

1. Board Of Health Packet

Documents:

DENIAL OF 15 DELANEY WELL CONVERSION.PDF
FWD_ 15 DELANEY WELL PERMIT.PDF
APPEAL OF HEALTH DEPT DECISION 15 DELANEY RD WELL.PDF
HUMMOCK POND CLUSTER DIVISION.PDF
17 COLUMBUS AV.PDF
109 OLD SOUTH RD.PDF
BOHMIN20160818.PDF

From: [Art Crowley](#)
To: [Anne Barrett](#)
Subject: FW: 15 Delaney well permit applicatioon
Date: Friday, September 09, 2016 11:30:23 AM

From: Art Crowley
Sent: Thursday, July 28, 2016 4:15 PM
To: 'Jeff Blackwell'
Cc: Roberto Santamaria
Subject: 15 Delaney well permit application

Jeff,

After review of this application, I have a few concerns and am denying the application to make the current irrigation well a potable drinking water well. The location of this existing irrigation well to the 2 sewer manholes in the street is well with in 50 feet. In fact one of the sewer manholes is more like 10-12 feet from this well. As a matter of public health, the location of the well is not suitable for a public water supply. Our local well regulations state under 62.03 that the well should be as far as possible from sources of contamination. Title V requires septic tank, holding tanks and tight tanks to be a minimum of 50 feet from a potable drinking water well. The two suggestions I have, is to move the well to a more suitable location or get on the agenda for the next Board of Health meeting (Aug 18) and ask for relief from this decision. Any questions, let me know. Thanks.

Art Crowley
Nantucket Health Dept.
508-228-7200 ext 7014

From: [Roberto Santamaria](mailto:Roberto.Santamaria@westbaydi.com)
To: [Anne Barrett](mailto:Anne.Barrett@westbaydi.com)
Subject: Fwd: 15 Delaney Well Permit
Date: Thursday, September 08, 2016 10:05:11 AM

For the agenda

Sent from my iPhone

Begin forwarded message:

From: Jeffrey Kaschuluk <jeffrey@westbaydi.com>
Date: September 8, 2016 at 9:40:59 AM EDT
To: <Rsantamaria@nantucket-ma.gov>, Randy Sharp
<randysharp@comcast.net>, Arthur Gasbarro <art@nantucketengineer.com>
Subject: 15 Delaney Well Permit

Roberto

Good morning. Could you please place Randy Sharp, Art Gasbarro and I on the BOH agenda for next Thursday's meeting. We would like to discuss Art Crowley's un-willingness to put his name on the Permitting of a potable well located at 15 Delaney Rd. Could you please confirm receipt? Thanks very much.

Jeffrey Kaschuluk
508 317 2547.

--

Jeffrey Kaschuluk
President

WestBay Development, Inc.

PO Box 3433

Nantucket, MA 02584

Tel: [508-228-8593](tel:508-228-8593) | Fax: [508-325-5645](tel:508-325-5645) | Mobile: [508-317-2547](tel:508-317-2547)

Website: www.westbaydi.com | Facebook: [WestBay Development Inc](https://www.facebook.com/WestBayDevelopmentInc)

Note New E-Mail Address: jeffrey@westbaydi.com



September 8, 2016

Nantucket Board of Health
2 East Chestnut St.
Nantucket, MA 02554

RE: 15 Delaney Road
Well Permit Application

Dear Board Members:

I am writing to request the issuance of a well installation permit per Nantucket Regulation 62.00 to allow for the conversion of an existing irrigation well to a potable water supply well. Attached is a complete copy of the application package including the permit form, filing fee, plan and abutter notification. Also attached is a sketch that highlights the well location in blue and the sewer pipe in green for clarity.

There has been concern expressed by the Health Department that the well may be too close to a gravity sewer line. We are not aware of any applicable regulations that specify a minimum distance between a well and sewer system lateral. The sewage piping is a sealed, water tight conduit between the house and the Town sewer system located approximately two-feet below grade. The well is drilled to approximately sixty-feet deep, providing a large vertical separation distance.

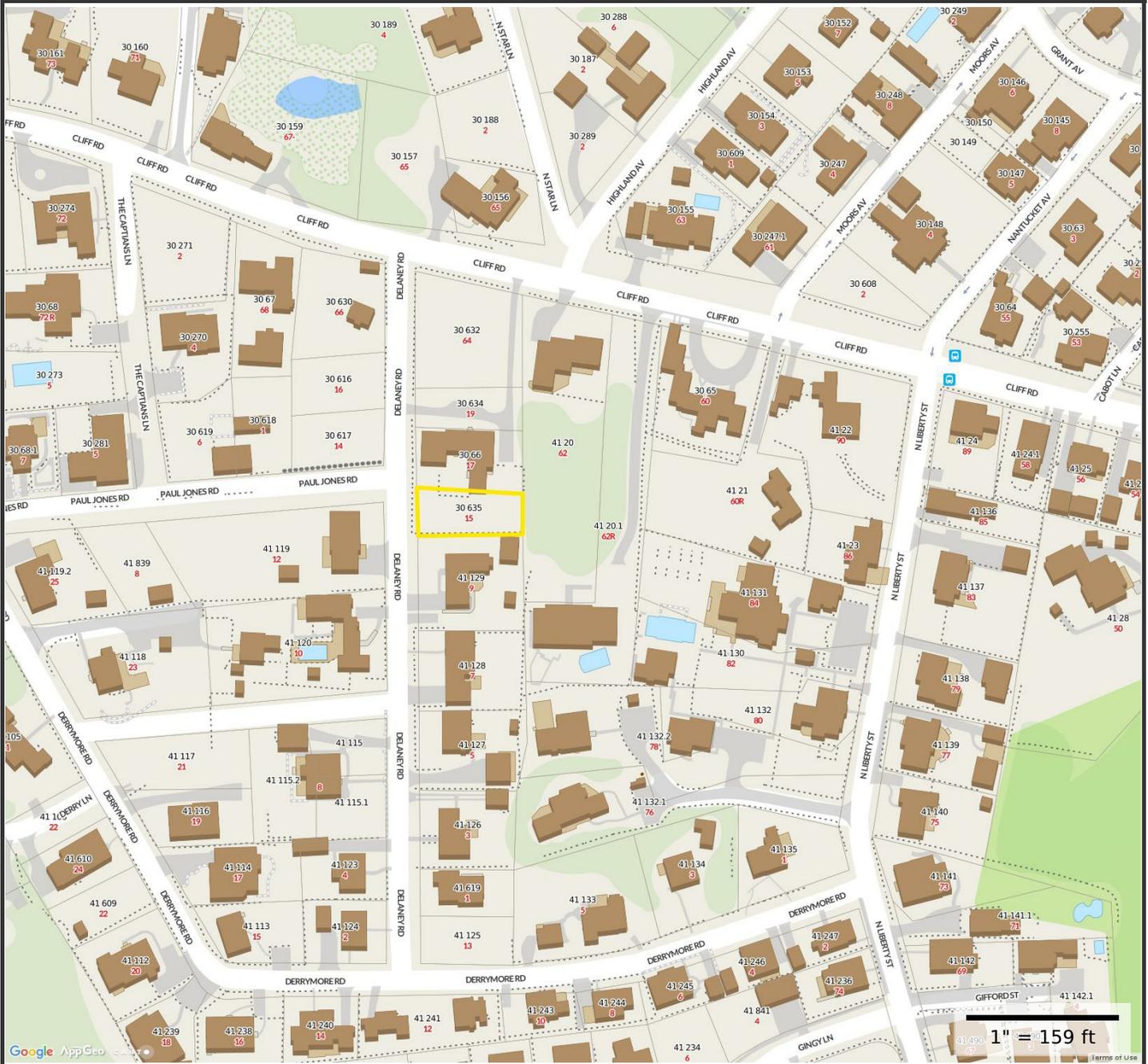
We plan to attend your next public meeting to address any questions or concerns regarding this matter.

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 contained within a thin blue rectangular border.

