



# CONSERVATION COMMISSION

## PUBLIC MEETING

2 Bathing Beach Road  
Nantucket, Massachusetts 02554

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

Wednesday, September 11, 2019

4 Fairgrounds Road, Training Room – 5:00 p.m.

**Commissioners:** Ashley Erisman (Chair), Ian Golding (Vice Chair), Ernie Steinauer, David LaFleur, Joe Topham, Seth Engelbourg, and Maureen Phillips

Called to order at 5:00 p.m.

Staff in attendance: Jeff Carlson, Natural Resources Coordinator; Joanne Dodd, Natural Resources Office Administrator

Attending Members: Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

Absent Members: Steinauer

Late Arrivals: None

Earlier Departure: None

Agenda adopted by unanimous consent

\*Matter has not been heard

### **I. PUBLIC MEETING**

#### **A. Announcements**

#### **B. Public Comment**

1. **Burton Balkind** – Asked if there were any findings on the sediment he provided at the June 19<sup>th</sup>.

**Carlson** – After our Massachusetts Endangered Species Act (MESA) visit, there were questions about the sediment deposited. That was forwarded to Department of Environmental Protection (DEP) for review, which could result in a court date; we should have that shortly.

**Balkind** – He sent Mr. Carlson photos from the September 7<sup>th</sup> storm showing the exposed tubes and no walkable beach. As of today, the tubes are covered. He asked if they are permitted to push beach sand up onto the template. The picture shows that the sand is darker; and there is a 12” trench on the beach.

**Carlson** – Excavation outside of installing the geotubes is not part of the permit. He will check on that.

2. **R.J. Turcott**, Nantucket Land Council – Asked if there have been updates on the quarterly monitoring from ‘Sconset Beach Preservation Foundation (SBPF).

**Carlson** – That is also being reviewed by Mass. DEP. We’ll proceed accordingly once we hear from them.

### **II. PUBLIC HEARING**

#### **A. Notice of Intent**

1. LAZ Family N.T. – 20 Waquoit Road (90-5) SE48-3131 (**Cont. 09/25/2019**)

2. Phil Pastan – 111 Eel Point Road (32-3) SE48-3231

Sitting: Erisman, Golding, LaFleur, Topham, Phillips

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

Representative: Stan Humphries, Environmental Consulting & Restoration, LLC

Public: R.J. Turcott, Nantucket Land Council

Discussion (5:04) **Humphries** – Reviewed changes to the plan. Provided a letter objection to the claim that the combination of the sand drift fence and coir logs makes it a coastal engineering structure (CES). The zig-zag fence has been removed from the plan; it’s just coir envelopes. The letter addresses the need for nourishment, 166 cubic yards (CY) will be committed. We will monitor the amount of sand in front of the coastal bank every year. There is a waiver request under no adverse impact/no reasonable alternative; the pre-1978 issue is moot.

**Turcott** – Asked if the Board considers this a dune; coir logs prevent landward movement of the dune.

**Golding** – After the site visit, he decided it is mostly wind-blown sand; he doesn’t think it’s a dune.

**LaFleur** – He agrees that it is wind-blown sand.

**Erisman** – To her that’s a dune; they are mobile and change. There is a history of dune action in this area.

Discussion about whether this is a dune or piled-up, wind-blown sand.

**Humphries** – He disagrees that the project will prevent landward movement. The dune would have to move up the bank and deposit itself on top; that is a possibility. It’s not migrating laterally.

**Erisman** – We need a winter without the structure; if it survives, we have a dune. We need that time.

**Phillips** – The dynamic nature of the dune makes it hard to define it. It’s all opinions until we have factual data. Waiting a year makes sense to her; then we’ll have more data on this spot.

Humphries – We’d be willing to accept a condition to postpone the implementation of the project and report back to the commission.

**Turcott** – Agrees with the idea of taking the fencing away for a winter.

**Humphries** – He wants to leave the fence, if we remove it, that could be more disruptive. Asked for a continuation.

Staff: None

Motion: Continued to September 25<sup>th</sup> by unanimous consent.

