



CONSERVATION COMMISSION

PUBLIC MEETING

131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, August 12, 2021 – 5:00 p.m.

*This meeting was held via remote participation using ZOOM and YouTube,
Pursuant to Governor Baker’s March 12, 2020 Order Regarding Open Meeting Law*

Commissioners: Ashley Erisman (Chair), Ian Golding (Vice Chair), David LaFleur, Seth Engelbourg, Maureen Phillips, Mark Beale, and Linda Williams

Called to order at 5:00 p.m. by Ms. Erisman

Staff in attendance: Jeff Carlson, Natural Resources Director; Terry Norton, Town Minutes Taker
Attending Members: Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
Absent Members: None
Late Arrivals: None
Earlier Departure: None

*Matter has not been heard

I. PUBLIC MEETING

- A. Announcements**
- B. Public Comment –**

II. PUBLIC HEARING

A. Rehearing Limit

1. Auburn Cottage, LLC – 46 Easton Street (42.4.1-22) SE48-3458

Sitting: Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale
Documentation: Site and topographical plans, photos, requisite departmental reports and correspondence.
Representative: Dan Bailey, Pierce Attwood
Brian Madden, LEC Environmental
Lisa Botticelli, Botticelli & Pohl
Arthur Reade, Reade, Gullicksen, Hanley, & Gifford LLP

Public: None

Discussion (5:04) **Bailey** – This is under new ownership; the new owner is submitting this application. Reviewed the prior project. The Auburn Cottage is on the State and National registries of historic structures; as such to retain its significance, it should remain in place. Reviewed the new proposal keeping the cottage in place and adding new structures outside the 100’ mean-high water. By leaving the Cottage in place, we don’t need a new Chapter 91 license. He’s met with Massachusetts Department for Environmental Protection (DEP) on this plan. If ConCom rules in the affirmative, the appeal will be withdrawn.

Phillips – Asked if we are ruling on whether or not this is different enough to allow them to move forward with the new NOI.

Erisman – Yes.

Reade – This is very different from the prior application with a different applicant. The intent is to deal with coastal resiliency. The structure will be elevated; the only other change is increasing the stairs and turning them to run east-west. The ancillary structure in the northwest corner will be moved out of the setback farther from the bordering vegetated wetland across Easton Street. The entire site is within land subject to coastal storm flowage. The new dwelling is partially within the 100’ buffer of the coastal wetlands and 50’ from the inland wetland. We will create a new coastal dune area behind the existing bulkhead.

Madden – Elevation of 1st floor will go to 11.2 with helical supports. The cottage and new dwelling will also be pier supported with break-away panels. We are eliminating the sunken concrete basement and exterior stairs. We are also proposing Japanese Knotweed management and proposing drainage runoff from the dwelling into an infiltration trench.

Motion **Motion to Accept the rehearing.** (made by: Phillips) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, Golding, LaFleur, and Phillips-aye; Williams recused

NOI discussion **Beale** – Asked for an explanation of the special flood zones.

Madden – That is the velocity zone with the area more subject to wave action and the area just subject to flooding.

Engelbourg – Regarding delineation of the coastal dune, asked if that has been updated; we need an accurate delineation.

Madden – He looked at the coastal dune; the current flags can be reestablished for Staff to verify.

Engelbourg – Regarding elevation of the structures, asked if all structures will be on piers; there was a waiver request for 2’ separation from groundwater.

Madden – All structures aside from the main dwelling will be at elevation 8.4 with flood zone at 7. The waiver was requested because the piers will be driven to within 2’ of groundwater and for the removal of the existing foundation.

Engelbourg – In the prior application, there was discussion about the bulkhead; asked if there is any work proposed for it.

Madden – It will be left as is.

Golding – Asked if this has gone before the Historic District Commission (HDC).

Botticelli – It has not. We are trying to get all information necessary to complete the design.

Golding – He’d like the order conditioned for breakaway panels.

Phillips – Asked the additional amount of groundcover with the new buildings; this becomes a more cluttered sight and scenic view is part of our jurisdiction.

