



CONSERVATION COMMISSION MINUTES

131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, March 19, 2026 – 5:00 p.m.

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

<https://youtube.com/live/58ciN3pF8xM>

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, Schafer, and Plandowski; Williams arrives at 5:17pm
Absent Members: Braine, RJ Turcotte
Members Left Early: -

I. Call To Order

II. Acceptance of the Agenda

Discussion: (00:00:58)	Engelbourg notes the continuances
Motion:	Motion to accept the agenda (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 4:0: Engelbourg, Misurelli, Plandowski, and Schafer (aye)

III. Announcements

Discussion: (00:01:49)	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: (00:02:16)	Engelbourg - The Commission received some questions via email from the Nantucket Coastal Conservancy regarding some updates on the discussion we had last meeting about the state of the Baxter Road geotubes. - We don't have a response for you at tonight's meeting, but we are aware of those questions that were poised and will get you a response.
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V. Public Comment

Chair Engelbourg called for public comment

Discussion: (00:02:51)	Burton Balkind, Nantucket Coastal Conservancy - Asks the procedure for the Baxter Road being listed under the Enforcement/potential Enforcement section and asks if there's going to be any discussion there at all or may I bring something up now in public comment. Engelbourg - I don't anticipate a discussion unless Dell 'Erba has an update for the Commission. Balkind - Asks the Commission to have an agenda item added so we can have a discussion on how we can get the project back into compliance or at least put some mitigation sand up in front.
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VI. Public Hearing

A. Notice of Intent- No Waiver Required (none)

B. Notice of Intent- Waiver Required

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

Action:	CONTINUED UNTIL APRIL 2ND, 2026
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2. Town of Nantucket- Baxter Road Alternative Access (various) SE48-3945

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Vince Murphy, Town of Nantucket William Casey, Arcadis Brian Madden, LEC Environmental Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	Burton Balkind, speaking on behalf of himself, as a citizen
Discussion: (00:05:28)	Murphy - The purpose and intent of this project is to determine how we can reasonably provide access, water, and sewer services in the event of a breach. - The plan brings most of the access from the Sankaty Roadside with sewer and water services having to get removed that way. Engelbourg - It's my understanding that there's a presentation the representatives wish to share. - Based on our policies and procedures, we ask that we keep this to around five minutes as the full document is in the packet. - The Commission may ask you questions after we discuss the overview, high level overview of the proposed project. Casey - The town is preparing an alternative plant to bring water and sewer in from the Sankaty Road access. - The project will involve putting in a new water line, a new sewer system, and removing the paved surface along Baxter Road, in addition to new access ways to a number of parcels. - Refers to an plan overview of the project limit of work and notes that there is also a Request of Determination of Applicability that will be up for discussion later on the agenda. - Indicates where the project interacts with the resource areas including Coastal Bank, Bordering Vegetated Wetlands, Isolated Wetlands, as well as being a primary habitat for endangered species. - The removal of the pave bank along Baxter Road is the buffer zone of a Coastal Bank. - Refers to the process that the representatives went through with the endangered species program, which resulted in having no adverse effects and would not need to proceed with a MEPA filing. - Refers to the design overview plan which demonstrates that the new public accessway will be coming along the golf course from Sankaty Head Golf Club. - There's going to be utility work along the bike path as well as new paved surface along Sankaty Road and Bayberry Road. - Mitigation strategies generally would be straw wattle barriers and catch basin inlet protection, which will be separated from the resource to the construction area in several locations along the project. Schafer - Asks when the proposed project is looking to get started Murphy - There's a number of extra steps that need to go on with this, but it's mostly all-around funding. - It may be contingent on a breach so there's an environmental step that we can't say but it may be a case that we may be looking to come back in a few years. Misurelli

