



CONSERVATION COMMISSION

PUBLIC MEETING

2 Bathing Beach Road
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, January 7, 2021 – 5:00 p.m.

*This meeting was held via remote participation using ZOOM and YouTube,
Pursuant to Governor Baker’s March 12, 2020 Order Regarding Open Meeting Law*

Commissioners: Ashley Erisman (Chair), Ian Golding (Vice Chair), David LaFleur, Joe Topham, Seth Engelbourg, Maureen Phillips, and Mark Beale

Called to order at 5:01 p.m. and announcements made by Ms. Erisman.

Staff in attendance: Jeff Carlson, Natural Resources Director; Joanne Dodd, Natural Resources Coordinator; Terry Norton, Town Minutes Taker

Attending Members: Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Absent Members: Golding

*Matter has not been heard.

I. PUBLIC MEETING

A. Announcements

B. Public Comment –

Coastal Resiliency plan update

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
Documentation Coastal Resiliency PowerPoint®; Community Engagement Plan
Representative Trevor Johnson, Arcadis
Chelsea Kilburn, Arcadis
Amy Whitesides, Arcadis
Public None

Discussion (5:07) **Johnson** – Overview of the process for creating a Coastal Resiliency Plan: project principles, project overview, mission statement, scope of investigation – risks, scale of investigation, and solution development – summary of tasks, schedule overview, community engagement, sample of previous studies, key questions that drive our process, and roles and responsibilities. Explained their intentions for community engagement; all engagements will be virtual due to COVID-19; first public open house will be on January 28th, with a second in the spring. We launched the website today. We are in the First Phase of engagement and moving into the Second Phase.

Engelbourg – One stake holder absent from their list is Nantucket Memorial Airport; they should be contacted ASAP for their input.

Phillips – For people to contact, suggested adding Madaket Conservation Association and neighborhood associations. Dealing with property around the coasts, you should talk to those property owners directly. She didn’t see any discussion on what the legal implications might be of any recommendations and bringing regulations up to speed to facilitate/execute a recommendation.

Johnson – We have heard other folks talking about engaging with neighborhood associations. Regulatory reviews of Town ordinance and bylaws is part of what we do; we will recommend changes if appropriate.

Phillips – The fact that you’re looking at regulatory changes and improvements is great. There are different attitudes about how coastal erosion should be addressed; that is a pitfall that lept out to her. We also have a push-pull between conservation and development, which is a potential conflict; what kind of growth makes sense given climate change requires a good science-based plan.

Beale – He expects this will be under a lot of pressure between protection of public resources and private properties.

Johnson – There are significant conflicts that occur and will continue to occur. The regulations and policy approaches will be critical in helping with where development and growth occur. There is not necessarily a way to achieve an outcome everyone agrees to.

Engelbourg – As an ecologist for the Linda Loring Foundation, he’d like to reaffirm Nantucket is unique for many reasons, but one is 50% of our land is under conservation protection. Adaptation should be 90% of the process. We have a responsibility to protect the historic buildings and infrastructure of the Island.

Erisman – She agrees with Mr. Engelbourg. The use of nature-based solutions is one of the best ways to move forward, especially with all the development.

Carlson – Ian Golding is the ConCom Coastal Resiliency Advisory Committee (CRAC) representative; if anyone has thoughts, share them with Mr. Golding. He can get those to Arcadis. Arcadis will be back with us in the future.

Erisman – Confirmed the Public Forum is January 28th at 5:30 p.m. ConCom will have conflicting meeting that evening.

II. PUBLIC HEARING

A. Notice of Intent

- 1. Weissenberger – 84 Pocomo Road (15-40) SE48-3364 **(Cont. 1/28/2020)**
- 2. 5 Sherburne Way, LLC – 5 Sherburne Way (30-38) SE48-3363

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Art Gasbarro, Nantucket Engineering & Survey
 Public None
 Discussion (5:43) **Gasbarro** – This is for residential redevelopment within the buffer to a stable coastal bank. Last hearing revolved around grading; he is now showing a transect through the site with grading. Subsurface drainage at the lowest spot has been added. The architect has committed to gutters and downspouts to be directed to the subsurface infiltrator. There is a 25-foot buffer from the top of the bank in which no changes are proposed. The transect shows that the grade drops from elevation 68/69 to 62/63.

Topham – He was hoping for a cross section showing the retaining walls and the house or several through the property.

Gasbarro – The house hasn’t been designed yet; we have only a conceptual design. We are removing significant amount of structure within the 50-foot buffer. The transect shows the 1st floor and the patio and what the proposed grading will be. Asked that the public hearing be closed.

