



CONSERVATION COMMISSION MINUTES

131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, December 18, 2025 – 5:00 p.m.

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

<https://youtube.com/live/9oZhRY6i0uE>

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, Misurelli, Plandowski, Schafer, Turcotte, and Williams. Braine joined at 5:05pm

Absent Members: -

Members Left Early: Williams at 6:20pm

I. Call To Order

II. Acceptance of the Agenda

Discussion: (00:01:06)	Engelbourg notes the continuances
Motion:	Motion to accept the agenda (Made by: Williams) (Seconded by: Misurelli)
Vote:	Vote Carried: 6:0 Engelbourg, Misurelli, Plandowski, Schafer, Turcotte and Williams(aye)

III. Announcements

Discussion: (00:02:32)	Engelbourg announced that the meeting is being audio and video recorded.
------------------------	--

IV. Update on Public Comment Questions from Prior Meetings

Discussion: (00:02:55)	none
------------------------	------

V. Public Comment

Chair Engelbourg called for public comment

Discussion: (00:02:59)	none
------------------------	------

VI. Public Hearing

A. Notice of Intent- No Waiver Required

Discussion: (00:03:33)	Engelbourg - Asks Commission and public if there is any interest in opening SE48-3946 or SE48-3944 Commissioners and Public don't see a need to open the following: - Alan H Shiff & Carol S. Shiff Rev Trust- 15 Massachusetts Avenue (560.3.1-317) SE48-3946 Dell 'Erba confirms that staff has everything they need to close SE48-3946
Action:	Motion to close SE48-3946 (Made by: Misurelli) (Seconded by: Turcotte)
Vote:	Vote Carried: 6:0 Engelbourg, Misurelli, Plandowski, Schafer, Turcotte and Williams (aye)

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

Action:	CONTINUED UNTIL JANUARY 8 TH , 2026
---------	--

2. Alan H Shiff & Carol S. Shiff Rev Trust- 15 Massachusetts Avenue (560.3.1-317) SE48-3946

Action:	Motion to close: (Made by: Misurelli) (Seconded by: Turcotte)
Vote:	Carried://6:0 Engelbourg, Misurelli, Plandowski, Schafer, Turcotte and Williams (aye)

3. Nantucket Electric Company- 10 New Whale Street (42.3.1-37) SE48-3944

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte
Recused:	Williams
Representatives:	Melissa Kaplan, BSC Group Corry Schutzman, National Electric Company Debra Blanche- Nantucket Electric Company
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:05:33)	Kaplan - Describes the proposed project of the demolition and removal of a building that's in disrepair and poses a hazard and safety risk. - The building materials will be containerized and removed from the site for off island disposal. - The removal of the buildings within Land Subject to Coastal Storm flowage will be an improvement in existing conditions. Misurelli - Believe the Commission's main concern is that when the building is taken down, all measures are taken using best management practices, which have been displayed in the submission. Turcotte - The Commission will require demolition standards in their conditions, which seem to be National Grid's standard practices.
Action:	Motion to close: (Made by: Misurelli) (Seconded by: Misurelli)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte (aye) Williams (recused)

B. Notice of Intent- Waiver Required:

1. Sconset Beach Preservation Fund- 59-83 Baxter Road (various) SE48-3759 (Pre-January 1st, 2025)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Williams
Recused:	Turcotte
Representatives:	Dwight Dunk, Epsilon Associates Richard "Chip" Nylen
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	D Anne Atherton, Nantucket Coastal Conservatory
Discussion: (00:11:43)	Dunk - The Notice of Intent was filed after the Emergency Certification that was to alloy repair and maintenance of coir terraces along this stretch of Coastal Bank after the storms of January 2024. - In the last meeting in October of 2024, the Commission had determined that the coir terraces were considered a Coastal Engineering Structure and therefore the applicant needed to request a waiver. - Due to the issues along Baxter Road, the applicants have tried to address all of them separately and were required to request many continuances along the way. - We have submitted the written waiver request, and we respectfully request the Commission to close the hearing and issue an Order of Conditions for this project. Engelbourg - At one point the sign-off of the application wasn't in the packet and asked if it was ever submitted. Dunk - Mentions that it had been submitted back in the fall of 2024. Atherton

