



CONSERVATION COMMISSION MINUTES

131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, December 4, 2025 – 5:00 p.m.

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

<https://youtube.com/live/YZfkTN0yXvI>

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

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, and Turcotte. Williams arrives at 5:46pm
 Absent Members: Schafer
 Members Left Early: -

I. Call To Order

II. Acceptance of the Agenda

Discussion: (00:01:58)	Engelbourg notes the continuances
Motion:	Motion to accept the agenda (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte(aye)

III. Announcements

Discussion: (00:02:28)	Engelbourg announced that the meeting is being audio and video recorded.
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IV. Update on Public Comment Questions from Prior Meetings

Discussion: (00:03:00)	none
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V. Public Comment

Chair Engelbourg called for public comment

Discussion: (00:03:20)	none
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VI. Public Hearing

A. Notice of Intent- No Waiver Required

Discussion: (00:04:28)	Engelbourg - Asks Commission and public if there is any interest in opening SE48-3943 Commissioners and Public don't see a need to open the following: - *Ferry Views LLC- 72 Monomoy Road (43-115) SE48-3943 Engelbourg - There was a bit of confusion over the regulations that were applied to this application, but the representative has provided updated plans. - With these updated plans, this application fits into the no waiver required section.
Action:	Motion to close SE48-3943 (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

1. Maloney- 15 Old North Wharf (42.3.1-26) SE48-3924

Action:	CONTINUED UNTIL DECEMBER 18 TH , 2025
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2. *Ferry Views LLC- 72 Monomoy Road (43-115) SE48-3943

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-
Representatives:	Art Gasbarro, Nantucket Engineering & Survey
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(04:28:00)	Application was approved
Action:	Motion to close: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte(aye)

B. Notice of Intent- Waiver Required:

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

Action:	CONTINUED UNTIL DECEMBER 18 TH
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2. Robert F. Greenhill Revocable Trust- 16 Hoicks Hollow Road (23-1) SE48-3917

Action:	CONTINUED UNTIL DECEMBER 18 TH
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3. *South Cambridge LLC- 4 South Cambridge Street (59.4-11.1) SE48-3941

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Brian Madden, LEC Environmental Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:05:50)	Madden - Reviews the proposed project involving the replacement of an IA septic tank with a portion within the 25-foot buffer zone to a Bordering Vegetated Wetland and the entirety of the property within the Coastal Flood Zone. - While the septic tank is not subject to groundwater separation, the applicant is anticipating the need for dewatering. - We believe the IA upgrade provides a long-term net benefit.
Action:	Motion to close: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

4. *Cheese and Crackers LLC- 39 Cliff Road (42.4.4-3) SE48-3940

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Brian Madden, LEC Environmental Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:08:16)	Madden - The proposed project involves invasive species management on the Coastal Bank. - The applicant is proposing to treat the invasive species, protect the native vegetation that's currently present, and replant with native species when needed. - The applicant is prepared for there to be monitored and report to the Commission for at least a three-year period.
Action:	Motion to close: (Made by: Plandowski) (Seconded by: Misurelli)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

5. *Chardonnay Group, LLC- 54 Washington Street (42.2.3-9) SE48-3942

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----

Representatives:	Art Gasbarro, Nantucket Engineering & Survey
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	Burton Balkind
Discussion: (00:11:32)	Gasbarro - Describes the proposed project of lifting a dwelling and installing a new foundation on a development that pre-dates the Wetlands Protection Act. - The property is completely within Land Subject to Coastal Storm Flowage and sits along the 50-foot buffer zone to a Coastal Beach and Coastal Dune. - We see this as long term responsible maintenance as well as Coastal Resilience principals to allow flood waters to pass beneath the structure. Balkind - Asks Gasbarro if the project has done any consulting with the Town in reference to the Coastal Resiliency project. Gasbarro - States that himself and the owner have met onsite with representatives of the Natural Resources Department as well as the Land Bank to discuss overall strategies and thoughts for this area. - There are competing interests there between Coastal Resiliency and the Wetland Regulations. Balkind - Requests the Commission to consider the resiliency project with any future deliberations in this area and try to make it work with what the Land Bank and Town are trying to do. Braine - Asks if the Commission should request comments from the CRAC committee. Engelbourg - All projects within Land Subject to Coastal Storm Flowage need to meet with the spirit and interest of the Nantucket Coastal Resiliency plan. - We have CRAC as a resource and have an assigned CRAC representative on the Commission to engage in that dialogue. - It's up to the Commission if we want to request a recommendation from CRAC. Braine - Recommends going to CRAC to see if they have any comments or recommendations.
Action:	Motion this project go to the Coastal Resiliency Advisory Committee for review: (Made by: Braine) (Seconded by: Plandowski)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)
Discussion: (00:19:33)	Gasbarro - Believes the project meets the standards of the CRP and asks how long the applicant is expected to delay permitting in order to get on to a CRAC meeting as they only meet twice a month. Engelbourg - Asks Braine when the next CRAC meeting is scheduled for. Braine - Confirms on Tuesday, December 9th but believes it will be too late to get onto that agenda. That is the last meeting until January. Engelbourg - States that he's sensitive to the representatives' comments as it's up to the Commission to decide. - Agrees with Gasbarro's point and is completely within the spirit of the plan. - Requests Braine to attempt to get the matter expeditiously on a meeting agenda, ideally for Tuesday's meeting. Dell'Erba