Discussion after the failed motion to close.

Topham – He has no concerns with the dwelling but with the patio, 3-feet of fill and retainage constitute a structure; wants more information on those. Would like to see more and larger scale transects; feels like retaining wall over 3 feet is becoming a structure. We had a similar issue with a house in Pocomo and made them move it back. It would help to have construction details, so we know that water can infiltrate and pass through.

Phillip – Her concern is based on getting credit to move the house back then covering the area with a substantial terrace. She questions if the trade-offs are worthwhile. If we had plans that were more developed, we’d have something to look at; we need more information because of the extent of grading and hardscaping.

Erisman – Currently a patio is not considered a structure; we have to be careful until we rewrite our regulations. A patio from line to line isn’t great but feels Mr. Gasbarro has met his burden of proof.

Engelbourg – Looking through the performance standard for coastal bank, he sees no reason this project doesn’t meet them all.

Gasbarro – Reviewed the grading plan showing the existing and proposed elevations. Retaining wall is only 2.5 feet to avoid the need for railings along the westerly side. He’s stopped all structural work at the 50-foot buffer; this is an existing developed site with structures removed for the purpose of redevelopment. The patio is to be dry laid. The only protected interest is the coastal bank; we would want to address storm-water runoff.

Topham – After Mr. Gasbarro’s explanations, he’s feeling better about this project.

Phillip – Following this discussion; she is withdrawing her objections.

Staff Have everything needed to close.
 Motion Motion to Close. (made by: LaFleur) (seconded) Not carried 3-3.
Motion to Close. (made by: Phillips) (seconded)

Roll-call Vote Carried 6-0// Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

- 3. *High Tide Partners, LLC – 8 Ackermuck Way – Lot 1 (41-618) SE48-3372

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Mark Rits, Site Design Engineering
 Public None
 Discussion (6:09) **Rits** – Reviewed the revised site plan. He submitted a letter, which included site photos of the area of work; portions of this property had been previously landscaped and fallen into lack of maintenance. Not proposing any irrigation. Proposing to demarcate the 50% limit of the 25-foot buffer zone.

Engelbourg – The alteration of areas within the 25-foot buffer, asked if all the proposed area of alteration was previously altered. Within those areas, he noticed some trees; he hopes for a condition that any trees greater than 4” be maintained. Wants native trees over 4” dba to be maintained; nonnative trees can be removed.

Rits – With the exception of 1 or 2 feet, work in the 25-foot buffer is within previously disturbed areas. The larger trees are indicated on the site plan.

Carlson – R.J. Turcott, Nantucket Land Council, his concern has been addressed.

Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: Beale) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

- 4. Randy Sharp – 1 Wamasquid Place (56-113.1) SE48-3370 **(Cont. 1/28/2020)**
- 5. *Trojah Nominee Trust – 26 Easy Street (13-22) SE48-3369 **(Cont. 1/28/2020)**

6. *16 Western Preservation Trust, LLC – 16 Western Avenue (87-72) SE48-3371
 Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Art Gasbarro, Nantucket Engineering & Survey
 Public None

Discussion (6:19) **Gasbarro** – This is for residential redevelopment within buffer to a coastal dune; this is the 2nd hearing. Provided revised architectural and site plans removing the full foundation from any areas below the porch within the 50-foot buffer; porch to be supported on sono-tubes.

Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: Topham) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

7. *Hedges, LLC – 10 Basset Road (26-39) SE48-____
 Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Art Gasbarro, Nantucket Engineering & Survey
 Public None

Discussion (6:21) **Gasbarro** – This is for landscaping and a pool within an existing yard within 100-foot buffer to a bordering vegetated wetland; all structural elements are outside the 50-foot buffer and maintain the 2-foot separation from groundwater.

Staff We don't have a DEP file number. He'll draft an order for the next meeting
 Motion Continued to January 28th.
 Roll-call Vote N/A

8. *Nantucket Memorial Airport – 96 & 98 Washington Street (55.1.4-9.2) SE48-3373
 Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Tori Brown, VHB
 Public None

Discussion (6:24) **Brown** – This is for removal of 22 piles adjacent to Great Harbor Yacht Club in Nantucket Harbor. Work is outside rare species habitat. The Department of Fisheries did not request sequencing. Explained methodology of work; expect work to take less than a week and not impact any wetland resource areas.

Beale – He's concerned with cutting off posts at the mud line when we have erosion Island wide; we should require they all be removed, so they don't become exposed and become a potential hazard.

Erisman – She shares Mr. Beale's concern.

Topham – He agrees.
LaFleur – He installed the pylons and has a crane to do the work. He doesn't expect any trouble getting them out.

