



CONSERVATION COMMISSION MINUTES

131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, August 6, 2026 – 5:00 p.m.

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

<https://youtube.com/live/hmRcTWVL8sc>

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

Called to order at 5:02 p.m. by Chair Pro Tempore Williams

Staff in attendance: Will Dell 'Erba, Conservation Agent
Attending Members: Braine, Misurelli, Plandowski and Williams
Absent Members: Engelbourg, Schafer, Turcotte
Members Left Early: -

I. Call To Order

II. Acceptance of the Agenda

Discussion: (00:00:45)	Williams notes the continuances
Motion:	Motion to accept the agenda (Made by: Misurelli)
Vote:	Vote Carried: 4:0: Braine, Misurelli, Plandowski, and Williams (aye)

III. Announcements

Discussion: (00:00:57)	Williams announced that the meeting is being audio and video recorded.
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IV. Update on Public Comment Questions from Prior Meetings

Discussion: (00:01:04)	none
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V. Public Comment

Chair Pro Tempore Williams called for public comment

Discussion: (00:01:09)	none
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VI. Public Hearing

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

Discussion: (00:01:24)	Williams - Asks Commission and public if there is any interest in opening SE48- or SE48- Commissioners and Public don't see a need to open the following: • *Nantucketshire, LLC- 23 Dukes Road (41-197) SE48-3988 (Rits) • Puljic- 14 Almanack Pond Road (25-12) SE48-3989 (Madden) Dell 'Erba confirms that staff have everything they need to close
Action:	Motion to close SE48-3988, SE48-3989: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 4:0: Braine, Misurelli, Plandowski & Williams (aye)

1 *Nantucketshire, LLC- 23 Dukes Road (41-197) SE48- 3988

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives	Mark Rits, Site Design Engineering, Inc
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion: (00:01:24)	Commission closed the hearing by consent style

Action:	Motion to close (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 4:0: Braine, Misurelli, Plandowski, & Williams (aye)

2. * Puljic- 14 Almanack Pond Road (25-12) SE48-3989

Sitting:	Braine, Misurelli, Plandowski, & 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: (00:01:24)	Commission closed the hearing by consent style
Action:	Motion to close (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 4:0: Braine, Misurelli, Plandowski, & Williams (aye)

B. Notice of Intent- Waiver Required

1. Oprey Way LLC- 27 Osprey Way (83-9) SE48-3982

Sitting:	Braine, Misurelli, Plandowski, & 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: (00:04:06)	Madden - Requests a continuance as there is some ground water monitoring for the Board of Health still happening and there may be some design changes.
Action:	CONTINUED UNTIL AUGUST 20TH, 2026

2. *Nantucket Islands Land Bank- Falmouth Avenue Relocation (82-30) NAN-142

Action:	CONTINUED UNTIL AUGUST 20, 2026
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C. Amended Order 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

1. Nantucketshire, LLC- 23 Dukes Road (41-197) SE48- 3988

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Mark Rits, Site Design Engineering, Inc
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(00:04:44)	Dell 'Erba presents the item
Action:	Motion to issue OOC as drafted: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Vote Carried: 4:0: Braine, Misurelli, Plandowski, & Williams (aye)

2. Puljic- 14 Almanack Pond Road (25-12) SE48-3989

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Brian Madden, LEC Environmental PC
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments.
Discussion:(00:06:34)	Dell 'Erba presents the item
Action:	Motion to issue OOC as drafted: (Made by: Plandowski) (Seconded by: Misurelli)

Vote:	Vote Carried: 4:0: Braine, Misurelli, Plandowski, & Williams (aye)
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B. Orders of Conditions/ Amended Orders of Conditions- Waiver Required (none)

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

D. Request for Determination of Applicability- Work Requested (none)

E. Minor Modifications

Discussion: (00:07:55)	Williams - Asks the Commission and public if anyone would like to open the following Minor Modification requests: • Kingfisher Realty Trust- 278 Polpis Road (25-2) SE48-3446 (Haines) • Minella- 5 Gingy Lane (41-852) SE48-3735
	Motion to issue the Minor Modification for SE48-3466 & SE48-3735: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

1. Kingfisher Realty Trust- 278 Polpis Road (25-2) SE48-3446

Sitting:	Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	David Haines, Haines Hydrological Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:07:55)	Commission approves Minor Modification by consent style
Action:	Motion to issue the Minor Modification: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried:/7:0: Braine, Misurelli, Plandowski, and Williams (aye)

2. Minella- 5 Gingy Lane (41-852) SE48-3735

Sitting:	Braine, Misurelli, Plandowski, and Williams
Recused:	-
Representatives:	Mark Rits, Site Design Engineering, Inc
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:07:55)	Commission approves Minor Modification by consent style
Action:	Motion to issue the Minor Modification: (Made by: Misurelli) (Seconded by: Plandowski)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, and Williams (aye)

