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N-10158

January 10, 2020

Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, Massachusetts 02554

Re: Request for Extension of Order of Conditions  
Applicant: Kristen Engle, as Trustee Pocomo Point Realty Trust  
90 Pocomo Road (Map 15 Parcel 43)  
Nantucket, MA 02554  
D.E.P. File #SE48-2946

Dear Commission Members,

Pursuant to 310 CMR 10.05(8)(a) and Bylaw Section 136-4B, Nantucket Surveyors, LLC would like to request on behalf of the applicants, a two (2) year extension of Order of Conditions, SE48-2946. The Order of Conditions was issued on February 1, 2017 and recorded in the Nantucket County Registry of Deeds as LC Doc. #154319. An Amendment to the Order of Conditions was issued on April 25, 2018 and recorded in the Nantucket County Registry of Deeds as LC Doc. # 158509.

Work Permitted is as indicated on the Orders attached hereto.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call our office.

Respectfully,  
Nantucket Surveyors, LLC

Paul J. Santos, PLS

Enclosures

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

Cc: Arthur I. Reade, Jr. Esq.

Office located at 5 Windy Way • Nantucket, MA 02554

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



2017 00154319

Cert: 24369 Doc: OOC  
Registered: 02/10/2017 02:17 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- 2946  
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:

Kristen Engle  
a. First Name b. Last Name  
Pocomo Point Realty Trust  
c. Organization  
c/o Glidden & Glidden, P.C. 37 Centre Street, P.O. Box 1079  
d. Mailing Address  
Nantucket MA 02554  
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

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

5. Project Location:

90 Pocomo Road Nantucket  
a. Street Address b. City/Town  
15 43  
c. Assessors Map/Plat Number d. Parcel/Lot Number  
Latitude and Longitude, if known: 41.314299 -70.031062  
d. Latitude e. Longitude

**FINDINGS and ADDITIONAL CONDITIONS**  
 Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40)  
 Town of Nantucket Wetlands Bylaw (Chapter 136)

Address: 90 Pocomo Road  
 Assessor's Map and Parcel: 15-43  
 Property Owner: Pocomo Point Realty Trust  
 Applicant: Pocomo Point Realty Trust  
 DEP File Number: SE48-2946  
 Filing Date: 12/30/2016  
 Date Hearing Closed: 2/1/2017  
 Date Orders Issued: 2/1/2017  
 Plan of Record Information: Site Plan to Accompany a Notice of Intent, dated December 30, 2016 and stamped by Paul J. Santos, P.L.S.

**Permit Overview:**

This order permits the removal or demolition of existing structures with associated grading, landscaping and utilities within the buffer zone to Coastal Bank. Waivers are required for this project.

**Additional Findings:**

1. The area falls outside mapped habitat areas and did not require NHESP review.

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

18. All work shall be performed in accordance with the Site and Work Description contained within the Notice of Intent and plan notes set out on the plan of record, provided project narratives, and protocols.
19. No excavation shall occur within 15' of the Coastal Bank.

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

Waivers are required to Section 2.05(B)(5) that all projects that are not water dependent shall maintain at least a 25-foot natural undisturbed area adjacent to a coastal bank. All structures which are not water dependent shall be at least 50 feet from a coastal bank. Given the project of removing a structure within the 25-foot setback the Commission finds that its removal will provide a long-term net benefit to the resource area and its buffer zones. Therefore the Commission grants a waiver under Section 1.03(F)(3)(c) of the Nantucket Wetland Protection Regulations.



2018 00158509

Cert: 24369 Doc: AMENDME  
Registered: 05/17/2018 02:06 PM



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:  
SE48-2946  
MassDEP File #

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City/Town

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1. From: Nantucket  
Conservation Commission
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a.  Order of Conditions b.  Amended Order of Conditions
3. To: Applicant:
- Kristen Engle, Trustee  
a. First Name b. Last Name
- Pocomo Point Realty Trust  
c. Organization
- 13535 D'Este Drive  
d. Mailing Address
- Pacific Palisades CA 90272  
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:
- 90 Pocomo Road Nantucket  
a. Street Address b. City/Town
- 15 43  
c. Assessors Map/Plat Number d. Parcel/Lot Number
- Latitude and Longitude, if known: 41.314299 -70.031062  
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Town of Nantucket Wetlands Bylaw (Chapter 136)

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 Assessor's Map and Parcel: 15-43  
 Property Owner: Pocomo Point Realty Trust  
 Applicant: Pocomo Point Realty Trust  
 DEP File Number: SE48-2946  
 Filing Date: 12/30/2016  
 Date Hearing Closed: 2/1/2017  
 Date Orders Issued: 2/1/2017  
**Date Amended: 4/25/2018**  
 Plan of Record Information: Site Plan to Accompany a Notice of Intent, dated December 30, 2016 and stamped by Paul J. Santos, P.L.S.  
**Amended Plan of Record: Engle Residences ConCom 1-4 dated March 12, 2018 and prepared by David Bartsch Landscape Architecture, LLC**

**Permit Overview:**

This order permits the removal or demolition of existing structures with associated grading, landscaping and utilities within the buffer zone to Coastal Bank. Waivers are required for this project. **This Order is amended to include the relocation of the existing structure, installation of a pool, hardscaping and restoration of vegetation.**

**Additional Findings:**

- I. The area falls outside mapped habitat areas and did not require NHESP review.

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

18. All work shall be performed in accordance with the Site and Work Description contained within the Notice of Intent and plan notes set out on the plan of record, provided project narratives, and protocols.
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