	- Asks Murphy if he's able to discuss what the breach criteria looks like and asks if it would be the case if one part of it starts to go, it would trigger the whole thing. Murphy - The current criteria is that is stems from a 2014 document that was put together by then DPW director. - Once the edge of the bluff becomes within 25 feet of the edge of the road, it triggers an engineering review. - From there a panel of engineers assess it and see if the road can hold up a little longer, if they suggest local access only or if they just say it's unsafe anymore. - It could also be the case that's it's a direct breach. - Murphy and his team have been measuring nine particular locations and immediately north and south of the existing geotubes show to be 36 feet from the edge of the bluff to the edge of the road. Balkind - Asks to display the slide that demonstrates the amount of disturbance in each area. - Asks if there is a review of the 100-foot buffer zone or only within the 25 and 50-foot. Engelbourg - Confirms that the Commission has jurisdictional review over all resource areas and all 100-foot buffer zones. Balkind - Notes that some of the impact to the Isolated Vegetated Wetlands and the Bordering Vegetated Wetland seems like a lot and asks if there would be more clarity on what those two areas are involved with. Engelbourg - Clarifies that the numbers that Balkind is referencing are the temporary construction impacts, not that it's not meaningful. - Notes that on the right of the graph show the permanent impacts to the resource areas. Casey - Refers back to the graphics of the resource areas, the majority of that permanent impact, almost all of it is related to the removal of the payment along that surface. Balkind - Asks if there's going to be a maintenance plan that will move forward in terms of the catch basis and infiltrators if the project is to go forward. Casey - There will need to be a maintenance plan as they will fill up with sand over time, but the ownership is to be determined whether it's town maintenance or through a neighborhood association. Engelbourg - Notes that the Commission can condition an Order of Conditions to require a maintenance plan to be submitted prior to construction.
Action:	Motion to close: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried://5:0: Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

3. *Nantucket Islands Land Bank- 16 -19 East Creek Road (55-58 & 60) SE48-3971

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Elizabeth Phelps, Nantucket Islands Land Bank Adrienne Lennon, Pare Corporation Todd Turcotte, Pare Corporation Paul Santos, Nantucket Surveyors

Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	Burton Balkind, speaking on behalf of himself
Discussion: (00:22:55)	Phelps - Describes the proposed project of the removal of the building and install a scenic boardwalk as well as a dock rebuild that is ADA Accessible. Lennon - This project has come together with Nantucket Surveyors, Pare Corporation, LEC Environmental, and Scape Landscape Architecture to put together a really nice proposal. - The project includes demolishing the existing dwelling, grading, and surround grading the surrounding area, reorganizing a parking area, adding an accessible parking space, replacing an existing timber pier, construction of a new timber boardwalk, the installation of native plantings, and some management of invasive species within resource areas. - Describes the project location and delineation of surrounding resource areas. - Additional resource areas that are included in the impact calculations include Land Under the Ocean, Land Containing Shellfish, Salt Marsh, Coastal Bank, Land Subject to Coastal Storm Flowage, and the buffer zone to both the Salt Marsh and Coastal Bank. - There is Natural Heritage Endangered Species Priority that begins about 30 feet offshore on the site, on the opposite Bank that will not be impacted. - Reviews calculations of land underwater impacts, which results in permanent impacts totaling approximately 16 square feet due to the removal of the exiting pier, the removal of the existing pier pilings, and the installation of 21 new pier pilings. - There is a very limited impact to the Coastal Bank as there will be no new fill coming in and we're making the effort to try to smooth out that area for ADA accessibility. - There will be resiliency efforts that are made as part of the design for this project, so it is elevated beyond the flood elevation. - Reviews the robust planting plan which are intended to naturalize the area along with shrubs and trees to stabilize the site. Turcotte - The structure is a timber pile supported throughout the boardwalk. Lennon - Describes the proposed boardwalk and upper deck, which is generally in the same footprint as the existing dwelling. - The DEP and Division of Marine Fisheries recommend 1:1 or greater elevation for height to width of an elevated boardwalk or walkway. - We are unable to accommodate that guideline at this time due to the project being designed for ADA accessibility, but we have done our best to elevate it as much as we possibly can over the Salt Marsh as it traverses. - The project intends to enhance and improve the vegetation on site; however, a full scope Salt Marsh restoration is not proposed at this time. Williams - States that it looks from the visuals that there are different levels on the proposed boardwalk. - Asks if there are difference levels or if it's a continuous sort of ramping as you go around the creeks. Turcotte - There are steps involved but there are also adequate ramps that go onto different levels. Williams - Mentions that you can't have steps if you're ADA compliant. Turcotte

