

36 Liberty Street
Nantucket, MA 02554

August 2, 2022

Nantucket Conservation Commission
131 Pleasant Street
Nantucket, MA 02554

Attn: Jeff Carlson, Natural Resources Director
Ashley Erisman, Chair
Members of the Commission

Re: Request for Extension, Order of Conditions SE48-3206

Dear Ashley, Jeff, and Members of the Commission,

With this letter which is supplemented by an email of the same, I am requesting an extension to my Order of Conditions SE48-3206 at 36 Liberty Street. The approved work has not been completed at this time.

Please let me know if there is any additional information that you may need to support my request.

Sincerely,

Marsha

Marsha L. Fader
36 Liberty Street



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
**WPA Form 7 – Request for Extension Permit for
 Orders of Conditions**

DEP File Number:
 SE48-3206
 Provided by DEP

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

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.



- Applicant:

Marsha L. Fader
 Name

36 Liberty Street
 Mailing Address

Nantucket MA 02554
 City/Town State Zip Code
- Property Owner (if different):

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:

09/11/2019 Issued by: Nantucket
 Date Conservation Commission

for work at: 36 Liberty Street 42.3.4 83
 Street Address Assessor's Map/Plate Parcel/Lot Number

recorded at the Registry of Deeds for:

Nantucket
 County Book Page

20407
 Certificate (if registered land)

is hereby extended until: 09/11/2025
 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.



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:
SE48-3206
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:

Marsha Fadar
a. First Name b. Last Name

c. Organization

36 Liberty Street

d. Mailing Address

Nantucket MA 02554
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Same as Applicant
a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

36 Liberty Street Nantucket
a. Street Address b. City/Town

42.3.4 83
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 41.28323N 70.10457W
d. Latitude e. Longitude

FINDINGS and ADDITIONAL CONDITIONS

Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40)

Town of Nantucket Wetlands Bylaw (Chapter 136)

Address: 36 Liberty Street
Assessor's Map and Parcel: 42.3.4-83
Property Owner: Marsha Fader
Applicant: Marsha Fader
DEP File Number: SE48-3206
Filing Date: June 6, 2019
Date Hearing Closed: August 28, 2019
Date Orders Issued: September 11, 2019
Plan of Record Information: Site Plan of Land, dated May 24, 2019 and stamped by Jeffrey L. Blackwell, P.L.S.
Master Plan of Land, dated May 28, 2019 and prepared by M.Fader

Permit Overview:

This order permits the maintenance of existing landscape features, the reconfiguration of driveways, installation of fencing, construction of a barn addition and vegetation management within vegetated wetland and its associated buffer zones. Waivers are required for this project.

Additional Findings:

1. The area falls outside mapped habitat areas and does not require NHESP review.
2. The Commission finds that the pond feature is man-made prior to the enactment of the regulations.

In addition to the General Conditions contained elsewhere in this document, the Commission includes the following Special Conditions pursuant to MGLCh131s40 and the Town of Nantucket Wetlands Protection Bylaw, Chapter 136:

18. All work shall be performed in accordance with the Site and Work Description contained within the Notice of Intent and plan notes set out on the plan of record, provided project narratives, waiver requests and protocols.
19. Any fertilizer, pesticide or herbicide used on the locus shall be documented in a yearly report accompanied by the appropriate license holder information.
20. No fertilizer, is permitted within the 25' buffer zone or resource area.
21. All irrigation used in establishing vegetation shall be temporary and removed upon the establishment of vegetation.
22. All debris within the resource areas and buffer zones may be removed by hand.
23. Any invasive species found within the restoration shall be treated promptly and shall require a treatment protocol being filed and approved by Commission staff.
24. The applicant shall schedule a site inspection at the beginning and end of each growing season with Commission staff for the life of the permit.
25. The applicant shall provide yearly photographs of the site for the Commission to review demonstrating the condition of the site at the beginning and end of the growing season.

26. Commission staff shall be notified of any maintenance work to be done within the man-made pond at least 72 hours to work beginning and shall be subject to inspection by Commission staff.
27. Any water removed/drained from the pond shall be done to an area outside of Commission jurisdiction.
28. Any temporary structure shall not have flooring and shall not be within the resource or compacting the buffer zone in any way.
29. All species within the fifty foot setback shall be native species with no cultivars.

WAIVERS UNDER THE NANTUCKET WETLANDS BYLAW/REGULATIONS

Waivers are required to Section 3.02 (B)(1) that proposed projects that are not water dependent shall maintain at least a 25-foot natural undisturbed area adjacent to vegetated wetlands and all structures which are not water dependent shall be at least 50 feet from a vegetated wetland and maintain an undisturbed two-foot separation to high groundwater. The Commission finds that given the current resource area delineations, current and historic site conditions that the project as proposed will not have an adverse impact and that there are no reasonable alternatives that allow the project to proceed. Therefore the Commission grants a waiver under Section 1.03(F)(3)(a) of the Town of Nantucket Wetland Protection Regulations.