



## **SITE DESIGN ENGINEERING, LLC.**

11 Cushman Street, Middleboro, MA 02346  
P: 508-967-0673 F: 508-967-0674

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November 3, 2021

SDE No. 17114

Jeff Carlson  
Natural Resources Coordinator  
131 Pleasant Street  
Nantucket, MA 02554

**Subject: Request for Minor Modification**  
**DEP File No.: SE48-3020**  
**99 Low Beach Road (Formerly Fisher Lane), Nantucket, MA**  
**Portions of Assessors Map 75 Parcel 32.1**

Dear Mr. Carlson:

The purpose of this letter is to request a minor modification for the previously approved project on the above referenced property (Subject Property).

### ***Approval History***

The Subject Property was previously undeveloped. An approval to construct a primary residence, secondary dwelling, pool, patios, retaining wall, and associated landscaping and grading were issued under Order of Conditions (OOC) SE48-3020 (Issued November 1, 2017). The OOC had an original expiration date of November 1, 2020. A 3-year extension was issued on October 2, 2020. The OOC is currently valid with an expiration date of November 1, 2023. The extent of all wetland resource areas and associated buffer zones were delineated as part of the original OOC.

### ***Proposed Minor Modifications***

SE48-3020 authorized the construction of a single-family residence (SFR), pool, pool cabana, patios, decks, pool house, pervious driveway, detached garage, and associated landscaping/grading. Portions of the detached garage, pervious driveway, and associated landscaping/grading were located within the 100-foot wetland buffer zone. The Applicant is proposing to modify the configuration of the previously approved development. The revised configuration removes the garage and bulk of the driveway from within the 100-foot buffer zone. A small portion of a proposed tennis court and solar array will be located within the 100-foot buffer zone on the upland side of the driveway. All structural components will be located outside of the 50-foot wetland buffer zone. The proposed modification reduced the overall amount of structure and driveway within the 100-foot buffer zone and will result in an overall net improvement compared to the original Approval.

The proposed Minor Modification relocates the majority of structures a greater distance away from the wetland resource area and reduces overall structural footprint within the buffer zone. The proposed Minor Modification does not require any new or additional waivers and will not result in any significant new or additional adverse impacts to the wetland resource area or associated buffer

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zones. Therefore, the Applicant respectfully requests that the Commission grant approval for this minor modification as proposed.

If you have any questions, please feel free to contact me via email at [mrirts@sde-ldec.com](mailto:mrirts@sde-ldec.com) or at 508-802-5832.

Respectfully,  
Site Design Engineering, LLC.



Mark Rits  
Project Manager/Permitting Specialist

Attached:  
Proposed Conditions Site Plan Rev. October 27, 2021  
Nantucket Bylaw Filing Fee Check  
Recorded OOC Cover Pages  
Extension Cover Page

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NO.	DATE	DESCRIPTION	APPROVED
1	OCTOBER 27, 2021	PLAN REVISIONS	

DATE: OCTOBER 27, 2021  
 PROJECT LOCATION: 99 LOW BEACH ROAD, NANTUCKET, MA 02546  
 PROJECT NO.: 17114  
 DESIGNED FOR: PERMITTING

SEPTIC SYSTEM PLAN  
 99 LOW BEACH ROAD  
 ASSESSOR'S MAP 75, PARCEL 32.1  
 NANTUCKET, MA  
 PREPARED FOR NANTUCKET OAKS LLC

DRAWING TITLE: **SITE PLAN**  
 SCALE: **1" = 30'**  
 SHEET NO: **1 OF 1**

**ZONING REQUIREMENTS**

THE SITE IS LIMITED USE 3 (LUS3)