	- Submitted comments and documentation of previous NOI, photographs, and a copy of the expired license from the Town of Nantucket. in November of 2024. - Reminds the Commission of the pages in the packet that their submission covers and requests to review them, as it's been so long. - If you should permit, we respectfully request to include adequate measures to • Ensure full regulatory compliance as a Coastal Engineering Structure • Preservation of a walkable public beach • Minimum construction standards • Rigorous monitoring • Explicit accountability • Prompt cleanup • Clear consent from the property owners. - Due to this project being done on public property, there should be a benefit for the public in exchange for the use of the beach at the top of the Bluff. - There are a number of properties that within the project contain unpermitted structures going over a resource area such as staircases. This seems like an opportune time to correct any violations and bring them into compliance with ConCom's rules and regulations. Engelbourg - I appreciate some of what you're saying and doesn't believe anyone disagrees that this application is to install coastal protection on a public beach and it would be subject to Chapter 67 1E, which requires a town meeting vote. - We are here to see if we have everything, we need to close this hearing and issue an OOC that would allow the Commission to protect the resource area. - In terms of the violations that were mentioned, we shouldn't turn our backs on those, but it shouldn't be included in a separate permitting process. Dunk - Reminds the Commission and public that this isn't a new Notice of Intent but an after-the- fact requirement by the Commission for the work done for the Emergency Certification. Atherton - It was our understanding that this was a new Notice of Intent and asks for clarification. Engelbourg - There were Orders that allowed the initial coir terraces to exist, but those structures fell into disrepair and subject to an Enforcement Order leading to the Emergency Certification to reconstruct them. - Anytime an Emergency Certification is issued, a Notice of Intent is required to be submitted within 30 days to the Commission to properly permit the structure and all the compliance issues relating to that. Dell 'Erba - Request that if the Commission decides to close the hearing tonight, we don't issue the Order as I would like to review the draft. Nylen - If the issue is time, the applicants can grant the Commission an extension to issue the Order. Engelbourg - Due to the holidays, there may not be adequate time review prior to the January 8th meeting. - If you're willing to write a formal letter that you agree to waive the 21-day mandatory deadline, then we would accept that as well. Nylen - Gives verbal consent to allow an extension of the deadline and will send a letter to the Commission.
--	--

Action:	Motion to close: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Williams (aye) Turcotte (recused)

2. Robert F. Greenhill Revocable Trust- 16 Hoicks Hollow Road (23-1) SE48-3917

Action:	CONTINUED UNTIL JANAURY 8 TH , 2026
---------	--

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

Action:	CONTINUED UNTIL JANUARY 8 TH , 2026
---------	--

4. Town of Nantucket- Baxter Road Alternative Access (various) SE48-3945

Action:	CONTINUED UNTIL JANUARY 22 ND , 2026
---------	---

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

D. Amended Orders of Conditions- Waiver Required

1. Howard Living Trust- 13A Willard Street (42.4.1-15.1) SE48-3723

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
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: (00:27:44)	Madden - Describes the Amendment request to approve an after-the fact construction of a single-family dwelling along with porches, decks, and stairs in the buffer zone to a Bordering Vegetated Wetland. - The plan was revised following HDC approval with the dwelling being slightly larger and closer to the resource area. - Goes over elevation of the dwelling along with the square footage of the non-permitted structure. - The applicant is proposing to provide a 300 square foot mitigation planting area on the lawn of property. Misurelli - Mistakes happen every once in awhile and they brought this one to us with a solution, which we appreciate that. Engelbourg - We did a site visit, and it was clear that it would require significant building modifications to sit it back onto the location that it was planned for. - I would rather not issue this and just issue an Enforcement Order and fix it through that process, but I know we're not doing it that way. - We should issue this with no adverse impacts, no reasonable alternatives waiver.
Action:	Motion to close: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

IV. Public Meeting

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

1. Alan H Shiff & Carol S. Shiff Revocable Trust- 15 Massachusetts Avenue (560.3-317) SE48-3946

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

Discussion: (00:35:47)	Dell'Erba presents the item No questions or comments from Commissioners
Action:	Motion to issue OOC as drafted: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