Reade – He doesn’t have the exact amount of ground cover, but they are not close to the maximum allowed. Feels there will be plenty of opportunity to see through the site; we have to provide public access under the Chapter 91 license.

Erisman – Asked the condition of the current foundation; it looks like there is a concrete floor.

Madden – It is in rough shape and subject to storm conditions.

Engelbourg – Regarding species management, asked they review some of the species proposed for revegetation and replace them with more salt-tolerant shrubs.

Golding – Considering the mass of the White Elephant, scenic view might not be the way to curtail what the applicant is asking. Asked to move the northwest structure closer to the property line; moving it more northwest would allow more of a view down the corridor. Also, the access easement should have signage, so people know it’s there.

Reade – Asked to continue to August 26.

Staff These don’t come up often; a project acted upon unfavorably can’t be resubmitted for 3 years.

Motion Continued to August 26.

Roll-call Vote N/A (Williams recused)

B. Notice of Intent

1. Lower Pocomo Nominee Trust – 88 Pocomo Road (15-42) SE48-3432 (**Cont. 09/09/2021**)
2. Pocomo Point Realty Trust – 90 Pocomo Road (15-43) SE48-3438 (**Cont. 09/09/2021**)
3. NISDA – 55 Wauwinet Road (14-23) SE48-3441 (**Cont. 08/26/2021**)
4. *Hayden C. Hurley – 11 Hulbert Avenue (29.2.3-2) SE48-3455

Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams

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

Representative Brian Madden, LEC Environmental

Public None

Discussion (5:42) **Madden** – This is for relocating a structure from 5 Sandy Drive to 11 Hulbert Avenue.

Erisman – Assumes the move will be done at a time of year when flooding is less possible.

Staff Have everything needed to close.

Motion **Motion to Close.** (made by: Williams) (seconded)

Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

5. *Hayden C. Hurley – 5 Sandy Drive (29-74) SE48-3456

Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams

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

Representative Brian Madden, LEC Environmental

Public None

Discussion (5:42) **Madden** – This lot will be loamed and seeded and left alone.

Staff Have everything needed to close.

Motion **Motion to Close.** (made by: Williams) (seconded)

Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

6. *Janice Louise O’Mara Trustee – 33 Somerset Road (56-110) NAN-135

Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams

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

Representative David M. Haines, Haines Hydrogeologic Consulting

Public None

Discussion (5:53) **Haines** – This is to connect to Town sewer and abandon the existing septic; that will be pumped, crushed, and filled. The new line will go under the driveway. Two isolated vegetated wetlands, which appear to be man-made, are within 25’ of the driveway so asked for a waiver; that is within already-disturbed land. There is a possibility we will hit water digging the trench, so the water will be pumped into a basin.

Staff Have everything needed to close.

Motion **Motion to Close.** (made by: Beale) (seconded)

Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye;