	- Believes you can add a matter to an agenda any time prior to 48 hours of a scheduled meeting.
Action:	CONTINUED UNTIL DECEMBER 18 TH

C. Amended Orders of Conditions- No Waiver Required (none)

D. Amended Orders of Conditions- Waiver Required

1.*Nantucket Islands Land Bank- Lily Pond Park (various) SE48-3827

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Elizabeth Phelps, Nantucket Islands Land Bank Jamie McCarthy. Horsley Witten Group
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:24:03)	McCarthy - The Amended Order request involves a boardwalk realignment to maintain privacy of the homeowners as well as a welcoming aesthetic for parkgoers along with some changes to the seating area. - Another boardwalk realignment at a further location was to accommodate some grading changes to reduce the amount of soil that needs to be excavated off site while providing extra wildlife habitat improvements. - The Land Bank is also proposing an additional boardwalk segment as the approved plan poses a hindrance for accessibility for visitors that come to the park. - A benefit to the additional boardwalk is that it maintains a larger open field area for recreational opportunities for visitors.
Action:	Motion to close: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

IV. Public Meeting

A. Orders of Conditions/ Amended Order of Conditions- No Waiver Required

1. *Ferry Views LLC- 72 Monomoy Road (43-115) SE48-3943

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-
Representatives:	Art Gasbarro, Nantucket Engineering & Survey
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:29:05)	Dell'Erba presents the item Engelbourg - With these projects that are getting the exemption from the 75-foot buffer zone by doing 150% mitigation, we should include that it will need to be permanently marked somehow and should be added in the document as both a finding and a condition.
Action:	Motion to issue OOC as amended (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

B. Orders of Conditions/ Amended Orders of Conditions- Waiver Required:

1. *South Cambridge LLC- 4 South Cambridge Street (59.4-11.1) SE48-3941

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Brian Madden, LEC Environmental Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.

Discussion: (00:34:19)	Dell’Erba presents the item
Action:	Motion to issue both OOCs as drafted: (Made by: Misurelli) (Seconded by: Turcotte)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

2. Cheese & Crackers, LLC- 39 Cliff Road (42.4.4-3) SE48-3940 (Madden)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Brian Madden, LEC Environmental Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:36:08)	Dell’Erba presents the item Engelbourg - Requests to add a condition involving the requirement of photo monitoring for prior and post growing season.
Action:	Motion to issue both OOCs as amended: (Made by: Misurelli) (Seconded by: Turcotte)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

3. Nantucket Islands Land Bank- Lily Pond Park (various) SE48-3827 (McCarthy)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Elizabeth Phelps, Nantucket Islands Land Bank Jamie McCarthy. Horsley Witten Group
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:40:20)	Dell’Erba presents the item
Action:	Motion to issue both OOCs as drafted: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

C. Request for Determination of Applicability- Delineation Only (none)

D. Request for Determination of Applicability- Work Requested

1. *54 Arkansas Ave Realty Trust- 54 Arkansas Avenue (59.4-155)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, and Turcotte
Recused:	-----
Representatives:	Ryan Maxwell, Bracken Engineering
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:42:22)	Maxwell - The RDA is for a replacement of a septic system upgrade with work falling within 100 feet of a Bordering Vegetated Wetland. Dell’Erba has been out to the site and recommends a -3 Determination
Action:	Motion to approve the RDA with -3 Determination (Made by: Turcotte) (Seconded by: Plandowski)
Motion:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Turcotte (aye)

E. Minor Modifications

1. Nantucket Islands Land Bank- Lily Pond Park (various) SE48-3826

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams
Recused:	-----

Representatives:	Elizabeth Phelps, Nantucket Islands Land Bank Jamie McCarthy, Horsley Witten Group
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:45:03)	McCarthy - The modification is to accommodate soil stockpiling and an additional staging area, proposed grade changes, and additional planting areas to accommodate the expanded invasive species management. - All areas will be restored in similar fashion to how they were previously approved.
Action:	Motion to issue Minor Modification: (Made by: Turcotte) (Seconded by: Plandowski)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

F. Certificate of Compliance

1. Schonbek- 1 Little Neck Way (38-19.1) SE48-2231

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams
Recused:	-
Representatives:	Ryan Maxwell, Bracken Engineering
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:48:50)	Maxwell - This Order was issued in 2009 that permitted the construction of an at-grade boardwalk and the expansion of existing decks and porches within buffer zones to a Coastal Beach, Coastal Dune, and an Isolated Vegetated Wetland. - All work was done in compliance with the permit other than some driveway reconfiguration which resulted in a net reduction in footprint.
Action:	Motion to issue a COC with no ongoing conditions: (Made by: Misurelli) (Seconded by: Williams)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