Vote: N/A (Engelbourg, recused)

3. Ceylon Elves, LLC – 3 Wyers Way Lot A (41-380) SE48-3230

4. Ceylon Elves, LLC – 3 Wyers Way Lot B (41-380) SE48-3229

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips  
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.  
 Representative David M. Haines, Haines Hydrogeologic Consulting  
 Public None  
 Discussion (5:17) **Haines** – Asked for a 2-week continuance to resolve some issues.  
 Staff None  
 Motion Continued Lot A and Lot B to September 25<sup>th</sup> by unanimous consent.  
 Vote N/A

5. \*New England Development – Old South Wharf (42.2.4.2-90) SE48-3239

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips  
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.  
 Representative Katie Barnicle, Wetland Scientist A.E.Com  
 Mike Duffy, Nantucket Islands Resorts (NIR), LLC  
 Public None  
 Discussion (5:19) **Barnicle** – NIR, LLC wants to repair Old South Wharf northeastern side bulkheads. Bulkheads have about 40-year lifespan. Addressed comments in letters from Division of Marine Fisheries (DMF) and Mass. DEP. Resource areas are: flood plain, land subject to tidal action, land under the ocean, land containing shellfish, and coastal bank. Will install new steel bulkhead in front of and as close to the old steel bulkhead as possible; corrected an error in the square footage of fill, which will be 1,160 square feet (SF); submitted that correction to the file. Explained the work protocol. Looking into whether to replace the cap with metal or concrete, which would be 1-foot higher to protect the wharf from water inundation; asked for flexibility that the height be 6” to 1’. Stormwater management, water on the wharf is pretty clean but will create biospheres around structures to capture roof runoff. Under Chapter 91 License, we have to repair and maintain the bulkhead. Referred to her letter of responses to the DEP and DMF comments. Found quahogs under some of the outer piers; were told scallopers will throw quahogs in his area so don’t think it’s a viable, important shellfish area. Water quality will be part of our Army Corps of Engineers’ permit. This bulkhead was designed to be deep enough should dredging be necessary in the future. Allowable under the local bylaw and is water dependent.  
**Golding** – Asked what they will do with the silt that ends up in suspension in the water during pile driving. When this was put in, they ran into issues of oil-saturated sand; asked if they would look at possible oil saturation.  
**Barnicle** – That would typically be a combination of water and sediment; we allow siltation to settle before we remove the barrier. There will be a siltation boom in place before work starts. On the landside, we will relocate some of the utilities; we would have to report it during that process. Typically, we don’t sample the bottom before work and after work; because we aren’t dredging so don’t anticipate that. Piles are driven down until the point of “refusal.”  
**LaFleur** – Typically the boom will contain the silt; dredging would disturb the bottom much more than pile driving.  
**Engelbourg** – Asked why the height isn’t being based upon the sea-level rise models rather than trying to guess.  
**Barnicle** – 5.97 is the elevation our modelers have chosen; the question is the materials and what works best. If we do it on three sides, it creates a bathtub effect. There are various solutions, which we are working through.  
**Engelbourg** – He’d like to see that process and any innovative strategies coming out of it.  
**Erisman** – Asked where the finger piers will be stored during work; this is a velocity zone.  
**Duffy** – The finger piers will be removed and replaced in kind; there is no storage.  
 Staff Have everything needed to close.  
 Motion **Motion to Close.** (made by: Golding) (seconded by: Engelbourg)  
 Vote Carried unanimously

6. \*262 Polpis Nominee Trust – 262 Polpis Road (25-1) SE48-3240

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips  
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.  
 Representative Brian Madden, LEC Environmental Consulting  
 Steven Cohen, Cohen & Cohen Law P.C.  
 Don Bracken, Bracken Engineering  
 Mark Cutone, Mark Cutone Architect  
 Public None  
 Discussion (5:42) **Madden** – Additions to an existing structure, landscaping, pool, cabana, and remove existing guesthouse: that area to be restored in kind. All activity is within existing lawn area. Land subject to coastal storm flowage is at elevation 8; all work is outside that and no structures within the 50-foot buffer. There will be in-ground water filtration for pool runoff. Asking for a waiver from 2-foot separation from high ground water for the pool and footings; we confirmed the groundwater here is tidally affected; documented it at 5.771 feet during full-moon high tide. Proposed 2,000 SF invasive species management of phragmites within the 25-foot area.

