



CONSERVATION COMMISSION MINUTES

131 Pleasant Street
Nantucket, Massachusetts 02554
www.nantucket-ma.gov
Thursday, April 25, 2024 – 4:00 p.m.

This meeting was held via remote participation using ZOOM and YouTube.

<https://youtube.com/live/iMEZuTqtLbY>

Commissioners: Ian Golding (Chair), Seth Engelbourg (Vice Chair), Mark Beale, Tim Braine, Mike Misurelli, Joe Plandowski, and Linda Williams

Called to order at 4:00 p.m. by Chair Golding

Staff in attendance: Jeff Carlson, Natural Resources Director, Will Dell’Erba, Conservation Agent
Attending Members: Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams (All Remote)
Absent Members: Golding
Members Arrived Late: Misurelli- 4:15pm
Members Left Early: Plandowski- 5:18pm

I. PUBLIC MEETING - Public Comment

Vice Chair Engelbourg called for public comment.

Burton Balkind- Submitted pictures of SBPF Coir Terrace at 59-83 Baxter Road to the Natural Resources Department. Asks Commissioners to consider robust monitoring element of the Coir once it’s up for discussion for June 6th meeting.

Meredith Moldenhauer- On behalf of SBPF, she had been out to the area that Balkind referenced and picked up Coir terrace debris.

II. PUBLIC HEARING

1. Siasconset Beach Preservation Fund/Town of Nantucket – 41-119 Baxter Road (various) SE48-3736

Sitting:	Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Representative:	Richard Nysten, Dr. Dwight Dunk, Kate Edwards, Gordon Thompson , Steven Cohen, Vince Murphy (TON)
Public:	No public comments.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Discussion: (00:06:32)	Jeff Carlson, Natural Resources Director - Intent for tonight’s meeting is to allow applicant to respond to public comment and public information that was taken in at the last hearing. Nysten – SBPF Legal Council - Purpose of presentation is to briefly go over questions raised during public comment or by the Commission. - Brief overview of project topics from the previous meetings. • Session one- project purpose and background, regulatory standards and compliance. • Session 2- Design review, sand management, operation and maintenance, oversight, roles and responsibilities. • Session 3- NOI Review schedule, mitigation, reporting, and failure criteria. • Session 4: Public Comment Dunk