2. Nantucket Electric Company- 10 New Whale Street (42.3.1-37) SE48-3944

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte
Recused:	Williams
Representatives:	Melissa Kaplan, BSC Group Corry Schutzman, National Electric Company Debra Blanche- Nantucket Electric Company
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:38:23)	Dell 'Erba presents the item Engelbourg requests to modify condition #20 to include proper debris disposal.
Action:	Motion to issue OOC as amended: (Made by: Misurelli) (Seconded by: Schafer)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte (aye) Williams (recused)

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

1. Sconset Beach Preservation Fund- 59-83 Baxter Road (various) SE48-3759 (Pre-January 1st, 2025)

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Williams
Recused:	Turcotte
Representatives:	Dwight Dunk, Epsilon Associates Richard "Chip" Nysten
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:41:18)	Engelbourg - Asks the Commission if there's anything that they feel should be included in the draft Order before it's approved on January 8th. Williams - Thinks debris cleanup and monitoring should be addressed. Misurelli - I think Staff has a pretty good handle on this. Engelbourg - Agrees with Misurelli but mentions to think about it.
Action:	CONTINUED UNTIL JANUARY 8, 2026

1. Howard Living Trust- 13A Willard Street (42.4.1-15.1) SE48-3723

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
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: (00:43:08)	Dell 'Erba presents the item Engelbourg - Asks to remove Conditions #23-25 with invasive species management. - Requests to add a Condition regarding the survivability of the plants for mitigation. Misurelli - Asks if the Commission should request a planting plan to be submitted to staff. Engelbourg - Doesn't think it's necessary due to the plants being native species.

	Dell Erba - Adds Condition #24 that if the monitoring reports identify low survivability of restoration plantings, the Commission shall require further planting.
Action:	Motion to issue AOOC as amended: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

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

D. Request for Determination of Applicability- Work Requested

1. Town of Nantucket- 59-83 Baxter Road (various)

Action:	CONTINUED UNTIL JANUARY 22 ND , 2026
---------	---

E. Minor Modifications

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

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
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: (00:50:38)	Madden - The modification request is for the cottage, patio, and pool area with the limit of work keeping with the original approval.
Action:	Motion to issue Minor Modification: (Made by: Misurelli) (Seconded by: Williams)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

2. 35 MVD, LLC- 35 Meadow View Drive (56-131) SE48-3836

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
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: (00:52:23)	Madden - The property recently changed hands so there's some updates to the patio, cabana, pool area, and minor landscaping adjustments as well. The limit of work will remain the same as the original approval.
Action:	Motion to issue Minor Modification: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

3. The Ocean Avenue Nominee Trust- 20 Ocean Avenue (73.2.4-20) SE8-3777

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
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: (00:53:32)	Madden - The project involves a reduction in the scope of work that was originally proposed.

	- The winding walkway ramp to get to the top, second floor of the dwelling is to be eliminated. - There was also a bike shed, which will not be an elevated platform. - There are other slight modifications, which is now proposed as a boardwalk and steps walkway on the south side of the driveway. - These are all just minor changes outside of the 50-foot buffer zone to the Coastal Dune.
Action:	Motion to issue Minor Modification: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

4. Penant Realty Trust- 5 Coskata Course Way (14-14.1) SE48-3838

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
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: (00:55:21)	Madden - Some minor changes to the footprint of the house and some pertinences that were previously approved including a driveway. - Everything is in keeping with the original Order and the updated plan results in a reduction in the limit of work between the 25- and 50-foot buffer zone.
Action:	Motion to issue Minor Modification: (Made by: Misurelli) (Seconded by: Williams)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

5. Hotty Toddy, LLC- 76A Madaket Road (41-813) SE48-3861

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
Recused:	-----
Representatives:	Mark Rits, Site Design Engineering
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:56:30)	Rits - The modification involves a request for a slightly revised garage which will be moved a couple of feet further away from the resource area.
Action:	Motion to issue Minor Modification: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

F. Certificate of Compliance

1. Nantucket Electric Company- 1 Candle Street (various) SE48-3334

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte
Recused:	Williams
Representatives:	Melissa Kaplan. BSC Group Corey Schutzman, National Grid
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:57:47)	Kaplan - Reviews the approved project and mentions that it's completed in compliance.
Action:	Motion to issue a COC with no ongoing conditions: (Made by: Misurelli) (Seconded by: Turcotte)

Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte (aye) Williams (recused)
-------	--

2. Zero India Street, LLC- 1 Cambridge Street, Unit 1 (42.3.1-130.2) SE48-3546

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams
Recused:	-
Representatives:	Mark Rits, Site Design Engineering
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:59:30)	Rits - Reviews the approved project of an addition to an existing home. - The work has been completed in substantial compliance with the Order.
Action:	Motion to issue a COC with no ongoing conditions: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

3. Sconset Beach Preservation Fund- 59-77 Baxter Road (various) SE48-1659

Sitting:	Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Williams
Recused:	Turcotte
Representatives:	Dwight Dunk, Epsilon Associates Meridith Moldenhauer, Sconset Bluff Preservation Fund
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	Emily Molden, Nantucket Land and Water Council
Discussion: (01:01:10)	Dunk - This OOC was the first to authorize the installation of the coir terraces along Baxter Road. - The Order has been extended, amended, which have all expired, the applicants are seeking to clean this up by requesting an issuance of a partial Certificate of Compliance for the portion of 59-77 Baxter Road. - A new survey was conducted in September of this year to identify the existing conditions. - The applicant's representatives have provided the original Order, the as built surveys and plenty of data to show what's been done over the years. - With the request for a Certificate of Compliance, there was also a request of ongoing conditions to allow these homeowners to maintain the coir terraces as they have done historically. Jeff Carlson, Director of Natural Resources - What brought this application forward was that the Commission was already discussing the coir log application and the larger project that the Commission approved for the whole area. - The discussion with staff involved how to transition from some of these old legacy permits to new permits that are pending approval and that are outside the Commission's control. - There's a gap in time between these expired permits and when other permits finish the appeal process, get through the town meeting process, and gain that authorization for those new projects that's required by the local town code. - Staff thought by issuing a particle Certificate of Compliance will essential close the permits out on properties that aren't affected but would also still allow a mechanism in place without having to go through emergency orders or trying to do Enforcements. - Staff can provide some ongoing conditions that they recommend issuing the partial Certificate of Compliance. Engelbourg

	- I personally think this makes things way more confusing than they were before, but I understand what Staff and representatives are trying to accomplish. - I would rather deal with maintenance issues in 2025 responsibilities. - I know that the Certificate of Compliance allows ongoing conditions in perpetuity. - I think it's better to go with Enforcement and Emergency Orders. Moldenhauer - We appreciate staff coming to this solution to allow for the ability to repair the coir, which has been in place for over 20 years now. - We worked extensively to obtain the surveys to provide the information that's on record. - Due to the number of repairs that are needed and the challenge that storms create in an emergency, this would allow for continued maintenance and a clear process to move forward up until Notice of Intent was just resolved. Dunk - The conditions are not required to be in perpetuity but serve as a bridge just until the continuous large-scale project is built. Engelbourg - I don't have a problem with the idea of it except on the theoretical level that even with the ongoing conditions, it's not ideal. - We need Carlson to read out all the numbers of the recommended ongoing conditions. Carlson - Recommends ongoing conditions #18,19,21,23-28, 30,31,33,35, & 36.
Action:	Motion to issue a partial COC with ongoing conditions: (Made by: Williams) (Seconded by: Schafer)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Williams (aye) Turcotte (recused)

G. Extension Requests (none)

H. Other Business

1. Approval of Minutes 12/04/2025

Discussion: (01:14:02)	No questions or comments from the Commission
Action:	Motion to Approve Minutes for 12/04/2025 (Made by: Williams) (Seconded by: Schafer)
Vote:	Carried:/ 7:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, Turcotte, and Williams (aye)

2. Monitoring Reports

Discussion: (01:14:32)	Engelbourg - We have a report for the 14 Plover Lane Restoration plan, if anyone has any questions on the project, please direct them to staff.
------------------------	--

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

CRAC:	Braine - Asks if there is a need to discuss what questions to which we want to ask CRAC on their advice for Coastal Resiliency projects. Engelbourg - From my understanding, CRAC is confused about what they need to do, what the timeline of review would be, and we don't want to overburden them as they aren't an advisory committee to us. - We should create a process before referring other projects to them. Dell' Erba - Leah, Jeff, and I are close to the finish line with developing what the process will be.
-------	--