**Phillips** – Confirmed all work is between the 50- and 100-foot buffers. Asked if the pool and footings why the pool isn't being moved to a better location on the lot.

**Golding** – The waiver is for the deep end of the pool.

**Madden** – The pool bottom is 12 feet to 4 feet; the shallow end will have the 2-foot separation but not the deep end. The house is on a crawl space. The waiver is based on the premise of a long-term net benefit and no adverse impact.

**Cutone** – The deep end of the pool accounts for about 325 SF.

**Erisman** – There is an area where the lawn extends into the wetland; asked if that will be reestablished. Reestablishing the boundary is important to the invasive management.

**Madden** – We can look at that.

**Phillips** – Agrees with Ms. Erisman. One could argue that to be true mitigation, it should last as long as the structures. Her concern is the long-term impact for structures requiring waivers.

**Madden** – The existing guesthouse is being removed and those footings are within the 2 feet of groundwater. They would agree to annual monitoring.

**Cohen** – The comments about the impact of the pool; our position is there is no negative impact of the pool. To the point of wetland revegetation, we can accommodate that.

**Erisman** – The deep end of the pool is well within high water during a storm.

**Bracken** – Presented the graph they used to monitor, day to day, the fluctuation of groundwater during tides.

**Phillips** – Asked how the foundation of the guesthouse will be restored.

**Madden** – Filled to surrounding grade and establish the lawn.

**Erisman** – Would like to see a plan for reestablishing the wetland and a plant list with native plants for the record. If they are going to do the 2-1, they'd like to see the plan.

**Madden** – Asked for a 2-week continuance.

Staff This is a huge site with a lot of areas the intrude upon the wetland buffers.

Motion Continued to September 25<sup>th</sup> by unanimous consent.

Vote N/A

7. \*Chuckrow Nominee Trust – 25 Quaise Road (26-12) SE48-3241 (**Cont. 09/25/2019**)

8. \*3 Pond Road Nominee Trust – 3 Pond Road (56-151.1) NAN - 129

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

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

Representative Mark Rits, Site Design Engineering

Public None

Discussion (6:01) **Rits** – This is for removal of a shed within the 50-buffer to straddle the 100-foot buffer. Remove an existing septic within the 100-foot buffer and replace with a sewer line. Construct a pervious driveway within the 50- and 100-foot buffers. This is local jurisdiction only. The pool is outside jurisdiction.

**Phillips** – Asked what the firepit consists of.

Staff Have everything needed to close.

Motion **Motion to Close.** (made by: Engelbourg) (seconded by: LaFleur)

Vote Carried unanimously

9. \*Great State Properties – 92 Washington Extension (42.2.3-22) SE48-\_\_\_\_\_

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

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

Representative None

Public None

Discussion (6:05) Not opened at this time.

Staff We don't have a file number and they have requested a continuance.

Motion Continued to September 25<sup>th</sup> by unanimous consent.

Vote N/A

10. Gisela Leinhard – 11 Jonathan Way (75-42) SE48-3217

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

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

Representative Jeff Blackwell, Blackwell & Assoc.

Dan Bailey, Pierce & Atwood, LLP

David M. Haines, Haines Hydrogeologic Consulting

Public R.J. Turcott, Nantucket Land Council

Discussion (6:05) (5:16) By unanimous consent, moved to the end of the NOI's at the representative's request.

**Blackwell** – He and David Haines reviewed the wetland boundaries; there is a bordering vegetated wetland to the north as well as an isolated vegetated wetland on the property; submitted the revised site plan.

**Haines** – When he delineated the wetland the first time, he went to the property line; since then he looked at information on the abutting property. It is a circular wetland system; it could be due to being in a depression and water table. He doesn't know of any clay in that area.

