



CONSERVATION COMMISSION MINUTES

4 Fairgrounds Rd

Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, December 19th, 2024 – 5:00 p.m.

This meeting was held in a hybrid format with some participation using ZOOM and YouTube.

https://www.youtube.com/watch?v=r1_IpQxkx6E

Commissioners: Seth Engelbourg (Chair), Linda Williams (Vice Chair), Tim Braine, Mike Misurelli, Joe Plandowski, RJ Turcotte, and John Schafer

Called to order at 5:00 p.m. by Chair Engelbourg

Staff in attendance: Will Dell Erba - Conservation Agent

Attending Members: Engelbourg, Braine, Misurelli, Plandowski, Turcotte, Schafer, Williams

Absent Members: -

Members Left Early: -

I. PUBLIC MEETING - Public Comment

Chair Engelbourg called for public comment.

Public Comment	NCTV - Merry Christmas and Happy holidays Engelbourg - You as well thank you very much

1. Sconset Bluff Preservation Fund- 41-119 Baxter Road (various) SE48-3736 (Posner)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams
Recused:	- Schafer and Turcotte not sitting
Representative:	Posner
Documentation:	
Discussion:	
Public Comment/Discussion:	
Motion	
Vote	
Action:	Continued 1/15/2025

Notice of Intent

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

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams,
Recused:	Schafer and Turcotte not sitting
Representatives:	Dunk
Documentation:	
Public Comment:	-
Discussion	-
Staff Recommendations:	

Action:	Continued 1/09/2025
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2. Olbres- 196 Hummock Pond Road (65-30) SE48-3833 (Haines)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams, Turcotte
Recused:	
Representatives:	David Haines
Documentation:	Site and topographical plans
Discussion:	Haines - Plan revised with studio and spa removed, would like to plant a lawn - Construction protocol to include TOY restriction for turtles - Silt fencing Misurelli - Thank you for the site visit
Public Comment:	
Staff Recommendations	All necessary items have been received to close
Motion:	Motion to close (made by Williams) (Seconded by Misurelli)
Vote	Vote Carried: 7-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams, Turcotte(aye)

3. Mid Island Services LP- 41 & 43 Sparks Avenue (55-367.3 & 367.4) SE48-3849 (Rits)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Mark Rits
Documentation:	Site and topographical plans
Discussion:	File number received
Public Comment	
Staff Recommendation:	All necessary items have been received to close
Motion:	Motion to close (Made by Williams) (seconded by Plandowski)
Action	Vote Carried: 7-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams, Turcotte(aye)

4. Jane A. Joynt Testamentary Trust- 15 Bear Street (55-378.6) SE48-3848 (Rits)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Mark Rits
Documentation:	Site and topographical plans
Discussion	Received DEP number
Public Comment	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by: Williams) (Seconded by: Misurelli)
Vote:	Vote Carried: 7-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams, Turcotte(aye)

5. 8 Gull Island LLC- 8 Gull Island Lane (42.4.3- 95) SE48-3850 (Rits)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer
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Recused:	Turcotte
Representatives:	Mark Rits
Documentation:	Site and topographical plans
Discussion:	Removed pool and updated site
Public comment	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by: Williams) (Seconded by: Misurelli)
Vote:	Vote Carried: 6-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams (aye) Turcotte recused

6. Lavendar Point Nominee Trust- 8 Lavendar Lane (33-23) SE48-3835 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams, Turcotte
Recused:	
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	Provided supplemental information requested
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (made by Williams) (Seconded by: Plandowski)
Vote:	Vote Carried: 7-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams, Turcotte(aye)

7. Penant Realty, LLC- 5 Coaskata Course Way (14-4.1) SE48-3838 (Madden)

Sitting:	Engelbourg, Braine, Plandowski, Williams, Schafer, Turcotte, Misurelli
Recused:	
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (made by Williams) (Seconded by Misurelli)
Vote	Vote Carried: 7-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams, Turcotte(aye)

8. Tork ACK LLC- 1 Mothball Way (83-42.4) SE48-3844 (Santos)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte Williams
Recused:	
Representatives:	Paul Santos
Documentation:	Site and topographical plans
Discussion:	Received DEP filing numbers
Public comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (Seconded by Misurelli)

