

MICHAEL CONNOLLY & ASSOC., INC.  
PROFESSIONAL LAND SURVEYORS

150 SURFSIDE ROAD  
NANTUCKET, MASSACHUSETTS 02554  
(508) 228-8910

C-7552

March 24, 2022

Jeff Carlson  
Nantucket Conservation Commission  
131 Pleasant Street  
Nantucket, MA 02554

Re: Order of Conditions/Mass. Dep File No. SE48-2541 at 21 Lincoln Avenue, map 30, parcel 43  
in Nantucket, Massachusetts

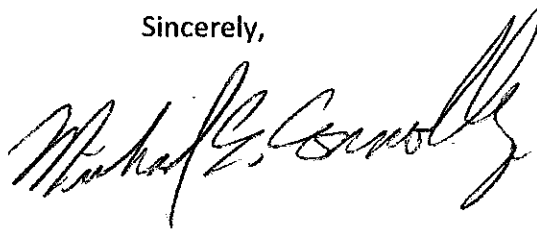
Dear Conservation Commission Members:

Enclosed you will find a plan of land showing as-built conditions at 21 Lincoln Avenue. The construction and renovations are in substantial compliance with the Order of Conditions revered above. The original application and amendments were prepared by Emack Surveying, LLC.

Also enclosed you will find a filing fee check (\$25.00) and a copy of Certificate 24472 with the 2<sup>nd</sup> amended Order of Conditions posted.

If you have any questions or need additional information, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Connolly". The signature is fluid and cursive, with a large, sweeping flourish at the end.

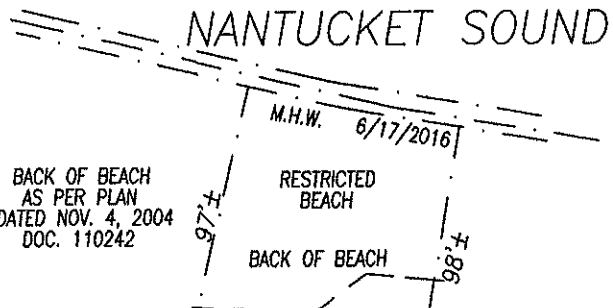
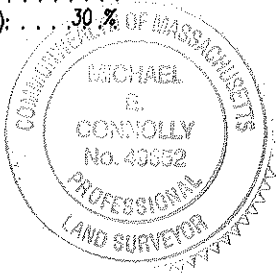
Michael. E. Connolly, P.L.S

MEC:mtc

ZONING CLASSIFICATION: R-1

MIN. AREA: . . . . . 5,000 S.F.  
MIN. FRONTAGE: . . . . . 50 FT.  
FRONT YARD S.B.: . . . . . 10 FT.  
REAR & SIDE S.B.: . . . . . 5 FT.  
GROUND COVER (%): . . . . . 30 %

EXISTING:  
. 54,421± S.F.  
. 68.63'  
. SEE PLAN.  
. SEE PLAN.  
. SEE PLAN.



I CERTIFY, AS OF: 3/23/2022 THAT THE BUILDING(S) IS/ARE LOCATED ON THE GROUND AS SHOWN HEREON.

*Michael E. Connolly*  
PROFESSIONAL LAND SURVEYOR

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET BUILDING DEPARTMENT 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.

30-42  
N/F  
TWENTY-THREE LINCOLN AVENUE NOMINEE TRUST

2 1/2 STY W/F DWELLING  
G.C. = 2918± S.F.  
(CRN. BDS. & LIVING SPACE)

1 1/2 STY W/F GARAGE/COTTAGE  
G.C. = 1,256± S.F.  
(CRN. BDS.)

EXISTING INGROUND POOL & HOT TUB

SHELL PARKING

BLOCK APRON

BOTTOM OF BANK AS PER PLAN DATED NOV. 4, 2004 DOC. 110242

EXISTING BEACH STAIRS

TOP OF CANTILEVERED SEATS

WINDOW WELLS AT GRADE

OPEN CELLARWAY

WINDOW WELLS AT GRADE

30-44  
N/F  
CLIFFSIDE BEACH INC.