	- The entire boardwalk has a slope and doesn't have any pitch in and any change in elevation but the ramp on the back side gets you to the upper level for ADA compliance.
Williams	- Asks Turcotte if the project has been in front of the Historic District Commission yet.
Turcotte	- Believe the plans have been submitted and the Commission will be hearing about the project on Tuesday.
Williams	- The Commission's policy is to have approval from the HDC first, and it seems that there are a lot of things that I'm not sure if they're going to approve.
Engelbourg	- Mentions that they don't have to get approval but just applied for have been approved for.
Williams	- I think it's a great project with a phenomenal view and access for the public to get down onto those creeks.
Engelbourg	- I love this proposed plan as a private citizen but as a regulator I have some concerns about the boardwalk. - The applicant is applying for this boardwalk under it being water dependent use but I'm not sure if that's accurate. - The pier is certainly a water intended use but if you look at the plan, you have what is currently the road or driveway. - The boardwalk starts in an area where there is no vegetation at all and mostly exists within a residential driveway. - The boardwalk shouldn't be right against the Salt Marsh and within the 25-foot buffer and we should ask the applicant to reconfigure the boardwalk. - I love seeing the boardwalk, but it's considered a structure under our regulations and would need to be waived as one. - The Commission needs to make sure we meet the regulatory standard for both the Wetlands Protection Act and for our local Bylaw. - We may be able to discuss appropriate waiver requirements for this project but it's important that we define it correctly.
Misurelli	- Agrees with Engelbourg and Williams about liking the boardwalk and it might be worth a site visit to see how it lays out and ties the area together. - - Given we get all our questions answered and everyone on the Commission is happy with it, I would consider discussing the waivers.
Turcotte	- Refers to the proposed pier plan that was designed for future sea level rise and service life improvements. - The boardwalk at elevation 8 takes into account storm surge events that will result in those future sea level rise storm events. - The reason for it to be a pile supported structure for a water dependent use was because of sea level rise and resiliency.
Williams	- Willing to entertain the waivers and also attend a site visit.
Lennon	- The applicant provided a written request for waivers as part of the feedback from Dell 'Erba for the project related to water dependent use.
Williams	- Asks if there was any anticipation of not having the piers rot in 20 years.
Turcotte	

	- The proposed material for the pilings is green part pilings, which have significant service life of more than 50+ years, and the majority of these piles aren't going to be in water.
Engelbourg	- We need to determine if the piers are considered residential or commercial piers, as the definitions are different and there are some other requirements that the project will have to meet. - As definition, we have to define this as a commercial pier, which brings a whole other step with zoning, and we may have to look into.
Balkind	- I am happy to hear the applicants are taking coastal resiliency into consideration of the project. - Notes the viewing platform on the plans and asks if it's the same elevation as the deck that's on the house currently.
Turcotte	- Confirms that it's the same elevation.
Balkind	- There's an area as you come down the current road to the house which has existing Japanese knotweed and asks if that's going to be a part of the project scope.
Phelps	- We have a permit to manage the knotweed there and we have been mowing it and will continue to manage that area.
Engelbourg	- As much as I'm in support with this boardwalk, I'm not comfortable with issuing a waiver for this whole area. - Depending on what waiver we issue, the Commission's job is to try and minimize adverse impacts as much as possible and having less structure will minimize that impact.
Misurelli	- For the site visit, it would be great if the area was obviously staked out so we can see what the proposed boardwalk vs. our discussion.
Dell'Erba	- Reminds the Commission of the significant public benefit new waiver which I feel are for projects just like this.
Santos	- Asks Engelbourg if he could read one more time the local definition of the water dependent use.
Engelbourg	- Recites the definition and that "the boardwalk over wetland vegetation" is the part that is important. - The problem is that it's been disturbed and it's currently not a vegetated bank and is currently a residential driveway, so it doesn't exactly meet that definition. - I'm more than willing to issue some type of waiver for some type of this project to proceed, I just want to do a site visit and consider how we can minimize the structural impacts as much as possible without sacrificing the intent of the project.
Lennon	- Describes the planting schedule and enhancements that are intended. - The area will revegetate underneath the boardwalk to some extent.
Engelbourg	- Our next meeting is on April 2nd, the standard site visit is on March 31st, would that area be able to be staked and have a representative on site that day?
Santos	- Mentions that they're able to stake it out beforehand.
Engelbourg	