Cc: Delaney Keith Trust
Westbay Development

Locus Map - 15 Delaney Road



Property Information

Property ID 30 66
Location 17 DELANEY RD
Owner DEMENOCAL GEORGE W & SARAH L

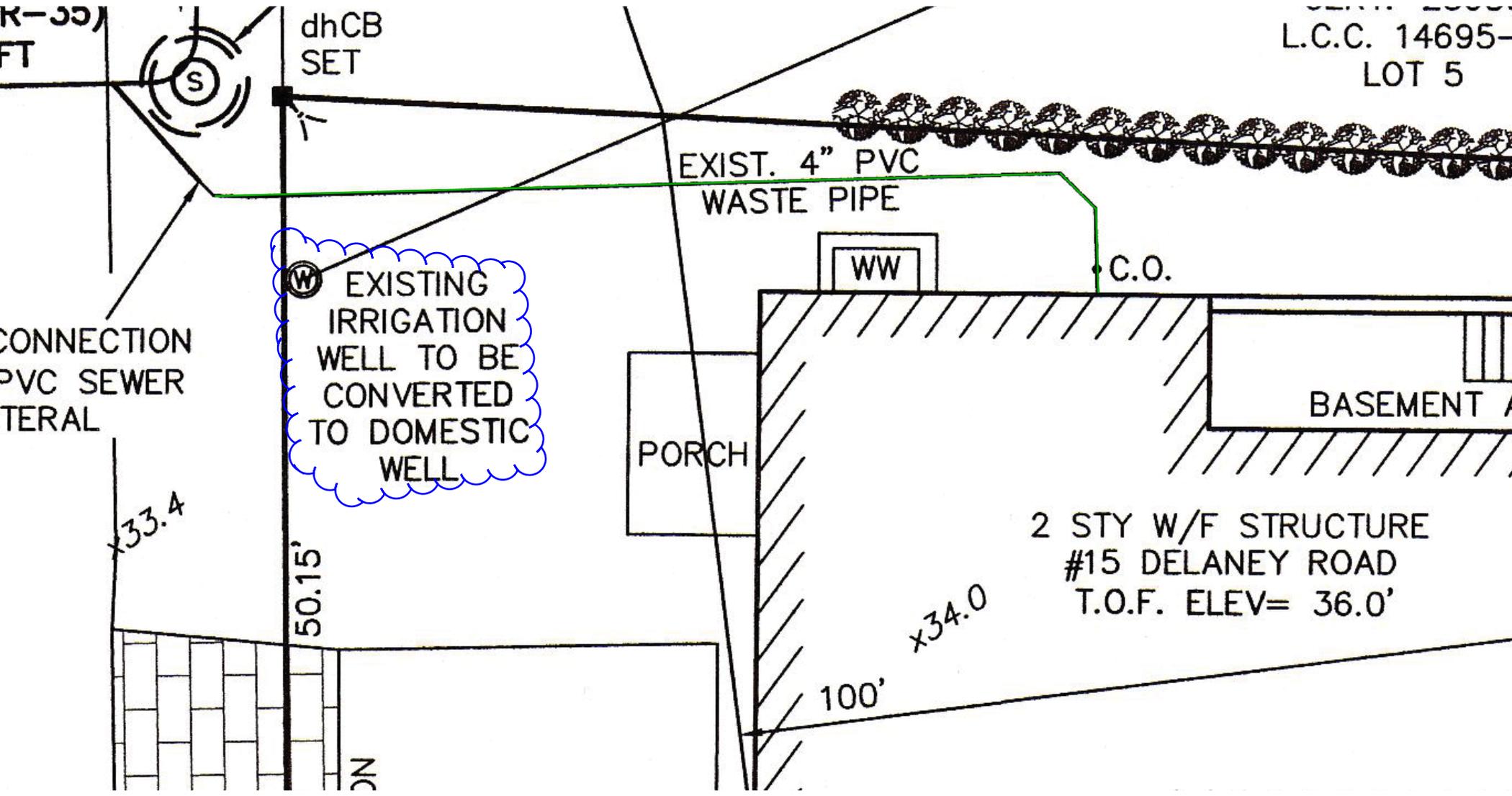


MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

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

Parcels updated December, 2014
 Properties updated January, 2015

L.C.C. 14695-
LOT 5



LETTER OF TRANSMITTAL

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

DATE: July 19, 2016
ATTENTION: Anne Barrett
RE: Well Permit Application
#15 Delaney Road
MAP & PARCEL: 30-635

Job #: B7776.15

TO: Nantucket Health Dept.
3 East Chestnut St.
Nantucket, Ma 02554
By Hand Delivery

****BY HAND DELIVERY****

WE ARE SENDING YOU X Attached the following items:

COPIES	DATE	NO.	DESCRIPTION
1	07/18/16	1	Private Well Construction Permit Application
1	07/18/16	1	\$100.00 Filing Fee Check #22551
1	07/18/16	1	Abutter Notification Letter
1	07/13/16	3	Certified Abutters List
1	07/18/16	4(52)	Certified Mail Receipts
1	07/18/16	1	Well Permit Plan

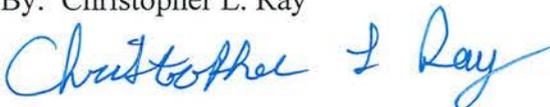
THESE ARE TRANSMITTED as checked below:

X For approval For your use As requested For review and comment

REMARKS:

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

Sincerely,
Blackwell & Associates, Inc.
By: Christopher L. Ray



COPY TO: Jenkins Well Drilling
Delaney Keith Trust
Sharp
File

PRIVATE WELL CONSTRUCTION PERMIT APPLICATION

Fee: \$100.00

Permit Number: _____

DAVID JENKINS
Well Driller's Name

P.O. BOX 5
Street Address

SO. ORLEANS, MA 02662
Town, State Zip

363
Registration Number

NOV. 4, 2013
Date Lot was Created

30-635
Property Tax Map & Parcel

#15 Delaney Road
Street Address

Delaney Keith Trust
Owner's Name

P.O. Box 786 Nantucket, MA 02554
Owner's Address, if different

Nantucket, MA 02554
Town, State Zip

Blackwell & Associates, Inc.
name of Engineer or Surveyor

WELL: New Construction Deepened
 Repaired for Maintenance Reconstructed
 Emergency Other, explain Convert Existing Irrigation well into a Domestic well.

PERMIT APPLICATION must include a plan stamped by a registered engineer or surveyor demonstrating all applicable Sections of 62.02(B)(3) and 62.02(B)(4) for lots created after August 24, 1990. Sections 62.02(B)(1) and 62.02(B)(2) of said regulations shall apply to lots in existence prior to August 24, 1990. Permit runs with the property.

Permit application must have attached, return receipt requested postal receipt sent to all abutters within four hundred (400) feet of proposed well location.

NOTE: Notify Health Officer 24 hours prior to sampling per Section 62.05(C).

Application approved by _____ Permit approval date _____
Nantucket Board of Health Expiration date _____

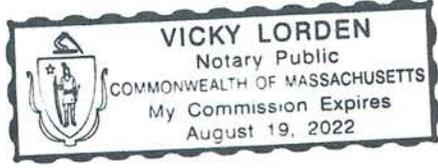
THIS PERMIT MUST BE ON-SITE DURING WELL INSTALLATION.
IMPORTANT: PLEASE BE AWARE THAT THERE IS A THIRTY DAY APPEAL PERIOD FOLLOWING ISSUANCE OF THIS PERMIT, DURING WHICH, ABUTTERS MAY CHALLENGE THE PROPOSED WELL LOCATION.

THIS APPLICATION MUST HAVE A NOTARIZED SIGNATURE OF THE WELL INSTALLER:

[Signature]
WELL DRILLER'S SIGNATURE

[Signature]
NOTARY'S SIGNATURE

NOTARY SEAL



22551

BLACKWELL & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS
20 TEASDALE CIRCLE
NANTUCKET, MA 02554
(508) 228-9026



P.O. BOX 10
ORLEANS, MA 02653

166

53-7107/2113

7/18/2016

PAY TO THE ORDER OF TOWN OF NANTUCKET

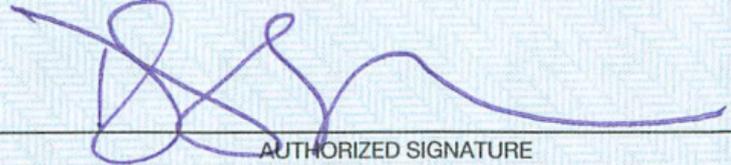
\$ **100.00

One Hundred and 00/100***** DOLLARS

TOWN OF NANTUCKET
(FILING FEES)

MEMO

B7776.15- 15 DELANEY RD (30-635) WELL APP.



AUTHORIZED SIGNATURE

Security features. Details on back.

⑈022551⑈ ⑆2113710781⑆ 86 8003146⑈

BLACKWELL & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

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

B-7776

July 18, 2016

Dear Property Owner:

On behalf of Delaney Keith Trust, for property located at #15 Delaney Road (Tax Map 30, Parcel 635), we are sending you notice of their application for a permit to install a new well. Questions should be directed to Health Director at the Nantucket Department of Health (508) 228-7200.

Sincerely,

Blackwell & Associates, Inc.



Christopher L. Ray
Engineering Technician

CLR

\$ 10.00 ✓

RECEIVED
BOARD OF ASSESSORS

JUL 13 2016

TOWN OF NANTUCKET

BOARD OF HEALTH

TOWN OF
NANTUCKET, MA

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... KEITH DELANEY TRUST

MAILING ADDRESS..... - - - - -

PROPERTY LOCATION..... 15 DELANEY ROAD

ASSESSOR MAP/PARCEL..... 30 - 635

SUBMITTED BY..... BLACKWELL & ASSOCIATES

JOB REF # B7776.15

SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 400 feet of the property line of owner's property, all as they appear on the most recent applicable tax list (pursuant to 62.02 (B) (5) Regulations).