2. 14 Easy Street LLC- 14 Easy Street (42.3.1-13) SE48-3792

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams
Recused:	-
Representatives:	Ryan Maxwell, Bracken Engineering
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:50:53)	Maxwell - The Order permitted the expansion of a brick parking area within a buffer zone to a Coastal Bank and within Land Subject to Coastal Storm Flowage. - The work has been completed and in compliance with the permit.
Action:	Motion to issue a COC with no ongoing conditions: (Made by: Turcotte) (Seconded by: Williams)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

3. Balboa Island LLC- 71R Cliff Road (30-160.1) SE48-1354

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams
Recused:	-
Representatives:	Chloe Coggins, Nantucket Surveyors
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:52:17)	Coggins

	- The Order of Conditions permitted the construction of a dwelling and driveway within the buffer zone to a Bordering Vegetated Wetland. - The work has been completed in substantial compliance of the Order.
Action:	Motion to issue a COC with ongoing condition #20: (Made by: Turcotte) (Seconded by: Plandowski)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

4. 24A New Lane LLC- 24A New Lane (41-395.2) SE48-3621

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams
Recused:	-
Representatives:	Chloe Coggins, Nantucket Surveyors
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:54:01)	Coggins - This permit allowed the removal of an existing dwelling and construction of a new modular dwelling and foundation within the buffer zone of a Bordering Vegetated Wetland. - All work has been completed and in compliance.
Action:	Motion to issue a COC with no ongoing conditions: (Made by: Misurelli) (Seconded by: Williams)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

G. Extension Requests (none)

H. Other Business

1. Approval of Minutes 11/20/2025

Discussion: (00:55:33)	No questions or comments from the Commission
Action:	Motion to Approve Minutes for 11/20/2025 (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:/ 6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

2. Approval of Conservation Commission Meeting Schedule 2026

Discussion: (00:56:17)	Engelbourg - We have to have regulatory and procedural meetings there. Dell’Erba - The two dates that aren’t highlighted are the two that I was proposing we schedule for the regulatory and procedural meeting.
Action:	Motion to Amend the 2026 Meeting Schedule to include the two additional regulatory and procedural meetings (Made by: Turcotte) (Seconded by: Misurelli)
Motion:	Carried:/ 6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

3. Monitoring Reports

Discussion: (00:58:20)	none
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4. Reports: CRAC, CPC, NP&EDC, Harbor Plan, Offshore Wind Work Group, etc.

CRAC:	Braine - I’ve contacted Leah to get to 54 Washington Street on schedule for Tuesday’s meeting.
CPC:	Schafer not present
NP&EDC:	Misurelli - There is NP & EDC enabling legislation public forum is scheduled for Thursday, December 11th at the Nantucket Inn from 9am-11am.
Harbor Plan	Williams - Still waiting for a response from the state, which will probably be after the new year.

5. Enforcement Actions/ Potential Enforcement Actions

Discussion: (00:59:40)	Dell’Erba - We got a report about a house on Grove Lane. I’m not sure how much of an alteration took place, but it looks like some unpermitted work happened in the wetland. Engelbourg - You can list this property under Enforcement Actions for the December 18th meeting, and we can get a further update then. Dell’Erba - The work is done and we may want to issue the Enforcement before next meeting. Williams - Mentions that the work isn’t done. Engelbourg - Asks Dell’Erba to go by the site tomorrow to do a further inspection and if it rises to the level of clearly obvious, we can have you issue an Enforcement Order which we can ratify at the December 18th meeting.
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- Sconset Bluff Geotubes

Discussion: (01:02:04)	Engelbourg - The Natural Resources staff, Conservation Commission and representatives from the Sconset Beach Preservation Fund have been in coordination and they are aware of this potential Enforcement issue. - The applicant’s representatives are planning on doing a further inspection and be present at the December 18th meeting with an additional update. - We will be able to ask questions and proceed with further action, if necessary, at the December 18th meeting.
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6. Commissioner’s Comments

Discussion: (01:35:02)	Turcotte - In terms of recommending other boards and committees to review applications, is there a way to clarify that for projects coming in, as it seems we caught the applicant’s representative off guard tonight. Engelbourg - When we enacted the new regulations, we didn’t specifically say there that all projects must go to CRAC, but it’s the will of this Commission to do that. - We have only asked two applications to do that but if we want to have ultimate clarity on this issue, we can discuss it further at our next regulatory meeting. - We can change the performance standards to say that the Coastal Resiliency Advisory Committee may be consulted for their recommendations on these projects.
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6. Administrator/Staff Reports

Discussion: (01:04:33)	Dell’Erba - There was an issue with the version of our regulations that’s on E-Code 360 so I’m working on that to fix the version that’s on there. - We are temporarily directing people to the PDF version that’s posted on the Town’s website. - The 75-foot language was missing from resource areas that were not Bordering Vegetated Wetlands. Engelbourg - Mentions that the regulations posted on the Town of Nantucket’s website is the approved version that was adopted and enacted on January 1, 2025.
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Adjournment:

Motion:	Motion to adjourn at 6:07pm. (Made by: Misurelli) (Seconded by: Williams)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Turcotte, and Williams (aye)

Submitted by:

Lisa Graves