	- Alternatives Analysis: Various measures have been tried, practiced, and implemented to include a mix of practice and theory, which is summarized in the Notice of Intent's alternatives analysis. • Will provide a table listing supporting documents and provide copies of those documents for the alternatives that were considered. • Dr. Kriebel's alternative is similar to coir roll and beach nourishment alternative and will be further addressed. Edwards - Alternatives that provide bluff protection must include a component of dune stabilization. - Removal of the current system in replacement of another form of dune stabilization was likely to have more environmental and cost impacts. - Arcadis' alternatives analysis in 2021 including Adaptive Dune Nourishment with existing system, expand existing system alongshore, removal, retreat and Baxter Road relocation as well as nearshore breakwaters with existing system. Explained why they are either feasible or not feasible. Engelbourg - Asks Edwards if the analysis advanced any of the options from an engineering perspective. Edwards - Did not advance anything in terms of design. The concepts laid out are to give a plan over time what feasible alternatives there were to protect or retreat the bluff. Engelbourg - Asks if any thought been given towards applying multiple alternatives instead of just one, in order to support multiple resource areas so we don't see adverse impacts to any. Dunk - Reviews performance standards for Coastal beach, Coastal Bank, and Land Under the Ocean through the Wetlands Protection Act as well as in the bylaw. - We can't necessarily do an engineering analysis but can work with Arcadis and Bared to look at the bathymetry of some of challenges that they found to be non-feasible. Engelbourg - The more information available to the Commission in terms of drawings, engineering or context will better inform the Commission for the permitting process as necessary. Dunk - Coir Roll Alternatives: Similar to existing coir terrace project and previously proposed beached nourishment project. - Provides some level of protection in terms of help reduce the rate of erosion but still see some block failure, slope failure, erosion of the bluff and retreat from the top of the Coastal Bank. - Subpar compared to a more robust feature such as the geotubes. Thompson - Reviews initial plan that was developed in 2006 which was looking to avoid the erosion of the Coastal Bank. Realizes they would have to do a combination of fill and some type of structural solution such as the geotube which became the basis of the design. Nylen - Sand Sourcing: Determined that there is sufficient supply of sand both on-island sources and developing off-island sources of compatible sand.
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	- Sand source/supply was not the reason the pilot project ended. Dunk - Reiterates that for the pilot project, that portion of sand placed on the bluff had meet requirement of the Order of Conditions of the project. Nylen - With monitoring, we can ensure the Commission that we will inform them when that work has taken place. That's a significance between the geotubes and the Coir terrace that's very important. - Imminent danger: Is not defined in the bylaw but would leave it to the Commission member's discretion. - Determined risk factors of wave action, potential collapse of the top of the bluff as well as sequential storms. Moldenhauer - Commented on the condition of the bluff in terms of location on Baxter Road. There is imminent harm and danger here from the wave action and showing that the coir terraces are insufficient. Nylen - We've presented significant information that I believe supports our position of meeting the performance standard and that the work that we're performing will protect the Coastal Bank. Engelbourg - Requests to give the Commissioners time for comments or questions in relation to the sand sourcing or imminent danger due to the lack of time. Beale - Concerned that once the geotubes are in place, we won't have a guarantee that the sand will be replaced. There was no incentive by the applicant with previous projects to replace the sand due to the hard armoring working to keep the Bank in place. Nylen - This is not just a geotube proposal but a geotube and sand nourishment proposal. We agree that there should be a failure process, it should be in place and approved by the Commission before it starts. Cohen - The Commission should have failure criteria if it issues an Order of Conditions that it states the geotubes can be removed if the sand is not provided. - The geotubes are not designed to be exposed to UV rays and the ocean. It's in the interest of the applicant to keep the sand covered on the tubes. Moldenhauer - We understand your concern and want to ensure the Commission that there will be all the appropriate thresholds and requirements legally. We look forward to being compliant and a great partner through this project if it's approved. Dunk - The Town is also a co-applicant to make sure any conditions are complied with. Engelbourg - I will get some feedback on what additional areas of interest that the Commission has, and we will discuss it at future meetings. Williams - I'm looking at this new NOI with fresh eyes and can't make a decision based on prior prejudices on what they did or didn't do about sand. Murphy
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	- The Town is far more involved than they have been before, as we are a project partner. We have an operations and maintenance manual that includes who would be responsible and have a strong oversight on the project, to ensure that this is correctly and adequately enforced. Engelbourg - We need to have further discussion in relation to sand sourcing. Since this project has been applied for, ConCom has adopted some changes to testing and screening of sediment. - We haven't had any further discussion on this hearing process on the operations and maintenance manual that Murphy referred to. That should be something that's added to the agenda. - Some of the Imminent danger comes down to how statistically likely is something to happen in terms of the number of storms we could have in a short amount of time. I think we should have a further discussion on some of those statistics. - I want to recognize that we don't have time to take public comment at this hearing. But if members of the public had comments about what was covered today, please send those over to the staff and we will reserve a specific time at the next meeting for the public to weigh in.
Public Comment/Discussion:	None
Action	CONTINUED UNTIL MAY 23RD

1. Notice of Intent

1. Third Point Holdings, LLC- 39 Quaise Road (26-3) SE48-3738 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Arthur Gasbarro, Nantucket Engineering & Survey, PC, presented the item and responded to the Commissioners questions.
Documentation:	Site and topographical plans
Public Comment:	There were no Public Comments
Discussion (1:17:55)	Gasbarro - Noted the continuance from the previous meeting and presented a revised site plan with considerations of a timber bulkhead and seasonal beach stairs. Engelbourg - Requests drawing or cross sectional of beach stairs to be on file. Gasbarro - Available to provide a standard cross section of the stairs and asks if it's something that can be at the discretion for staff approval. Engelbourg - Determined by Engelbourg and Williams that would be something that they would be comfortable with.
Staff Recommendations:	All necessary items have been received in order to close
Motion	Motion to close (Made by: Beale) (Seconded by: Misurelli)
Vote	Carried://5:0 Engelbourg, Beale, Braine, Misurelli, and Williams (aye)

