handwritten signature in black ink, appearing to read "Mark Rits", written in a cursive style.

Mark Rits
Project Manager/Permitting Specialist

SITE DESIGN ENGINEERING, LLC.

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

Draft Minutes



CONSERVATION COMMISSION PUBLIC MEETING

2 Bathing Beach Road
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Wednesday, August 24, 2016 4:00 P.M.
4 Fairgrounds Road, Training Room

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

Called to order at 4:01 p.m.

Staff in attendance: Jeff Carlson, Natural Resources Coordinator
Attending Members: Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
Absent Members: None
Late Arrivals: Golding, 4:03 p.m.
Earlier Departure: None

Agenda adopted by unanimous consent

*Matter has not been heard

I. PUBLIC MEETING

A. Public Comment – None

II. PUBLIC HEARING

A. Notice of Intent

1. Nantucket Islands Land Bank – 17 Commercial Wharf & Unnumbered Lot New Whale Street (42.2.4-7 & 8) SE48-2885
Cont (09/21/2016)

2. The Nantucket Islands Land Bank – 4 Polpis Harbor Road (54-187) SE48-2905

Sitting Bennett, Erisman, Steinauer, 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 None
 Discussion (6:09) **Freeman** – Reviewed additional information: vegetation, intended treatment of fungus, and the soil test.
Steinauer – Explained what biochar is and its benefits to plants and soil; noted that Bartlett Farm has used it with great success.
Erisman – Asked how the bio-char will be applied.
Freeman – By hand.

Staff Massachusetts Natural Heritage has signed off with no adverse impact.
 This being a follow up to an enforcement, time at a meeting should be set aside to follow up progress and ascertain what changes might be necessary; that is easy to condition.
 Have everything needed to close.

Motion **Motion to Close.** (made by: Champoux) (seconded by: LaFleur)

Vote Carried unanimously

3. Haulover LLC – 165 Wauwinet Road (7-1.1) SE48-2907 **Cont (09/07/2016)**
4. Nantucket Pond Coalition – White Goose Cove within Long Pond (594-30,31) SE48-2908

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative Robert Rezendes, Nantucket Pond Coalition
 Marc Bellaud, President Solitude Lake Management
 Public Charles Stott, Madaket Resident Association
 Discussion (4:03) **Bellaud** – The Marsh Master® is a tract amphibious vehicle which is about two pounds per square foot. A tower on the top and 100-gallon tank allows the operator to spray down on the crown of the plant. The concentration is three quarts of glyphosate per acre. For narrow stands of phragmites a boat with an elevated tower can be used.
Champoux – The mixture is heavy enough that he thinks it’s safe for winds up to about 10 MPH.
Erisman – Asked how many passes would be necessary.
Bellaud – From the area as he has seen it probably two with the outer edge sprayed from a boat. Noted that herbaceous plants bounce back from the Marsh Master® pretty quickly.
Golding – Asked the estimated treatment area.
Rezendes - The treatment area is about 2.9 acres.

Erisman – Her concern is monitoring; the pilot project did not collect data for review. The water is brackish, and there are few studies on the breakdown rate of glyphosates in salt water. Asked what is known about that.

Bellaud – It breaks down quickly in fresh water; he assumes the breakdown in brackish is about the same.

Erisman – In the final breakdown phosphates might be in the soil; and again there are few studies.

Bellaud – There is a very small amount being put out per acre. As of yet, there have been no concerns after treatment and this has been used all over New England.

Golding – Cited an article that puts the glyphosate half life at 13 to 14 days and phosphate up to 41 days.

Bellaud – This mixture is approved for aquatic uses due to the chemicals' short half life.

Steinauer – The questions is how long it stays in the water before it binds to the soil and starts attacking other plants. If we are going to test for phosphate, a pre-treatment test needs to be done. The pond already suffers from phosphate pollution.

Erisman – Asked if the identified any areas where there might be native vegetation.