BUILDING OFFSETS TO SHINGLE CORNERS 4' UP

30-117  
N/F  
KAY L. BERNON

### BUILDING LOCATION PLAN OF LAND IN NANTUCKET, MA.

SCALE: 1" = 60' DATE: MARCH 23, 2022

Owner: . 21 LINCOLN AVENUE, NOMINEE TRUST . . . . .  
L.C. 15978-A  
Deed/Cert.: . 24,472 . . . . . Plan: L.C. 8751-M, LOT 9 .  
Tax Map: . 30-43 . . . . . Locus: . 21 LINCOLN AVENUE . . .

MICHAEL CONNOLLY & ASSOC. INC.  
PROFESSIONAL LAND SURVEYORS  
150 SURFSIDE ROAD  
NANTUCKET, MASSACHUSETTS 02554  
508-228-8910

LINCOLN AVENUE





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:

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):  
 Whitney A. Gifford and Garland Obrecht Alban, Trustees of 21 Lincoln Avenue Nominee Trust  
 Name  
 P.O. Box 2669  
 Mailing Address  
 Nantucket MA 02584  
 City/Town State Zip Code  
 508-228-3128  
 Phone Number
  
2. This request is in reference to work regulated by a final Order of Conditions issued to:  
 Whitney A. Gifford, Trustee of 21 Lincoln Avenue Nominee Trust  
 Applicant  
 2/20/2013 Dated SE48-2541 DEP File Number
  
3. The project site is located at:  
 21 Lincoln Avenue Nantucket  
 Street Address City/Town  
 30 43  
 Assessors Map/Plat Number Parcel/Lot Number
  
4. The final Order of Conditions was recorded at the Registry of Deeds for : (name on Order)  
 Whitney A. Gifford, Trustee of 21 Lincoln Avenue Nominee Trust  
 Property Owner (if different) Document No. 140283, as amended by  
 Nantucket Doc. 141006 and Doc. 143354  
 County Book Page  
 Certificate No. 24472  
 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>).



2013 00140283

Cert: 24472 Doc: OOC  
Registered: 02/28/2013 01:43 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:  
SE48-2541  
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 Whitney A.  
b. Last Name Gifford, Trustee  
c. Organization 21 Lincoln Avenue Nominee Trust  
d. Mailing Address c/o Reade, Gullicksen, Hanley and Gifford, LLP, 6 Youngs Way, P.O. Box 2669  
e. City/Town Nantucket f. State MA g. Zip Code 10128

4. Property Owner (if different from applicant):  
a. First Name Same as applicant b. Last Name \_\_\_\_\_  
c. Organization \_\_\_\_\_  
d. Mailing Address \_\_\_\_\_  
e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_

5. Project Location:  
a. Street Address 21 Lincoln Ave. b. City/Town Nantucket  
c. Assessors Map/Plat Number 30 d. Parcel/Lot Number 43  
Latitude and Longitude, if known: \_\_\_\_\_ d. Latitude \_\_\_\_\_ e. Longitude \_\_\_\_\_



2013 00141006

Cert: 24472 Doc: AMENDME  
Registered: 05/07/2013 10:33 AM



**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:  
SE48-2541  
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:
- Whitney A. Gifford, Trustee  
a. First Name b. Last Name
- 21 Lincoln Avenue Nominee Trust  
c. Organization
- c/o Reade, Gullicksen, Hanley and Gifford, LLP, 6 Youngs Way, P.O. Box 2669  
d. Mailing Address
- Nantucket MA 10128  
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:
- 21 Lincoln Ave. Nantucket  
a. Street Address b. City/Town
- 30 43  
c. Assessors Map/Plat Number d. Parcel/Lot Number
- Latitude and Longitude, if known:        
d. Latitude e. Longitude



2013 00143354

Cert: 24472 Doc: AMENDME  
Registered: 12/30/2013 01:27 PM



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 5 – 2<sup>nd</sup> 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:  
SE48-2541  
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:

Whitney A. Gifford, Trustee  
a. First Name b. Last Name

21 Lincoln Avenue Nominee Trust  
c. Organization

c/o Reade, Gullicksen, Hanley and Gifford, LLP, 6 Youngs Way, P.O. Box 2669  
d. Mailing Address

Nantucket MA 10128  
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:

21 Lincoln Ave. Nantucket  
a. Street Address b. City/Town

30 43  
c. Assessors Map/Plat Number d. Parcel/Lot Number

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

# Transfer Certificate of Title

Cert No:24472  
Doc No:138763

From Transfer  
Certificate No. 19199 Originally Registered November 15, 1999 at the Registry District of Nantucket County

## This is to Certify that

**WHITNEY A. GIFFORD, Trustee of the 21 LINCOLN AVENUE NOMINEE TRUST u/d/t dated September 17, 2012, and registered as Document No. 138765 at the Registry District of Nantucket County**

c/o Reade, Gullicksen, Hanley, and Gifford, LLP, Six Young's Way, P.O. Box 2669, Nantucket in the County of Nantucket and the Commonwealth of Massachusetts, 02584 is the owner, in fee simple, of that land situated in Nantucket, in the County of Nantucket and said Commonwealth, bounded and described as follows:

### PARCEL 1:

Lot 9 on plan numbered 8751-M, drawn by Charles W. Hart & Assoc., Inc., Surveyors, dated October 10, 1994, filed with Certificate of Title No. 16,224 at the Registry District of Nantucket County.

Lot 9 is conveyed subject to a restriction in favor of the remaining land of the Grantor shown as Lot 10 on Plan No. 8751-M, that no structures of any kind shall be constructed upon said Lot 9.

### PARCEL 2:

SOUTHERLY by Lincoln Avenue sixty-eight and 63/100 (68.63) feet;

WESTERLY by land now or formerly of Ruth C. N. Fitch measuring on the upland about five hundred twenty-two and 01/100 (522.01) feet and by said line protracted to low water mark or so far as private ownership may extend;

NORTHERLY by Nantucket Sound; and

EASTERLY by land now or formerly of Nathaniel E. Lowell measuring on the upland about five hundred thirty-eight and 89/100 (538.89) feet, and by said line protracted to low water mark or so far as private ownership may extend.

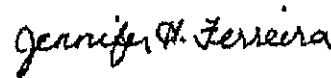
All of said boundaries, except the water lines, are determined by the Court to be located as shown on plan numbered 15978-A drawn by J. H. Robinson, Surveyor, dated May 1935, filed with Certificate of Title No. 2202 at the Registry District of Nantucket County.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General Laws, and that the title of said

### **WHITNEY A. GIFFORD, Trustee of the 21 LINCOLN AVENUE NOMINEE TRUST**

to said land is registered under said Chapter subject, however, to any of the encumbrances mentioned in section forty-six of said chapter, which may be subsisting, and subject also as aforesaid; and to the memoranda of encumbrances for this certificate. Parcel 2 is also subject to any and all public rights legally existing in and over the same below mean high water mark.

Witness **KARYN F. SCHEIER**, Esquire, Chief Justice of the Land Court, at Nantucket in said County of Nantucket the first day of November in the year two thousand and twelve at 3 o'clock and 7 minutes in the afternoon.



Attest, with the Seal of said Court,

**Jennifer H. Ferreira, Assistant Recorder**

Purported Property Address: 21 Lincoln Avenue  
Land Court Case No. 8751  
CERTIFICATE OF TITLE NO. 24472



# Memoranda Of Encumbrances

**Cert No:** 24472

**Book/Page:** /0

---

**Cert No** 24472  
**Document Number** 86184  
**Kind** WETLAND DETERMN  
**In Favor of** CONSERVATION COMMISSION , NANTUCKET CONSERVATION COMMISSION  
**Date of Instr** 06/24/1999  
**Terms** WORK DOES NOT REQUIRE NOTICE OF INTENT  
**Date of Reg** 08/18/1999  
**Time of Reg** 9:25AM