	- Confirms that the site visit will be on March 31 st .
Action:	CONTINUED UNTIL APRIL 2, 2026

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

D. Amended Orders of Conditions- Waiver Required (none)

IV. Public Meeting

A. Orders of Conditions/ Amended Order of Conditions- No Waiver Required (none)

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

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

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Vince Murphy, Town of Nantucket William Casey, Arcadis Brian Madden, LEC Environmental Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(01:09:32)	Dell 'Erba presents the item Engelbourg - Requests to add "prior to construction" on Condition #25 The Commission agrees to apply the waiver noting that the project "will provide a significant public benefit while minimizing potential adverse impacts to the resource areas." Madden - Requests to add Isolated Vegetated Wetland as a resource area to the waiver section. Engelbourg requests to add the following Conditions: - Conditions #26- Commission having contact information for contractors involved in the project. - Condition #27- Employee or contractor designated to perform daily sweeps for debris throughout the lifetime of the project. - Conditions #28- Equipment storage outside of Commission jurisdiction
Action:	Motion to issue OOC as Amended: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0: Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

2. Town of Nantucket- 130 Tom Nevers Road (91-109) SE48-3962

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Devin Herrick, Weston & Sampson Engineers Sean Healey, Weston & Sampson Engineers Charlie Polachi, Parks and Recreational Manager for the Town of Nantucket
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(01:20:15)	Dell 'Erba presents the item Engelbourg - Notes that an updated plan of record was submitted that has the access path for construction. - Asks to apply the long-term net benefit waiver.
Action:	Motion to issue OOC as Amended: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

Discussion: (01:26:02)	Engelbourg - Mentions that the Commission will approve the following RDAs in consent style, as they have been reviewed and don't see a need to open them up for discussion:
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	- Nantucket RE Investors, LLC- 21 Lincoln Avenue (30-43) • JS Holmes Nominee Trust- 11 H Street (60.1.2-22)
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C. Request for Determination of Applicability- Delineation Only

1. *Nantucket RE Investors, LLC- 21 Lincoln Avenue (30-43)

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, 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:(01:26:06)	Dell 'Erba recommends a +2A and -3 Determination
Action:	Motion to issue RDA with a Positive 2A and -3 Determination: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

D. Request for Determination of Applicability- Work Requested

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

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Vince Murphy, Town of Nantucket William Casey, Arcadis
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(01:28:41)	Murphy - These two additional spurs in the middle of the project area are within the 100-foot buffer zone, however there are a lot of disturbed habitats that include buildings, driveways, parking areas,
Action:	Motion to issue RDA with -3 Determination: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

2. *JS Holmes Nominee Trust -11 H Street (60.1.2-22)

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Don Bracken, Bracken Engineering
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(01:28:20)	Dell 'Erba recommends a -3 Determination
Action:	Motion to issue RDA with -3 Determination: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

Discussion: (01:30:30)	Commission decides to take the matter of Enforcement/Potential Enforcement agenda item due to public attendance.
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E. Minor Modifications (none)

