



CONSERVATION COMMISSION

PUBLIC MEETING

131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Thursday, August 25, 2022 – 5:00 p.m.

This meeting was held via remote participation using ZOOM and YouTube.

Commissioners: Ashley Erisman (Chair), Ian Golding (Vice Chair), Seth Engelbourg, Mark Beale, Linda Williams, Mike Misurelli, and Joe Plandowski

Called to order at 5:00 p.m. by Ms. Erisman

Staff in attendance: Jeff Carlson, Natural Resources Director; Terry Norton, Town Minutes Taker

Attending Members: Erisman, Golding, Engelbourg, Beale, Williams, and Plandowski

Absent Members: Misurelli

Late Arrivals: None

Earlier Departure: Williams, 5:56 pm

*Matter has not been heard

I. PUBLIC MEETING

A. Announcements

B. Public Comment –

1. R.J. Turcotte, Nantucket Land Council – At the one meeting in person he brought in a letter about the storm water drains being properly maintained in the Stop & Shop parking lot downtown. Great Harbor & Nantucket Yacht Clubs are having trouble finding someone to maintain their stormwater structures. Asked that stormwater structures be put on a ConCom agenda for action.

Carlson – Have an on-site visit with S&S scheduled for next week. We’ve heard similar concerns from other organizations regarding finding someone to maintain stormwater structures.

II. PUBLIC HEARING

A. Notice of Intent

1. Brant Point Club LLC – 6, 8 North Beach Street/4 Dolphin Court (42.1.4-65;65.1;65.2) SE48-3518 (**Cont. 9/8**)
2. *Town of Nantucket – 98, 100 & 104 Washington Street (55.1.4-9.2, 9.1 & 104) SE48-_____

Sitting Erisman, Golding, Engelbourg, Beale, Williams, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Thais Fournier, Water Resource Specialist

Public None

Discussion (5:04) **Fornier** – Explained this is for maintenance of the area to take care of invasive species.

Engelbourg – This is on recreation interests; people store small boats and asked if they would be notified about the work.

Fornier – We can do that as well as put up signs.

Golding – Asked about the use of the chemical treatment; it was vague in the packet. Asked if it would be appropriate to ask them to monitor use.

Staff recomm. We can condition a requirement for a physical notice one week in advance. We can also use the Town website. We can require monitoring of chemical use.

Need the Department of Environmental Protection (DEP) number. Asked if he should put together a positive order and leave it open for the number.

Motion Continued to Sept. 8.

Roll-call vote N/A

3. 13 Commercial Street LLC – 13 Commercial Wharf (42.2.4-10) SE48-3563

Sitting Erisman, Golding, Engelbourg, Beale, Williams, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Paul Santos, Nantucket Surveyors

Ann Desruijsseaux, owner

Public R.J. Turcotte, Nantucket Land Council

Discussion (5:11) **Santos** – This NOI is for raising an existing, construct an addition, and relocate the driveway. This submission removes the proposed addition; it will be to raise it to be flood-code compliant and construction stairs for access at the new height. The expansion of the 2nd floor is within existing footprint.

Williams – Asked if they are still planning to expand the 2nd floor (yes).

Plandowski – He walked by this building; he was surprised by the amount of traffic on Commercial Street and there’s not a lot space between the structure and the street. He thought Historic District Commission (HDC) approved this; asked if they have to revisit this (yes).

Engelbourg – He thinks this is an improvement, but he’s concerned about the northerly stairs, which is still new construction within the 50’ no-build. That concerns him.

Golding – He agrees.

Desruisseaux – We followed ConCom guidance to make this minimal, but HDC really wanted this to have a front door. We had proposed adding an enclosed area to the structure; this is now just a staircase.

Santos – This is one of the first to come before ConCom that isn't in the AE zone but within the velocity zone. The building is on pilings, and we are raising it the minimum required; it needs to have 2 access points. To comply, we have to do the stairs as shown on the plans.

Williams – She's having trouble with resistance to this on the wharf side. She'd prefer the building be raised out of the flood plain; you still need to get into the house. They have no other alternative.

Erisman – We are struggling with the fact that the new stairs do count as new construction within the no-build zone. Maybe there's a way to mitigate on site.