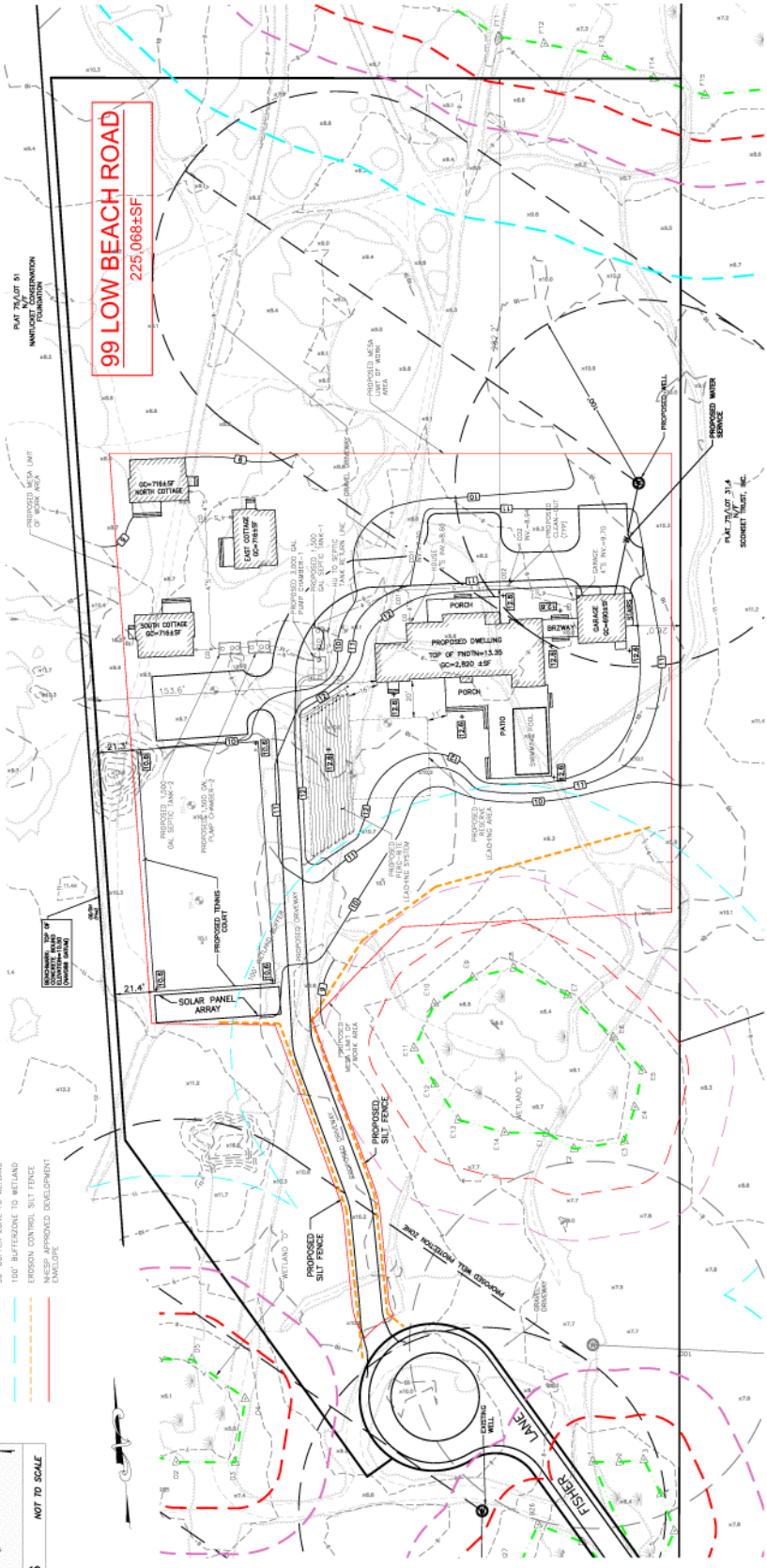
REQUIRED	PROPOSED
LOT AREA	1,200 SF
LOT FRONTAGE	80.0 FT
LOT DEPTH	150.0 FT
LOT FRONTAGE ON GULCH/DE-SAC	150.0 FT
MINIMUM YARD SETBACK	25.0 FT
REAR YARD SETBACK	25.0 FT
SIDE YARD SETBACK	20.0 FT
MAXIMUM COVER (MAX)	35%