F. Certificate of Compliance

Discussion: (01:57:34)	Engelbourg - Asks the Commission and public if anyone would like to open the following Certificate of Compliance requests: - West Ashored LLC- 62 Wanoma Way (92-16) SE48-3869 - Seahorse Lane, LLC- 5 Grant Avenue (30-143) SE48-3786 - Tornovish- 21R Allens Lane (67-17.1) SE48-3584 Engelbourg
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	- Asks Dell 'Erba if there are any ongoing conditions for the filings Dell 'Erba - West Ashored LLC- 62 Wanoma Way (92-16) SE48-3869 - Ongoing Conditions #20 & #22- Reporting and Lighting Conditions - Tornovish- 21R Allens Lane (67-17.1) SE48-3584 - Ongoing Condition #20- Lighting Condition
Action:	Motion to issue COC for SE48-3869, SE48-3786, & SE48-3584 (Made by Williams) (Seconded by Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

1. West Ashored LLC- 62 Wanoma Way (92-16) SE48-3869

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, 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:(01:57:34)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue COC with ongoing conditions #20 & #22: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

2. Seahorse Lane LLC- 5 Grant Avenue (30-143) SE48-3786

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(01:57:34)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue COC with no ongoing conditions: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

3. Tornovish- 21R Allens Lane (67-17.1) SE48-3584

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(01:57:34)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue the COC with ongoing condition #20: (Made by: Williams) (Seconded by: Misurelli)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

G. Extension Requests (none)

H. Other Business

1. Approval of Minutes 02/19/2026; 03/05/2026

Discussion: (01:59:34)	none
Action:	Motion to approve the Minutes for 02/19/2026 & 03/05/2026: (Made by: Williams) (Seconded by: Plandowski)
Vote:	Carried:/5:0 Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

2. Monitoring Reports

Discussion: (02:00:03)	none
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3. Reports: CRAC, CPC, NP&EDC, Harbor Plan, Offshore Wind Work Group, etc.

CRAC:	Braine has nothing to report
CPC:	Schafer - Just working on our assignments.
NP& EDC:	Misurelli - Nothing to report
Harbor Plan	Williams - Still waiting for the state.

5. SBPF Sand Plan Discussion

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Merideth Moldenhauer, Sconset Bluff Preservation Fund
Discussion: (02:00:43)	Engelbourg - At the beginning of the meeting when we accepted the agenda, we struck this discussion from the agenda until we have more information.
Discussion Continues (02:01:52)	- Notes he will recognize Moldenhauer for procedural questions only. Moldenhauer - We have an update for the Commission and continue to work diligently towards trying to provide the information that the chair requested at the last meeting. Engelbourg - Asks Moldenhauer to please provide an update as requested at the last meeting. Moldenhauer - Could you review what was addressed earlier of information that's needed. Engelbourg - Nothing was discussed earlier, The SBPF Sand Plan discussion was accidentally left onto the agenda but if your update is present in the Baxter Road Geotubes Enforcement section, which sounds like you're referring, please give an update.

5. Enforcement Actions/ Potential Enforcement Actions
Baxter Road Geotubes

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Meredith Moldenhauer, Sconset Bluff Preservation Fund
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There was no public comment
Discussion: (02:03:39)	Moldenhauer - We have retained a contractor to do a survey that would be required for the plans required by the Commission. - We anticipate the survey to be completed next week which would lead to being input into data and then prepared into plans, which would potentially take two weeks. - We would be prepared to come back to the Commission on Thursday, April 9 th with additional information and provide specific documentation of the repairs that are needed. Engelbourg - The Commission doesn't have a meeting on April 9 th , so please have the information prepared for April 16 th . Moldenhauer agrees to come back to the Commission with required documentation on April 16 th
Action:	CONTINUED UNTIL APRIL 16TH, 2026