Beale – Several of us expressed cooperation in expanding the eastern staircase as needed. Looking at the photo from Commercial Street, 2 cars are already nearly in the street.

Santos – Part of the application is to move the driveway. If this were new construction, it could be designed to incorporate the stairs into the footprint; this is an existing building on a pile foundation with an existing footprint. We have to have 2 access points per the fire code and building code. Feels the Commission will have to be flexible on the no-build zone in similar cases of existing structures within the 50' setback. He feels this won't set a precedent other than the Commission supporting Coastal Resiliency.

Golding – We are all sympathetic, but he doesn't understand the current access is from the northwest corner and why it can't be modified to take raising of the structure into account. He thinks this would be considered precedent.

Engelbourg – It is actually the velocity zone itself causing pause here. Velocity is different because its an area of the flood zone that gets wave action. There are also issues with regulations for land subject to coastal storm flowage.

Williams – She's not about to suggest someone rip a house apart to put the stairs within the body of the house. Feels that would be destructive to a historic structure. That they are coming up to get out of danger should be the focus.

Plandowski – He agrees with Ms. Williams on this.

Engelbourg – He's not asking them to rip apart the structure; they are proposing to enclose an open porch in an area where it could be open stairs.

Turcotte – He's not certain if a waiver has been applied for; this is where a waiver could be granted because there is no reasonable alternative for other than enclosing the porch.

Desruisseaux – There is not enough space to expand the stairs within the structure because it would require moving supporting, exterior wall. The house next to us is moving and the lot becoming a park; so the driveway is moving to the other side.

Santos – He thinks in this case, he doesn't see that this proposal would have an adverse impact. Asked for a 2-week continuance.

Staff recomm. None

Motion Continued to Sept. 8.

Roll-call vote N/A

4. The Sachem Trust – 8 Sachem Road (30-239) SE48-3561

Sitting Erisman, Golding, Engelbourg, Beale, Williams, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Brian Madden, LEC Environmental

Public None

Discussion (5:43) **Madden** – Regarding the driveway modification, we have revised the driveway layout to meet the 50% performance standard. Proposing to revegetate areas currently occupied by lawn and the current driveway.

Staff recomm. Have everything needed to close.

Motion **Motion to Close.** (made by: Beale) (seconded)

Roll-call vote Carried 6-0// Beale, Engelbourg, Erisman, Golding, Plandowski, and Williams-aye

5. *Murphy/Foudyler – 9 Massachusetts Avenue (60-83) SE8-3568

Sitting Erisman, Golding, Engelbourg, Beale, Williams, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative David M. Haines, Haines Hydrogeologic Consulting

Public None

Discussion (5:46) **Haines** – This is for a boardwalk across the saltmarsh to the beach; it's considered a water-dependent use. We will have to continue to hear from Massachusetts Natural Heritage (MNH). The boardwalk is 3'wide and 2' high. Massachusetts Department of Marine Fisheries (MDMF) suggested raising the boardwalk up to 54", 1.5X the width. Will be on helical piers. At 54" it would have to have railings. Marine Fisheries cited the possibility of horseshoe crabs laying eggs so required a time frame for the work to be done. Will use Fibergrate.

Golding – We had to reexamine this with the other boardwalk. He's dead set against there being a railing. Show him the science about the horseshoe crabs.

Engelbourg – We talked about this extensively for 10 Massachusetts Avenue. It would be detrimental to wetland scenic views and passage of birds. The reason for Fibergrate was to allow for greater light penetration.

Haines – He will follow up with marine Fisheries regarding efficacy of Fibergrate; he didn't see any reference to that. Asked for a 2-week continuance.

Staff recomm. None

Motion Continued to Sept. 8.

Roll-call vote N/A

6. *88 Pocomo, LLC – 88 Pocomo Road (15-33 & 42) SE48-3569

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Mark Rits, Site Design Engineering

Public None

Discussion (5:56) **Rits** – This is for a redesigned residential project; reviewed the new proposal. Current proposal is top of foundation at 42' rather than 44'.

Erisman – The stairs to the beach, asked if they are previously approved.

Rits – Those have a Cert of Compliance.

Staff recomm. Have everything needed to close.