Vote	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte Williams (aye)
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9. Hale- 117 Madaket Road (40-60.3) SE48-3843 (Santos)

Sitting:	Engelbourg, Braine, Plandowski, Williams, Schafer, Turcotte
Recused:	Misurelli
Representatives:	Paul Santos
Documentation:	Site and topographical plans
Discussion:	Received DEP number
Public Comment	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by: Williams) (Seconded by Plandowski)
Vote	Vote Carried: 6-0 (Engelbourg, Braine, Plandowski, Schafer, Turcotte Williams (aye) Misurelli recused

10. 49 Nobadeer LLC- 49 Nobadeer Avenue (88-45) SE48-3845 (Santos)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Paul Santos
Documentation:	Site and topographical plans
Discussion:	Received DEP number
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Misurelli)
Vote:	Vote Carried: 7-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams (aye)

11. Middleton- 51 Nobadeer Avenue (88-44) SE48-3846 (Santos)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Paul Santos
Documentation:	Site and topographical plans
Discussion:	DEP number received
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Plandowski)
Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams aye)

12. Harborfront Realty Trust- Village Way (14-2) SE48-3842(Santos)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Paul Santos

Documentation:	Site and topographical plans
Discussion:	DEP number received Engelbourg Stairs are outside of commissioner's jurisdiction Discussion briefly had on stairs
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Plandowski)
Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams aye)

13. Fourteen Tautemo Way Realty Trust- 14 Tautemo Way (83-13) SE48-3840 (Barnicle)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Katie Barnicle
Documentation:	Site and topographical plans
Discussion:	Reflagged top of bank and identified boarding vegetation Shifted pool and patio complex Removed fencing and low retaining walls all out of 50ft buffer zone
Public Comment:	Sarah Alger – represents abutters at 12 Tautemo - Still believes they need more information - Pool does not have groundwater depth information - Waiver is not approved - No update for performance standards - Should not grant order or continue it, plan is also not stamped Engelbourg - Plan has been stamped in the packet Alger - Believes it should be stamped by a surveyor Engelbourg - Not necessary Barnicle - Ground water survey from recent work on septic system - Pool is around elevation 11, 4 ft deep - Ground water was 3 feet Engelbourg - Does need the information of groundwater for application Schafer - Question water closet Barnicle - Single toilet, will be connected and won't need additional space Engelbourg - Question on pool equipment Barnicle - Equipment will be by shed Engelbourg - Does need updated plan
Staff Recommendation:	

Motion	
Vote:	Continued 1/9

14. Tautemo Way Realty Trust- 16 Tautemo Way (83-14) SE48-3841 (Barnicle)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	Turcotte
Representatives:	Katie Barnicle
Documentation:	Site and topographical plans
Discussion:	Barnicle - Removed all new fencing - Moved all activities to other side of the house - Previously had deck reconstructed, only resurfacing deck and taking out some stairs Engelbourg - Portion of path being relocated, are you restoring it Barnicle - Yes, not much work Engelbourg - Is it being marketed Barnicle - Sure Engelbourg - Specific conditions for deck that will trigger commission review Barnicle - Believed if they had to replace 1-2 pilings it would be repair Engelbourg - Will discuss
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Misurelli)
Vote:	Vote Carried: 6-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams aye) Turcotte recused

15. 6 Swain Street LLC- 6 Swain Street (42.4.1-82.2) SE48-3839 (Gasbarro)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams
Recused:	Turcotte recused
Representatives:	Art Gasbarro
Documentation:	Site and topographical plans
Discussion:	
Public Comment:	
Staff Recommendation:	Already closed
Motion	
Vote:	

16. *McCarthy- 9 Cow Pond Lane (55-609) SE48- (McCarthy)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	

Representatives:	McCarthy
Documentation:	Site and topographical plans
Discussion:	Engelbourg • Paul santos stamped plan Del 'Erba • Can use plan Williams • Fine with plan
Public Comment:	
Staff Recommendation:	Waiting on DEP number
Motion	
Action	Continued to 1/09

17. *Yellow Dog Nominee Trust- 224 Polpis Road (26-22.3) SE48-3858 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Plandowski)
Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams aye)