Bellaud – They try to minimize impact so use a mixture of techniques. At this stage, the Marsh Master® is the least invasive method of reaching the stand. Later into the program, once the density of the stand is abated, they can use the less invasive application processes such as back packs to go after the areas of mixed vegetation.

Golding – Asked how they plan to minimize drift, how much drift do they expect, and if they are using a retardant.

Bellaud – The surfactin helps with the drift by helping it adhere; but drift is really managed by the technique of the application and spraying down on the plants with heavy droplets. Cide-Kick® was requested and partnered with glyphosate it is very effective.

Golding – Referred to a USDA publication that analyzed the issues of using spray with herbicides. Discussion about whether Cide-Kick® or Cide-Kick II® will be used and if they are safe for the environment.

Bellaud – Noted this has been used over nearly 1000 acres to treat phragmites and the products and applicators are registered for use in Massachusetts. Many state agencies have done studies to ensure safety.

Golding – Read an Environmental Protection Agency (EPA) letter from 2008 which addresses the potential effect of glyphosate on the ecosystem. Asked for specific examples of sensitive places it was used.

Bellaud – Reviewed some of the locations to include brackish water areas and protocol studies.

Bennett – Asked what the realistic time frame or if maintenance will have to be continuous.

Bellaud – He believes monitoring and management will have to be on-going; there might be products and techniques in the future that will provide better control of the phragmites.

Erisman – She's nervous about use of the Marsh Master®; asked if there is a chance the tracks will create puddles that would hold water for mosquitoes.

Bellaud – No because it is fully amphibious. The root mat bobs down then pops up.

Steinauer – Wants to ensure the machine is clean before it comes to the island and doesn't bring outside floating plants.

Bellaud – It would be pressure washed.

Stott – Spoke to the desires of area property owners who support this in hopes of reclaiming the pond for use by the public.

Staff A lot of questions at the prior hearing were about how the herbicide would be applied and the spray rates. Much of this discussion revolves around monitoring components which can be conditioned. Have everything needed to close.

Motion **Motion to Close.** (made by: LaFleur) (seconded by: Topham)

Vote Carried unanimously

5. *Town of Nantucket – Shimmo Creek (adjacent to 43-1) SE48-2913

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Recused None

Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.

Representative Leah Cabral, Assistant Biologist Natural Resources Department (NRD)

Public Karen Beattie, Nantucket Conservation Foundation (NCF)

Unidentified male abutter

Jocelyn Pearson, 31 Gardner Road

Discussion (4:45) **Cabral** – This is to reestablish the eastern oyster and provide habitat for it; explained the reasons for their decline. Reviewed the goals of the project to include education. Explained the scope of the restoration project and construction of the reef. The oysters will be restricted from harvesting for three years. Noted the proposed area for the reef is devoid of eel grass and other shellfish and approved for shellfish propagation.

Steinauer – Asked if there have been pathogen problems with the existing commercial growers.

Carlson – The biggest concern she has heard was the spread of boring sponge; some commercial farmers treat their oysters with a brining process. Explained how the reef shells will be cleaned before they go into the water.

Bennett – Asked if the oysters like warm water; the proposed area will be warm.

Cabral – Yes they do. The depth is about 4.5 meters at high tide.

Steinauer – Asked if there is potentially an issue with silt; the area has a muddy bottom.

Cabral – If the shell is high enough off the bottom; there shouldn't be any issues.

Discussion about minimizing the effect of power boats on the oysters.

Carlson – Reviewed the reasons this area was chosen over others, one being low boat traffic. This area has been added to the Town list to test for water quality to get a two-year baseline before the oysters go in.

Steinauer – Suggested that if these oyster reefs get large enough to attenuate wave action, they could be used around the harbor to reduce wave energy.

Beattie – Asked how the area would be accessed, by boat or by the beach.

Unidentified male abutter – Asked how a public area can be closed.

Carlson – Explained the area is always open for passive recreation; what would be closed would be the taking of shellfish.

Steinauer – Asked where the spats come from.

Carlson – We do hold some native oysters that came from the harbor. Noted that oysters in Sacacha Pond have been isolated so have to test their genetics to see if they can be considered compatible.