Motion **Motion to Close.** (made by: Golding) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

7. *41 Hulbert, LLC – 41 Hulbert Avenue (29-18) SE48-3565

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Paul Santos, Nantucket Surveyors

Public None

Discussion (6:00) **Santos** – This to elevate the existing structure with associated landscaping; this is within land subject to coastal storm flowage. We are in the AE Zone and will raise the 1st floor to elevation 10. The expansions occur outside the 50' no-build.

Engelbourg – Asked if there are ways to not use concrete on the expanded access.

Santos – These are wooden open stairs with posts in the ground.

Golding – Confirmed this will be open tread and no risers.

Staff recomm. Have everything needed to close.

Motion **Motion to Close.** (made by: Beale) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

8. *Stark Point, LLC – 16 Easton Street (42.1.4-11) SE48-_____

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Paul Santos, Nantucket Surveyors

Lisa Botticelli, Botticelli & Pohl

Public None

Discussion (6:05) **Santos** – This is residential redevelopment: demolish 2 existing dwellings and construct a 2 new dwelling and garage. Work is within land subject to coastal storm flowage and coastal bank. This is within AE flood zone with the 1st floor at elevation 8.3. No proposed fill, concrete foundations with flood openings, subsurface drainage, and temporary connection to Town stormwater. There will be erosion control along the 25' buffer. Town water and sewer will be expanded for the new construction. There will be a small, enclosed, waterproof vault area on an interior sub-floor below the 1st floor for utilities. Rest of the house will have requisite number of engineered flood vents to include garage areas. Will be compliant to building and FEMA codes.

Engelbourg – Overall it looks good, but the waterproof vault would redirect flood waters back into the structure and reduce the ability for floodwaters to move naturally.

Erisman – She had similar concerns.

Beale – It looks like there are 3 dwelling proposed. Asked how they prepare the ground under the structures.

Santos – It's 2 dwellings and the garage. The foundations will be concrete: excavate the property, lay a stone bed within groundwater area, the place the footings above groundwater. He would take the area of the vault and add additional flood vents in the vault and on the foundation.

Erisman – Asked if the utilities will need to meet flood compliance.

Botticelli – We create a vault area at grade with mechanicals within; the foundation would e above the flood zone.

Golding – The plans state the garage is a garage/guesthouse. Doesn't follow the logic for adding flood vents for the vault.

Botticelli – The smaller structure is a 1-story gym.

Engelbourg – Asked if there is a way to engineer the flood vents to direct the water into a specific direction.

Santos – Where you put the flood vents is where water enters/exists. He's looking to ensure there are the correct number of flood vents.

Erisman – She's still concerned about the subsurface vault.

Santos – Suggested they could take the vault off the table for this and come back with a minor modification and sufficient mitigation.

Botticelli – It would be a good idea to continue for 2 weeks to look at the vault.