**Blackwell** – We were able to research composting toilets; the owner is willing to incorporate them into this septic system. Reviewed the various composting toilets and how they reduce contaminants. Under Title 9, they have to store up to two years of material. Applied for the groundwater off-set waiver for the house

footings, which will be just above the groundwater; the house will be on a crawl space. Reviewed Horsley-Witten reports on groundwater flow. Tom Nevers Pond and surrounding wetlands are 400 feet from this property line and shouldn't be considered during deliberations.

**Bailey** – With respect to the 2-foot separation under the waiver request, there is no alternative, especially for a composting toilet component that needs to go in the crawl space. The 2-foot separation was established about 12 years ago to regulate dewatering; that has routinely been granted without objection. With respect to the 100-foot leech field waiver, that is why we are going to the composting toilet; this type of system virtually eliminates phosphorus as well as reduce nitrogen. He feels they've shown no adverse impact; the wetland is not down drift from the septic. Title 5 says a community can adopt regulations stricter than Title 5 but the Board of Health (BOH) is the authority; ConCom doesn't have the authority to enact regulations stricter than the BOH.

**Engelbourg** – Asked about options on filtration outside of septic systems.

**Blackwell** – There is the option to permit this with filtration and eliminate components of the septic system. Referred to a UMass study on wastewater. He doesn't feel comfortable doing that in this location.

**Erisman** – The original plan said it was a bordering vegetated wetland; now we have the same date with the isolated vegetated wetland; asked if the date needs to be revised.

**Turcott** – Clarified the Horsley-Witten Study NLC commissioned in 1990: effluent will pass within 30 feet from the wetland; since there has never been a septic on this site, there will be an increase in contaminants; groundwater tends to curve toward wetlands when they get close; lastly, the study suggested limiting construction in this area because it is stressed.

**Blackwell** – (Not using mic.)

**Erisman** – Confirmed Mr. Blackwell was requesting a 2-week continuance.

Staff

The representative is late and asked this be moved to allow time to arrive.

Our local BOH has septic regulations that require leech fields being 100 feet from wetlands; the exception is lots created prior to the enactment of that regulation and max out at 330 gallons a day. Our 100-foot restriction isn't stricture than the BOH.

The performance standard applies regardless of the date; we just have to have the wetlands correctly labeled.

Motion

Continued to September 25<sup>th</sup> by unanimous consent.

Vote

N/A

11. 115 Baxter Rd, LLC and 117 Baxter Rd, LLC – 115 & 117 Baxter Road (75-42) SE48-3232

Sitting

Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

Documentation

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

Representative

Art Gasbarro, Nantucket Engineering & Survey

Steven Cohen, Cohen & Cohen Law P.C.

Public

R.J. Turcott, Nantucket Land Council, Inc.

Discussion (6:34)

(5:17) **Gasbarro** – Asked the same courtesy for arrival of Mr. Cohen.

By unanimous consent, moved to the end of the NOIPs at the representative's request.

**Gasbarro** – This is for relocation of a structure on an eroding bank. Provided a revised plan and letter addressing refill of the vacated foundation but maintaining the drive under garage for that use with a deck over it. There is a letter of support from the abutters.

**Engelbourg** – Confirmed the porch is existing and what will be removed.

**Gasbarro** – The stairs will be on the side of the house to maintain maximum distance; the deck would be replaced with a patio.

(Cohen is not using the mic and is inaudible.)

**Gasbarro** – There area to the north will be maintained. When we get to five feet from the bluff, the foundation would be removed in its entirety.

**Phillips** – We've had erosion along this bluff that happens quickly; asked for thoughts on that removal proposal.

**Erisman** – She would prefer it be removed now; but the 5-feet is concrete.

**Golding** – Agrees.

**Engelbourg** – Asked the distance now from the part of the structure to be maintained and the bank.

**Gasbarro** – He doesn't have his scale but guesses it to be around 20 feet.

**Erisman** – Her concern is also allowing them to build a deck in an area where we don't normally permit it.

**Topham** – He's concerned that if we remove the foundation now, it will destabilize the area further.

**LaFleur** – Agrees with Mr. Topham.

**Engelbourg** – He had asked for a vegetated cover that soaks up water because it is a balance between having a new structure and not wanting to destabilize the bank; asked if it were possible to do that.