7. *George C. & Diane D. Metcalfe – 11 Alliance Lane (39-24.1) SE48-3457
 Sitting Erisman, Golding, LaFleur, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Brian Madden, LEC Environmental
 Public None
 Discussion (5:48) **Madden** – Reviewed the scope of work. There are 3 isolated vegetated wetlands, two on the property and one on the abutting northerly property; all work is outside the 50’ buffer. No waivers are proposed.
Phillips – The report talks about isolated land subject to flooding; asked for clarification.
Madden – That is an area that holds ¼ acre of at least 6” of standing water for part of the year; it’s based upon watershed draining.
Golding – Suggest we address the lack of definition for isolated flooding to our reg work.
Madden – Asked for a 2-week continuance
 Staff Waiting for Massachusetts Natural Heritage.
 Motion Continued to Aug 26.
 Roll-call Vote N/A
8. *Glenn M. & Leslie A. Shriberg Revocable Trust – 60 West Chester Street (41-374) SE48-3459
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Brian Madden, LEC Environmental
 Public None
 Discussion (5:58) **Madden** – This is for secondary dwelling and proposed stone driveway and patio all greater than 50’ from the resource area. Asking for 2’ separation for the crawlspace footing.
Golding – They are replacing a garden with a patio increasing runoff water, which would feed into the bordering vegetated wetland.
Madden – We will install sub-surface infiltration west of the patio.
Phillips – They are proposing to eliminate the knotweed with a 25% glypho-phosphate water solution; we might want to require monitoring of that in our new regulations.
Engelbourg – We could add that the herbicide must be applied in accordance with label directions.
 Staff We can add a condition that all runoff from the patio be directed into subsurface drainage on site.
 Our conditions would include photo monitoring of the invasive management area as well as recording quantity and amount of herbicide used and to be applied by a licensed applicator.
 Have everything needed to close.
 Motion **Motion to Close.** (made by: Golding) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
9. *Nantucket Whales End II, LLC – 43 & 45 Squam Road (13-23 & 24) SE48-3460
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Brian Madden, LEC Environmental
 Public R.J. Turcotte, Nantucket Land Council, Inc.
 Dan Mulloy, Site Design Engineering, for 37 Squam Road Nominee Trust
 Discussion (6:06) **Madden** – This is for deck and structural infills in proximity to an isolated vegetated wetland and bordering vegetated wetland associated with Squam Pond. A pool will occur partially within existing the leach field, which will be relocated west outside the 50’ buffer. We will relocate the existing gravel driveway outside the 50’ buffer. Requesting a waiver for 2’ separation from groundwater. We are waiting for Massachusetts Natural Heritage, so will be continuing; this area is mapped for rare plants.
Golding – Asked if the sunken game court will be a tennis court and what material will be used.
Madden – It is multipurpose; the surface will be impervious, but he doesn’t know the exact material.
Engelbourg – He’s confused by the plan for the pool; it looks like a corner clips the buffer and the surround is also at 15. Also, for ancillary non-resident structures, applying the 2’ separation waiver is not appropriate
Madden – It is within 50’ of the coastal zone but outside the 100’ for the bordering vegetated wetland.
Turcotte – This is an ancillary structure in a lower coastal area; the commission should think about granting the 2’ separation waiver in view of sea-level rise and the coastal resiliency plan.
Carlson – D. Anne Atherton asked when the wetland delineation was performed. Staff has confirmed the boundaries.
Madden – The delineation was done a year ago.
Williams – We received a lengthy email from abutters; asked if ConCom responds to those letters or takes them under advisement.
Erisman – We normally take them under advisement. Those letters go into the written record.
Madden – We can provide additional information addressing questions related to ConCom resources.
Golding – The letter Ms. Williams referenced raises some valid points.
 Staff If commissioners have questions related to those letters, you can ask. We didn’t receive those comments until late today.
 Motion Continued to Aug 26.
 Roll-call Vote N/A

10. *Jeffrey Akseizer – 14 Moors End Lane (43-216) SE48-3461
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Liz Kinechi, Nantucket Engineering & Survey
 Public None
 Discussion (6:20) **Kinechi** – Reviewed the proposed activities.
 Staff We confirmed the resource area boundaries.
 Have everything needed to close.
 Motion **Motion to Close.** (made by: LaFleur) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
11. *The Westmoor Club – 105 & 109 West Chester Street (41-805 & 806) SE48-3463
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Paul Santos, Nantucket Surveyors
 Steven Cohen, Cohen & Cohen Law P.C.
 Adam Davis, JG Goldsmith Architecture
 Public None
 Discussion (6:22) **Santos** – This is for 2 staff dormitories, a multi-purpose court, and grading within the buffer to a bordering vegetated wetland located partially on the westerly portion of the subject property. The housing units have been approved by the HDC. Stormwater would be captured into a sub-surface infiltration system outside the 100’ buffer. The vernal pool setback doesn’t come near this proposed work. The application is subject to the Massachusetts Stormwater Act and requires associated stormwater maintenance plans. Addressed concerns presented in a letter from a number of concerned citizens. The surface will be hard.
Beale – Asked what the pickle-ball court surface is.
Davis – It’s a post-tension concrete system, which is an impervious surface.
Santos – We consider all court surfaces as impervious for drainage purposes.
Golding – The drain area 1 references keynote 10; he couldn’t find that keynote.
Santos – Explained how the drainage infiltration system will work.
Carlson – Virginia Tate of 117 West Chester Street is distressed the buildings are within the 100’ buffer; that area has never been disturbed.
Beale – Asked if there will be night-play or if there will be lighting.
Davis – There will be only a couple of bollard lights along pathways but no lighting for the pickle ball court.
Turcotte – Asked for clarification that none of the court fencing will be on or within the 50’ line.
Santos – There is no fencing or structure within the 50’ no-build zone.
 Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: Williams) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
12. *Atkinson – 82 Baxter Road (49-39) SE48-3462
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Liz Kinechi, Nantucket Engineering & Survey
 Public None
 Discussion (6:41) **Kinechi** – This is for relocating a single-family dwelling within the buffer to a bordering vegetated wetland. The existing has 25 sf within the 25’ buffer; zero proposed work will be within the 25’ buffer. The waiver is for long-term net benefit.
Phillips – She had expected this to be moved away from Baxter Road but it is moving closer to get out of the buffer.
 Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: Williams) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- B. Amended Order of Conditions**
1. Nester – 4 East Lincoln Avenue (42.4.1-49) SE48-3367
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Brian Madden, LEC Environmental
 Public None
 Discussion (6:44) **Madden** – Asked to continue
 Staff None
 Motion Continued to August 26.
 Roll-call Vote N/A