Staff Have everything needed to close.
 Motion **Motion to Close.** (made by: LaFleur) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

B. Amended Orders of Conditions

1. New England Development – Lot 5 Mariner Way (55.1.4-42) SE48-2747
 Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Katherine Barnicle, AECOM
 Public None

Discussion (6:32) **Barnicle** – This is for an after-the-fact amended orders to approve the modified footprints. Subsurface storm drainage was put in as part of the Planning Board permit.

Erisman – She finds the development concerning, because it is clearly in the flood zone; now each lot can come back with more square footage of structure than was originally permitted. That's the exact opposite direction this development should go. Due to flooding, the subsurface storm drains will be under water often.

Phillips – Asked for an estimation of how much larger the footprint is.

Barnicle – The house was permitted at 1200sf with the garage at about 600sf; doesn't have the exact number but estimates the unpermitted increase is about 1/3

Staff The original permitting was 2014 and there has been some miscommunication between then and now. This is the opportunity to reestablish expectations on any future development. The permits on the lots across the street expire today.

From the 2nd plan between 2017 to this plan, the structures are properly constructed.
 Have everything needed to close.

Motion **Motion to Issue.** (made by: LaFleur) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

2. 56 Monomoy Nominee Trust – 56 Monomoy Road (43-41) SE48-3362

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Paul Santos, Nantucket Surveyors
 Public None
 Discussion (6:42) **Santos** – This is to construct a pool, spa, deck and hardscaping within the buffer to the bordering vegetated wetland and policy coastal bank. All work occurs outside the 50-foot no-build. The beach path is not part of this application.
Erisman – In addition to the pool, it looks like the beach path is being moved and then traverses the property. It should be part of the amended order that there will be no change to the beach path.
Phillips – Questions the need for a 60-foot-long pool; that is really long.
Beale – In terms of the length of the pool, he hopes they don't come back and ask that the path be moved because of the location of the pool. The owner should be made aware that moving the beach path would be a difficult application to get approved.
Carlson – Mary Randolph Ballenger is concerned about the pool installation and impact on the wetlands and saltmarsh, specifically drainage; most of the house is on fill; wants to know where the equipment will go; asked the patio be pushed inward with trees between the properties. R.J. Turcott said the Nantucket Land Council has concerns about the pool and spa being installed this close to resource areas; asked for a condition it is to be pumped out.
Beale – Given the elevation of the pool and surrounding area, pump out would be required.
Topham – Wants conditions for lighting.
 Staff The beach path would be under a finding indicating any change to it is not approved.
 Read through pool conditions to be added to this amended order.
 Have everything needed to close.

Motion **Motion to Issue.** (made by: Phillips) (seconded)
 Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

3. D & B Realty Trust – 11A Meadow Lane (41-448) SE48-3299

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Paul Santos, Nantucket Surveyors
 Public None
 Discussion (6:53) **Santos** – This is to change the guesthouse envelope at the rear of the lot to a cabana/garage more forward on the lot and move the pool slightly away from the regulated area. Pool house/garage is on slab construction and the pool will maintain the 2-foot separation from groundwater.
Engelbourg – He has significant reservations about the planting plans; all plants within our jurisdiction should be native, no cultivars. The plants listed are all non-native, especially fountain grass and Chinese/silver grass; we need a redesigned planting plan showing all native plants within our jurisdiction. Asked that plants outside ConCom jurisdiction also be native plants.
Erisman – She too is concerned about the planting plan, especially the ornamental pear.
Santos – If the commission wants a revised planting list for within their jurisdiction, he can do that. Asked for a continuance to January 28th.
 Staff He has a digital copy of the Natural Resources guidelines, “Planting with Nantucket in Mind”; he will send it to Mr. Santos.
 Motion Continued to January 28th.
 Roll-call Vote N/A

III. PUBLIC MEETING

C. Requests for Determination of Applicability

1. Paul Caggianno – 59 Polpis Road (54-26)

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale
 Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.
 Representative Art Gasbarro, Nantucket Engineering & Survey
 Public None
 Discussion (7:03) **Gasbarro** – This is for residential development within 100-foot buffer of an isolated vegetated wetland; all work is outside the 50-foot, no-disturb buffer. The bottoms of structures are greater than 2 feet from groundwater; there's a perched water table. The site will be served by Town sewer. Based upon the last discussion, the same pool conditions would be agreed upon. He doesn't think it's a vernal pool, just an isolated vegetated wetland.
Topham – He has a problem with development adjacent to the vernal pool; he's concerned about the impact on grading, runoff, and plants and trees that provide habitat. Wants the wetland assessed to determine whether or not it's a vernal pool. The wetland was delineated on November 13, 2019.
Erisman – Asked why this is coming in as an RDA as opposed to a NOI. In addition to pool conditions, we'd want the 38 feet permanently marked to preserve it in perpetuity.
Carlson – R.J. Turcotte, Nantucket Land Council, Inc., he shares Mr. Topham's concerns. Kristine Jelleme says it is a vernal pool and is concerned about preserving natural habitat around the pool.