July 13, 2016
DATE

Patricia Giles
ASSESSOR'S OFFICE
TOWN OF NANTUCKET

ABBUTTERS LISTING
NANTUCKET, MA

Map	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
30		65		WHITE KIRSTEN G		800 GROBBS HILLS ROAD	BERWYN	PA 19312	60 CLIFF RD
30		66		DENOMICAL GEORGE W & SARAH L		108 LOGAN ROAD	NEW CANAAN	CT 06840	17 DELANEY RD
30		67		BOYER KENNETH D & BARBARA B		187 COMODORE DRIVE	JUPITER	FL 33477	68 CLIFF RD
30		68		KILLIAN THOMAS W & LESLIE Z		40 PROSPECT HILL AV	SUMMIT	NJ 07901	72 R CLIFF RD
30		68	1	FISHER DOUGLAS ETAL		505 TREMONT ST UNIT 608	BOSTON	MA 02116	7 PAUL JONES RD
30		155		HARBERT NANCY		1 CHARLES STREET APT 5D	BOSTON	MA 02116	63 CLIFF RD
30		156		SHAW BRENT & ALLISON		3825 52ND STREET NW	WASHINGTON	DC 20016	65 CLIFF RD
30		157		SHAW BRENT & ALLISON		3825 52ND STREET NW	WASHINGTON	DC 20016	65 CLIFF RD
30		159		EPF REAL ESTATE LLC 1		109 EDMUNDS ROAD	WELLESLEY HILLS MA	02481	67- CLIFF RD
30		187		2 HIGHLAND AVENUE LLC		2 N CLIFF WY	NANTUCKET	MA 02554	2 HIGHLAND AV
30		188		EMMY REAL ESTATE LLC		PO BOX 987	NANTUCKET	MA 02554	2 N STAR LN
30		247	1	THOMSON GEORGE III & BETTY M TRST	SLKTY ONE CLIFF RD NOM TRUST	5020 COLLAMWOOD AVE STE 3 FORT WORTH	NEW YORK	TX 76107-3664	61 CLIFF RD
30		270		4 TCL LLC		1165 PARK AVENUE APT 4D	NEW YORK	NY 10128	4 THE CAPTAINS LN
30		271		HARRIS JEREMIAH J TRST		5 GIFFORD LAKE DR	ARMONK	NY 10504	2 THE CAPTAINS LN
30		273		KILLIAN THOMAS W & LESLIE Z		40 PROSPECT HILL AVE	SUMMIT	NJ 07901	5 THE CAPTAINS LN
30		274		DRYER DAVID K TRST		311 OXFORD DRIVE	SHORT HILLS	NJ 07078	72 CLIFF RD
30		281		HARRIS JEREMIAH J	LOT 93 NOMINEE TRUST	5 GIFFORD LAKE DRIVE	ARMONK	NY 10504	5 PAUL JONES RD
30		289		2 HIGHLAND AVENUE LLC		2 N CLIFF WY	NANTUCKET	MA 02554	2 HIGHLAND AV
30		608		NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA 02554	2 NANTUCKET AV
30		609		32 DOCKS LLC		830 PARK AVE APT 9/10 B	NEW YORK	NY 10021	1 HIGHLAND AV
30		616		MITCHELLS WANT PROPERTIES LLC		44 HILLCREST RD	MOUNTAIN LAKES	NJ 07046	16 DELANEY RD
30		617		CHEN DANIEL I ETAL		56 DOUGLAS ROAD	GLEN RIDGE	NJ 07028	14 DELANEY RD
30		618		TAKE IT EASY LLC		56 DOUGLAS ROAD	GLEN RIDGE	NJ 07028	1 PAUL JONES RD
30		619		DALE KEVIN F TR		627 HARRIS ROAD	BEDFORD HILLS	NY 10507	6 THE CAPTAINS LN
30		630		FLANIGAN CARYN TR	CLIFF HOLDINGS NOMINEE TRUST	2 WHALENS LN	NANTUCKET	MA 02554	66 CLIFF RD
30		632		WOLFE RICHARD C TRST ETAL	CLIFF DELANEY TRUST	10 CARRIAGE LANE	YARMOUTH	ME 04096	64 CLIFF RD
30		634		BULLOCK MARK A TRST		PO BOX 160	MYSTIC	CT 06355	19 DELANEY RD
30		635		TEGAN JOHN J JR & LOURAINA A TRST	DELANEY KEITH TRUST	10 CARRIAGE LANE	YARMOUTH	ME 04096	15 DELANEY RD
41		20		QUICK CHRISTOPHER & ANN B	62 CLIFF RD REALTY TRUST	62 CLIFF RD	NANTUCKET	MA 02554	62 CLIFF RD
41		21		NOYES HARRIET TUTTLE & ROBERT	1724 HOUSE TRUST	P O BOX 610	FURCHASE	MA 02577	62R CLIFF RD
41		22		WAGNER ALISON TUTTLE TR		55 YALE STREET	HOLYOKE	MA 01040	90 N LIBERTY ST
41		23		HOOD LISA A & ANDREW T		86 N LIBERTY ST	NANTUCKET	MA 02554	86 N LIBERTY ST
41		114		WINDY PASS I LLC		17 DERRYMORE RD	NANTUCKET	MA 02554	17 DERRYMORE RD
41		115	1	PERLMAN ANDREW T		20 FAIRMOUNT AV	CHATHAM	NJ 07928	8 DELANEY RD
41		115	2	GOULD JOHN E & HEADLEY FRANK TRST	SHARED HAVEN NOM TRUST	1 HORTINGTON AVE #707	BOSTON	MA 02116	8 DELANEY RD
41		117		YATES LINDA A		40 DERRYMORE ROAD	SCARSDALE	NY 18583	2 DARTMOUTH LN
41		118		YATES GRACE E		20 RIDGECREST WEST	NANTUCKET	MA 02554	19 DERRYMORE RD
41		119		CRANSTON MALCOLM J & HELEN		23 DERRYMORE RD	NANTUCKET	MA 02554	21 DERRYMORE RD
41		119	2	CRANSTON JAMES & HELEN		10 DELANEY RD	NANTUCKET	MA 02554	23 DERRYMORE RD
41		120		YATES TONY W	C/O YATES LINDA	PO BOX 1143	NANTUCKET	MA 02554	12 DELANEY RD
41		123		YATES GRACE E	C/O YATES LINDA	23 DERRYMORE RD	NANTUCKET	MA 02554	25 DERRYMORE RD
41		124		HAMBLIN GARY S & ROBERTA G TRST		23 DERRYMORE RD	NANTUCKET	MA 02554	10 DELANEY RD
41		125		RAUL ALAN C & WARY T		24 NAUSHON WAY	NANTUCKET	MA 02554	4 DELANEY RD
						4921 QUEBEC STREET NW	WASHINGTON	DC 20016	13 DERRYMORE RD

Map	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
41		126		DAVIS ALTON T	ALTON T DAVIS REV TRUST AGRWMT	11 SOUTH ADAMS STREET	HINSDALE	IL 60521	3 DELANEY RD
41		127		BEDELL JOSEPH P & KATIE		53 CANTO LANE	NANTUCKET	MA 02554	5 DELANEY RD
41		128		KINNEY DOUGLAS M JR & KIMBERLY		57 FRANKLIN PLACE	LAKE FOREST	IL 60045	7 DELANEY RD
41		129		POTTER MARGARET A		9 DELANEY RD	NANTUCKET	MA 02554	9 DELANEY RD
41		130		S NANTUCKET LLC		111 CENTER STREET	LITTLE ROCK	AK 72201	82 N LIBERTY ST
41		131		S NANTUCKET LLC		111 CENTER STREET	LITTLE ROCK	AK 72201	84 N LIBERTY ST
41		132		S NANTUCKET LLC		111 CENTER STREET	LITTLE ROCK	AK 72201	80 N LIBERTY ST
41		132	1	HARMON DALITA L		3022 FOX MILL RD	OKATON	VA 21120	76 N LIBERTY ST
41		132	2	HENDERSON SCHUYLER ETAL		THE OLD HILL UPPER SWELL GLOUCESTERSHIRE	G654 LEW		78 N LIBERTY ST
41		133		HELMAS JOSEPH & PAMELA TRS		834 RUGLID STREET	BERKELEY	CA 94708	5 DERRYMORE RD
41		134		LOKENS GARD OLE & WARY HEEN		1204 ESSEX AVE	RICHMOND	VA 23229	3 DERRYMORE RD
41		135		PASTAN PHILIP F & CHRISTINA D TRST		14 BRIDGE STREET	MARBLEHEAD	MA 01945	1 DERRYMORE RD
41		619		POKOIK JONATHAN M & ILONA		575 MADISON AVE 7TH FL	NEW YORK	NY 10022	1 DELANEY RD
41		839		OREEFE KATHLEEN		12 JOHNSON DRIVE	NORTON	MA 02766	8 PAUL JONES RD

7016 0910 0000 4653 0222

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 Street: 187 COMMODORE DRIVE
 City, State, ZIP+4: JUPITER, FL 33477 87776.15

PS Form 3800, April 2012 PSN 7530-02-000-9047 See Reverse for Instructions

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 Street: 108 LOGAN ROAD
 City, State, ZIP+4: NEW CANNAN, CT 06840 87776.15

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Sent To: KIRSTEN G. WHITE
 Street: 800 GRUBBS MILLS ROAD
 City, State, ZIP+4: BERWYN, PA 19312 87776.15

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Sent To: NANCY HARBERT
 Street: 1 CHARLES STREET, APT 5D
 City, State, ZIP+4: BOSTON, MA 02116 87776.15

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Sent To: DOUGLAS FISHER ETAL
 Street: 505 TREMONT STREET, UNIT 608
 City, State, ZIP+4: BOSTON, MA 02116 87776.15

PS Form 3800, April 2012 PSN 7530-02-000-9047 See Reverse for Instructions

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Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: THOMAS W. & LESLIE Z. KILLIAN
 Street: 40 PROSPECT HILL AVE
 City, State, ZIP+4: SUMMIT, NJ 07901 87776.15

