

Robert A. and Barbara Medaugh

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8 Crow's Nest Way  
Nantucket, MA 02554  
Medaugh\_1@msn.com

September 10, 2023

Jeff Carlson  
Conservation Commission  
Town of Nantucket  
131 Pleasant Street  
Nantucket, MA 02554

Re: DEP File #SE48-3484  
14 Plover Lane. Nantucket, MA  
Map 12, Parcel 53

Dear Mr. Carlson:

My wife and I are owners of 8 Crow's Nest Way – directly across Plover Lane from the property under discussion. The middle portion of the property is a compact wetland area, and because it is the lowest ground in the area, receives significant runoff from Plover Lane during heavy rainstorms.

This was not always the case. The original house was built in the 1930's by my wife's aunt, Helen Backus Shaw. We acquired the property in May, 1974. At that time, the house was located on the northern part of the property. As the Crow's Nest area was built up, we were subjected to yard flooding due to runoff from neighboring houses and the developed dirt roads. Eventually, it became impossible to maintain the house. In 1997, we had to demolish the house and rebuild it at the southern end of the property, where the ground is higher. Runoff from Plover Lane now results in silt-filled water on our wetlands and during heavy storms surrounding and occasionally spilling into our fish pond.

While the unimproved lot at 14 Plover Lane absorbed some of the rainwater, the house will cause displacement and extra water can be expected to run from the roof onto Plover Lane and the wetlands on our side, and the Wauwinet Road wetlands at the back of the property. Any extra hardscaping will make the situation worse and will adversely affect both wetland areas. We hope the applicant will install cisterns or other methods of stormwater management rather than a pool and hardscape.

Our wetland is under an Order of Conditions (signed by the Conservation Commission 8/29/96 and updated 1/16/97) to help protect the wetlands and wildlife. Our fish pond (adapted from the original 1930's pond) is home to frogs, fish, dragonflies and is visited occasionally by mallards, egrets and other water seeking animals. We believe it is the only open, healthy source of fresh water in the area.

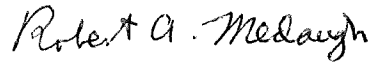
Tupelos, clethra, willow trees, swamp maple, mallows, sweet ferns, sedge and other moisture-absorbing vegetation and the area provides habitat for various wildlife.

Our Order of Conditions requires that "Exterior lighting on the wetland side of the dwelling be directed downward and not shine into the wetland." It also forbids fertilizers and pesticides to be used within the wetlands area.

Sensitivity to the wetlands and the wildlife they support is essential to keeping the unique character of Nantucket in general, and Wauwinet specifically.

We ask that the Conservation Commissioners involved in this decision please help us to maintain the integrity of the wetlands.

Respectfully,

A handwritten signature in cursive script that reads "Robert A. Medaugh".

Robert A. Medaugh

ROBERT A. AXELROD  
2610 TILDEN PLACE, NW  
WASHINGTON, DC 20008

Mr. Jeff Carlson  
Natural Resources Director  
Conservation Commission  
Town of Nantucket  
131 Pleasant Street  
Nantucket, MA 02554

Re. DEP File # SE48-3484  
14 Plover Lane  
Map 12, Parcel 53

September 7, 2023

Dear Mr. Carlson,

My wife and I are homeowners at 5 Plover Lane, Nantucket. I am writing to object to the Request to Amend Order of Conditions for the above-referenced property.

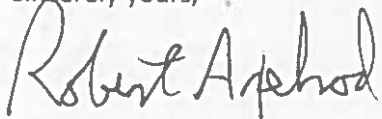
My specific concerns are the increase in the impervious area within the 50-foot wetlands buffer and the inclusion of a swimming pool within said buffer. I believe the extent of the proposed changes is significant enough to call for the issuance of a new Order of Conditions instead of an amendment and request that the Conservation Commission require all construction work within said 50-foot buffer to cease until this matter is finally resolved.

The proposed changes will have an adverse impact on the adjacent wetlands. The swimming pool will diminish the water supply available to the other residences in the community and the physical presence of the pool could affect groundwater flows in the area. Has the Applicant submitted hydrological reports with respect to these matters and, if so, are these reports available for public review?

I note that the original covenant recorded prior to the development of the Plover Lane community specifically prohibited in-ground swimming pools because of these concerns.

Thank you in advance for your consideration of these matters.

Sincerely yours,

A handwritten signature in black ink that reads "Robert Axelrod". The signature is written in a cursive style with a large, prominent "R" at the beginning.

Robert A. Axelrod

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cc. Nantucket Conservation Foundation  
Historic District Commission

To the Conservation Commission —

We are abutting neighbors, at 12 and 16 Plover Lane, for the proposed changes at 14 Plover. We object to the change in plans for 14 Plover that now includes installing a pool along the wetlands edges, moving a generator, AC units, and pool equipment in the 5 foot buffer zones between our properties, and placing a drywell in the same region of the pool and wells for 12 Plover and 14 Plover. We have seen the importance of wetlands and conservation areas for wildlife and vegetation. It is a highly important sanctuary for migrating birds, owls, chimney swifts, bats, reptiles, and mammals, and it is on the migration path for monarch butterflies. Mindful of this, all of the neighbors on Plover Lane, including ourselves — but excluding 14 Plover — have agreed in a set of covenants to not build pools in our yards — this agreement has been in place for decades since Plover Lane was established and was restated in 2020 (when 14 Plover opted out of the agreement). A final version of the set of restrictions is attached to this email — executed versions of this can be provided (but are on record with Nantucket). Please note section 2.04 of the agreement that calls out the pool restrictions on Plover Lane. To our knowledge, from Plover Lane to the North end of Wauwinet Road, we are not aware of any pools that abut these wetlands and conservation areas. There has historically been such meaningful efforts to steward these precious resources, it simply does not make any sense to change course now.

Our groundwater system is fragile. The placement of the pool is within several feet of both of the well systems at 14 Plover and 12 Plover. This project requires major excavation where the wells have been placed. Filling and emptying a pool will unduly tax our groundwater system — and potentially contaminate it. At 12 Plover, we have already observed issues with turbidity of our water and sand gumming up our faucets commencing with the construction of 14 Plover. This local, significant, issue amongst our properties will be further compounded in the future with the approval of the pool — if this pool were to be allowed, then every other builder will wish to put one in Wauwinet alongside the conserved wetlands — magnifying the issue.

In the short term, please reject the changes to the plan. In the longer term, we believe that a full reassessment should be undertaken of the wetlands and setback restrictions given the changing climate issues — including a clear statement to future builders to not place pools directly next to wetlands areas in Wauwinet.

Sincerely,

Richard and Martha Wagner  
12 Plover Lane