F. Certificate of Compliance

Discussion: (00:09:24)	Williams - Asks the Commission and public if anyone would like to open the following Certificate of Compliance requests: • Kingfisher Realty Trust- 278 Polpis Road (25-2) SE48-3446 • Forgang-2 Wanoma Way (92.4-118) SE48-2823 • Smiley 15 North Water LLC- 15 North Water Street (42.4.2-50) SE48-3784 • Randolph G. Sharp, Jr. Revocable Trust- 59 Polpis Road (54-26) SE48-3713 • J Graham Goldsmith, Westmoor Club, LLC- 10 Westmoor Lane (41-809) NAN-138 Dell 'Erba recommends issuing the following: • SE48-3446: 278 Polpis Road- Issuing the COC with no ongoing conditions.
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	• SE48-2823:2 Wanoma Way- Issuing the COC with no ongoing conditions. • SE48-3784:15 North Water Street- Issuing the COC with ongoing conditions #20 for lighting. • SE48-3713: 59 Polpis Road- Issuing the COC with ongoing conditions #20, 21, 22, 23 & 24 for lighting and pool conditions. • NAN-138: 10 Westmoor Lane-Issuing the COC ongoing condition #22 for lighting.
Action:	Motion to issue the Certificate of Compliance for SE48-3446, SE48-2823, SE48-3784, SE48-3713, NAN-138: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, and Williams (aye)

1. Kingfisher Realty Trust- 278 Polpis Road (25-2) SE48-3446 (Haines)

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	David Haines, Haines Hydrological Consultants
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:09:24)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue Certificate of Compliance with no ongoing Conditions: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

2. Forgang-2 Wanoma Way (92.4-118) SE48-2823

Sitting:	Braine, Misurelli, Plandowski, & 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:(00:09:24)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue Certificate of Compliance with no ongoing Conditions: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

3. Smiley 15 North Water LLC- 15 North Water Street (42.4.2-50) SE48-3784

Sitting:	Braine, Misurelli, Plandowski, & Williams
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:(00:09:24)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue Certificate of Compliance with ongoing Condition #20: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

4. Randolph G. Sharp, Jr. Revocable Trust- 59 Polpis Road (54-26) SE48-3713

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Mark Rits, Site Design Engineering, Inc
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:09:24)	Commission approves Certificate of Compliance by consent style

Action:	Motion to issue Certificate of Compliance with no ongoing Conditions #20, 21, 22, 23, & 24: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

5. J Graham Goldsmith, Westmoor Club, LLC- 10 Westmoor Lane (41-809) NAN-138

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Paul Santos, Nantucket Surveyors, LLC
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:09:24)	Commission approves Certificate of Compliance by consent style
Action:	Motion to issue Certificate of Compliance with ongoing Condition #22: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

G. Extension Requests

1. Nantucket Islands Land Bank- 17 & 21 North Cambridge Street (38-158 & 159) SE48-3533

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Liz Phelps, Nantucket Islands Land Bank
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:12:07)	Commission approves the Extension by consent style
Action:	Motion to issue the three-year Extension: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

2. Nantucket Islands Land Bank- 231 Polpis Road (26-28) SE48-3540

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Liz Phelps, Nantucket Islands Land Bank
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:12:16)	Commission approves the Extension by consent style
Action:	Motion to issue the three-year Extension: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

3. Nantucket Conservation Foundation- Windswept Bog (26-38) SE48-3329

Sitting:	Braine, Misurelli, Plandowski, & Williams
Recused:	-
Representatives:	Coleman Miller, Nantucket Conservation Foundation
Documentation:	Site and topographical plans, photos, requisite departmental reports and correspondence.
Public Comment:	There were no public comments
Discussion:(00:12:31)	Commission approves the Extension by consent style
Action:	Motion to issue the three-year Extension: (Made by: Misurelli) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

H. Other Business

1. Approval of Minutes 07/16/2026

Discussion: (00:12:47)	No questions, comments, or additions to the Minutes
Action:	Motion to approve the Minutes for 07/16/2026: (Made by: Plandowski) (Seconded by: Braine)
Vote:	Carried:/4:0: Braine, Misurelli, Plandowski, & Williams (aye)

2. Monitoring Reports

Discussion: (00:13:00)	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:	Williams - The deadline for submission is Friday, September 18th for FY28. - The annual public forum is in the PSF Community Room on Tuesday, August 18th at 10am, but it will also be recorded. - If you need information, contact Williams
NP& EDC:	Misurelli - We had our annual meeting and election of officers. - Abby D. Molina is the chair, and I am the vice chair. - We went over some transportation that Mike Burns presented.
Harbor Plan	Williams - The Harbor Plan was accepted by the Select Board last night. - It will then go back to the state and they'll send it back to which it will be done for 10 years. - We are advocating for every 5 years because of climate change and other factors which is happening more quickly than every 10 years. - DEP Has agreed to meeting with Nantucket twice a year on Chapter 91 violations, which is something we didn't have before. - We will have to establish an implementation group so if people are interested in that, it will be advertised once it's back from the state.

3. Enforcement Actions/ Potential Enforcement Actions

21R Madaket Road

16 Meadow Lane

Action:	CONTINUED UNTIL AUGUST 20, 2026
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-Baxter Road Geotubes

Action:	CONTINUED UNTIL AUGUST 20, 2026
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5. Commissioner's Comments

Discussion: (00:15:31)	none
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6. Administrator/Staff Reports

Discussion: (00:15:51)	none
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I. **Adjournment:**

Motion:	Motion to adjourn at 5:17pm. (Made by: Misurelli) (Seconded by: Planowski)
Vote:	Carried://4:0: Braine, Misurelli, Plandowski, and Williams (aye)

Submitted by:

Lisa Graves