2. Van Den Born- 135 Wauwinet Road (11-12) SE48-3743 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-

Representatives:	Arthur Gasbarro, Nantucket Engineering & Survey, PC presented the item.
Documentation:	Site and topographical plans
Public Comment:	There were no public comments.
Discussion: (1:24:43)	Gasbarro - Noted the continuance from the previous meeting and supplemental information to address some of the concerns that the Commission had. - Plan shows relocation to the driveway and walking path that had been proposed on the North end of the property, now to the south.
Staff Recommendations	All necessary items have been received in order to close
Motion:	Motion to close (Made by: Braine) (Seconded by: Misurelli)
Vote	Carried:/5:0 Engelbourg, Beale, Braine, Misurelli, and Williams (aye)

3. Woodbury Lane Association- Rear Woodbury Lane (42.3.4-156) SE48-3749 (Haines)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	David Haines, Haines Hydrogeologic Consulting presented the proposal of removing invasive species.
Documentation:	Site and topographical plans
Public Comment:	There were no public comments.
Discussion: (1:27:46)	Haines - Noted the continuance from the previous meeting due to needing to be posted in the Environmental Monitor. - Submitted a letter in response to a concern about the drainage. When removing invasive species, it does improve wildlife and habitat. - Part of the proposal is to replant the area with shrubs to improve the vegetation.
Staff Recommendation:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Beale) (Seconded by: Braine)
Vote:	Carried://5:0 Engelbourg, Beale, Braine, Misurelli, and Williams (aye)

4. Nantucket Islands Land Bank- Lily Pond Park (various) SE48-3757 (Freeman)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Rachel Freeman, Nantucket Islands Land Bank presented a proposed NOI for invasive species management.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (1:32:20)	Freeman - The Land Bank is in the process of designing a larger scale hydrologic and ecological restoration for the park. We feel it's important to start the process of the invasive species component before submitting additional plans. - This project qualified as an ecological restoration limited project so that was filed, as well as an advertisement in the Environmental Monitor prior to opening the hearing tonight.
Staff Recommendation:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Engelbourg, Beale, Braine, Misurelli, and Williams (aye)

5. Glenbeigh, LLC- 33 Nonantum Avenue (87-49) SE48-3755 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Arthur Gasbarro, Nantucket Engineering & Survey, PC presented the item and answered Commissioners' questions.
Documentation:	Site plan
Public Comment:	There were no public comments.
Discussion: (1:38:37)	Gasbarro - Noted the continuance from the previous meeting and supplemental information to address some of the concerns of the beach stairs and snow fencing. - The revised site plan has illuminated the snow fencing on the beach. - Requests to continue the application due to resubmitting the revised plan to Natural Heritage for review. Engelbourg - Agrees that the Commission would need an updated determination from Natural Heritage. Gasbarro - Also requests drawing or cross sectional of the beach stairs. - Clarifies that there will be prefabricated stairs and can provide a spec sheet to all the other similar ones.
Action:	CONTINUED UNTIL MAY 9TH

6. Sconset Beach Preservation Fund- 59-83 Baxter Road (various) SE48-3759 (Dunk) (cont 05/09)

Engelbourg- **Items moved to the end of the Notice of Intent section per the request of Mark Rits**

- Item #7: *Nantucket Mountain LLC- 21 Berkely Avenue (54-160) SE48-3758 (Rits)
- Item #8: *Omstead- 50 Wauwinet Road (14-68.2) SE48-3760 (Rits)

9. *Kronau- 5 Old Quidnet Milk Route (20-54.1) SE48-3761 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Arthur Gasbarro, Nantucket Engineering & Survey, PC presented the item.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (1:41:02)	Gasbarro - Proposed project of Solar Array and no work is proposed within 50' of vegetated resource area. - Waiting on review from Natural Heritage. No questions or Comments from the Commission
Action:	CONTINUED UNTIL MAY 9TH

10. *16 Monomoy Road Nominee Trust- 16 Monomoy Road (54-52) SE48-3762 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Arthur Gasbarro, Nantucket Engineering & Survey, PC presented the item.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.