18. *46 West Miacomet LLC- 46 West Miacomet Road (86-6) SE48- (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte
Recused:	Williams
Representatives:	Brian Maadden
Documentation:	Site and topographical plans
Discussion:	
Public Comment:	
Staff Recommendation:	No DEP number
Motion	
Action	Continued 1/09/2025

19. *Osborn- 6 Woodbury Lane (42.3.4-159) SE48-3854 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams
Recused:	Turcotte
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	Misurelli • Assumed landscape and walls are re-existing Madden • Yes

Public Comment:	Wila Arsenal – NLWC - Hydrology and dewatering questions Madden - No proposed dewatering systems - No adverse effects on hydrology system Engelbourg - Finds alternatives analysis lacking
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Braine)
Vote:	Vote Carried: 6-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams (aye) Turcotte recused

20. *Burbage- 47 Quidnet Road (21-143) SE48-3855 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	Schafer - Questioned if retaining wall was proposed or existing Madden - Existing Turcotte - Thank you for including sites on plan
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Misurelli)
Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams (aye)

21. *Elegance LLC- 75 Pocomo Road (15-6) SE48-3852 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer,
Recused:	Turcotte and Williams
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	Engelbourg Questioned if walking path was water dependent
Public Comment:	Wila Arsenal – NLWC - Requests walking path to not have fertilizer used on it Engelbourg - Yes, in a condition
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Misurelli) (seconded by Plandowski)
Vote:	Vote Carried: 5-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer (aye) Turcotte and Williams recused

22. *Serendipity LLC- 77 Pocomo Road (15-6) SE48-3853 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte
Recused:	Williams
Representatives:	Brian Madden
Documentation:	Site and topographical plans
Discussion:	
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Misurelli) (seconded by Braine)
Vote:	Vote Carried: 6-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte (aye) Williams recused

23. *Porter- 60 Squam Road (13-34) SE48-3847 (Santos)

Sitting:	Engelbourg, Braine, Plandowski, Turcotte, Williams
Recused:	Misurelli and Schafer recused
Representatives:	Paul Santos
Documentation:	Site and topographical plans
Discussion:	No NHESP
Public Comment:	
Staff Recommendation:	All necessary items have been received to close
Motion	
Action	Continued 1/09

24. *Donohue- 26 Gosnold Road (30-89) SE48- (Santos)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams
Recused:	
Representatives:	Paul Santos
Documentation:	Site and topographical plans
Discussion:	No DEP filing number and will add pool equipment to plan
Public Comment:	
Staff Recommendation:	
Motion	
Action	Continued 1/09

25. 04TST36WASHINGPOND, LLC- 36 Washing Pond Road (31-13.2) SE48-3856 (Gasbarro) -WITHDRAW

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams
Recused:	Turcotte
Representatives:	
Documentation:	
Discussion:	
Public Comment:	
Staff Recommendation:	
Motion	Motion to accept withdraw (Made by: Williams) (Seconded by Misurelli)
Vote:	Vote Carried: 6-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams (aye) Turcotte recused

25. *Horne Place Nominee Trust- 40 Hawthorne Lane (57-5) SE48-3857 (Rits)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams
Recused:	Turcotte
Representatives:	Mark Rits
Documentation:	Site and topographical plans
Discussion:	
Public Comment:	Wila Arsenal – NLWC - Confirm or unconfirm subdivision Engelbourg - Commission does not do so Rits - Just here asking for wetland protection not planning
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by Williams) (seconded by Braine)
Vote:	Vote Carried: 6-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Williams aye) Turcotte recused

B. Amended Order of Conditions

1. *46 West Miacomet LLC- 46 West Miacomet Road (86-6) SE48-3649 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte
Recused:	Williams
Representatives:	Brian Madden
Documentation:	Site and topographical maps
Discussion:	
Public Comment	
Staff Recommendation:	All necessary items have been received to close
Motion	Motion to close (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 6-0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte (aye) Williams recused

PUBLIC MEETING

A. Requests for Determination of Applicability

1. *Wagner- 12 Plover Lane (12-54) (Santos)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Paul Santos
Documentation:	Site and topographical maps
Discussion:	Engelbourg Believes they need negative 3 and positive 2a
Public Comment	
Staff Recommendation:	Recommend issuing a negative 3 and positive 2a
Motion	Motion to issue with a negative 3 and positive 2a (Made by: Williams) (Seconded by: Plandowski)

Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams aye)
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B. Minor Modifications

1. The Nick/Pat Reding-Nancy Breckenridge, LLC- 170 Cliff Road (41-68) SE48-3837 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Brian Madden
Documentation:	Site and topographical maps
Discussion:	
Public Comment	
Staff Recommendation:	
Motion	Motion to issue Minor Modification (Made by Williams) (Seconded by Turcotte)
Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams aye)

2. Five Crows Nest Nominee Trust- 5 Crows Nest Way (12-22.2) SE48-3803 (Haines)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	David Haines
Documentation:	Site and topographical maps
Discussion:	Schafer - Questioned pool depth Haines - Does not remember but does not need a 2ft separation
Public Comment	
Staff Recommendation:	
Motion	Motion to approve minor modification (Made by Williams) (Seconded by Plandowski)
Vote:	Vote Carried: 7-0 (Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, Williams aye)

C. Certificate of Compliance

1. Nantucket Property Trust- 13 Hallowell Lane (30-11) SE48-3733 (Santos)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Will Dell Erba
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff recommendation	Site is in compliance
Motion:	Motion to issue certification. (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

2. 13 Aurora Way LLC- 13 Aurora Way (56-448) SE48-3659 (Bracken)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Will Del 'Erba
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff recommendation	Continuing conditions for pool, 20-24
Motion:	Motion to issue certification with conditions (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

3. Daisy Field Trust- 76A Madaket Road (41-813) SE48-2763 (Rits)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Mark Rits
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff recommendation	No ongoing conditions
Motion:	Motion to issue certification. (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

4. Hawkes End LLC- Esther Island (36.2.3-97) SE48-3669 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	Brian Madden
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff recommendation	No ongoing conditions
Motion:	Motion to issue certification. (Made by: Williams) (Seconded by: Braine)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

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

1. Olbres- 196 Hummock Pond Road (65-30) SE48-3833 (Haines)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Added turtle conditions Engelbourg

	• Prior to any mowing/landscaping the contractor will sweep for turtles and if found, will contact NRD Discussion continued turtles
Staff Recommendation	On going conditions 18-28
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

2. Mid Island Services LP- 41 & 43 Sparks Avenue (55-367.3 & 367.4) SE48-3849 (Rits)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	-
Staff Recommendation	Conditions 18, 19
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

3. Jane A. Joynt Testamentary Trust- 15 Bear Street (55-378.6) SE48-3848 (Rits)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18, 19 and 20
Motion:	Motion to approve as drafted. (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

4. 8 Gull Island LLC- 8 Gull Island Lane (42.4.3- 95) SE48-3850 (Rits)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer
Recused:	Turcotte
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Engelbourg • Longterm net benefit waiver Retention ponds across the road Engelbourg • Add waiver for road
Staff Recommendation	Conditions 18-20 and waiver
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Plandowski)

Vote:	Carried:// 6:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer (aye) Turcotte recused
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5. Lavendar Point Nominee Trust- 8 Lavendar Lane (33-23) SE48-3835 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Madden • Proposal includes more materials • Waiver was decommissioning of septic system
Staff Recommendation	Conditions 18-25
Motion:	
Action	Held over until January 28th due to a clerical error

6. Penant Realty, LLC- 5 Coaskata Course Way (14-4.1) SE48-3838 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Engelbourg • Amendment in packet showing no waiver is required
Staff Recommendation	Conditions 18-21
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

7. Tork ACK LLC- 1 Mothball Way (83-42.4) SE48-3844 (Santos)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Engelbourg • Discussion was had on name of mothball
Staff Recommendation	Conditions 19-20 and waiver for removal of foundation
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

8. Hale- 117 Madaket Road (40-60.3) SE48-3843 (Santos)

Sitting	Engelbourg, Braine, Plandowski, Williams, Schafer, Turcotte
Recused:	Misurelli
Representatives:	-

Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18-19
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Braine)
Vote:	Carried:// 6:0 Engelbourg, Braine, Williams, Plandowski, Schafer, Turcotte (aye) Misurelli recused

9. 49 Nobadeer LLC- 49 Nobadeer Avenue (88-45) SE48-3845 (Santos)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Engelbourg • Add finding for coastal engineering structure
Staff Recommendation	Conditions 18-19
Motion:	
Vote:	Held until January 9th