PS Form 3800, April 2012 PSN 7530-02-000-9047 See Reverse for Instructions

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Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: 2 HIGHLAND AVENUE LLC
 Street: 2 N CLIFF WAY
 City, State, ZIP+4: NANTUCKET, MA 02554 87776.15

PS Form 3800, April 2012 PSN 7530-02-000-9047 See Reverse for Instructions

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Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: EPP REAL ESTATE LLC
 Street: 109 EDMUNDS ROAD
 City, State, ZIP+4: WELLESLEY HILLS, MA 02481 87776.15

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Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: BRENT & ALLISON SHAW
 Street: 3825 52ND STREET N.W.
 City, State, ZIP+4: WASHINGTON, DC 20016 87776.15

PS Form 3800, April 2012 PSN 7530-02-000-9047 See Reverse for Instructions

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Total Postage and Fees \$ 6.47

Sent To: 4 TCL LLC
 Street: 1165 PARK AVENUE, APT 4D
 City, State, ZIP+4: NEW YORK, NY 10128 87776.15

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7016 0910 0000 4653 0307

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Return Receipt (hardcopy) \$ 3.30

Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: BETTY M & GEORGE THOMPSON III TRST
 Street: SIXTY ONE CLIFF RD NOM TRUST
 City, State, ZIP+4: FORT WORTH, TX 76107-3664 87776.15

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: EMMY REAL ESTATE LLC
 Street: PO BOX 987
 City, State, ZIP+4: NANTUCKET, MA 02554 87776.15

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: DAVID K. DWYER TRST
 Street: LOT 93 NOMINEE TRUST
 City, State, ZIP+4: 311 OXFORD DRIVE
 SHORT HILLS, NJ 07078 87776.15

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7016 0910 0000 4653 0338

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: THOMAS W. & LESLIE Z. KILLIAN
 Street: 40 PROSPECT HILL AVE
 City, State, ZIP+4: SUMMIT, NJ 07901 87776.15

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To: JEREMIAH J. HARRIS
 Street: 5 GIFFORD LAKE DRIVE
 City, State, ZIP+4: ARMONK, NY 10504 87776.15

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street 32 DUCKS LLC

City 830 PARK AVE., APT 9/10 B

State NEW YORK, NY 10021

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street NANTUCKET ISLANDS LAND BANK

City 22 BROAD STREET

State NANTUCKET, MA 02554

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street JEREMIAH J. HARRIS TRST

City 5 GIFFORD LAKE DRIVE

State ARMONK, NY 10504

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street TAKE IT EASY LLC

City 627 HARRIS ROAD

State BEDFORD HILLS, NY 10507

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street DANIEL I. CHEN ETAL

City 56 DOUGLAS ROAD

State GLEN RIDGE, NJ 07028

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street MITCHELLS NANT PROPERTIES LLC

City 44 HILLCREST ROAD

State MOUNTAIN LAKES, NJ 07046

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street RICHARD C. WOLFE TRST ETAL

City PO BOX 160

State MYSTIC, CT 06355

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street CARYN FLANIGAN TR

City CLIFF DELANEY TRUST

State 10 CARRIAGE LANE

City YARMOUTH, ME 04096

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street KEVIN F. DALE TRUST

City CLIFF HOLDINGS NOMINEE TRUST

State 2 WHALERS LN

City NANTUCKET, MA 02554

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street CHRISTOPHER & ANN B. QUICK

City PO BOX 610

State PURCHASE, NY 10577

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street LORRAINE A. & JOHN J. TEGAN JR TRUST

City 62 CLIFF ROAD REALTY TRUST

State 62 CLIFF ROAD

City NANTUCKET, MA 02554

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street MARK A. BULLOCK TRST

City KEITH DELANEY TRUST

State 10 CARRIAGE LANE

City YARMOUTH, ME 04096

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street AUDREY K. WAGNER

City 86 N LIBERTY STREET

State NANTUCKET, MA 02554

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Certified Mail Restricted Delivery \$.47

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$ 6.47

Sent To

Street ALISON TUTTLE NOYES TRUST

City 1724 HOUSE TRUST

State 55 YALE STREET

City HOLYOKE, MA 01040

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Adult Signature Restricted Delivery \$

Postage \$

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Sent To

Street HARRIET TUTTLE & ROBERT NOYES

City 27 SHERATON PARK

State ARLINGTON, MA 02474

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 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
ZEBRA PI LLC
1 HUNTINGTON AVE., #707
BOSTON, MA 02116
City, State ZIP+4® 02116 MA 02116 87776.15

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 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
WINDY PASS I LLC
20 FAIRMOUNT AVE
CHATHAM, NJ 07928
City, State ZIP+4® 07928 NJ 07928 87776.15

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 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
LISA A. & ANDREW T. HOOD
17 DERRYMORE ROAD
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
TONY W. & GRACE E. YATES
C/O LINDA YATES
23 DERRYMORE ROAD
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
JOHN E GOULD & FRANK HEADLEY TRST
SHARED HAVEN NOM TRUST
20 RIDGECREST WEST
SCARSDALE, NY 18583
City, State ZIP+4® 18583 NY 18583 87776.15

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 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
ANDREW T. PERLMAN
4 DERRYMORE ROAD
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Return Receipt (electronic) \$ 2.70
 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
GARY S & ROBERTA G HAMBLIN TRST
24 NAUSHON WAY
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
MALCOLM J. & HELEN CRANSTON
JAMES & HELEN CRANSTON
PO BOX 1143
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Return Receipt (electronic) \$ 2.70
 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
GRACE E. YATES
10 DELANEY ROAD
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
JOSEPH P & KATIE BEDELL
53 CATO LANE
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Return Receipt (electronic) \$ 2.70
 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
ALTON T. DAVIS
ALTON T. DAVIS REV TRUST AGRMNT
11 SOUTH ADAMS STREET
HINSDALE, IL 60521
City, State ZIP+4® 60521 IL 60521 87776.15

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 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
ALAN C. & MARY T. RAUL
4921 QUEBEC STREET NW
WASHINGTON, DC 20016
City, State ZIP+4® 20016 DC 20016 87776.15

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 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
S NANTUCKET LLC
111 CENTER STREET
LITTLE ROCK, AK 72201
City, State ZIP+4® 72201 AK 72201 87776.15

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 Return Receipt (electronic) \$ 2.70
 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
MARGARET A. POTTER
9 DELANEY RD
NANTUCKET, MA 02554
City, State ZIP+4® 02554 MA 02554 87776.15

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 Return Receipt (electronic) \$ 2.70
 Certified Mail Restricted Delivery \$.47
 Adult Signature Required \$.47
 Adult Signature Restricted Delivery \$.47
Postage \$ 6.47
Total F \$

Sent To
KIMBERLY & DOUGLAS M KINNEY JR
57 FRANKLIN PLACE
LAKE FOREST, IL 60045
City, State ZIP+4® 60045 IL 60045 87776.15

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Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$.47

Postage \$ 6.47

Total \$

Sent To: OLE LOKENSGARD & MARY HEEN

Street: 1204 ESSEX AVENUE

City: RICHMOND, VA 23229

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Return Receipt (hardcopy) \$ 3.30

Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$.47

Postage \$ 6.47

Total \$

Sent To: JOSEPH & PAMELA HELMS TRS

Street: 834 EUCLID STREET

City: BERKELEY, CA 94708

PS Form 3806, September 2013 See Reverse for Instructions

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Certified Mail Fee \$

Extra Services & Fees (check box, add \$)

Return Receipt (hardcopy) \$ 3.30

Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$

Adult Signature Required \$.47

Adult Signature Restricted Delivery \$

Postage \$ 6.47

Total \$

Sent To: DALITA L. HARMON

Street: 3022 FOX MILL ROAD

City: OAKTON, VA 22120

PS Form 3806, September 2013 See Reverse for Instructions

U.S. Postal Service[™]
CERTIFIED MAIL[®] RECEIPT
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OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add \$)

Return Receipt (hardcopy) \$ 3.30

Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$.47

Postage \$ 6.47

Total Postage and Fees \$

Sent To: KATHLEEN OKEEFE

Street: 12 JOHNSON DRIVE

City: NORTON, MA 02766

PS Form 3806, September 2013 See Reverse for Instructions

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Certified Mail Fee \$

Extra Services & Fees (check box, add \$)

Return Receipt (hardcopy) \$ 3.30

Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$.47

Postage \$ 6.47

Total \$

Sent To: JONATHAN M. & ILONA POKOIK

Street: 575 MADISON AVE., 7TH FL

City: NEW YORK, NY 10022

PS Form 3806, September 2013 See Reverse for Instructions

U.S. Postal Service[™]
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For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add \$)

Return Receipt (hardcopy) \$ 3.30

Return Receipt (electronic) \$ 2.70

Certified Mail Restricted Delivery \$

Adult Signature Required \$.47

Adult Signature Restricted Delivery \$

Postage \$ 6.47

Total \$

Sent To: PHILIP F. & CHRISTINA D. PASTAN TRST

Street: 14 BRIDGE STREET

City: MARBLEHEAD, MA 01945

PS Form 3806, September 2013 See Reverse for Instructions

Registered No. RA890349536US

Date Stamp: 07/18/2016

To Be Completed By Post Office:

Postage \$ 1.15

Extra Services & Fees (check box, add \$)

Registered Mail \$ 13.47

Return Receipt (hardcopy) \$ 3.70

Return Receipt (electronic) \$ 0.00

Restricted Delivery \$ 0.00

Signature Confirmation \$

Signature Confirmation Restricted Delivery \$

Total Postage & Fees \$ 18.25

Customer Must Declare Full Value \$ 0.00

Received by 07/18/2016

Domestic Insurance up to \$50,000 is included based upon the declared value. International indemnity is limited. (See Reverse).