---

**Cert No** 24472  
**Document Number** 110242  
**Kind** CONSRVTN RESTRCTN  
**In Favor of** NANTUCKET TOWN , NANTUCKET TOWN INHABITANTS  
**Date of Instr** 11/17/2004  
**Terms** RESTRICTIONS ON PORTIONS OF LOT 9 PL 8751-M & PLAN 15978-A  
**Date of Reg** 12/31/2004  
**Time of Reg** 8:15AM

---

**Cert No** 24472  
**Document Number** 127666  
**Kind** MORTGAGE **dis by 142010**  
**In Favor of** FIRST REPUBLIC BANK , MERRILL LYNCH BANK & TRUST CO FSB  
**Date of Instr** 06/24/2009  
**Terms** \$5,750,000.00  
**Date of Reg** 06/30/2009  
**Time of Reg** 2:42PM

---

**Cert No** 24472  
**Document Number** 127667  
**Kind**

---

**Kind** MORTGAGE **dis by 142009**  
**In Favor of** FIRST REPUBLIC BANK , MERRILL LYNCH BANK & TRUST CO FSB  
**Date of Instr** 06/24/2009  
**Terms** \$500,000.00  
**Date of Reg** 06/30/2009  
**Time of Reg** 2:42PM

---

**Cert No** 24472  
**Document** 138764  
**Number**  
**Kind** CERT OF MUN LIEN  
**In Favor of** HENDRICKSON SARA M TR  
**Date of Instr** 09/24/2012  
**Terms**  
**Date of Reg** 11/01/2012  
**Time of Reg** 3:07PM

---

**Cert No** 24472  
**Document** 138765  
**Number**  
**Kind** DECL OF TRUST  
**In Favor of** 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 09/17/2012  
**Terms** Whitney A. Gifford, Trustee  
**Date of Reg** 11/01/2012  
**Time of Reg** 3:07PM

---

**Cert No** 24472  
**Document** 138766  
**Number**  
**Kind** TRUSTEE CERT  
**In Favor of** 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 11/01/2012  
**Terms** Whitney A. Gifford, Trustee  
**Date of Reg** 11/01/2012  
**Time of Reg** 3:07PM

---

**Cert No** 24472  
**Document** 138767  
**Number**

---

**Kind** MORTGAGE  
**In Favor of** M&T BANK  
**Date of Instr** 11/01/2012  
**Terms** \$18,000,000.00  
**Date of Reg** 11/01/2012  
**Time of Reg** 3:07PM

---

dis by 163300

**Cert No** 24472  
**Document Number** 140283  
**Kind** ORDER OF CONDITNS  
**In Favor of** NANTUCKET TOWN CONSERVATION  
**Date of Instr** 02/20/2013  
**Terms** DEP File No. SE48-2541  
**Date of Reg** 02/28/2013  
**Time of Reg** 1:43PM

---

**Cert No** 24472  
**Document Number** 140568  
**Kind** DECISION  
**In Favor of** NANTUCKET TOWN ZONING  
**Date of Instr** 02/19/2013  
**Terms** #010-13, alteration of structure  
**Date of Reg** 03/22/2013  
**Time of Reg** 3:35PM

---

**Cert No** 24472  
**Document Number** 141006  
**Kind** AMENDMENT  
**In Favor of** NANTUCKET TOWN ZONING  
**Date of Instr** 04/03/2013  
**Terms** re: doc 140283  
**Date of Reg** 05/07/2013  
**Time of Reg** 10:33AM

---

**Cert No** 24472  
**Document Number** 142009

---

**Kind** DISCHARGE  
**In Favor of** HENDRICKSON SARA M TR, OVERSEA NOMINEE TRUST  
**Date of Instr** 08/09/2013  
**Terms** dis of doc 127667  
**Date of Reg** 08/19/2013  
**Time of Reg** 2:43PM

---

**Cert No** 24472  
**Document Number** 142010  
**Kind** DISCHARGE  
**In Favor of** HENDRICKSON SARA M TR, OVERSEA NOMINEE TRUST  
**Date of Instr** 08/09/2013  
**Terms** dis of doc 127666  
**Date of Reg** 08/19/2013  
**Time of Reg** 2:43PM

