



CONSERVATION COMMISSION MINUTES

131 Pleasant Street
Nantucket, Massachusetts 02554
www.nantucket-ma.gov
Thursday, July 25th, 2024 – 5:00 p.m.

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

<https://youtube.com/live/3ugE4pwtSbM>

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

Called to order at 5:02 p.m. by Chair Engelbourg

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: -
Members Left Early: -

I. PUBLIC MEETING - Public Comment

Chair Engelbourg called for public comment.

Public Comment	Burtin Balkind - Asks if the commission was contacted regarding the vineyard wind incident and wanted to know what their response was if so Engelbourg - Notes the commission is aware of the incident but does not have an active role and other organizations are taking care of it - Notes if they need to be involved, they will be
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1. Sconset Bluff Preservation Fund- 41-119 Baxter Road (various) SE48-3736 (Posner)

Sitting	Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representative:	Chip Nylon - Notes they have completed their presentation and states commission is waiting on legal opinion - Does not have presentation scheduled but is here to answer questions - Has responded to letters of opposition - Prefers not to close meeting as commission is going through deliberations
Documentation:	-
Discussion:	Jeff Carlson-Natural Resources Director - Town council submitted responses to the four questions - Pointed out at the last meeting the commission discussed positive and negative orders in attempt to permit something denied on its merits -
Public Comment/Discussion:	
Motion	
Vote	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

Public Comment/Discussion Cont.	
Action:	

2. Discussion of Revision and Potential Adoption of the Town of Nantucket Wetland Protection Regulations (Chapter 390)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	-
Documentation:	
Discussion	—
Public Comment/Discussion	
Staff Recommendations:	
Motion	Adopt the revised regulations with expanded buffer zones to take effect on January 1 st , 2025 (Made by: Plandowski) (Seconded by: Baele)
Vote	Motin was deafeaeted://2:0 Beale, Plandowski (aye) Opposed:// 5:0 Braine, Engelbourg, Misurelli, Williams, Golding (neigh)
Motion	
Vote	Carried://6:0 Engelbourg, Beale, Braine, Misurelli, Williams, Golding (aye) Plandowski (neigh)

Notice of Intent

1. Sconset Beach Preservation Fund- 59-83 Baxter Road (various) SE48-3759 (Dunk)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	-
Documentation:	-
Public Comment:	-
Discussion	-
Staff Recommendations:	
Action:	

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

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Williams and Plandowski
Recused:	
Representatives:	
Documentation:	Site and topographical plans
Public Comment:	No public Comments
Discussion:	
Staff Recommendations	All necessary items have been received to close
Motion:	Motion to close (Made by: Williams) (Seconded by: Misurelli)
Vote	Carried://7:0 Engelbourg, Beale, Braine, Plandowski, Misurelli, Williams Golding (aye)

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

Recused:	-
Representatives:	Will Dell’Erba
Documentation:	
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation:	
Motion	CONTINUED UNTIL JUNE 20TH

4. Pazone Real Estate Trust- 14 Waquoit Road (89-9) SE48-3773 (Haines)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	No discussion
Staff Recommendation:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Plandowski) (Seconded by: Braine)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

5. *Gault- 52 Miacomet Avenue (67-83.9) SE48-3774 (Haines)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	No Discussions
Staff Recommendation:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by Plandowski) (Seconded by Misurelli)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

6. * The Ocean Avenue Nominee Trust- 20 Ocean Avenue (73.2.4-20) SE48-3777 (Madden)

Sitting:	
Recused:	
Representatives:	
Documentation:	Site and topographical plans
Public Comment:	
Discussion:	No discussion
Staff Recommendation:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Misurelli) (Seconded by: Beale)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Golding (aye) Recused: Williams

7. *Great Harbor Yacht Club, Inc- 96 Washington Street (55.1.4-8) SE48-3775 (Asadoorian)

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

Representatives:	
Documentation:	
Public Comment:	There were no public comments.
Discussion:	There were no comments from the Commissioners
Staff Recommendation:	All necessary items have been received in order to close.
Motion:	Motion to close. (Made by: Plandowski) (Seconded by: Braine)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

B. Amended Order of Condition

1. 3 North Gully Road LLC- 7 North Gully Road (73.1.3-123) SE48-3099 (Haines)

Sitting:	
Recused:	
Representatives:	
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Motion:	Motion to approve the Amended Order of Condition for 3 North Gully Road (Made by: Beale) (Seconded by: Plandowski)
Vote:	Carried://6:0 Engelbourg, Beale, Braine, Plandowski, Williams, Golding (aye) Recused: Misurelli

PUBLIC MEETING

A. Requests for Determination of Applicability - None

B. Minor Modifications

C. Certificate of Compliance

1. Loftus Brothers LLC- 10 Alexandria Drive (67-410 SE48-2958 (Loftus))

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, and Plandowski,
Recused:	Williams
Representatives:	Will Dell'Erba
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	No discussion
Staff recommendation	Dell'Erba – Recommends issuing certificate of compliance with no continuing conditions
Motion:	Motion to approve the issuance of the Certificates of Compliance 10 Alexandria Dr. With no continuing of conditions as stated by Mr. Dell'Erba. (Made by: Plandowski) (Seconded by: Misurelli)
Vote:	Carried://6:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye) Recused: Williams

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

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

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

Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	Dell’Erba presented the item. No further discussion
Motion:	Motion to approve as drafted. (Made by: Bealle) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

2. Pazone Real Estate Trust- 14 Waquoit Road (89-9) SE48-3773 (Haines)

Sitting:	
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	Dell’Erba presented the item. No further discussion
Motion:	Motion to approve as drafted. (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Williams, Plandowski, Golding (aye)

3. *Gault- 52 Miacomet Avenue (67-83.9) SE48-3774 (Haines)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (02:53:25)	Dell’Erba presented item
Motion:	Motion to approve as drafted. (Made by: Plandowski) (Seconded by: Beale)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

4. *The Ocean Avenue Nominee Trust- 20 Ocean Avenue (73.2.4-20) SE48-3777 (Madden)

Sitting:	
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	Dell’Erba presented the item No further discussion
Motion:	Motion to approve as drafted. (Made by: Braine) (Seconded by: Misurelli)
Vote:	Carried://6:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Golding (aye) Recused: Williams

5. *Great Harbor Yacht Club, Inc- 96 Washington Street (55.1.4-8) SE48-3775 (Asadoorian)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:	Dell’Erba presented the item.

Motion:	Motion to approve as drafted (Made by: Beale) (Seconded by: Braine)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

E. Extension of Order

1. Town of Nantucket DPW- Town Wide Operations NOI (Patnode)

Sitting:	Golding, Engelbourg, Beale, Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	-
Documentation:	-
Public Comment:	There were no public comments.
Discussion:	
Action	CONTINUED UNTIL JUNE 20TH

F. Other Business

1. Approval of Minutes- None

2. Monitoring Reports - None

3. Enforcement Actions/Potential Enforcement Actions - None

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

CRAC:	Braine - No report.
CPC:	Beale - Lost chairman
NP&EDC:	Engelbourg - Staff signed and submitted letter on the NOAA proposed regulation updates for sped restrictions.
Harbor Plan	Williams - Update is going well.
Offshore Wind Work Group:	Plandowski - No report.

6. Commissioner's Comments

Discussion:	
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7. Administrator/Staff Reports

Discussion:	
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Adjournment:

Motion:	Motion to adjourn. (Made by: Plandowski) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Beale, Braine, Misurelli, Plandowski, Williams, Golding (aye)

Submitted by:
Morgan Nelson