Pearson – The only motor boat she's seen there is the NRD's; asked the commission to be careful and know their science. She has watched one osprey decimate the bird population; the ecology has adapted to this stasis. Wants to know how it will impact the shellfish industry outside the pond. There is also the visual pollution; the buoys in creek are bright orange that impact the wildness of the pond. Said she has seen people clamming there so believes they don't have all the information. She is concerned about introducing more humans to the area.

Cabral – The buoys belong to NRD and she can paint them another color. She will send Ms Pearson about oysters and how they benefit the area. Under state law it has to open after 3 years; she would prefer it become a sanctuary.

Unidentified male abutter – He's concerned about the area becoming open to schools which will increase the human activity in the area.

Cabral – Asked for a 4-week continuance.

Staff This will have to be continued for Massachusetts Natural Heritage determination. Division of Marine Fisheries provided a letter of concerns that would allow winter flounder.

Motion Continued to 9/21/2016 without objection.

Vote N/A

6. *Nantucket Conservation Foundation – Medouie Creek (20-25) SE48-2915

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Recused None

Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.

Representative Karen Beattie, Nantucket Conservation Foundation

Public None

Discussion (5:18)

Beattie – This is for phragmites removal within a wetland historic area; so requesting a waiver to work within the resource area. The phragmites are all located within a 19 acre resource area saltmarsh. In 2008, a culvert was installed that restored tidal flow; the phragmites stand has reduced since then and the stand is much shorter and sparse but are starting to show up in areas that don't have tidal flow. The plan is to use Rodeo® in a 25% solution, which they have used at other sites with great success. Presented the long-term maintenance plan; noted they do not own the western side is privately owned. The application will be done by a licensed applicator and monitored by staff. They will provide the commission with reports.

Steinauer – This is exactly what this commission wants to see in phragmites management.

Golding – Asked how much Rodeo® has been used to date.

Beattie – That's included in the report. Noted that this will be clip and drip application. All the cuts are taken off site. Have a Certificate of Compliance and submitted annual reports. The saltmarsh is very successful. Asked for a 2-week continuance.

Staff Waiting for Massachusetts Natural Heritage.

Motion Continued to 9/7/2016 without objection.

Vote N/A

7. *Gudonis – 3 East Lincoln Avenue (42.4.1-11) SE48-2910

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Recused None

Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.

Representative Jeff Blackwell, Blackwell and Associates

Public None

Discussion (5:26)

Blackwell – This cottage has been flooded several times and is to be elevated to comply with FEMA requirements within land subject to coastal storm flowage. Due to the increase in height, there is the need for more steps; but there is no change in the square footage of the structure.

Staff Have everything needed to close.

Motion **Motion to Close.** (made by: Champoux) (seconded by: LaFleur)

