

MAIN OFFICE:

49 Herring Pond Road
Buzzards Bay, MA 02532
TEL: (508) 833-0070
FAX: (508) 833-2282



NANTUCKET OFFICE:

19 Old South Road
Nantucket, MA 02554
TEL: (508) 325-0044
www.brackeneng.com

September 14, 2021

Hand Delivery and Electronically

Nantucket Conservation Commission
Attn: Jeff Carlson, Agent
131 Pleasant Street
Nantucket, MA 02554-4001

**Re: Certificate of Compliance Request
41B Cliff Road
Map 29, Parcel 40
SE48-1370**

Dear Commission Members:

On behalf of the new owner 41B Cliff Road, LLC, enclosed with this letter is the WPA Form 8A, recorded OOC pages and a check for \$25.00 for the Bylaw filing fee.

The Order of Conditions was issued on 7/20/2000 *for the construction and maintenance of a residential structure, demolition of a structure and portions of a second structure and vegetative management within 25' and on a coastal bank. Work proposed on the existing dwelling and portions of the proposed addition fall within 25' and 50' of the coastal bank and within the coastal bank and therefore waivers are required.*

To the best of our knowledge, the proposed project was never started. If you have any further questions, please do not hesitate to contact me at 508-325-0044 or don@brackeneng.com.

Sincerely,

Bracken Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Donald F. Bracken, Jr.', written in a cursive style.

Donald F. Bracken, Jr., P.E
President

Enclosures



WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:(current Title holder):

41B Cliff Road, LLC

Name

P.O. Box 15709

Mailing Address

Springfield

City/Town

MA

State

01115

Zip Code

AGENT – 508-325-0044

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Kenneth W. Douglas & James Hunter Barker

Applicant

7/20/2000

Dated

SE48-1370

DEP File Number

3. The project site is located at:

41B Cliff Road

Street Address

29

Assessors Map/Plat Number

Nantucket

City/Town

40

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for : (name on Order)

Kenneth W. Douglas & James Hunter Barker

Property Owner (if different)

Nantucket

County

675

Book

131

Page

Certificate (if registered land)

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



Commonwealth of
Massachusetts

DEP File No. SE48-1370

(To be provided by DEP)

City/Town Nantucket

Applicant Douglas/Barker

Order of Conditions

issued under the
Massachusetts Wetlands Protection Act (G.L. c.131, Sec. 40)
and the
Nantucket Wetlands Bylaw (Chapter 136)

FROM THE NANTUCKET CONSERVATION COMMISSION

Kenneth W. Douglas

To James Hunt Barker
(Name of Applicant)

Same as Applicant
(Name of property owner)

Address P.O. Box 186
Nantucket, RI 02862

Address _____

This Order is issued as follows:

- by hand delivery to applicant or representative on 7/24/00 (date)
- by certified mail, return receipt requested on _____ (date)

This project is located at 418 Cliff Road 29 40
(Address) (Assessor's Map #) (Parcel #)

The property is recorded at the Registry of Deeds of Nantucket County
Book 130 Page 384

Certificate (if registered) _____

The Notice of Intent for this project was filed on June 9, 2000 (date)

The public hearing was closed on July 6, 2000 (date)

Findings

The Nantucket Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act and/or the Bylaw (checked as appropriate):

- | | | |
|--|---|--|
| <input type="checkbox"/> Public water supply | <input checked="" type="checkbox"/> Flood control | <input type="checkbox"/> Land containing shellfish |
| <input type="checkbox"/> Private water supply | <input checked="" type="checkbox"/> Storm damage protection | <input type="checkbox"/> Fisheries |
| <input type="checkbox"/> Ground water supply | <input type="checkbox"/> Prevention of pollution | <input checked="" type="checkbox"/> Protection of wildlife habitat (Act) |
| <input checked="" type="checkbox"/> Erosion control (Bylaw) | <input type="checkbox"/> Recreation (Bylaw) | <input checked="" type="checkbox"/> Wildlife (Bylaw) |
| <input checked="" type="checkbox"/> Wetland scenic views (Bylaw) | | |

Total Filing Fee Submitted \$250.00 State Share \$112.50

City/Town Share \$137.50 (1/2 fee in excess of \$25)

Total Refund Due \$ _____ City/Town Portion \$ _____ State Portion \$ _____
(1/2 total) (1/2 total)

FINDINGS and ADDITIONAL CONDITIONS

Kenneth Douglas & James Hunt Barker

DEP FILE NUMBER SE48-1370

ASSESSOR'S MAP 29, PARCEL 40

41B Cliff Road

UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

(MGL CHAPTER 131, SECTION 40)

AND THE WETLANDS BYLAW OF THE TOWN OF NANTUCKET

(CHAPTER 136)

FINDINGS

1. Applicant's Name Kenneth Douglas & James Barker DEP File Number SE48-1370.
2. This Order of Conditions is being issued based upon strict accordance with the information submitted in the Notice of Intent dated 6/9/2000 and the Plan of Record dated as revised 6/30/2000 and signed by Charles W. Hart. Also considered was other pertinent supplemental information including but not limited to:
DEP Wetlands Delineation Forms
Letter from David Haines dated 6/30/2000
3. Areas subject to protection/regulation is coastal bank and its buffer zone.
4. This Order is in accordance with a vote by the Nantucket Conservation Commission to close the public hearing on 7/6/2000 and a vote to issue Orders taken by the Commission on 7/20/2000.
5. This Order permits the construction and maintenance of a residential structure, demolition of a structure and portions of a second structure and vegetative management within 25' and on a coastal bank. Work proposed on the existing dwelling and portions of the proposed addition fall within 25' and 50' of the coastal bank and within the coastal bank and therefore waivers are required.
6. The Commission finds that the work proposed within the 25' and 50' buffer to the Coastal bank and within the face of the coastal bank will serve to improve the natural capacity of the resource area by enhancing wildlife habitat by removing invasive species (Japanese knotweed) and performing supplemental vegetative management.
7. The Commission also finds that the work proposed within the 25' & 50' buffer to a coastal bank and within the face of the coastal bank will not have any adverse effects upon any of the Interests Protected by the Bylaw or any of the Interests Protected by the Massachusetts Wetlands Protection Act.

In addition to the above referenced GENERAL CONDITIONS the Commission has found it necessary to include the following Special Conditions pursuant to MGLCh131s40 and the Town of Nantucket Wetlands Protection Bylaw, Chapter 136. The above listed General Conditions and Findings are automatically part of this Order of Conditions.