III. PUBLIC MEETING

C. Minor Modifications

1. Nantucket Land Council – Nantucket Harbor (N/A) SE48-3092

Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative R.J. Turcotte, Nantucket Land Council, Inc.
 Alyssa Novak, PHD, Boston University Research Assistant Professor.

Discussion (6:45) **Novak** – Update on Nantucket Harbor Eelgrass restoration using a PowerPoint presentation. There is an additional 10% loss of eelgrass in both Nantucket Harbor and Madaket since 2017 bringing the loss to 40% and 35% respectively. Explained what is causing the loss of eelgrass. Reviewed the currently used restoration method of transplanting eelgrass from a ½ acre plot in Monomoy through the harbors. Explained benefits of eelgrass and the monitoring methods. Have seen survival between 25-70% and expansion of 25-27%.

Williams – Asked what stops the new plants from being killed the same way.
Novak – Water quality improvement helps prevent the decline.
Golding – Asked if eelgrass around the world has the same DNA or is some resistant.
Novak – We’re trying to find more resilient populations but she’s leery about introducing new populations. Genetics haven’t been done for Nantucket; Nantucket’s eelgrass population has been here for 7,000 to 10,000 years.
Golding – Asked if scallops show preferences for variants.
Novak – That she doesn’t know but they do love eelgrass.
Phillips – Asked how much impact closing off an area to boating and fishing has on eelgrass recovery and would it only work in a well-flushed area. The Madaket Conservation Association is very interested in regrowing the eelgrass in the harbor.
Novak – It would be good to find areas where there might be issues with boats sitting on eelgrass beds; however, shutting off an area to boats is obviously a very political subject. Boating activity is a major problem particularly in the harbor.
Williams – Nantucket Harbor anchorage has increased over the last 20 years; asked if we should promote reducing the anchorage area to allow more area from boat traffic.
Erisman – We could suggest that; having a healthy eelgrass population helps with harbor sustainability. It would be a political fight against the large boating industry.
Golding – That raises the issue about the damage from the scalloping process. When he was younger, it seemed the eelgrass recovered from the boats. Now the greatest damage seems to be from the nutrient load and water temperature.
Novak – It is a combination. When water warms, it increases the need for more light to synthesize; adding boats is another issue which you can do something about.
Engelbourg – He implores people to bring any harbor level concerns to SHAB and Harbor Management Board. They would provide an updated Harbor Plan to the Select Board at a later date.
Turcotte – The minor modification is a request to implement other methods; new seeding methods would be more efficient for Nantucket Harbor. Explained the different seeding methods they want to try.
Engelbourg – Asked if they would have quadrants in which they could try each of the methods or would it be adaptive. He wants more specific information about what, when, and where.
Turcotte – It would all be within the approved area; we would have side-view monitoring. We would try each system in different areas; if an “act of God” ruins the process, we have the current process to fall back on. The Hessian Bag process helps protect against predators; but we will try each.

