

**From:** [Josh Posner](mailto:Josh.Posner)  
**To:** [Steven@Cohenlegal.net](mailto:Steven@Cohenlegal.net)  
**Cc:** [Meridith Moldenhauer](mailto:Meridith.Moldenhauer); [Dwight Dunk](mailto:Dwight.Dunk)  
**Subject:** FW: \*\*IMMEDIATE ACTION REQUESTED PLEASE\*\* Fwd: 97 baxter rd coir installation taken 10-11-23  
**Date:** Thursday, October 12, 2023 11:45:15 AM  
**Attachments:** [Video.mov](#)  
[CONCOM PACKET 5.14.20 OTHER BUSINESS.pdf](#)

---

Begin forwarded message:

**From:** "[danneatherton@comcast.net](mailto:danneatherton@comcast.net)" <[danneatherton@comcast.net](mailto:danneatherton@comcast.net)>  
**Subject:** **\*\*IMMEDIATE ACTION REQUESTED PLEASE\*\* Fwd: 97 baxter rd coir installation taken 10-11-23**  
**Date:** October 12, 2023 at 8:47:07 AM EDT  
**To:** Golding Ian <[almac1@comcast.net](mailto:almac1@comcast.net)>, Seth Engelbourg <[sengelbourg17@yahoo.com](mailto:sengelbourg17@yahoo.com)>, Jeff Carlson <[JCarlson@nantucket-ma.gov](mailto:JCarlson@nantucket-ma.gov)>, Matt Fee <[mfee@nantucket-ma.gov](mailto:mfee@nantucket-ma.gov)>, Libby Gibson <[LGibson@nantucket-ma.gov](mailto:LGibson@nantucket-ma.gov)>  
**Cc:** Vincent Murphy <[vmurphy@nantucket-ma.gov](mailto:vmurphy@nantucket-ma.gov)>, Leah Hill <[lhill@nantucket-ma.gov](mailto:lhill@nantucket-ma.gov)>, Mary Wawro <[marycarita@me.com](mailto:marycarita@me.com)>, Burton Balkind <[Sprucecool@yahoo.com](mailto:Sprucecool@yahoo.com)>, Lisa Graves <[lgraves@nantucket-ma.gov](mailto:lgraves@nantucket-ma.gov)>, "Peter B. Brace" <[coskataheaven@earthlink.net](mailto:coskataheaven@earthlink.net)>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TO: ALL

FROM: D. ANNE/NCC

RE: 79 BAXTER ROAD

**IMMEDIATE ACTION REQUESTED PLEASE**

The drone photos taken by Spruce below vividly illustrate how the coir installation on the public beach below 79 Baxter Road has become out of control. The right of the public to walk on its own beach is now impeded, as is clearly evident. The beach is littered with debris.

We have brought this matter to the attention of the Commission time and time again, the most recent being a video sent to us (in June of this year) by a concerned member of the public who witnessed what looked like work being performed below the HWM. (See attached video, especially at about the 1:31 mark.)

Based on the documents attached (we believe these are the extant permits and licenses), this project is un-permitted and unlicensed, and, in fact, may have been so since 2010. We aren't sure. [The orders and licenses begin on page 26 of the attached packet, along with a letter from then SBPF attorney Bill Hunter. The packet attached was submitted to the Commission back in May of 2020 when the Commission was addressing the issue of possible contaminated sediment being used on the project.]

We respectfully request that this matter be addressed as expeditiously as possible. This unique stretch of Nantucket shoreline should be a spectacular, pristine, geologically significant coastal environment to be used and enjoyed by residents and visitors alike. This is not how islanders care for our beaches, especially public ones like this, a legacy to the inhabitants of Nantucket from the Proprietors.

**At the least, we ask that these comments and photos please be read into the record during the Public Comment portion of the meeting this evening (October 12).**

We stand by to assist in any way we can.

Thank you. (And, as always, we are grateful to Spruce for his vigilance and stewardship on behalf of Nantucket's beaches.)

D. Anne Atherton/NCC

PS Jeff and Lisa: We would appreciate receiving an acknowledgement that this message and attachments have been received. Thank you.

COPY FYI:

Matt Fee, SB  
Libby Gibson, TM  
Vince Murphy and Leah Hill  
Peter Brace, Chair, CRAC  
Burton Balkind and Mary Wawro, NCC

ATTACHMENTS (2)

---

This email was scanned by Bitdefender

Begin forwarded message:

**From:** burton balkind <[sprucecool@yahoo.com](mailto:sprucecool@yahoo.com)>  
**Subject:** 97 baxter rd coir installation taken 10-11-23  
**Date:** October 11, 2023 at 6:19:32 PM EDT  
**To:** Vincent Town Birds <[vmurphy@nantucket-ma.gov](mailto:vmurphy@nantucket-ma.gov)>, Leah Hill <[lhill@nantucket-ma.gov](mailto:lhill@nantucket-ma.gov)>, Jeff Carlson <[jcarlson@nantucket-ma.gov](mailto:jcarlson@nantucket-ma.gov)>, Ian Golding <[almac1@comcast.net](mailto:almac1@comcast.net)>  
**Cc:** "D. Anne R. Atherton" <[danneatherton@comcast.net](mailto:danneatherton@comcast.net)>, Rick Atherton <[rickatherton@comcast.net](mailto:rickatherton@comcast.net)>, Mary Wawro <[marycarita@me.com](mailto:marycarita@me.com)>  
**Reply-To:** burton balkind <[sprucecool@yahoo.com](mailto:sprucecool@yahoo.com)>

Drone photography of the Coir installation in front of 97 Baxter rd. Note, the machinery on the beach, did the contractor contact the NRD, as they are supposed to do, before work was begun. Also Note there is no boundary markers so how would the contractor know where the area they are not supposed to go into?

Lastly, there is a lot of debris in the rack and surf line is there being any effort to clean up the front of the installation?

thank you  
burton balkind

one more note i am looking forward to the meeting where we will finally find out if  
there is even a valid permit for this project





**NANTUCKET  
COASTAL  
CONSERVANCY**

to preserve and protect  
nantucket's natural beaches

[www.savenantucketbeaches.org](http://www.savenantucketbeaches.org)

[info@savenantucketbeaches.org](mailto:info@savenantucketbeaches.org)

PO Box 2050 | Nantucket, MA | 02584

D. Anne Atherton, Administrative Coordinator