**OVERLAY DISTRICT APPLICABILITY**

LOCATED PARTIALLY IN ZONE 1242

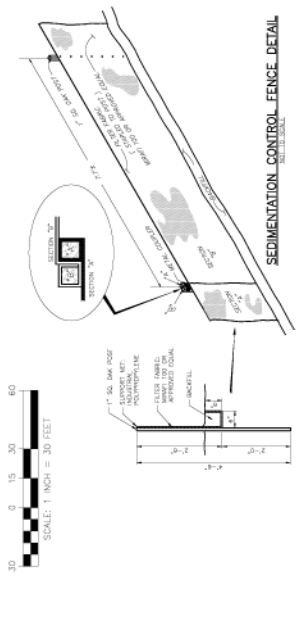
4. LOCATED PARTIALLY IN ZONE

- GENERAL NOTES:**
- EXISTING CONDITIONS SURVEY COMPLETED BY SITE DESIGN ENGINEERING, LLC.
  - THE SITE IS NOT LOCATED WITHIN A FEMA FLOOD ZONE A OR VELOCITY ZONE. HOWEVER, THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS FOR THIS PROPERTY ARE MAP NUMBER 20180101760 B.
  - THE SITE IS LOCATED WITHIN NESP PRIORITY AND ESTIMATED HAZARD AREAS.
  - WETLAND BUFFER AREAS, SHOWN HEREIN WERE APPROVED BY THE NANTUCKET CONSERVATION COMMISSION.



**SOIL DATA**

SEE PLAN SHEETS 6, 7 AND 8 FOR TEST PITS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.





2017 00156766  
Cert: 26201 Doc: OOC  
Registered: 11/17/2017 01:22 PM



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:  
SE48-3020  
MassDEP File #  
eDEP Transaction #  
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 Adam b. Last Name Ross – Resident Agent  
c. Organization Net Zero LLC  
d. Mailing Address 50 Okorwaw Avenue  
e. City/Town Nantucket f. State MA g. Zip Code 02554

4. Property Owner (if different from applicant):  
a. First Name Same as applicant b. Last Name \_\_\_\_\_  
c. Organization \_\_\_\_\_  
d. Mailing Address \_\_\_\_\_  
e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_

5. Project Location:  
a. Street Address Lot 2 Fisher Lane (formerly 101 Low Beach Road) b. City/Town Nantucket  
c. Assessors Map/Plat Number 75 d. Parcel/Lot Number 32  
Latitude and Longitude, if known: 41.24999 69.98479  
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

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

Provided by MassDEP:

SE48-3020

MassDEP File #

eDEP Transaction #

Nantucket

City/Town

**A. General Information (cont.)**

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

Nantucket

26201

a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates:

10/13/17

11/1/2017

11/1/2017

a. Date Notice of Intent Filed

b. Date Public Hearing Closed

c. Date of Issuance

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

Site Plan (2 Sheets)

a. Plan Title

Site Design Engineering, LLC

Daniel C. Mulloy, P.E.

b. Prepared By

c. Signed and Stamped by

10/12/17

1"=30'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a.  Public Water Supply    b.  Land Containing Shellfish    c.  Prevention of Pollution  
d.  Private Water Supply    e.  Fisheries    f.  Protection of Wildlife Habitat  
g.  Groundwater Supply    h.  Storm Damage Prevention    i.  Flood Control  
j.  Wetland Scenic Views (bylaw)    k.  Recreation (Bylaw)

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved subject to:**

- a.  the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

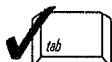


**WPA Form 7 – Extension Permit for Orders of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

SE48-3020  
Provided by DEP

**A. General Information**

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



1. Applicant:  
Net Zero, LLC., Adam Ross – Resident Agent  
 Name  
50 Okorwaw Avenue  
 Mailing Address  
Nantucket MA 02554  
 City/Town State Zip Code

2. Property Owner (if different):  
Same As Applicant  
 Name  
 Mailing Address  
 City/Town State Zip Code

**B. Authorization**

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

11/01/2017 Issued by: Nantucket  
 Date Conservation Commission  
 for work at: Lot 2 Fisher Lane(Formerly 101 Low Beach 75 32.1 (formerly 32)  
 Rd) Street Address Assessor's Map/Plat Number Parcel/Lot Number

recorded at the Registry of Deeds for:

Nantucket  
 County Book Page  
26201  
 Certificate (if registered land)

is hereby extended until: 11/01/2023 N/A  
 Date Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<http://www.mass.gov/dep/about/region/findyour.htm>)

Signatures: 10/02/2020  
 Date  
Ashley H Seth Engelbourg  
Julie Goldberg Maureen Phillips  
Darrel LaPlante CM Barb  
[Signature]

See Vote Recorded in Book 1743 Page 48 Doc #COV