Public Comment:	There were no public comments.
Discussion: (1:42:39)	Gasbarro - Proposed plan to make an alteration and slight extension to an existing elevated walkway. No questions, comments or concerns from the Commission.
Staff Recommendation:	Waiting on a response from NHESP
Action:	CONTINUED UNTIL MAY 9TH

11. *Turk Family LLC- 15 Marsh Hawk Lane (56-113.6) SE48-3766 (Santos)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors P.C presented the project and answered Commissioners' questions.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	Charles Gibson
Discussion: (1:46:07)	Santos - Proposed project for the construction of an in-ground pool, shed, driveway relocation, with landscaping and utilizes. Misurelli - Asks if the pool coping is on the 50' buffer zone line. He asks if the applicant would consider moving the pool back as the fiberglass looks to go over the 50' buffer zone. Santos - Confirms that it's a part of the blue stone patio and that the structure of the pool itself would be outside of the 50' line. Beale - Has concerns over the distance of the water table and asks Engelbourg if he feels the same. Engelbourg - Has a concern with the waiver that's being applied for due to the requires that the applicants approve there is both no adverse impacts and no reasonable alternative. Believes alternatives exist. - Urges Santos reconsider and come back with alternatives for meeting the standard without requiring the waiver. Gibson - The homeowner's Association would request is that the partial of the gated fence that will be within the 100-foot buffer zone to the vegetated wetland be maintained. Santos - With regard to the concerns of the ground water separation, wanted to clarify that it was a pre-made unit and different from a standard pool construction as it's prefabricated and resealed unit. - Would consider looking at the grade of the patio itself or coming up with an alternative to work the pool within this area. Engelbourg - Areas like this are essentially the site of future wetlands as sea level rises pushes water up closer to the surface. It is going to be a cause for concern. Braine - I'm inclined to go with Engelbourg and Beale on this one. Santos - Requests a continuance and will provide an elevated patio elevation and supplemental data from the septic system logs.
Action:	CONTINUED UNTIL MAY 9TH

12. *ACK Easy Street LLC- 10 East Street (42.3.178) SE48-3766 (Santos)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors P.C presented the project and answered commissions' questions.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (2:04:57)	Santos - Proposed project installation of a brick driveway and walkway with an associated grading and landscaping. Engelbourg - Doesn't believe the project needs a waiver due to it not being a structure. Pervious paving of the regulations is up to the 50' line. Beale - I would be concerned with the permeability with what's going in there as that area is under water on a somewhat irregular basis.
Staff Recommendations:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Misurelli) (Seconded by: Braine)
Vote	Carried:/5:0 Engelbourg, Beale, Braine, Misurelli, and Williams (aye)

13. *Nantucket Islands Land Bank- 101 Miacomet Avenue (81-149) SE48-3763 (Freeman)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Rachael Freeman, Nantucket Islands Land Bank
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (2:14:40)	Freeman - Proposed work includes the removal of a dilapidated shed within 25 feet of a Bordering Vegetated Wetland and adjacent to Land Subject to Coastal Storm Flowage. - Believes it will cause a long-term net benefit to the site. - Property is within Natural Heritage habitat and still waiting on approval.
Staff Recommendations:	Confirms to be waiting on Natural Heritage
Action:	CONTINUED UNTIL MAY 9TH

14. *Town of Nantucket- Miacomet Pond (various) SE48-3764 (Price)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Vince Murphy, Emma Morgan, Rachel Freeman, Neal Price, Christine & Corry Platt, Amy Ball, Chris Greene presented the presentation and answered commissioner questions.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (2:18:43)	Murphy - Gave overview of the Miacomet Pond dredging project presentation. - The objective of the project is to improve water quality and outlines the scope of work. Morgan