10. Middleton- 51 Nobadeer Avenue (88-44) SE48-3846 (Santos)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	
Motion:	Motion to approve as amended. (Made by:) (Seconded by:)
Vote:	Held until January 9th

11. Harborfront Realty Trust- Village Way (14-2) SE48-3843 (Santos)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	
Motion:	
Vote:	Held until January 9 th

12. Tautemo Way Realty Trust- 16 Tautemo Way (83-14) SE48-3841 (Barnicle)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer
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Recused:	Turcotte
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Engelbourg • Condition discussing structural issue Williams • Concerned about wording “restructure” Schafer • Structural supports Discussion on wording was had
Staff Recommendation	Conditions 18-19 and waiver 390-3F(3)(d)
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:// 6:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer (aye) Turcotte recused

13. *Yellow Dog Nominee Trust- 224 Polpis Road (26-22.3) SE48-3858 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18, 19
Motion:	Motion to approve as drafted. (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

14. *Osborn- 6 Woodbury Lane (42.3.4-159) SE48-3854 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer
Recused:	Turcotte
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18, 19 and waiver
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:// 6:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer (aye) Turcotte recused

15. *Burbage- 47 Quidnet Road (21-143) SE48-3855 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-

Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18-25 and waiver
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

16. *Elegance LLC- 75 Pocomo Road (15-6) SE48-3852 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Schafer
Recused:	Williams, Turcotte
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	Engelbourg • Are grass pathway water dependent use No Waiver needed
Staff Recommendation	Conditions 18-22 with waiver
Motion:	Motion to approve as amended. (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried:// 5:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer (aye) Williams and Turcotte

17. *Serendipity LLC- 77 Pocomo Road (15-6) SE48-3853 (Madden)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte
Recused:	Williams
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18-21
Motion:	Motion to approve as amended. (Made by: Misurelli) (Seconded by: Schafer)
Vote:	Carried:// 6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte (aye) Williams

18. *Horne Place Nominee Trust- 40 Hawthorne Lane (57-5) SE48-3857 (Rits)

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	Turcotte
Representatives:	-
Documentation:	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	Conditions 18-25
Motion:	Motion to approve as amended. (Made by: Williams) (Seconded by: Misurelli)

Vote:	Carried:// 6:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer (aye) Turcotte recused
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E. Extension of Order - None

F. Other Business

1. Approval of Minutes - None
2. Monitoring Reports

Water sampling report for 19 Wauwinet Rd

3. Emergency Certifications:

1. 16 Sheep Pond Road
2. 28 Sheep Pond Road

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	
Public Comment:	There were no public comments.
Discussion:	
Staff Recommendation	
Motion:	Motion to ratify. (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

3. Straight wharf dredging CONT. UNTIL January 9th

- Planning to dredge January 6th and 7th and is allowed to proceed

4. Enforcement actions

Discussion	Dell'Erba • 63 Baxter, has not looked into the viewing platform • NOI is being worked on for 62 Wanoma
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5. Commission vote and potential adoption of procedural update

Sitting	Engelbourg, Braine, Misurelli, Plandowski, Williams, Schafer, Turcotte
Recused:	
Representatives:	-
Documentation:	
Discussion:	
Staff Recommendation	
Motion:	Motion to approve procedural update (Made by Williams) (Seconded by Schafer)
Vote:	Carried:// 7:0 Engelbourg, Braine, Misurelli, Williams, Plandowski, Schafer, Turcotte (aye)

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

CRAC:	Braine • N/A
CPC:	Schafer

	• N/A
NP&EDC:	Misurelli • Two meetings, 1st was update and approval of procedures and second was speed restrictions for right whales
Harbor Plan	Williams • Waiting on a draft, more comments have been made

6. Commissioner's Comments

Discussion:	• Happy Holidays • Great meeting Engelbourg • Item on agenda Continuously continued, is there any capacity to make them open it Dell'Erba • Under impression there may be something opened 109 Engelbourg • Might have to reissue Turcotte • To Schafer, any drones? Engelbourg • Happy holidays and thank you
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7. Administrator/Staff Reports

Discussion:	Paper signature pages, needs to mark all recusals
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Adjournment:

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

Submitted by: Morgan Nelson