OFFICIAL USE

FROM: Blackwell & Associates
 20 Dorsdale Cr.
 Nantucket, MA 02554

TO: SCHUYLER HENDERSON ETAL
 THE OLD MILL UPPER SWELL
 Gloucestershire, GL54 1EW
 UNITED KINGDOM

PS Form 3806, Registered Mail Receipt
 April 2015, PSN 7530-02-000-6051
 For domestic delivery information, visit our website at www.usps.com.

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

MINIMUM LOT SIZE: 5000 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: 10 FT.
REAR/SIDE SETBACK: 5 FT.*
GROUND COVER % : 30 %

*139-16 C.(3): 10' SETBACK REQUIRED
FOR ANY STREET OR WAY.

LEGEND

- dhCB SET ■ DENOTES CONCRETE MONUMENT SET
- dhCB FND ■ DENOTES CONCRETE MONUMENT FOUND
- WF #9 ○ DENOTES WETLAND FLAG FOUND
- DENOTES APPROVED WETLAND DELINEATION
- 35 --- DENOTES EXIST. GRADE CONTOUR
- x33.2 DENOTES EXIST. GRADE SPOT ELEVATION
- OHW --- DENOTES EXIST. OVERHEAD WIRES
- DENOTES EXIST. SCREENING
- DENOTES EXIST. EDGE OF BRUSH
- DENOTES EXIST. WOOD PLANK FENCE

41-20
N/F
62 CLIFF ROAD REALTY TRUST
DEED BK. 925, PG. 40
PLAN FILE 47-J
LOT 4



WELL PERMIT PLAN
OF LAND IN
NANTUCKET, MASS.

SCALE: 1" = 10' DATE: JULY 18, 2016

Owner: **DELANEY KEITH TRUST**

LOT 4
Cert: .25803. Plan: LCC.14695-C.

Locus: . . . #15 DELANEY ROAD

Map: . 30 . . . Parcel: . . 635

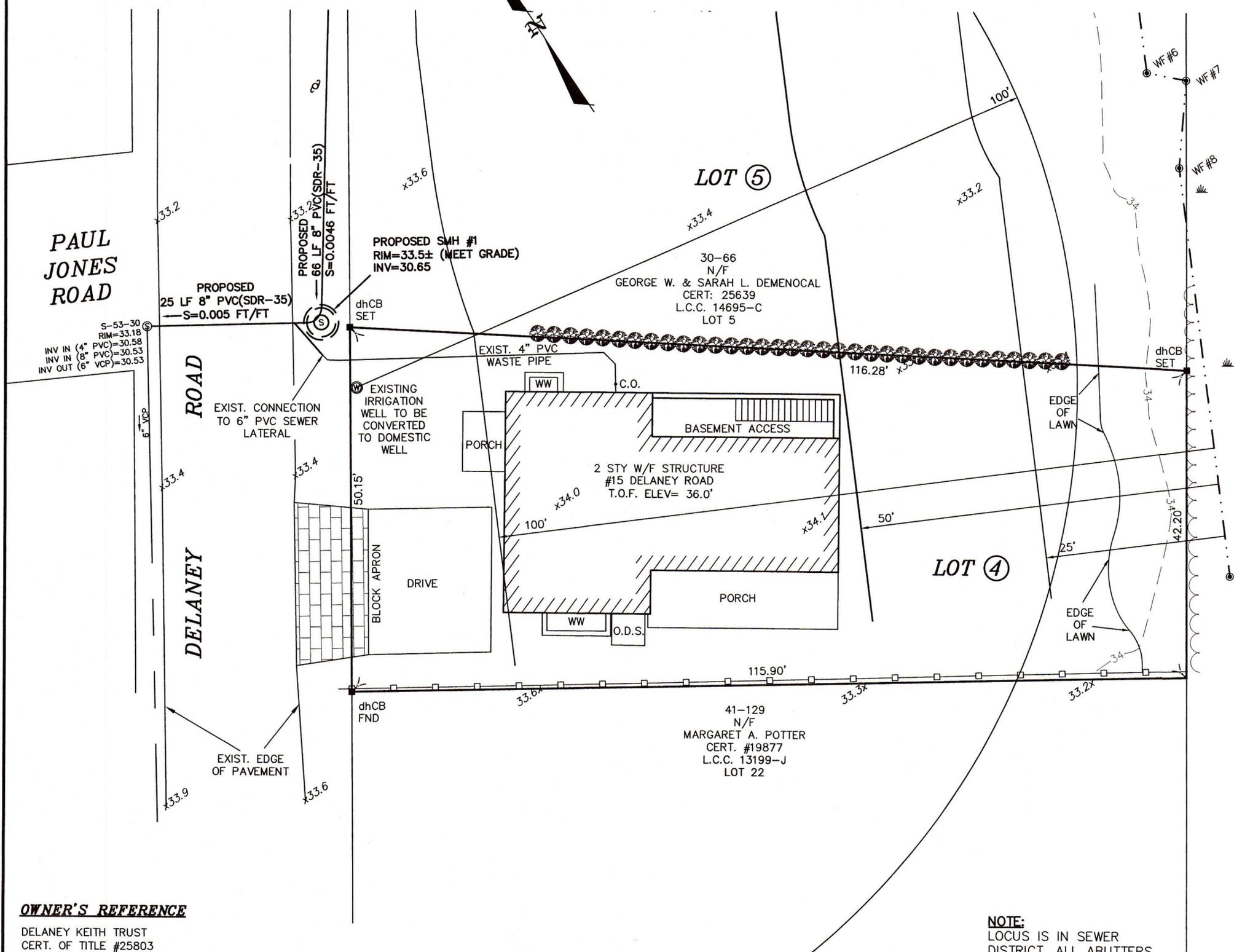
BLACKWELL and ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026

GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

B7776.15



OWNER'S REFERENCE

DELANEY KEITH TRUST
CERT. OF TITLE #25803
L.C.C. 14695-C, LOT 4
ASSESSOR'S MAP 30, PARCEL 635
#15 DELANEY ROAD

NOTE:
LOCUS IS IN SEWER
DISTRICT. ALL ABUTTERS
ARE ON TOWN SEWER.



NANTUCKET HEALTH DEPARTMENT

3 EAST CHESTNUT STREET

NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Fax 508.325.6117

BOARD OF HEALTH REGULATION VARIANCE REQUEST \$20 per request

I am requesting: (Check one.)

A variance of a Local Board of Health Regulation

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

Please write an explanation of the variance requested (use separate paper if needed): To allow the use of nitrogen credit land to satisfy the required loading rate of 10,000 s.f. per 110 gallons per day of sewage flow for the existing (36) 4-bedroom lots within the Hummock Pond of Nantucket Cluster Subdivision. (See Attached)

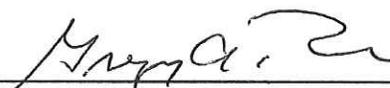
Requestor Name: GREGORY ROSS, PRESIDENT

Company Name: (if applicable) Hummock Pond of Nantucket Homeowner's Association

Address: Hummock Pond of Nantucket Cluster Subdivision MAP: 65 & 82 PARCEL: Various

Phone No. 978-263-5749 Fax No. _____

Email: GREG.A.ROSS@GMAIL.COM

Requestor's Signature: 

Date: 9/7/2016

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

Received by: 

Date: 9/7/16



September 7, 2016

Gregory Ross
Hummock Pond of Nantucket Homeowners Association

RE: Aggregate Nitrogen Loading Proposal

Dear Greg:

I have reviewed the Aggregate Nitrogen Loading Proposal for the Hummock Pond of Nantucket Cluster Subdivision. The information provided indicates that the total area of the 36 lots served by on-site septic systems is 907,333 square-feet. Combined with the proposed nitrogen credit land area of 566,280 s.f. equates to a total land area of 1,473,613 s.f. This would be adequate for sewage design flow from 147 bedrooms under the current regulations that require 10,000 s.f. of lot area per bedroom. Further, as part of the cluster subdivision approval that created these lots, a total of 55-acres was set aside as conservation land. Including this land in the calculation would have allowed a loading of 288 bedrooms.

My understanding is that each of the 36 lots are fully developed with four bedrooms worth of flow for a total of 144 bedrooms. Therefore, the proposal provides a level of environmental protection with conventional septic systems exceeding the regulations given that the existing 144 bedrooms is less than the 147 bedrooms that would be allowed with the credit land, or 288 bedrooms considering the conservation land associated with this subdivision. It is worth noting that a positive action by the Board to approve the Aggregate Nitrogen Loading Proposal will result in existing conditions of developed lots meeting the requirement of one-bedroom per 10,000 s.f.

Please feel free to contact me with any questions or should you wish to discuss this matter.

