



SITE DESIGN ENGINEERING, LLC.

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

June 17, 2021

SDE No. 20187

Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

**Subject: Request for Amendment of a Nantucket Notice of Intent
Nantucket File No.: NAN-122
50 Eel Point Road, Nantucket, MA
Map 32, Parcel 25.1**

Dear Members of the Commission:

The purpose of this letter is to request an amendment for the above referenced Order of Conditions (OOC). A Site Plan prepared by Site Design Engineering, LLC (SDE) with a revision date of June 16, 2021 is being submitted as part of this request.

Permitting History

An Order of Conditions (OOC) permitting the residential development of this property which included the construction of an SFR, secondary dwelling, pool, detached garage, pervious driveway, and associated landscaping/grading was approved and issued by the Commission on September 10, 2015. An extension was granted on August 8, 2018. The OOC has an expiration date of September 10 2021. The OOC is currently valid. The extent of all wetland resource areas and associated buffer zones on the Subject Property was confirmed as part of this OOC. A significant portion of the Subject Property is located outside of the 100-foot IVW buffer zone.

Proposed Amendment Modifications

The Original approval included a pervious driveway and secondary dwelling located within portions of the 100-foot IVW buffer zone. The proposed Amendment includes a pool, shed, and retaining walls within the 100-foot IVW buffer zone. With the exception of the previously approved drinking water well, all proposed work will be located outside of the 50-foot IVW buffer zone. With the exception of a small amount of landscaping to access the previously approved well, no alteration of the 50-foot IVW buffer zone is proposed.

Conclusion

The proposed Amendment includes a reconfiguration of the previously approved development placing the pool and shed within the 100-foot IVW buffer zone instead of a secondary dwelling and pervious driveway. All proposed revisions are comparable in scope to what was previously approved on the Subject Property and will not require any new or additional waivers under the Bylaw. All structures will be located entirely outside of the 50-foot IVW buffer zone. The Applicant feels that the proposed modifications will not result in any significant new or additional impacts to

SDE No. 20187
50 Eel Point Road
NAN-122
June 17, 2021

Page 2 of 2

the IVW or associated buffer zones. Therefore, the Applicant respectfully requests that the Commission approve the proposed Amendment as requested.

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

Respectfully,
Site Design Engineering, LLC.



Mark Rits
Project Manager/Permitting Specialist

Attachments:

- Cover Pages of Recorded OOC NAN-122
- Cover Pages of OOC Extension NAN-122
- Notification to Abutters
- Site Plan (8.5 x 11)
- Filing Fee Checks

SITE DESIGN ENGINEERING, LLC.

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Cert: 25871 Doc: OOC
Registered: 11/20/2016 01:41 PM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
NAN-122
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:
- Edward Bayliss
a. First Name b. Last Name
- c/o Sarah Alger, P.C
c. Organization
- Two South Water Street
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:
- 52 Eel Point Road Lot 2 Nantucket
a. Street Address b. City/Town
- 32 25
c. Assessors Map/Plat Number d. Parcel/Lot Number
- Latitude and Longitude, if known: 41.29053 70.15695
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Town of Nantucket Wetlands Bylaw Chapter 136

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 City/Town

A. General Information (cont.)

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

Nantucket

a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: 08/19/15 09/10/2015 09/10/2015
 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):

NOI Site Plan – Lot 2

a. Plan Title

Site Design Engineering, LLC.

