

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

November 3, 2021

Hand Delivery and Electronically

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

**Re: Certificate of Compliance Request
39 - 41 Starbuck Road
Map 60, Parcel 35, Map 59.3, Parcel 47, 48
SE48-2304**

Dear Commission Members:

On behalf of the Owner, Madaket Realty, Inc. c/o Tristrans Management, 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 4/30/2010 *for the repair/upgrade of an onsite sewage disposal system within the buffer zone to a coastal bank and vegetated wetland. Waivers were not required for this project.*

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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE48-2304
 Provided by DEP

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):

<u>Madaket Realty, Inc.</u>		
Name		
<u>c/o Tristrams Management Co., 2 Sanford Road, Unit #5</u>		
Mailing Address		
<u>Nantucket</u>	<u>MA</u>	<u>02554</u>
City/Town	State	Zip Code
<u>AGENT – 508-325-0044</u>		
Phone Number		

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

<u>Madaket Realty, Inc.</u>	
Applicant	
<u>4/30/2010</u>	<u>SE48-2304</u>
Dated	DEP File Number

3. The project site is located at:

<u>39-41 Starbuck Road</u>	<u>Nantucket</u>
Street Address	City/Town
<u>59.3 & 60</u>	<u>47, 48 & 35</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

<u>Madaket Realty Inc. & Madaket Conservation Land Trust</u>		
Property Owner (if different)		
<u>Nantucket</u>		
County	Book	Page
<u>9935 Doc #135228 (41 Starbuck Road (59.3-48))</u>		
Certificate (if registered land)		
<u>10897 Doc #135228 (39 Starbuck Road (60-35)-& Starbuck Road (59.3-47))</u>		
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>).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Madaket Realty Trust
SE48-2304
MassDEP File Number

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and
The Town of Nantucket Wetlands Protection Bylaw Chapter 136

Nantucket
City/Town

A. General Information

1. From: Nantucket
Conservation Commission

2. This issuance is for (check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

a. First Name Madaket Realty Trust b. Last Name _____
c. Organization Madaket Realty Trust
d. Mailing Address 35 Main Street
e. City/Town Nantucket f. State MA g. Zip Code 02554

4. Property Owner (if different from applicant):

a. First Name Madaket Realty, Inc (59.3-48) and Madaket Conservation Land Trust (59.3-47 & 60-35) b. Last Name _____
c. Organization Madaket Realty, Inc (59.3-48) and Madaket Conservation Land Trust (59.3-47 & 60-35)
d. Mailing Address 35 Main Street and 173 Nobscot Road
e. City/Town Nantucket / Sudbury f. State MA g. Zip Code 02554 / 01776

5. Project Location:

a. Street Address 39 & 41 Starbuck Road b. City/Town Nantucket
c. Assessors Map/Plat Number 59.3 and 60 d. Parcel/Lot Number 47, 48 and 35

Latitude and Longitude, if known: e. Latitude _____ f. Longitude _____

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

a. County Nantucket b. Certificate Number (if registered land) 9935 (Parcel 48) & 10,897 (Parcel 47 & 35)
c. Book _____ d. Page _____

7. Dates: a. Date Notice of Intent Filed April 8, 2010 b. Date Public Hearing Closed April 28, 2010 c. Date of Issuance April 30, 2010

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

a. Plan Title Site Plan & Subsurface sewage disposal system in Nantucket (Set)
b. Prepared By Bracken Engineering, Inc c. Signed and Stamped by Donald F. Bracken Jr.
d. Final Revision Date April 7, 2010 e. Scale _____

f. Additional Plan or Document Title _____ g. Date _____



2011 00135228
Cert: 9935 Doc: OOC
Registered: 11/21/2011 09:21 AM

FINDINGS and ADDITIONAL CONDITIONS
 Madaket Realty Inc.
 DEP FILE NUMBER SE48-2304
 ASSESSOR'S MAPS 59.3 & 60, PARCELS 47, 48 & 35
 39 & 41 Starbuck Road
 UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
 (MGL CHAPTER 131, SECTION 40)
 AND THE WETLANDS BYLAW OF THE TOWN OF NANTUCKET
 (CHAPTER 136)

This Order of Conditions permits the repair/upgrade of an onsite sewage disposal system within the buffer zone to a coastal bank and vegetated wetland. No waivers are required for the work permitted by this Order (septic leaching facilities in excess of 100').

FINDINGS

1. Applicant's Name Madaket Realty Inc. DEP File Number SE48-2304.
2. This Order of Conditions is being issued based upon strict accordance with the information submitted in the Notice of Intent dated 4/6/2010 with attachments and the Plan Set (Sheets 1 & 2) of Record dated 4/7/2010 stamped by John Farren and Donald Bracken, Jr.
3. Areas subject to protection/regulation are coastal bank, vegetated wetland and their buffer zones.
4. This Order is in accordance with a vote by the Nantucket Conservation Commission to close the public hearing on 4/28/10 and a vote to issue Orders taken by the Commission on 4/28/10.
5. This Order permits the repair/upgrade of an onsite sewage disposal system within the buffer zone to a coastal bank and vegetated wetland.
6. No waivers are required for the work permitted by this Order of Conditions.

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

ADDITIONAL CONDITIONS

18. All disturbed lawn areas shall be underlain by a minimum of 6" of organic topsoil and planted within 30 days of project completion.
19. Pressure testing of septic force main shall be required annually with reports submitted to the Commission office prior to June 1st of the calendar year.