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".

Hummock Pond of Nantucket Aggregate Nitrogen Plan Proposal

To Aggregate All 72 Acres of the Subdivision which could have supported 288 Bedrooms to permit the 36 homeowners to repair and replace their installed 4 bedroom traditional systems (but limited to supporting existing 144 bedroom capacity).

Hummock Pond Of Nantucket Background

- Hummock Pond of Nantucket is a cluster subdivision allowed by special permit in 1981 to build 36 homes on $\frac{3}{4}$ to $\frac{1}{2}$ acre lots in a LUG-2 (2 acre zoned) area.
- 55 acres were set aside as open space to meet the 2 acre zoning and have been placed under a conservation restriction prohibiting development held by the Land Bank and Nantucket Land Council.
- Unlike a subdivision being permitted today, no formal nitrogen aggregate plan was put in place
- All 36 lots were built out with 4 bedroom traditional systems.
- Roughly 22 are within zone B.
- Until recently, failed systems could be replaced with a traditional system assuming no more than 4 bedrooms
- Hummock Pond Watershed Zone B requires systems meet Title V regs. which the lot sizes do not permit

Our Request

- To aggregate the existing lots with the 13 acres of credit land in the open space in order to meet the 10,000 sq ft per bedroom requirement which will allow failed systems to be repaired or replaced with traditional 4 bedroom systems inside and outside of Zone B
- Requesting 13 acres caps the number of bedroom flows for traditional systems to the existing 144.
- The conservation restriction on all 55 acres of open space prohibits any increased nitrogen loading which in reality could support up to 288 bedrooms of nitrogen absorption. We are only asking for 144 bedrooms.
- The next pages show the subdivision plan with the calculation leading to the 13 acres and the Hummock Pond Watershed District.
- The Nantucket Land Bank and Land Council, holders of the conservation restriction on the property, have approved the request (attached).

Summary: Our Request

- That the Board approve this Nitrogen Aggregation Plan as permitted by regulation 64.07.B such that:
 - It demonstrates that the environmental protection, in reality, is greater than required for 144 bedroom flows since the entire 72 acre parcel could actually support 288 bedrooms.
 - And to consider the economic hardship placed on homeowners who would have to spend considerably more for failed system replacements than is needed to provide the required environmental protection.
- To Approve the Aggregation Plan for the:
 - 22 lots in Zone B
 - 14 lots outside of Zone B

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

June 2, 2016

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

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

Dear Cormac and Eric,

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

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

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

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

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

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

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

Sincerely,


Neil J. Graner, President


Janet L. Graner, Treasurer

Hummock Pond of Nantucket Homeowners Association, Inc.

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


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


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



NANTUCKET HEALTH DEPARTMENT

3 EAST CHESTNUT STREET

NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Fax 508.325.6117

BOARD OF HEALTH REGULATION
VARIANCE REQUEST
\$20 per request

I am requesting: (Check one.)

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

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

Applicant seeks relief from section 310 CMR section 15.211 minimum distance setbacks, specifically locating a full basement less than 20' Feet from leach field soil absorption system.

Requestor Name: Matthew MacEarchern

Company Name: Emeritus Development

Address: 17 Columbus Ave MAP: 59.3 PARCEL: 108

Phone No. 5083254995 Fax No. _____

Email: matt@emeritusdevelopment.com; gina@emeritusdevelopment.com; Yasaman@emeritusdevelopment.com

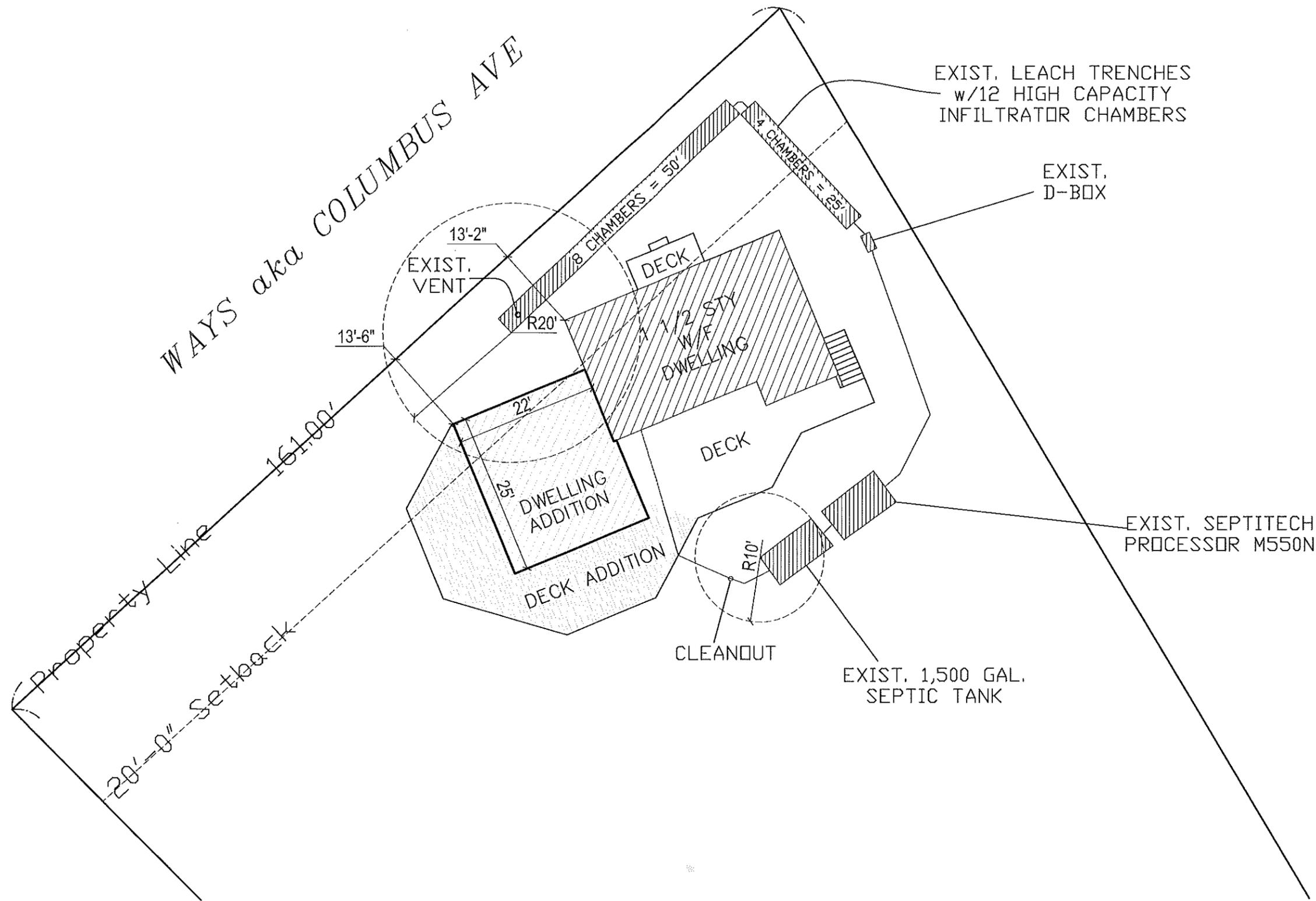
Requestor's Signature: 