	- We're going to create a process to flag these projects up front as we don't want to get to a meeting and decide that we're going to send it to CRAC. - We're also thinking we're going to divert this to Leah for an initial staff review. - This will be an agenda within the next couple of meetings. -
CPC:	Schafer - none
NP&EDC:	Misurelli - The NP & EDC will be combining with the traffic advisory and there will be a lot more familiar faces there. - There was some more discussion that will make up the information that will be presented at town meeting.
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: (01:18:38)	Dell 'Erba - 34A Grove Lane was issued an Enforcement Order but we need to ratify it, so I will put it on the next agenda. - We will be ratifying and sending it out on January 8th, 2026
------------------------	--

- Sconset Bluff Geotubes

Discussion: (01:19:44)	Dell 'Erba - This Enforcement was to try and address the lack of sand covering the geotube array and wanted to see what the Commission was interested in doing. Engelbourg - This item was brought up a few meetings ago and then at the last meeting there was a request to hold this over until today's meeting with the indication that representatives from SBPF would be here to make an update. - We were told that the Natural Resources staff and SBPF were working to present something to the Commission. Meridith Moldenhauer, representing SBPF - We are working to schedule a call tomorrow with all of the stakeholders to discuss moving plans for finalizing and for voluntarily agreeing to address the sand. - We were able to locate and have donated sand this past April and May, which we have placed on the sand and are looking to do something similar again. - We will discuss the ability to locate a sand source, coordinate timings for testing that sand, and a time frame to when that can be potentially brought to the site. - We ask the Commission to allow us to file this plan with you in early January and get your approval to voluntarily to address the sand on the geotube project. Engelbourg - The action of placing the sand in April/May that Moldenhauer refers to was done in result of an Enforcement Action. Dell 'Erba - Confirms that it was in result to a "friendly Enforcement Order." - I believe technically that we could edit the existing Enforcement Order to cover this sort of thing. - We also can mimic the process that we used a few months ago but it's up to the Commission to decide if you're more comfortable having a separate Enforcement Order drafted. Engelbourg - I think that if an Enforcement Order exists and it's to basically do the same thing, that it's best to just amend it with the additional updates.
------------------------	--

	Nylen - Agrees that it would be the best option to amend the current Enforcement Order as we went into that together in order to find a resolution. - We walked though sand characteristics, delivery, monitoring, and provided evidence that we were above the high-water mark. Engelbourg - It's my understanding that in Massachusetts Enforcement Orders never expire and they mandate it indefinitely if needed. Nylen - It doesn't expire on its own but would need a provision in the document. Engelbourg - I'm glad that parties are communicating and working together but I note that there has been a delay in this process. - I think we should endeavor to get this plan approved with sand delivery as soon as possible. - I think that this plan should be submitted by the January 22nd meeting, which is over a month from now. Schafer and Misurelli agree on the deadline of January 22nd
Action:	Motion to Amend the Enforcement Order to require a submission by January 22, 2026, that indicates the plan for sourcing, testing, and delivery of sand to the Geotubes: (Made by: Misurelli) (Seconded by: Schafer)
Vote:	Carried://5:0 Engelbourg, Braine, Misurelli, Plandowski, and Schafer (aye) Turcotte (recused)

6. Commissioner's Comments

Discussion: (01:29:29)	Turcotte - I've been skeptical of glyphosate for a long time and one of the foundational papers that is referenced as not causing cancer, got rescinded by the scientific journal that was published. - I would like to discuss it at some point, maybe in the spring at the regulatory meeting, but I just wanted to let the Commission know that this is a significant development. Engelbourg - Massachusetts Division of Agricultural Resources formally voted to list three new species as being on the prohibited plant list. - This may become quite a big concern with landscapers and designers on island, but this is the best for the protection of native grassland ecosystem.
------------------------	--

6. Administrator/Staff Reports

Discussion: (01:33:51)	none
------------------------	------

Adjournment:

Motion:	Motion to adjourn at 6:36pm. (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried://6:0 Engelbourg, Braine, Misurelli, Plandowski, Schafer, and Turcotte (aye)

Submitted by:
Lisa Graves