Erisman – Mr. Topham wants more information; she'd feel better if this were an NOI.

Phillip – She feels there is a lack of clarity, especially regarding the vernal pool. Agrees with Mr. Topham. Wants that looked into.

Engelbourg – This is not a certified vernal pool; the best time to certify a vernal pool is in the Spring. He shares Mr. Topham's concerns; however, without that certification, we have an isolated vegetated wetland. He thinks this can go forward. When reviewing our regulations, we can think about potential vernal pools and requiring they be checked.

Topham – It's sad we can't protect a wetland because of the season; what happens if in the Spring Ms. Jelleme wants to have the wetland certified as a vernal pool.

Beale – Asked the implications if we oppose this request.

Discussion about whether or not the commission should require an NOI.

Gasbarro – RDAs for work between the 50 and 100 are fairly routine; this isn't uncommon. Explained why he thinks this is not a vernal pool; Brian Madden, LEC Environmental, did the delineation. We are meeting the standards by meeting the buffer zones.

Staff An applicant has a choice between filing RDA and NOI. A determination of Negative 3 indicates no work will impact the resource area. You can impose conditions under an RDA.

The wetland has not gone through the process to be certified as a vernal pool. There are ramifications for attempting to certify a vernal pool on land you don't own. We are satisfied with our evaluation based upon the amount of standing water and hydrated soil.

The commission can rule that this is an RDA or requires an NOI.

For an NOI, you would determine Positive 4 requires a NOI; you would also issue with a Positive 5 requiring work to be reviewed by the municipality of Nantucket pursuant to the bylaw.

Motion **Motion to Issue as a Positive 4 and Positive 5.** (made by: Topham) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

2. Coleman P. Burke – 37 Gardener Road (43-85)

Sitting Erisman, LaFleur, Engelbourg, Phillips, Beale

Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.

Representative Art Gasbarro, Nantucket Engineering & Survey

Public None

Discussion (7:30) **Gasbarro** – Explained the request.

Staff Recommend issue as Negative 3 allowing work.

Motion **Motion to Issue as a Negative 3.** (made by: Engel) (seconded)

Roll-call Vote Carried 5-0//Beale, Engelbourg, Erisman, LaFleur, and Phillips-aye; Topham recused

3. Forschungs Gruppe, LLC – 4 Pocomo Road (14-68.1)

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.

Representative Mark Rits, Site Design Engineering

Public None

Discussion (7:33) **Rits** – The existing wetland is located on the other side of the driveway; proposing to install a septi-tech tank in line with other tanks outside the 50-foot buffer within existing lawn.

Staff Recommend issue as a Positive 2A confirming the resource areas and Negative 3.

Motion **Motion to Issue as Positive 2A and Negative 3.** (made by: Beale) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

4. Thomas Larabee – 101 Hummock Pond Road & 5 Millbrook Road (56;56-57;307 Respectively)

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Site and topographical plans, photos, requisite departmental reports and correspondence.

Representative Nicholas and Thomas Larabee

Public None

Discussion (7:34) **N.Larabee** – This is to determine where we can put our crop fields for a diversified farm. Massachusetts Natural Resources is working with us. Everything is reviewed by the Land Bank before we act on anything. We are looking to have fruits and vegetables and some grazing but can't finalize until we know where we can put what on the property.

T.Larabee – Our agreement with the Land Bank is that our planting plan would be reviewed annually.

Erisman – She does worry that these might be vernal pools and should be certified. Asked what the buffer zones for agriculture use are. Asked for a plan overlaying the wetland with grazing lines. Wetlands have been damaged by agriculture, but agricultural use continues to get exemptions. This has been a mowing of the hay and now we're looking at grazing.

Engelbourg – On the plan, there is a residential use area, farmstand, and support area; he thinks those would require an NOI.

Staff When we look at agricultural use, farms are allowed to do some work associated with crop production and livestock raising. We do require a plan defining the uses.
It's important to identify the wetland resource areas.
With agricultural use, we are looking to approve the wetland boundaries; they can then use those boundaries to form their final plan for approval if their Certified Farm Conservation Plan. The agricultural use that is taking place now is allowed to continue under operation and maintenance.
Our recommendation would be a Positive 2A and Negative 5, indicating the area is subject to protection but no NOI is required due to exemption.
If they want to put the residential structure inside the 100-foot buffer, they would have to file an NOI.