Daniel C. Mulloy

b. Prepared By

c. Signed and Stamped by

08/14/15

1"= 30'

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:

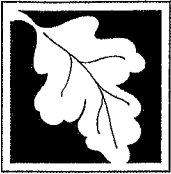
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act).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



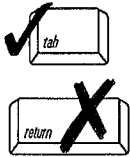
Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 7 – Extension Permit for Orders of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

NAN-122
 Provided by DEP

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:
 Edward Bayliss
 Name
 c/o Sarah Alger, P.C, 2 South Water Street
 Mailing Address
 Nantucket MA 02554
 City/Town State Zip Code
- Property Owner (if different):
 Same As Applicant
 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:

09/10/2015 Issued by: Nantucket
 Date Conservation Commission
 for work at: 52 Eel Point Road (Lot 2) 32 25
 Street Address Assessor's Map/Plat Number Parcel/Lot Number

recorded at the Registry of Deeds for:

Nantucket
 County Book Page
 225871
 Certificate (if registered land)

is hereby extended until: 09/10/2021 N/A
 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.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<http://www.mass.gov/dep/about/region/findyour.htm>)

Signatures: _____ Date: 08/08/2018

 Ernest Steinauer _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 7 – Extension Permit for Orders of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

NAN-122
Provided by DEP

C. Recording Confirmation

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Project Location

DEP File Number

has been recorded at the Registry of Deeds of:

County

for:

Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

Date

Book

Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant



SITE DESIGN ENGINEERING, LLC.

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

June 17, 2021

SDE No. 20187

**Subject: Request for Amendment NAN-122
50 Eel Point Road
Nantucket, Massachusetts
Map 32, Parcel 25.1**

To Whom It May Concern:

Site Design Engineering LLC (SDE) on behalf of the Applicant, Fredrick R. Hahn, has filed a Request for Amendment with the Nantucket Conservation Commission. The purpose of the Request for Amendment is to request approval for a revised Site Plan which shows a revised development layout within the 100-foot Isolated Vegetated Wetland (IVW) buffer zone.

Electronic copies of the request may be obtained by request from the office of the Nantucket Conservation Commission (508-228-7230) located at 2 Bathing Beach Road during normal business hours. The Commission will hold a public hearing to review this application. The date and time of the public hearing will be published in the Inquirer and Mirror under the legal ads. As of the time of this letter the public hearing is tentatively scheduled for July 8, 2021 and will be conducted via remote participation. If you have any questions, please call (508) 802-5832 or email Mark Rits at (mrirts@sde-ldec.com).

Respectfully,

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

Mark Rits
Site Design Engineering, LLC.

**NANTUCKET CONSERVATION COMMISSION
NOTICE OF PUBLIC HEARING**

Dear Abutter:

In accordance with MGL Chapter 131, Section 40, and pursuant to Regulation 310 CMR 10.05, et seq., and Nantucket By-Law Chapter 136, Section 4, you are hereby notified that a Public Hearing will be held during the Conservation Commission Meeting which will be held via remote participation via Zoom and YouTube pursuant to Governor Baker's March 12, 2020 Order regarding the Open Meeting Law. Information on viewing the meeting can be found at <https://www.nantucket-ma.gov/138/Boards-Commissions-Committees>.

July 8, 2021

Date of Public Hearing

50 Eel Point Road

Street Address/ Map & Parcel

Fredrick R. Hahn

Applicant Name

The purpose of the meeting is to open a Public Hearing on a Notice of Intent, an Amended Order of Conditions or a Request for Determination.

Description of Work Proposed.

Reconfiguration of previously approved development within the 100-foot IVW buffer zone

For a digital version of the filing please email
jdodd@nantucket-ma.gov and jcarlson@nantucket-ma.gov
Copies of the complete application are available for examination at
The Conservation Commission/ Natural Resources Department
2 Bathing Beach Road, Nantucket 508-228-7230. Business hours (Monday-Friday 9AM-1pm)

NO.	DATE	DESCRIPTION	APPROVED

DATE: JUNE 18, 2021
PROJECT NO: 20187
PROJECTING: 20187
DESIGNED BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 30'
CITY: [Signature]