**Phillips** – We talked about concern about the stability of the foundation walls. Asked what would happen if the walls were left open without filling them.

**LaFleur** – They wouldn't be structurally supported without a cover or fill.

**Phillips** – When it falls is all guess work; whether removing it would be worse or not, she came down on the side that constructing something isn't the way to go. The alternate proposal is additional disturbance along with moving the house; for her it makes sense to remove the foundation now. The resource area deserves taking the entire foundation out.

**Topham** – He doesn't think moving the house will have that much impact; it's a pretty quiet process. Removing the foundation is a large disturbance.

**Turcott** – If the house is in danger and has to be moved, other structures, where that structure was, would also be in danger and increases liability. The bluff will continue to erode. The foundation should be vacated and filled in. Asked who is responsible if the foundation isn't removed in a timely manner after the bluff comes to within 5 feet of the wall and it falls over the bluff.

**Cohen** – His understanding is that removal conditions are typically when the structure becomes exposed versus a distance.

**Gasbarro** – If the reuse of the garage is not approved, we wouldn't bother to fill the foundation; as a portion become exposed, we would remove that portion.

**Erisman** – Asked how deep the foundation goes.

**Gasbarro** – It is essential an 8-foot wall; on the road side, it's only a couple of feet due to how the grade drops.

**Golding** – Asked about compacted versus uncompacted sand or soil; he thinks you'd want it to be compacted and the Order of Conditions would be so drafted.

Discussion about the need for a performance bond if the foundation is going to remain in place.

**Cohen** – Having the escrow money sitting idle way in advance of need would be onerous for his client. There will be conditions attached to the license from the Select Board as well as Zoning Board of Appeals restrictions.

**LaFleur** – We all agree that capping the garage with a deck is not feasible.

**Erisman** – Wants to keep this open for a plan eliminating the deck over the garage.

**Cohen** – Asked for a 2-week continuance.

Staff Removal of the foundation something that would be conditioned with a performance bond in the form of an escrow account in lieu of action. We can set a time limit after which the performance bond is activated. Five feet is a good mechanism to start things moving; we don't want to wait until a certain amount is exposed. At the next meeting, he will have a draft order for the removal of the house and filling the foundation.

Motion Continued to September 25<sup>th</sup> by unanimous consent.

Vote N/A

**B. Amended Orders of Conditions**

- 1. 85 North Sankaty Road – 85 North Sankaty Road (49-91) SE48-3226

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

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

Representative David M. Haines, Haines Hydrogeologic Consulting

Public None

Discussion (7:06) **Haines** – This amendment is for relocation of the cabana and pool and to add a patio with fire pit; the demarcation between 25- and 50-foot buffers has been readjusted. The amount of disturbance is no more than 50%. Nothing will occur outside lawn area.

Staff None

Motion **Motion to Approve as an amended order.** (made by: Golding) (seconded by: LaFleur)

Vote Carried unanimously

- 2. Terry Kelley & Aveen Irwin – 87 Hummock Pond Road (56-310.1) SE48-3252

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

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

Representative Jeff Blackwell, Blackwell & Assoc.

Public None

Discussion (7:11) **Blackwell** – This amendment is to allow construction of a shed more than 50 feet from the bordering vegetated wetland and to swing the driveway around the shed, which requires relocation of a mature privet hedge. Shed foundation will be a mono-pour, which extends no more than 30 inches into the ground. The water in the well can fluctuate between 17 feet and 15 feet from the surface.

**Engelbourg** – Asked what will happen where the hedge is now.

**Blackwell** – Part will become part of the driveway; the rest would be meadow to be mowed once a year.

Staff None

Motion **Motion to Approve as an amended order.** (made by: Engelbourg) (seconded by: Topham)

Vote Carried unanimously

**III. PUBLIC MEETING**

**C. Minor Modifications**

- 1. 11 Meadow Lane, LLC – 11 Meadow Lane (41-448 Lot 6 B) SE48-3098

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips

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

Discussion (7:16) None

Staff This is for a deck with steps, outdoor shower, and sewer connection.