Motion **Motion to Issue as a Positive 2A and Negative 5 exempting activities under 310 CMR 10.04 and Town Code 136-3(d).** (made by: Topham) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

5. The Town of Nantucket – Sea Street PS FM # 3 Alignment (N/A-N/A)

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation None

Representative None

Public None

Discussion (7:54) None

Staff There is no representative and he is not prepared to present this for them.

Motion Continued to January 28th.

Roll-call Vote N/A

D. Orders of Condition

1. Mary Jo Buckland – 113 Hummock Pond Road (546-59) SE48-3330

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Draft Order of Conditions

Staff This must be issued today; Ms. Dodd will email out the signature page. For a septic system and restoration; reviewed conditions and monitoring requirements. Could add a condition requiring a contract for the restoration work to be filed within 30 days of expiration of the appeal period. They are under the gun by the Board of Health to get their failed septic replaced.

Discussion (7:56) **Erisman** – Would like them to start the restoration sooner rather than later; it seems they are parking in the wetland buffer.
Engelbourg – Noted (after the vote) an address error in the footer.

Motion **Motion to Approve as drafted.** (made by: Beale) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

2. 5 Sherburne Way, LLC – 5 Sherburne Way (30-38) SE48-3363

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Draft Order of Conditions

Staff Reviewed findings; we have our standard pool conditions.

Discussion (8:01) None

Motion **Motion to Approve as drafted.** (made by: LaFleur) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

3. High Tide Partners, LLC – 8 Ackermuck Way – Lot 1 (41-618) SE48-3372

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Draft Order of Conditions

Staff Added Condition 24 requiring keeping native species trees of greater than 4dba within the buffer.

Discussion (8:03) **Engelbourg** – We talked about a condition requiring maintenance of larger trees.

Motion **Motion to Approve as amended.** (made by: Topham) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

4. 16 Western Preservation Trust, LLC – 16 Western Avenue (87-72) SE48-3371

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Draft Order of Conditions

Staff None

Discussion (8:05) **Engelbourg** – Noted an error in the footer.

Motion **Motion to Approve as amended.** (made by: Topham) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

5. Nantucket Memorial Airport – 96 & 98 Washington Street (55.1.4-9.2) SE48-3373

Sitting Erisman, LaFleur, Topham, Engelbourg, Phillips, Beale

Documentation Draft Order of Conditions

Staff Will add Condition 19 requiring removal of all piles.

Discussion (8:06) **Erisman** – Asked if we need a condition requiring all piles be removed.

Motion **Motion to Approve as amended.** (made by: Engelbourg) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

E. Other Business

- 1. Approval of Minutes 12/17/2020:

Motion **Motion to Issue as drafted.** (made by: Topham) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

- 2. Reports:
 - a. NP&EDC, Phillips
- 3. Monitoring Report:
 - a. 5 Laurretta Lane SE48-3184
- 4. Enforcement Updates:
 - a. We are continuing to send out tickets.
 - b. 287/289 Hummock Pond Road, Toscana was hired to clean up the site; concrete is gone.
 - c. 4 Grove Lane, sewer pipes in the wetland will be cleaned up.
 - d. 117 Baxter Road, they picked up and signed for their citations.
- 5. Commissioners Comment
 - a. **Erisman** – the property south of Holly Wood Farm looks to be doing illegal work.
Carlson – That’s part of Holly Wood Farm; he’s sent the 2 or 3 citations with no response. He has to figure out how to step up enforcement.
 - b. **Erisman** – The Beach Path from the parking lot at Surfside, people have expanded that walkway to about 2 car widths with side paths.
Carlson – He’ll check with Sheila Lucey and Rob McNeil about putting in fencing to delineate lines of travel.
 - c. **Topham** – Congratulations to Mr. and Mrs. LaFleur.
- 6. Administrator/Staff Reports
 - a. Still working on back-up dates for SBPF annual review.
 - b. The on-going struggle with properties south of the geo-tubes and getting those back in compliance will be put back on the agenda.
 - c. Working at regulatory updates; plans to have that to commissioners by the end of next week.

F. Adjournment

Motion **Motion to Adjourn at 8:29 p.m.** (made by: Topham) (seconded)

Roll-call Vote Carried 6-0//Beale, Engelbourg, Erisman, LaFleur, Phillips, and Topham-aye

Submitted by:
Terry L. Norton