Staff Have everything needed to issue.
 Motion **Motion to Issue the Minor Modification.** (made by: Golding) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

2. 36 Lily Street, LLC – 36 & 36B Lily Street (42.4.3-93& 94) SE48-3005

Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Brian Madden, LEC Environmental
 Sarah Alger, Sarah F. Alger P.C.

Discussion (7:16) **Madden** – The permit is still valid; the project was redesigned allowing the Land Bank to acquire 36 Lily. This is to remove the structure on 36 Lily and allow new structures for 36B Lily. This plan allows future inclusion of a 15’ wide drain line. The reduction in new structures is about 2000sf. The project has HDC approval

Erisman – Appreciates efforts to correct this site and fix drainage and wetland issues.

Staff Have everything needed to close issue.
 Motion **Motion to Issue the Minor Modification.** (made by: LaFleur) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, Golding, LaFleur, and Phillips -aye; Williams recused

3. High Tide Partners, LLC – 8 Ackermuck Way – Lot 2 (41-618) SE48-3397
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Mark Rits, Site Design Engineering
 Discussion (7:22) **Rits** – This is to accommodate changes based upon HDC review; the house has turned, and structures have moved away from the resource area. We are maintaining the original drainage system for the patio; the elevation around the house going down about ½ foot.
 Staff Have everything needed to issue.
 Motion **Motion to Issue the Minor Modification.** (made by: Williams) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

IV. Certificates of Compliance

1. Seth D & Kim M. White – 47A West Chester Street (41-227.1) SE48-3117 (**Cont. 08/26/2021**)
 2. Nantucket Islands Land Bank – Madequecham Valley Road (89-6.5) SE48-3413
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff For seasonal aluminum stairs; installed and functioning correctly. Recommend issue.
 Discussion (7:25) None
 Motion **Motion to Issue.** (made by: Golding) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
 3. Brocks Court, LLC – 2 Brocks Court (42.3.4-84) SE48-3198
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff For restoration of a lawn area; trees are installed, and the area is full of wetland species. Recommend issue.
 Discussion (7:26) None
 Motion **Motion to Issue.** (made by: Williams) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Williams-aye; Golding abstain
 4. Sankaty Bluff Group, LLC – 75 Baxter Road (49-30) SE48-2575
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff This is in compliance. Recommend issue.
 Discussion (7:28) None
 Motion **Motion to Issue.** (made by: Williams) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
 5. Thirty-Six Easton Corp. - 36 Easton Street (42.1.4-19) SE48-2202
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff For reconstruction of the bulkhead; it's in compliance. Recommend issue.
 Discussion (7:29) None
 Motion **Motion to Issue.** (made by: Golding) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
 6. Griswold – 14 & 8 Sachus Road (30-240 & 239) SE48-2091
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff This is to invalidate the order.
 Discussion (7:30) **Erisman** – No work was done.
 Motion **Motion to invalidate this order.** (made by: Beale) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
 7. Griswold – 14 Sachus Road (30-240) SE48-2738
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff For relocation of dwelling with site work; it is in compliance. Recommend issue.
 Discussion (7:31) None
 Motion **Motion to Issue.** (made by: Williams) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
 8. John T. Jr. & Bessie B Connelly – 54 Hulbert Avenue (29-59) SE48-2454
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 Staff Recommend issue.
 Discussion (7:32) None
 Motion **Motion to Issue.** (made by: Williams) (seconded)
 Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
 9. Little Corner, LLC – 122 Wauwinet Road (11-32) SE48-3189 (Sullivan)
 Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale
 Staff The Septic is in compliance with the Board of Health. Recommend issue.
 Discussion (7:33) None
 Motion **Motion to Issue.** (made by: Golding) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips-aye; Williams recused