Motion **Motion to Approve as a minor modification.** (made by: Topham) (seconded by: LaFleur)

Vote Carried unanimously

**D. Certificates of Compliance**

- 1. Sixty-Four Walsh Street, LLC – 66 Walsh Street (formerly 64 Walsh Street Lot 1) SE48-2921 **(Cont. 09/25/2019)**
- 2. Hardman – 51B Madaket Road (41-325.1) SE48-3110 **(Cont. 11/20/2019)**

**E. Orders of Condition**

- 1. Marsha Fader – 36 Liberty Street (42.3.4-83) SE48-3206

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips  
 Documentation Draft Order of Conditions  
 Staff Reviewed the conditions; report for use of herbicides, pesticides, and fertilizer; and monitoring photos. We didn't determine if the pond has a connection. There is finding related to the pond. Condition 26 outlines reporting. Condition 27 addresses removing pond water. Will add Condition 28 about temporary structures. Will add Condition 29 about plants to be used.

Discussion (7:17) **Erisman** – Asked if there is a finding that the pond is now connected to groundwater; we talked about that.  
**Engelbourg** – We talked about seasonal tenting.  
**Erisman** – We talked about no cultivars being added.

Motion **Motion to Approve as amended.** (made by: LaFleur) (seconded by: Topham)  
 Vote Carried 6-0 (Golding, recused)

- 2. Sara & Thomas D.C. Brown & Little – 9 North Avenue (42.4.4-58) SE48-3234

Sitting Erisman, Golding, LaFleur, Topham, Phillips  
 Documentation Draft Order of Conditions  
 Staff Reviewed conditions.

Discussion (7:22) None

Motion **Motion to Approve as submitted.** (made by: LaFleur) (seconded by: Topham)  
 Vote Carried 6-0 (Engelbourg, recused)

- 3. New England Development – Old South Wharf (42.2.4.2-90) SE48-3239

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips  
 Documentation Draft Order of Conditions  
 Staff Reviewed the conditions; memorialized the construction protocol. He will add that.

Discussion (7:24) **Engelbourg** – Asked if the bulkhead cap height should be conditioned.

Motion **Motion to Approve as amended.** (made by: Golding) (seconded by: LaFleur)  
 Vote Carried unanimously

- 4. 3 Pond Road Nominee Trust – 3 Pond Road (56-151.1) NAN-129

Sitting Erisman, Golding, LaFleur, Topham, Engelbourg, Phillips  
 Documentation Draft Order of Conditions  
 Staff Reviewed conditions.

Discussion (7:26) None

Motion **Motion to Approve as submitted.** (made by: Phillips) (seconded by: LaFleur)  
 Vote Carried unanimously

**F. Other Business**

- 1. Approval of Minutes – 08/28/2019: Adopted by unanimous consent.
- 2. Monitoring Report: None
- 3. Reports: None
- 4. Commissioners Comment:
  - a. Engelbourg – He was at Hummock Pond when pond management launched their boat; the way they were operating didn't strike me as safe: an 8-foot boat holding three people with no life jackets and the fertilizer.  
 Carlson – We didn't condition the safety of the vessel, but he'll follow up on that. Safety is not within our purview.  
 Turcott – He was fielding phone calls about that from concerned neighbors.
  - b. Erisman – Members are encouraged to attend one of the Open Meeting Law sessions Thursday and Friday.
  - c. Phillips – Asked if there can be an executive session to discuss SBPF litigation with Town Counsel.  
 Erisman – She wants to hold until we have all information. The Select Board is holding an executive session on Thursday to discuss that.  
 Carlson – We'll go over the information from the Select Board session then schedule a ConCom executive session.
- 5. Administrator/Staff Reports
  - a. At the next meeting, we will address an incident concerning emptying a pool; it happened last week.

Adjourned at 7:42 p.m. by unanimous consent.

Submitted by:  
Terry L. Norton