Date: 9/7/16

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

Received by:  9/7/16 

Date: 9/7/16



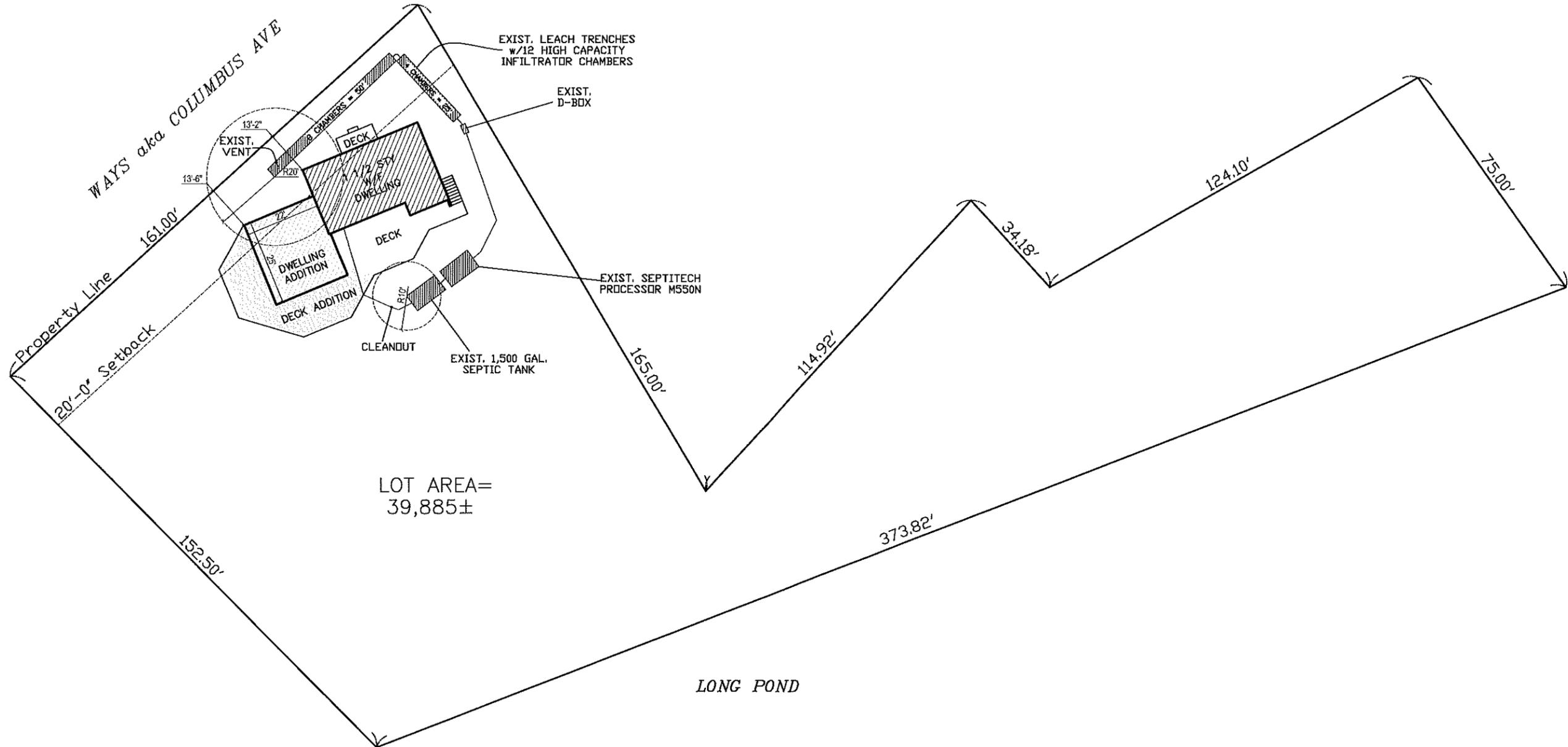
Site Plan

Scale: 1/16" = 1'-0"

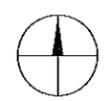
17 Columbus Ave
Nantucket, MA
02554



288 Huntington Ave.
Boston, MA 02114
P. 617.236.6227
8155 Main Lane
Nantucket, MA 02115
P. 508.325.4095
F. 508.325.8560
www.emeritusconsulting.com



LOT AREA=
39,885±



Site Plan
Scale: 1/32" = 1'-0"

17 Columbus Ave
Nantucket, MA 02554



236 Harrington Ave.
Boston, MA 02254
P: 617.236.4827

8 W. Bass Lane
Nantucket, MA 02115
P: 508.273.4935
F: 508.225.8590
www.emeritusdevelopment.com



NANTUCKET HEALTH DEPARTMENT

3 EAST CHESTNUT STREET

NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Fax 508.325.6117

BOARD OF HEALTH REGULATION VARIANCE REQUEST \$20 per request

I am requesting: (Check one.)

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

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

See Attached letter

Requestor Name: Mary E. Blowski

Company Name: (if applicable) _____

Address: 109 Old South Road MAP: _____ PARCEL: 68-166

Phone No. 508-928-1666 Fax No. _____

Email: _____

Requestor's Signature: Mary E. Blowski

Date: September 20, 2016

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

Received by: AB po # 3825

Date: 9/2/16

Joan Bunting

From: Art Crowley <ACrowley@nantucket-ma.gov>
Sent: Wednesday, August 31, 2016 10:58 AM
To: 'Joan Bunting'
Subject: RE: Ref 68-166 Mary E. Glowacki

Got it. I will flag the property. No fines will be assessed in the interim.

From: Joan Bunting [mailto:job6@comcast.net]
Sent: Wednesday, August 31, 2016 10:28 AM
To: Roberto Santamaria
Cc: Anne Barrett; Art Crowley
Subject: FW: Ref 68-166 Mary E. Glowacki

From: Joan Bunting [mailto:job6@comcast.net]
Sent: Monday, August 29, 2016 2:28 PM
To: 'rsantamaria@nantucket-ma.gov' <rsantamaria@nantucket-ma.gov>
Subject: Ref 68-166 Mary E. Glowacki

Mr. Santamaria,

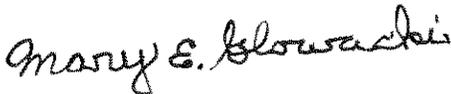
I am writing to you in reference to my mother Mary E. Glowacki connecting to the Sewer at 109 Old South Road. I would like this to be on the agenda for the Board of Health meeting on September 15, 2016.

I am asking for a waiver for her property at 109 Old South Road as this is my mother's residence,. She is 99 years old and this would create a hardship for her financially and emotionally. She has asked me to see if you could waiver this until the property is sold or until her death.

Thank you for your attention to this matter.

Daughter: Joan Bunting
Job6@comcast.net
508-364-5244

Mary E. Glowacki
PO Box 389
Nantucket, MA 02554



No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7752 / Virus Database: 4649/12916 - Release Date: 08/31/16

BOARD OF HEALTH

Meeting

Town of Nantucket
3 East Chestnut Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov



Commissioners: Malcolm MacNab, MD, PHD (chair), Stephen Visco (Vice chair), James Cooper, Helene Weld, RN, Rick Atherton

Staff: Roberto Santamaria, Artell Crowley, Kathy Lafavre, Hank Ross, Anne Barrett

~~ MINUTES ~~

Thursday, August 18, 2016

4 Fairgrounds Road, Community Room – 4:00 pm

Called to order at 4:01 p.m.

Staff in attendance: R. Santamaria, Health Director; A. Crowley, Assistant Health Director; H. Ross, Inspector; T. Norton, Town Minutes Taker

Attending Members: Stephen Visco (acting chair); James Cooper; Helene Weld, RN; Rick Atherton, Board of Selectmen

Absent Members: Malcolm MacNab, MD, PHD

Early Departure: Cooper, 4:54 p.m.

Agenda adopted by unanimous consent

I. ANNOUNCEMENTS

II. PUBLIC COMMENTS – ANY MEMBER OF THE PUBLIC MAY ADDRESS COMMISSIONERS AT THIS TIME

1. Helene Blair, 54 Hummock Pond Road – Variance 69.05 “enforcement will do manifest injustice to the property of the owner”; prior to doing the septic, the owner needs an engineer which in some cases is an exorbitant cost. Her nephew talked to his lawyer, who said under the circumstances as described, she cannot be forced to hook up to Town Sewer. She chooses not to and doesn’t know how she can be forced to do so. Visco – This is on the agenda and will be taken up at that time.

III. APPROVAL OF MINUTES

1. July 21, 2016: Adopted by unanimous consent.

IV. BOH APPLICATIONS REVIEW

1. Waiver on biodegradable packaging regulation 71.00 – coffee lids

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – there is a request do not use compostable coffee lids because customers prefer the flat lids. The dome lids are found in compostable material.

Terri Dion, Espresso to Go & Fast Forward – Brought a sample of the two lids and the plug, which is for the dome lid. The flat lid is for regular coffee and is not compostable; they aren’t made yet. Once flat lids come in compostable material, she will use them.

Santamaria – Can do the dome plugs but that’s the same amount of plastic as the flat lid.

Explained what happens to the compostable lids versus the plastic lids when they go through the composter.

Cooper – Suggested a temporary waiver to see what happens.

Action **Motion to Grant a temporary waiver for 1 year.** (made by: Cooper) (seconded by: Weld)

Vote Carried unanimously

2. Extension on deadline for sewer connection 8 Nobska Way 67-101

Sitting Cooper (acting chair), Weld, Atherton

Recused Visco

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:13) **Santamaria** – This is a request not to connect to sewer until the property is transferred; this is a hydraulically failed system and needs to connect as soon as possible. The current hookup deadline is December 1, 2016.

John Cartwright, for Janet Lane owner – This property has a Purchas and Sales (P&S) agreement being signed. Toscanna indicates they won't be able to install the pipes to hook to sewer until the end of January 2017. Money is being held in escrow for that work. Closing on the sale is will be in September 2016.

Atherton – Asked what happens if the sale fails.

Cartwright – The reverse mortgage is due and the lenders have filed to forward to foreclose in absence of a P&S. Whoever would buy the property under a foreclosure sale would be obligated to connect to the sewer. Noted that no one is currently living there and the residence has been empty for one year.

Atherton – Under the circumstances, this sounds like a reasonable request. We could require it remain empty until a new owner takes possession.

Santamaria – One way to enforce it is to get a sewer entry permit in hand.

Crowley – It is difficult to track multiple properties with different hook-up dates. A simple solution is to have them get into a contract with an engineer who will be in contact with the Health Department.

Action **Motion to Grant the extension to February 1, 2017 with the conditions that the residence remain uninhabited and a permit be applied for.** (made by: Atherton) (seconded by: Weld)

Vote Carried 3-0

3. Policy review for the connection to sewer – distance from structure to line

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:24) **Santamaria** – At a previous meeting the board discussed creating a distance policy for enforcement of connection to Town sewer; some properties are over 1000 feet from the sewer line. Reviewed the policy he developed, which defines “manifest injustice.” A sewer line within 200 feet is immediately available; moderately available is 201 to 399 feet; anything beyond 400 feet is not readily available. In that situation if we get estimated costs comparing connecting and replacing the sewer, the board will review the need to connect. We won't accept waiver requests under this policy until sewer becomes available to that area. This would be an internal guidance.