- 10. Robert K. & Lacey P. Brandt- 4 Ames Avenue (60-135) SE48-3046 (Sullivan)
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale
 - Staff Relocation away from a coastal bank. Recommend issue.
 - Discussion (7:34) None
 - Motion **Motion to Issue.** (made by: Beale) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

V. Orders of Condition

- 1. Middle Slip, LLC & Stone Throw, LLC – 29B & 29C Old North Wharf (42.3.1-225.1/225.2) SE48-3453
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff For maintenance dredging; included a condition requiring silt curtains and test material for contamination. Emailed the Order to commissioners for electronic signature so it can be issued tomorrow
 - Discussion (7:35) None
 - Motion **Motion to Issue as drafted.** (made by: Golding) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- 2. Janice Louise O’Mara Trustee – 33 Somerset Road (56-110) NAN-135
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff For replacement of septic with line for Town sewer.
 - Discussion (7:38) None
 - Motion **Motion to Issue as drafted.** (made by: LaFleur) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- 3. Hayden C. Hurley – 11 Hulbert Avenue (29.2.3-2) SE48-3455
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff No special conditions.
 - Discussion (7:39) None
 - Motion **Motion to Issue as drafted.** (made by: Williams) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- 4. Hayden C. Hurley – 5 Sandy Drive (29-74) SE48-3456
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff No special conditions.
 - Discussion (7:39) None
 - Motion **Motion to Issue as drafted.** (made by: Beale) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- 5. Glenn M. & Leslie A. Shriberg Revocable Trust – 60 West Chester Street (41-374) SE48-3459
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff He will add Condition 21 regarding surface runoff related to the patio. He will add Condition 22 about use of herbicide.
 - Discussion (7:40) **Engelbourg** – Wants that herbicide should be done in accordance with the label.
 - Motion **Motion to Issue as amended.** (made by: Golding) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- 6. Jeffrey Akseizer – 14 Moors End Lane (43-216) SE48-3461
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff No special conditions.
 - Discussion (7:42) None
 - Motion **Motion to Issue as drafted.** (made by: Williams) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye
- 7. The Westmoor Club – 105 & 109 West Chester Street (41-805 & 806) SE48-3463
 - Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams
 - Documentation Draft Order of Conditions
 - Staff The drainage plan is very good. He will add Condition 19 prohibiting court lighting
 - Discussion (7:43) **Beale** – Asked Mr. Carlson if he’s satisfied with the drainage plan.
Phillips – There wouldn’t be any lighting; asked if we could condition against lighting on the courts.
 - Motion **Motion to Issue as amended.** (made by: Engelbourg) (seconded)
 - Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

8. Atkinson – 82 Baxter Road (49-39) SE48-3462

Sitting Erisman, Golding, LaFleur, Engelbourg, Phillips, Beale, Williams

Documentation Draft Order of Conditions

Staff No special conditions.

Discussion (7:45) None

Motion **Motion to Issue as drafted.** (made by: Phillips) (seconded)

Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

VI. Other Business

1. Approval of Minutes 07/22/2021:

Motion **Motion to Approve as drafted.** (made by: Williams) (seconded)

Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

2. Monitoring Reports – Nantucket Land Council – Nantucket Harbors (N/A) SE48-3092

Discussion (7:48) See the Minor Modification application for the update and monitoring information.

3. Reports:

a. CPC, Beale

4. Commissioners Comment

a. Engelbourg – Regarding quality topsoil and clean fill, in our regulatory update, we should define what ecologically constitutes clean fill and topsoil. Often what is considered clean fill has invasive-species and/or noxious-plant seeds in it and other possible contaminates. Cited the 3 ways clean fill could be regulated.

5. Administrator/Staff Reports

a. Please keep a look out for the orders needing signatures.

b. We have job descriptions out for Ms. Dodd's position; hopefully it will be filled next month.

c. He will email potential dates for the SBPF follow up.

VII. Adjournment

Motion **Motion to Adjourn at 7:56 p.m.** (made by: Golding) (seconded)

Roll-call Vote Carried unanimously//Beale, Engelbourg, Erisman, Golding, LaFleur, Phillips, and Williams-aye

Submitted by:

Terry L. Norton