	Freeman - Summarizes the water quality monitoring that has been done by the Natural Resources Department. Greene - Discusses the Land Bank's performance of a rare plant survey in spring to inform the configuration of the dredged sediment transfer to the wastewater treatment plan. Ball - Explains the design details of the project. - Details the three access points of the pond, project elements, and sequencing. - Explains the dredging footprint and the hydraulic dredge functions. - Equipment launch area will be on West Miacomet Road with temporary closings. - Details the jurisdictional resource areas within the project that are covered by the Wetlands Protection Act as well as the Nantucket Bylaw. - Requesting waivers with work happening within the 25-foot buffer from West Miacomet Pond access. An additional waiver for rare species habitat within 50 feet of the resource area is also determined. - The largest area of proposed alteration will be within Land Under Waterbodies, or the pond itself - All alterations that are proposed are temporary in nature. There will be restoration of Coastal Dune and Bordering Vegetated Wetland following the conclusion of the dredging project. Engelbourg - Explains other required permitting and regulatory reviews. Williams - Requests applicants provide presentation to staff for public review. Murphy - Asks if the proposed project is going to interfere with pond openings in the future. Beale - Miacomet Pond has not been permitted to open, as it's not one of the Great Ponds. - The issue here is not to get cleaner water in the pond, but to clear the muck at the bottom of the pond that would be reinfecting any water that flows out. Not the best to discharge the pond water. Price - Supportive of the project and asked if there were any surprises in the samples of the organic matter, either positive or negative. - There were no surprises, all of the material has passed all the necessary requirements chemically for permitting water quality certification and the organic portion will be reused for the topsoil or the like. - Overall, the results stayed consistent from prior sampling from 2017.
Staff Recommendations:	Waiting on Natural Heritage
Action:	CONTINUED UNTIL MAY 9TH

Dell'Erba

- **50 Wauwinet is going to continue until May 9th as requested by the applicant due to waiting on NHESP.**

7. *Nantucket Mountain LLC- 21 Berkeley Avenue (54-160) SE48-3758 (Rits)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Mark Rits, Site Design Engineering, LLC presented the item.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (2:56:12)	Rits - Describes proposed project of pool construction with multiple resource areas such as Coastal Beach, Coastal Dune, several BVWs, Land Subject to Coastal Storm Flowage, and Coastal Bank. - Also proposing some pool mechanicals with an addition of a window well outside of the 50-foot buffer zone. No questions or Comments from the Commission
Staff Recommendations:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Beale) (Seconded by: Misurelli)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

8. *Kronau- Omstead- 50 Wauwinet Road (14-68.2) SE48-3760 (Rits)

Sitting:	Engelbourg, Beale, and Braine
Recused:	Williams, Misurelli
Representatives:	Mark Rits, Site Design Engineering LLC
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (2:59:21)	There were no Commissioner comments.
Action:	CONTINUED UNTIL MAY 9TH

B. Amended Order of Condition

1. *Island Harbor Farm LLC- 6 New Whale Street (42.3.1-89.1) SE48-3735 (Santos) **(cont 05/09)**

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	There were no comments by the Commissioners.
Action:	CONTINUED UNTIL MAY 9TH

PUBLIC MEETING

A. Requests for Determination of Applicability

1. *106 Squam Road LLC- 106 Squam Road (12-37) (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	Williams
Representatives:	Arthur Gasbarro Nantucket Engineering & Survey, PC presented the item.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (03:00:48)	There were no comments made by Commissioners.

Staff Recommendations	Will Dell'Erba recommended approving RDA with determination of (-3) buffer zone is present, but the project will not alter an Area subject to protection under the ACT & (-6) no additional NCC review needed.
Motion:	Motion to approve the determination of Applicability as -3 & -6 at 28 106 Squam Pond Road (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

B. Minor Modifications

1. Nantucket Islands Land Bank- 321 Polpis Road (25-8) SE48-3656 (Freeman)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	
Representatives:	Rachel Freeman, Nantucket Island Land Bank presented the item
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (03:04:10)	Freeman - Modifications include the removal of the existing mound for the proposed grading of the approved project. There were no comments made by Commissioners.
Motion:	Motion to approve the Minor Modifications at 321 Polpis Road (Made by Beale) (Seconded by: Misurelli)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

C. Certificate of Compliance

1. The Sachem Trust- 8 Sachem Road (30-239) SE48-3561 (Madden)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Brian Madden, LEC Environmental Consultants, Inc presented the completed project.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (03:07:34)	Madden - Order issued in August 2022 which included the installation of a garage and shed in the front part of the property.
Staff Recommendations:	Everything is in compliance and the revegetation area is really good. Issue the COC with ongoing conditions 19, 20, 21, 22, 23, 26, & 28
Motion:	Motion to approve the Certificate of Compliance for 8 Sachem Road. (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