Vote Carried unanimously

8. *Wager – 3 Meader Street (42.2.3-39) SE48-2909
- Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative Jeff Blackwell, Blackwell and Associates
 Public None
 Discussion (5:29) **Blackwell** – Similar to the last, the structure will be lifted but with small additions. Resource area is land subject to coastal storm flowage. Will have roof gutter system directed to subsurface drainage structures.
 Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: Champoux) (seconded by: LaFleur)
 Vote Carried unanimously
9. *Sykes – 63 North Liberty Street (41-144) SE48-2911
- Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative Jeff Blackwell, Blackwell and Associates
 Public None
 Discussion (5:31) **Blackwell** – Replace garage/apartment with a new main house and cottage; the resource area is bordering vegetated wetlands to the east on Town property. The proposed structures are outside the 50-foot boundary in an already disturbed area. The 25-foot setback will be maintained. There will be no basement. Noted there have been no soil tests so he doesn't know how the depth to ground water.
Champoux – We need some sort of testing on the ground water.
Blackwell – Asked for a 2-week continuance.
 Staff If groundwater is within two feet of the footings, this will require a waiver.
 Motion Continued to 9/7/2016 without objection.
 Vote N/A
10. *Brass Lantern, LLC – 11 North Water Street (42.4.2-54.1) SE48-2914
- Sitting Bennett, Erisman, Steinauer, 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 (5:35) **Santos** – The resource area is land subject to coastal storm flowage on the upper edge of the flood zone. This NOI is to expand the structure into the existing shell parking area with a full basement. The stormwater policy act application has been submitted. The property is not subject to MESA review; received Massachusetts Natural Heritage sign off.
Erisman – If this will have a full basement, she wonders where the flood water would go.
Santos – It meets building code with the first floor is at elevation 12. Noted a commercial structure can have a full foundation in a flood zone. Only the back is in the resource area.
Champoux – The resource area is protected to allow water a place to go; his question is are there any processes in place that account for flow of water.
Santos – Explained how roof run off will be mitigated.
 Staff There was question as to whether or not this was actually within jurisdiction; decided to err on the side of caution.
 Have everything needed to close.
 Motion **Motion to Close.** (made by: Champoux) (seconded by: Topham)
 Vote Carried unanimously
11. *7 Swain St, LLC – 7 Swain Street (42.4.1-79) SE48-2912
- Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Joe Topham
 Recused None
 Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.
 Representative David M. Haines, Haines Hydrogeologic Consulting
 Public None
 Discussion (5:45) **Haines** – The only resource area is land subject to coastal storm flowage. This is to replace an existing house with a new house. Dewatering is projected as not necessary; if the need arises, he would get permission to discharge into the storm drain. The first floor will be above the flood elevation. Explained the 4-foot, above-ground solid foundation. This is in the B Zone.
 Discussion about whether or not a solid foundation meets the Performance Standard and whether or not a different type of foundation should be used.
Golding – He feels water that doesn't go where the foundation is will go onto the neighbors' properties.
Haines – Noted he does have an alternate foundation option. Noted the solid foundation is not in the application but was part of the presentation.

Staff Read Performance Standard 1, which applies; his concern a foundation like this would alter the volume of flood water the property can absorb and contain. Noted that there is no waiver required for the project. He recommends that the board condition the project with an open foundation with breakaway panels; the applicant could come back for a modification once they have information to indicate a solid foundation would have no adverse impact according to the performance standard.
Have everything needed to close.

Motion **Motion to Close.** (made by: Steinauer) (seconded by: LaFleur)

Vote Carried unanimously

B. Amended Orders of Conditions

1. MAK Daddy Trust – 68/72 Monomoy Road (43-119,115) SE48-2803

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Recused None

Documentation Site and topographical plans, photos, requisite departmental I reports and correspondence.

Representative Arthur D. Gasbarro, Nantucket Engineering & Survey

Public None

Discussion (6:23) **Gasbarro** – Asked for 2-week continuance

Staff None

Motion Continued to 9/7/2016 without objection.

Vote N/A

III. PUBLIC MEETING

A. Request for Determination of Applicability

1. Lounsberry, Jr. et al – 71 Cliff Road (30-160)

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Recused None

Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.

Representative David M. Haines, Haines Hydrogeologic Consulting

Public None

Discussion (6:23) **Haines** – This is to confirm the wetland boundaries on and off the property. Reviewed his assessment of the hydrology supporting his request that it not be called a wetland.

Staff Noted Bruce Perry, Third Part Consultant, confirmed the data Mr. Haines provided on his forms.

Recommend issue with Positive 2A confirming boundaries as shown

Motion **Motion to Issue as recommended.** (made by: Champoux) (seconded by: LaFleur)

Vote Carried unanimously

2. Holland Jr. – 66 West Chester Street (41-371)

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Recused None

Documentation Site plans, topographical maps, photos, MNH sign off letter, departmental reports, and correspondence.

Representative Mark Rits, Site Design Engineering

Public Kyra Haydock, 64 West Chester Street

Cathy Stewart, 68 West Chester Street

Discussion (6:27) **Rits** – Request is to confirm wetland lines and permit brush cutting of a stand of knotweed. Noted the location of the two wetlands: one on abutting property, second on the south side of this property.