---

**Cert No** 24472  
**Document Number** 143354  
**Kind** AMENDMENT  
**In Favor of** NANTUCKET TOWN CONSERVATION  
**Date of Instr** 11/06/2013  
**Terms** re: doc 140283  
**Date of Reg** 12/30/2013  
**Time of Reg** 1:27PM

---

**Cert No** 24472  
**Document Number** 144997  
**Kind** CERT OF MUN LIEN  
**In Favor of** GIFFORD WHITNEY A TR  
**Date of Instr** 06/24/2014  
**Terms**  
**Date of Reg** 07/07/2014  
**Time of Reg** 3:45PM

---

**Cert No** 24472  
**Document Number** 144998

---

**Kind** TRUSTEE CERT  
**In Favor of** 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 07/02/2014  
**Terms** Whitney A. Gifford, Trustee  
**Date of Reg** 07/07/2014  
**Time of Reg** 3:45PM

---

**Cert No** 24472  
**Document Number** 144999  
**Kind** MORTGAGE AMENDMENT  
**In Favor of** M & T BANK  
**Date of Instr** 07/01/2014  
**Terms** re: doc 138767  
**Date of Reg** 07/07/2014  
**Time of Reg** 3:45PM

---

**Cert No** 24472  
**Document Number** 145162  
**Kind** TRUSTEE APPOINT  
**In Favor of** 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 07/23/2014  
**Terms** Garland Obrecht Alban, appointed  
**Date of Reg** 07/24/2014  
**Time of Reg** 10:21AM

---

**Cert No** 24472  
**Document Number** 145163  
**Kind** TRUSTEE ACCEPT  
**In Favor of** 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 07/23/2014  
**Terms** Garland Obrecht Alban, Trustee  
**Date of Reg** 07/24/2014  
**Time of Reg** 10:21AM

---

**Cert No** 24472  
**Document Number** 147347

---

**Kind** COMPLIANCE CERT  
**In Favor of** GIFFORD WHITNEY A TR, ALBAN GARLAND OBRECHT TR, 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 03/11/2015  
**Terms** re: doc 68021, Lot 9 in compliance  
**Date of Reg** 03/13/2015  
**Time of Reg** 2:56PM

---

**Cert No** 24472  
**Document Number** 147427  
**Kind** CERT OF MUN LIEN  
**In Favor of** GIFFORD WHITNEY A TR  
**Date of Instr** 02/13/2015  
**Terms**  
**Date of Reg** 03/19/2015  
**Time of Reg** 10:23AM

---

**Cert No** 24472  
**Document Number** 147428  
**Kind** TRUSTEE CERT  
**In Favor of** 21 LINCOLN AVENUE NOMINEE TRUST  
**Date of Instr** 03/18/2015  
**Terms** Whitney A. Gifford, Trustee  
**Date of Reg** 03/19/2015  
**Time of Reg** 10:23AM

---

**Cert No** 24472  
**Document Number** 147429  
**Kind** MORTGAGE  
**In Favor of** MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC  
**Date of Instr** 03/18/2015  
**Terms** \$11,700,000.00  
**Date of Reg** 03/19/2015  
**Time of Reg** 10:23AM

---

**Cert No** 24472  
**Document** 147533

---

**Number**

**Kind** SUBORDIN AGREEMNT

**In Favor of** M&T BANK

**Date of Instr** 03/18/2015

**Terms** subordination of doc 138767 to doc 147429

**Date of Reg** 03/30/2015

**Time of Reg** 11:53AM

---

**Cert No** 24472

**Document** 163300

**Number**

**Kind** DISCHARGE

**In Favor of** GIFFORD WHITNEY A TR, 21 LINCOLN AVENUE NOMINEE TRUST

**Date of Instr** 10/08/2019

**Terms** dis of doc 138767

**Date of Reg** 10/15/2019

**Time of Reg** 3:22PM

---

**Cert No**

**Document**

**Number**

**Kind**

**In Favor of**

**Date of Instr**

**Terms**

**Date of Reg**

**Time of Reg**

---