PREPARED FOR: FREDRICK H. HAYN
50 EEL POINT ROAD
ASSESSOR'S MAP 33, PARCEL 25.1
NANTUCKET, MASSACHUSETTS
SITE PLAN

DRAWING TITLE: **SITE PLAN**
SCALE: 1" = 30'
SHEET NO: **1 OF 1**

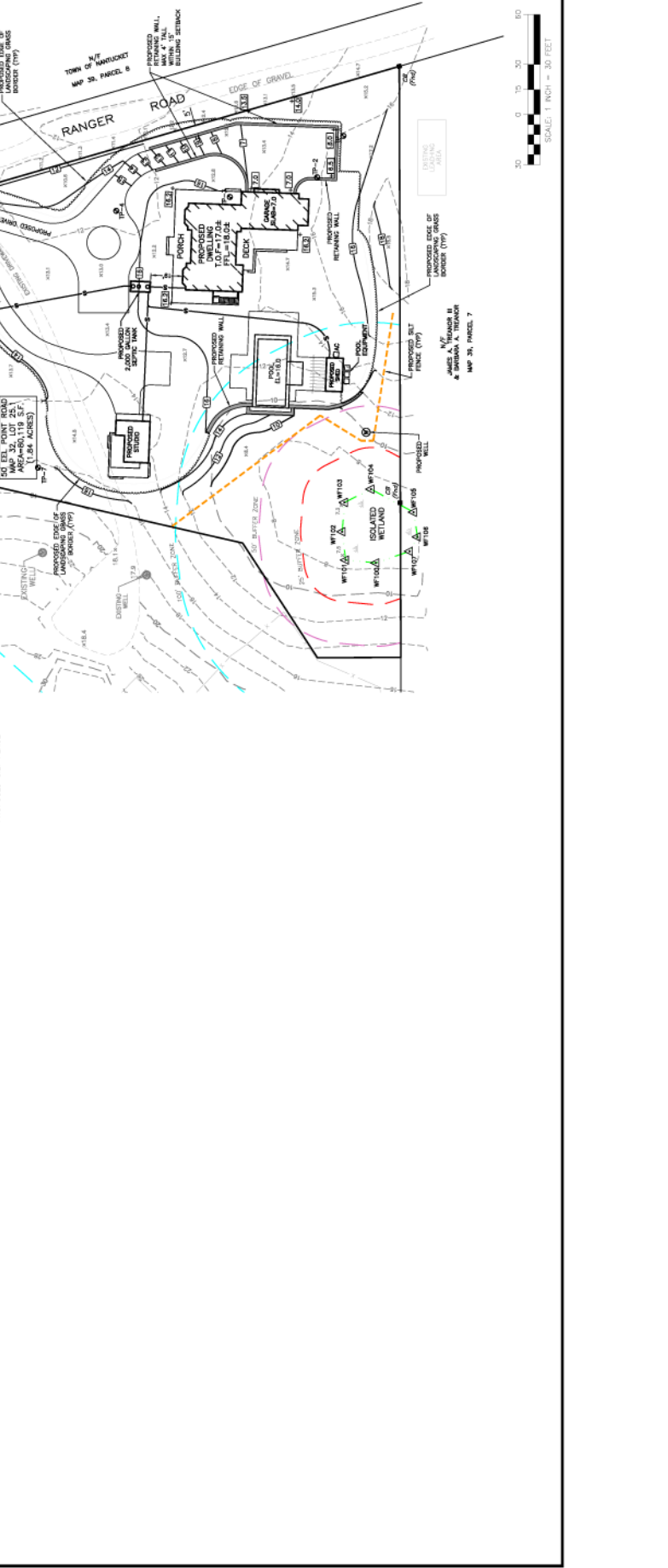


GENERAL NOTES:
1. EXISTING CONDITIONS NOT SHOWN WAS COMPILED FROM AN IN THE PAST AND HAS NOT BEEN VERIFIED BY THE ENGINEER.
2. ELEVATIONS ARE REFERENCED TO MNNWL.
3. THE SITE IS NOT LOCATED WITHIN ANY FLOOD HAZARD ZONES AS SHOWN ON THE FLOOD HAZARD ZONING MAPS AND AS SHOWN IN THE MASSACHUSETTS STATE AND LOCAL GOVERNMENT RECORDS.
4. THIS SITE IS LOCATED WITHIN THE NATURAL HERITAGE ENGINEERED AS SHOWN IN THE MASSACHUSETTS STATE AND LOCAL GOVERNMENT RECORDS.
5. THIS PLAN AND ANY ACCOMPANYING CONDITIONS DO NOT GUARANTEE THE ACCURACY OF THE DATA AND THE RESULTS AND SHOWN ACCORDING TO CURRENT TOWN RECORDS.
6. INFORMATION AND APPROPRIATE LOCATION, IN THIS PLAN, IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A WARRANTY. ENGINEERING, LLC ASSUMES NO RESPONSIBILITY FOR DAMAGES TO ANY PROPERTY OR PERSONS ARISING FROM THE USE OF THIS PLAN, SHOWING OR THE MAKING OF ANY CONNECTIONS, THE PROPERTY OWNER AND ANY OTHER PARTY SHOULD BE CONSULTED.
7. PUBLIC UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED.

SOIL DATA
SOIL ANALYSIS REPORT DATED ON 6/21/21 BY: [Signature] FOR: [Signature] FROM: [Signature] FOR: [Signature]
DATE: [Signature] BY: [Signature] FOR: [Signature]
NO. OF TESTS: [Signature]
NO. OF SAMPLES: [Signature]
NO. OF TESTS: [Signature]
NO. OF SAMPLES: [Signature]

ZONING REQUIREMENTS:
THE SITE IS ZONED LIMITED USE Z (L002)

REQUIRED	MINIMUM	MAXIMUM
LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
FRONT YARD SETBACK	10 FT.	30 FT.
REAR YARD SETBACK	10 FT.	15 FT.
SIDE YARD SETBACK	10 FT.	15 FT.
MAX. GROUND COVER RATIO	4%	4%



CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

SITE DESIGN ENGINEERING, LLC

11 Cushman Street
Middleboro, MA 02346
(508) 967-0673

Rockland Trust Company
135 S. Main Street
Middleboro, MA 02346
53-447/113

5590

6/16/2021

PAY TO THE ORDER OF Town of Nantucket

\$**200.00

Two Hundred and 00/100***** DOLLARS

PROTECTED AGAINST FRAUD

Town of Nantucket

MEMO

50 Eel Point Rd - NOI amendment fee



⑈005590⑈ ⑆011304478⑆ 2983003688⑈

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11 Cushman Street
Middleboro, MA 02346
(508) 967-0673

Rockland Trust Company
135 S. Main Street
Middleboro, MA 02346
53-447/113

5591

6/16/2021

PAY TO THE ORDER OF Town of Nantucket

\$**25.00

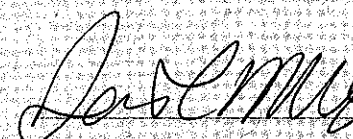
Twenty-Five and 00/100***** DOLLARS

PROTECTED AGAINST FRAUD

Town of Nantucket

MEMO

50 Eel Point Rd - NOI amendment bylaw fee



⑈005591⑈ ⑆011304478⑆ 2983003688⑈

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SITE DESIGN ENGINEERING, LLC

11 Cushman Street
Middleboro, MA 02346
(508) 967-0673

Rockland Trust Company
135 S. Main Street
Middleboro, MA 02346
53-447/113

5592

6/16/2021

PAY TO THE ORDER OF Inquirer & Mirror Inc.

\$**201.07

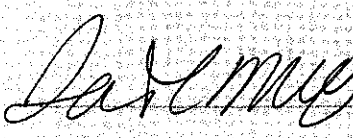
Two Hundred One and 07/100***** DOLLARS

PROTECTED AGAINST FRAUD

Inquirer & Mirror Inc.
1 Old South Road
Box 1198
Nantucket, MA 02554

MEMO

50 Eel Point Rd - NOI amendment legal ad fee



⑈005592⑈ ⑆011304478⑆ 2983003688⑈