34A Grove Lane

Sitting:	Engelbourg, Misurelli, Plandowski, Schafer, and Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors Lewis Breskman, homeowner of the property
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	Susan Lister Locke, neighbor and homeowner of 34B Grove Lane
Discussion: (01:30:30)	Dell Erba - The Commission requested the homeowner and representative to submit plans for tonight's meeting and we're here to review them. Santos - The property was transferred in 2023 at which time they proceeded with activity on the property that started with obtaining a building permit and HDC approval to take the existing dwelling for window changes, shingle replacement, which was essentially an attached sunroom, a wooden entry, stoop, and enclosure of an existing porch. - Some work was done directly within the existing wetland areas, and all the completed work was done within the Conservation's jurisdiction. - Reviews the synopsis on what had happened, requests a site visit to be conducted, on March 31st and come back with some type of restoration and remediation plan for the April 2nd meeting. - Reviews the plan that include structure additions that were made to the property within Isolated Vegetated Wetlands and Bording Vegetated Wetlands. - Notes that he is also representing the neighboring property as well to remediate the work that's been done on site. - Reviews additional plans and photographs, which include overlays of the resource areas, what the site looked like prior to the property transfer as well as what it looks like today. - The restoration plan currently includes removing the fill and plant vegetation to have the area act more as an active wetland. - The berm will be removed in order to avoid any more water backing up onto the neighbor's property. Engelbourg - Asks for clarification if Santos also represents the neighbor Santos - Confirms that he does and she is in attendance at the meeting but clarifies he is speaking on behalf of the homeowner and violator for 34A Grove Lane. Williams - What is most disturbing is the berm, the swimming pool's elevation, and the fill that was put in there. - It's not so much the repair of the house because it needed it, but there are other little things going on that need to be rectified. Schafer - So, the idea is to go out and do a site visit and get Commissioner's comments and come back with a restoration and remediation plan. Santos - I know what has to be done in the back of the property, we have to get rid of the berm and we need to mitigate. Engelbourg - Let's do the site visit for March 31st but we'll have to coordinate with the staff to see which one is going to happen first. - I think that very significant unpermitted work happened and think almost all of this needs to be removed and mitigated. - I think almost all the structural additions should be removed except maybe the in-fill areas and should go through the permitting process.

	Williams - When we do the site visit, I don't think you're going to find the stuff done at the house is egregious because the boardwalk was done to keep them out of the ground, as it was so wet. Dell 'Erba - It may be something that we should discuss after our site visit as it may be something that we could permit after the fact. Engelbourg - If we are going to allow structural elements to be retained, we shouldn't do it through this Enforcement Order but through a Notice of Intent. Breskman - I was led to believe that I had approval from the HDC from the Commission. - The dwelling was in bad shape, so we did some renovations and shared a driveway with Susie Locke, our neighbor, so we established the curb cut to access the house. - The intension was to delineate the different lots as the property lines aren't clear. Williams - We didn't come up with a plan for indigenous plants that would work in the wetland. Breskman - We're here to come up with a plan and not trying to avoid it. Engelbourg - We're not trying to blame or pass judgement on to people; we're just trying to mitigate and restore so we're going to work through that process. Lister Locke - Expressed her distress about the berm and privet going in and would like to see it brought back to a wetland. - Concerned that a proposed pool would have further impact on the parcels. Williams - The HDC has no holding to the Commission's jurisdiction, but I don't believe it would pass the Planning Board or the Conservation Commission. Engelbourg - Confirms that a site visit will be done on March 31st and asks if Santos can be present. Dell 'Erba mentions that there are no other Enforcement Actions needed to be made at this time.
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Discussion: (01:57:34)	Commission moves back to the Certificate of Compliance section on the agenda.
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6. Commissioner's Comments

Discussion: (02:00:33)	None
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7. Administrator/Staff Reports

Discussion: (02:01:06)	none
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I. Adjournment:

Motion:	Motion to adjourn at 7:06pm. (Made by: Williams) (Seconded by: Schafer)
Vote:	Carried://5:0: Engelbourg, Misurelli, Plandowski, Schafer, and Williams (aye)

Submitted by:
Lisa Graves