Knotweed is in that second area; they will cut up to the 50-foot buffer landward of the wetland. At this point the intent is to brush cut and remove the knotweed to clear out the area.

Erisman – Would like the knotweed be treated.

Rits – Willing to clip and drip the knotweed as well. Noted that this is definitely a mono-culture of knotweed.

Haydock – She is concerned the cut knotweed will spread into her property.

Erisman – Explained the clip and drip kills the roots and that the process might take three years to eradicate the stand.

Stewart – Asked what happens to the water flow when the knotweed is removed. She has a flooding problem onto her property due to a drain that gets clogged regularly. Expressed concern about dirt or a patio or gravel replacing the knotweed.

Steinauer – The commission can require the area be revegetated with native plants.

Rits – They can seed with a native meadow mix but don't want to plant bushes if there is going to be further work.

Staff Regulation Section 5.3 allows waivers for invasive species work down to the wetland edge and removal and treatment to be covered under an RDA. A basic requirement of all permits is that there is no loose soil left; typically revegetation is required.

Noted he will look at a drain that clogs and causes rain water to flood down the street and across the lots.

Recommend they be allowed to do work and treat knotweed

Motion **Motion to Issue as recommended.** (made by: LaFleur) (seconded by: Champoux)

Vote Carried unanimously

B. Certificates of Compliance

1. Collis – 5 Galen Avenue (29-122) SE48-2815 **Cont (09/07/2016)**

2. 62 Walsh Street Trust – 62 Walsh Street (29-85) SE48-2651

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Staff This was for construction of a dwelling and cottage and associated grading. This is in compliance.

Discussion (6:48) No discussion.

Motion **Motion to Accept.** (made by: Golding) (seconded by: LaFleur)

Vote Carried unanimously

3. Doubleday – 28 Easton Street (42.1.4-14,15) SE48-1647

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Staff The permit was to replace a bulkhead for several lots. This permit was never acted upon and those involved in the initial permit obtained separate permits. This remains open. Requesting an invalid order of conditions to say the work was never performed.

Discussion (6:49) No discussion.

Motion **Motion to Accept as an invalid order of conditions.** (made by: LaFleur) (seconded by: Champoux)

Vote Carried unanimously

C. Orders of Condition

1. The Nantucket Land Bank – 4 Polpis Harbor Road (54-187) SE48-2905

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Staff In the permit overview, he will add the restoration of wetlands with limited use of biochar. Condition 22: sets a time frame to discuss the condition of Holly Trees to determine if further action is necessary. Condition 23: requires a certified arborist be involved in the management of the trees. He will add in Finding 2: order is in response to enforcement.

Discussion (6:52) No additional discussion.

Motion **Motion to Issue as amended.** (made by: Steinauer) (seconded by: Champoux)

Vote Carried unanimously

2. Nantucket Pond Coalition – White Goose Cove within Long Pond (594-30,31) SE48-2908

Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham

Staff Much of this came from the Order of Conditions for the pilot program.

Noted that Condition 27 also addresses monitoring over the three-year life of the permit.

Pointed out that ConCom is not a data collecting entity; its purpose is to protect resource areas and any data collected is used to help make decisions.

He will add Condition 28: addresses cleaning and inspecting machinery; Condition 29: will condition that staff can observe the Marsh Master® at least during initial use from an identified the access point.

Discussion (6:56) **Erisman** – She is opposed. Doesn't feel sufficient information was provided on sediment water quality and there appears to be a lack of desire to monitor. The pilot project approval was based upon monitoring which she feels has not been provided. This proposal did not address a long-term plan to reintroduce native species. Need to add the cleaning of the Marsh Master®; asked if staff could be on board while it is spraying.

Golding – Monitoring should be made part of the order. The history of Monsanto with glyphosate is questionable; they said it was safe for the environment but its safety has since been proven false. He feels strongly that a protocol be in place to gain data on how the glyphosate interacts with the environment.

Suggested adding Condition 30 that monitoring protocols are to include before and after treatment on the fauna with annual reports every year after.