Visco – In a lot of sewer districts, the sewer doesn't abut all the properties so someone can be in a district but sewer isn't available due to where the line was laid.

Atherton – Asked that “abutting road or way that has sewer pipes available in it” be added.

Cooper – Clarified that if this is passed, anyone more than 200 feet and wishing a variance has to come in with comparative pricing.

Atherton – His concern is for lots that abut a way with a sewer line but the lot is so deep the structure is over 200 feet from the line; those structures technically meet the criteria while the hook up is technically readily available.

Discussion about how the policy will handle land-locked lots versus pork-chop and deep lots.

Santamaria – He will redraft the policy looking at exceptions.

Action **Motion to Table.** (made by: Atherton) (seconded by: Cooper)

Vote Carried unanimously

4. Variance from 69.05 sewer connection for 54 Hummock Pond Road 56-76

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:47) **Helene Blair** – Explained the proximity of her property to Hussey Farm Road where the sewer would run; thinks it would be a line of about 600 feet under the road, bike path, and driveway.

Santamaria – Would have to be connected by September 1, 2016; the sewer turns down Oak Hollow Road.

Cooper – The house could connect when sewer comes down Meadow View Drive. That would be the shortest route and so less expensive. Asked what she would have to do to hook to the Meadow View Drive sewer when it is installed.

Santamaria – Sewer is available on Hummock Pond Road; this would require a waiver.

Visco – The line she would have to tie into is a pressure line from Aurora Lane.

Paul Blair – We need some kind of financial relief; we both are retired on a limited income. The systems, one for each house, are regularly inspected and pumped. Only two people live on the property.

Santamaria – The Betterment Loan Program is down to \$90,000. He is applying for the next \$1 million.

Atherton – There is financial assistance available through the betterment program. That should be pursued in this situation.

Santamaria – They will have to apply for the program. This is a nitrogen sensitive area and sewer is available

Visco – If they are showing good faith and moving forward, the fee could be waived.

Action **Motion to Extend the deadline for 30 days and the owners are to talk to the Health Department to clearly understand options for financial assistance available.** (made by: Atherton) (seconded by: Weld)

Vote Carried 3-0//Cooper departed

5. Variance from 69.05 sewer connection 79 Old South Road 68-128

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (5:04) **Santamaria** – Asked for the same variance based on a similar situation. The system has a metal tank which is an automatic failure.

Visco – The sewer line, which is a gravity line, is on her side of the street and very close.

Atherton – Suggested the owner talk to the Health Department about the privilege and connection fees.

Visco – The extension allows 30 days to get the permit which then allows 1 year to hook up.

Action **Motion to Extend the deadline for 30 days.** (made by: Atherton) (seconded by: Weld)

Vote Carried unanimously

6. Variance from 69.05 sewer connection 76A Old South Road 68-408 (Egan Lane)

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (5:08) **Santamaria** – This is an abnormal situation with a significant distance from the gravity line on Old South Road. The line installed would require every owner of the abutting properties to sign off on it.

Discussion about whether or not 78 Old South Road is hooked to Town sewer.

Action **Motion to Extend the deadline for 60 days to November 1, 2016.** (made by: Atherton) (seconded by: Weld)

Vote Carried unanimously

- 7. Variance from 69.05 sewer connection 80A Old South Road 68-412 (Egan Lane)
- 8. Variance from 69.05 sewer connection 84 Old South Road 68-415 (Egan Lane)
- 9. Variance from 69.05 sewer connection 82 Old South Road 68-413 (Egan Lane)
- 10. Variance from 69.05 sewer connection 82A Old South Road 68-414 (Egan Lane)
- 11. Variance from 69.05 sewer connection 72A Old South Road 68-404 (Egan Lane)
- 12. Variance from 69.05 sewer connection 80 Old South Road 68-411 (Egan Lane)

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (5:08) **Santamaria** – Like 76A Old South Road, all of these are a similarly abnormal situation with a significant distance from the gravity line on Old South Road. Every line installed would require every owner to sign off on it; it would be a surveying nightmare. He doesn't believe there are other such situations on the Island. Recommend issuing a waiver.

Action **Motion to Grant a waiver until such time as sewer is available which is more convenient than the Old South Road line.** (made by: Atherton) (seconded by: Weld)

Vote Carried unanimously

- 13. Variance from 69.05 sewer connection 11 Oak Hollow Lane 56-127.

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – This is a case that the GIS map shows them inside the district with an abutting line; however the sewer line ends at a manhole and then crosses to the Aurora Way pump station and is over 100 feet away from the corner of the lot. Feels this is a prudent request.

Joe Sinnkiewicz – The line stops over 100 feet from the property with another 100 feet to the house. In 2011 the septic was inspected and that indicated low usage. If construction goes through and a sewer line is brought past his property, he will tie in at that time. He paid \$10,000 for the line that stops at the manhole; he is concerned about having to pay that again.

Atherton – The owner should not have received the letter and the BOH won't require a hook up.

Action No action taken.

Vote N/A

- 14. Lobster Trap mobile unit review

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (5:27) **Santamaria** – This is an update as to how this is proceeding in light of other similar requests; voting on the variance is scheduled for the September meeting.

Ross – So far he has been inspecting it every Monday; they have done a good job of taking care of the unit, cleaning it, and restocking it. He thinks they should have it granted.

Santamaria – The manager at the brewery confirmed the Lobster Trap owners are effectively treating the trailer as a restaurant.

Action No action at this time.

Vote N/A

15. Release of Betterment Loan for Baker Inventions 74 Arkansas Avenue

16. ACO for 74 Arkansas Avenue

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (5:30) **Santamaria** – We voted to provisionally accept the Administrative Consent Order (ACO) based upon payment of the Betterment Loan which has been paid off and now needs to be released.

Action **Motion to Release the Betterment Loan and Approve the ACO for 74 Arkansas Avenue.** (made by: Weld) (seconded by: Atherton)

Vote Carried unanimously

17. Variance to allow shed with bathroom to be placed over leach pit 9 Beach Street 73.1.3-24

Sitting Visco, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (5:31) **Mike Dagesse**, General Manager for Roberta Brown owner – The leach pit takes up the front yard and the owner wants to put a shed over it. It will be put on six anchor piers so that no holes will be dug. The shed could be moved to affect repairs to the system.

Visco – Under Title 5, sonotubes are considered a foundation. Moving the shed when a failure occurs will be difficult.

Crowley – Clarified that Title 5 doesn't address sonotubes in regards to setback from the leach pit but states that a structure can't be over the leach pit. Noted that this more than a shed, it is a finished studio with a bathroom.

Dagesse – Explained how he would move the shed should work on the leach pit be necessary. The septic is a 3-bedroom septic with only two bedrooms in the house; this would count as a third bedroom.

Crowley – Driving 36" pipes into the ground could damage the leach facility.

Atherton – We would have to know where the leach line is.

Visco – He leans toward going with Title 5 and not having a structure over the leach pit.

Action **Motion to Deny the variance request.** (made by: Weld) (seconded by: Atherton)

Vote Carried unanimously

V. OTHER BUSINESS & DIRECTOR'S REPORT

1. Approve "Certified Authority to File" for septic loan money

Sitting Visco, Weld, Atherton

Discussion (5:44) **Santamaria** – Need to request the next \$1 million of the Betterment Loan and the BOH needs to authorize him to sign the file on behalf of the BOH.

Action **Motion to Authorize Staff to sign the file.** (made by: Weld) (seconded by: Atherton)

Vote Carried unanimously

2. Set interest rate for Betterment Loan Program

Sitting Visco, Weld, Atherton

Discussion (5:45) **Santamaria** – The new loan rate is now set for 2%. Either we maintain our loan at the current rate at 2%, which would break even or set it at 5%.

Visco – He doesn't want the loan rate to become a deterrent.

Action **Motion to Set the loan rate at the same rate as the borrowing rate.** (made by: Atherton) (seconded by: Weld)

Vote Carried unanimously

3. Abby Silber, Intern (4:40) – The project she is working on is a report on housing. When she started, she focused on housing needs and bringing affordable housing above 10%. It has changed to reflect how the Health Department can mitigate the health risks associated with substandard housing. She found there is a great need for housing but couldn't quantify it due to the lack of metrics to be able to understand how deep the severity of substandard

housing goes. At the next meeting, she will present a proposal to start collecting data on people coming and going from the island. She also wants to address classic problems when Health Department comes involved due to lack of adequate housing and will present a proposal for a “healthy housing project.” She will present a housing report at the September meeting. Explained how the summer worker population can be quantified.

4. Director’s Report ^(5:47)

- a. He recently finished certification for 6 Sigma; he will start reviewing projects and applying aspects to their database; he will respond to a lot of issues within the department. The primary focus is to eliminate waste in staff hours spent on processes. Looking into on-line permitting. He will also be looking into internal permitting processes and the feasibility of digitizing files.
- b. With the increase in the Health Department revolving fund due to raised fees, he is asking to increase the capital for the intern program.
- c. Tick-borne disease numbers were abnormally low; we know the numbers are higher and are looking to get actual numbers from the doctors. We know cases are not being properly reported; it is a state law to report tick-borne disease cases. Discussion about why the cases aren’t being reported.

VI. ADJOURN

Motion to Adjourn: 5:53 p.m.

Submitted by:
Terry L. Norton