D. Orders of Conditions (If the public hearing is closed – for discussion and/or issuance)

1. Third Point Holdings, LLC- 39 Quaise Road (26-3) SE48-3738 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (03:11:52)	Dell'Erba presented the item. Engelbourg

	- Requests to move finding #2 as Condition #20 with amended wording to “prior to the start of work”
Motion:	Motion to approve as amended. (Made by: Misurelli) (Seconded by: Beale)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

2. Van Den Born- 135 Wauwinet Road (11-12) SE48-3743 (Gasbarro)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (3:16:24)	Dell’Erba presented the item and responded to Commissioners questions. Engelbourg - Requests to add Condition #22 that “all machinery be stored outside 50 ft from the resource areas.”
Motion:	Motion to approve as amended. (Made by Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

3. Woodbury Lane Association- Rear Woodbury Lane (42.3.4-156) SE48-3749 (Haines)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (03:28:37)	There were no Commissioner comments or amendments.
Motion:	Motion to approve as drafted. (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

4. Nantucket Islands Land Bank- Lily Pond (various) SE48-3757 (Freeman)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (3:21:46)	Dell’Erba presented item Engelbourg - Requests to add Condition #21- “A monitoring report shall be submitted to the Commission on an annual basis containing photographs of all treatment areas, before and post management.”
Motion:	Motion to approve as amended. (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

5. ACK Easy Street LLC- 10 Easy Street (42.3.1-78) SE48-3765 (Santos)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.

Discussion: (3:28:25)	Dell’Erba presented the item. Engelbourg - Requests to amend the permit overview section to “waivers are not required for this project.”
Motion:	Motion to approve as amended. (Made by: Misurelli) (Seconded by: Williams)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

6. *Nantucket Mountain LLC- 21 Berkeley Avenue (54-160) SE48-3758 (Rits)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (3:31:22)	Dell’Erba presented the item.
Motion:	Motion to approve as drafted. (Made by: Misurelli) (Seconded by: Engelbourg)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

E. Extension of Order – None

1. Frost Daisy Field Trust- 74 Madaket Road (41-810) SE48-3548 (Rits)

2. Frost Daisy Field Trust- 76 Madaket Road (41-810) SE48-3459 (Rits)

Sitting:	Engelbourg, Beale, Braine, Misurelli, and Williams
Recused:	-
Representatives:	Mark Rits, Site Design Engineering, LLC presented both items.
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (3:28:37)	Rits requested a three-year extension for both similar projects.
Motion:	Motion to approve extension for 74 & 76 Madaket Road (Made by: Braine) (Seconded by: Misurelli)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

3. Other Business

1. Approval of Minutes- February 15th, 2024 & February 22, 2024

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	-
Documentation:	-
Public Comment:	There were no public comments.
Discussion: (3:33:28)	There were no commissioner comments or amendments to dated minutes.
Motion:	Motion to approve as presented (Made by: Beale) (Seconded by: Misurelli)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

2. Monitoring Reports: **Capaum Pond**

Discussion: (3:34:17)	Engelbourg - Report is in the digital pack and if you have any questions, please reach out to Dell’Erba and he’ll provide the representatives for the project.
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3. Enforcement Actions/Potential Enforcement Actions (3:34:45)- none

5. Reports: CRAC, CPC, NP&EDC, Harbor Plan, Offshore Wind Work Group, etc.

CRAC: (3:35:00)	Braine - CRAC Invited some regulatory board leaders to discuss how the Coastal Resilience Project might better be integrated into regulations and processes.
CPC:	Beale - Nothing to report
NP&EDC:	Engelbourg - Nothing to report
Harbor Plan	Williams - Discussion of Harbors and Waterways section and continue to work through it with Sheila Lucy. - Reminds Commissioners that the committee meets every two weeks.
Offshore Wind Work Group:	Plandowski - Not in attendance

6. Commissioner's Comments

Discussion: (3:38:45)	No Commissioner comments.
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7. Administrator/Staff Reports

Discussion: (3:38:55)	Dell'Erba has nothing to report at this time.
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Adjournment:

Motion:	Motion to adjourn at 7:40pm. (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://5:0 Braine, Beale, Misurelli, Williams, Engelbourg (aye)

Submitted by: Lisa Graves