Champoux – A lot of questions came down to whether or not the herbicides are safe for the environment; he doesn't believe any data this commission collected could make an impact on the existing studies of the chemicals proposed for use. He would want to know the person applying this is qualified.

Steinauer – We don't have the expertise to analyze the information Mr. Golding is requesting. We know these chemicals have some impact but glyphosate and Cide-Kick® have been shown to have the least impact; he believes that leaving the phragmites would have a greater adverse impact on the area than the chemicals.

Bennett – The difficulty is doing a legitimate study. Mr. Bellaud noted that they had studied the affect of glyphosate in previous projects. Noted that the concentration of clip and drip is higher than the solution that will be used in this project. Condition 3 addresses gaining information on the environment before and after treatment.

Steven Cohen, Cohen & Cohen Law PC – Suggested requiring a work protocol to be submitted by the applicant and reviewed and approved by staff before work starts.

Motion **Motion to Issue as amended.** (made by: Golding) (seconded by: Topham)

Vote Carried 6-1//Erisman opposed

3. Gudonis – 3 East Lincoln Avenue (42.4.1-11) SE48-2910
 Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Staff Straight forward.
 Discussion (7:27) No discussion or questions.
 Motion **Motion to Issue.** (made by: LaFleur) (seconded by: Champoux)
 Vote Carried unanimously

4. Wager – 3 Meader Street (42.2.3-39) SE48-2909
 Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Staff Straight forward.
 Discussion (7:28) No discussion or questions.
 Motion **Motion to Issue.** (made by: LaFleur) (seconded by: Champoux)
 Vote Carried unanimously

5. Brass Lantern, LLC – 11 North Water Street (42.4.2-54.1) SE48-2914
 Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Staff Straight forward.
 Discussion (7:28) No discussion or questions.
 Motion **Motion to Issue.** (made by: Champoux) (seconded by: LaFleur)
 Vote Carried unanimously

6. 7 Swain St, LLC – 7 Swain Street (42.4.1-79) SE48-2912
 Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Staff He will add Condition 19: foundation won't be solid and will have vents. Cond. 20: roof runoff will be infiltrated.
 Discussion (7:29) Erisman – Pointed out need to condition infiltration.
 Motion **Motion to Issue as amended.** (made by: Golding) (seconded by: Steinauer)
 Vote Carried unanimously

7. Via Vai, LLC – 10 Hickory Meadow Lane (41-904) SE48-2682 (**Reissue**)
 Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Topham
 Staff Can't locate original to record. Closest point to isolated vegetated wetland is 71 feet. No waivers required.
 Discussion (7:31) No discussion or questions.
 Motion **Motion to Reissue.** (made by: Steinauer) (seconded by: Champoux)
 Vote Carried unanimously

8. Rowe – 137 Wauwinet Road (11-11.1) SE48-2468 (**Reissue**)
 Sitting Bennett, Erisman, Steinauer, LaFleur, Champoux, Golding, Joe Topham
 Staff Replacement of existing I/A septic that wasn't recorded.
 Discussion (7:33) No discussion or questions.
 Motion **Motion to Reissue.** (made by: Erisman) (seconded by: Champoux)
 Vote Carried unanimously

D. Monitoring Reports (7:33)

- 1. SBPF – 87-105 Baxter Road (Multiple) SE48-2824: slideshow presentation by Marie Hartnett, Geologist Epsilon Associates Inc, with Q&A.
- 2. Glidden – 87 Eel Point Rd (32-11) SE48-2564

G. Other Business (8:24)

- 1. Approval of Minutes 08/10/2016: Approved by unanimous consent
- 2. Enforcement Actions
 - a. None
- 3. Reports:
 - a. CPC, Golding
 - b. NP&EDC, Bennett
 - c. Mosquito Control Committee, Erisman
- 4. Commissioners Comment
 - a. None
- 5. Administrator/Staff Reports
 - a. None

Motion to Adjourn: 8:27 p.m.

Submitted by:
Terry L. Norton