	Beale – He’s reluctant about the vault; suggested they be prepared to look at putting the utilities elsewhere. Confirmed a similar vault was made about 10 years ago.
	Golding – He would prefer utilities be raised above the flood zone.
Staff recomm.	He’s okay with removing the vault and coming back with an amended order.
Motion	Continued to Sept. 8
Roll-call vote	N/A
	9. *Steven L. Cohen, Trustee – 6 & 11 East Hallowell Lane (30- 17 & 98) SE48-3571
Sitting	Erisman, Golding, Engelbourg, Beale, and Plandowski
Documentation	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Representative	Mark Rits, Site Design Engineering
Public	None
Discussion (6:29)	Rits – This is for groin repair; it’s the eastern most groin in this area. Mean high water is very close to the end of the groin. Will replace damaged piles and boards; there is no expansion or change. This dates back to the 1950s-1960s with a well-developed beach in front and to the sides. Engel – Appreciates the provided alternative analysis; however, some points made aren’t very accurate. The beach has built up to the level the groin is pretty-much buried. This is an ideal location for a pilot project where a living shoreline replaces the groin. Rits – At this site, the beach is 100’ plus, a partially vegetated coastal dune, and a partially vegetated coastal bank; that’s all because of the groin field. Repairing this groin will not cause any negative impact and it’s a grandfathered structure that can be maintained by right. We received MDMF letters that suggest a time-of-year restriction for horseshoe crab nesting. Engelbourg – A saltmarsh would be much more resilient, and the beach would continue to accrete. Asked at what point we can have 3 rd -party review of the alternative analysis. He believes the requirements to consider environmental structures breaks the veil of grandfathering. Erisman – She thinks requesting a 3 rd -party review is a reasonable request. She does think this does qualify under grandfathering. Rits – We are waiting for MNH so will continue for 2 weeks. We can provide narrative on access. Beale – Supports getting a 3 rd -party review of options.
Staff recomm.	Any application can undergo 3 rd -party review. We need to also figure out where the construction access for this work will be.
Motion	Continued to Sept. 8
Roll-call vote	N/A
	10. *Sunset House, LLC – 15 Hallowell Lane (30-10) SE48-3570
Sitting	Erisman, Golding, Engelbourg, Beale, and Plandowski
Documentation	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Representative	Mark Rits, Site Design Engineering
Public	None
Discussion (6:42)	Rits – There are 2 components: repair and in-kind replacement of the western-most groin and replace the bulkhead. Mean-high water is considerably out; there is no limitation to access within the intertidal zone. Golding – Asked the date of the high-tide lines on the drawings. Asked for photos looking down the groins. Rits – The on-the-ground survey was 2-3 months ago and confirmed the beach elevations are similar. Can add a date on the plan revisions. We are also waiting for MNH on this. Erisman – She saw how low the bulkhead was; she sees this situation as possibly having a softer solution. Hopes they are willing to look into that. Rits – The applicant feels strongly about their right to repair/replace in-kind of a grandfathered structure. Golding – The Chapter 91 license was for a timber bulkhead alone; asked if the steel sheeting would require revisiting the licenses. He understands Mass Waterways has had a revision of their policies. Engel – Given the gentle slope of the bank and the wide beach, he thinks there are several reasonable alternatives that would be more environmentally friendly and would like a 3 rd -party reviewer to look at them. Again, he feels ConCom regulations pierce the veil of grandfathering. Rits – He overlooked that this bulkhead is outside Chapter 91 jurisdiction and was at the time of construction because of where the mean high water is. The groins do.
Staff recomm.	None
Motion	Continued to Sept. 8
Roll-call vote	N/A
	11. *Shenandoah Trust – 40 Easton Street (42.1.4-20) SE48-3567
Sitting	Erisman, Golding, Engelbourg, Beale, and Plandowski
Documentation	Site and topographical plans, photos, requisite departmental reports, and correspondence.
Representative	Art Gasbarro, Nantucket Engineering & Survey
Public	None

Discussion (6:56) **Gasbarro** – This is for residential redevelopment: lift and renovate portions of the existing structure within land subject to coastal storm flowage and 100’ buffer of a coastal bank and coastal beach and a vegetated wetland. There is no work within 50’ of the wetland. Reviewed the scope of work. The landscape plan has not been developed but native species will be used. There are no proposed grade changes; existing timber walls around the drive will be replaced with stone at the same height.

Engelbourg – He’s concerned about the proposed subsurface propane tanks within land subject to coastal storm flowage; Performance Standard indicated subsurface should be outside the 100’ buffer. Asked if putting the tanks could be put within a structure.

Gasbarro - There is no reasonable alternative. Above-ground tanks would have to be designed to withstand storm damage. He doesn’t think building code would allow tanks being within a structure.

Staff recomm. Have everything needed to close.

Motion **Motion to Close.** (made by: Plandowski) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

12. *Massachusetts Steamship Authority – 1 Steamboat Wharf (42-4.2.14) SE48-3564

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Documentation Site and topographical plans, photos, requisite departmental reports, and correspondence.

Representative Stephen Lecco, GZA

Public None

Discussion (7:06) **Lecco** – This is to dredge to -15 below water the berthing area, which hasn’t been dredge since 1986. It would result in 3,300 cy of sediment. The sediment is suitable for upland disposal. Explained the work with dewatering on the pier; the dried material would be suitable for construction. Not within MNH endangered species are. Won’t be impacting an adjacent eel grass bed and will install turbidity curtains around the entire area.

Golding – Asked to hear more about the chemical testing and if it would be suitable for beach nourishment.

Lecco – We’d have to do more studies regarding beach nourishment compatibility. From a chemical standpoint, it could be used for nourishment as long as it’s compatible in grain size.

Erisman – Doesn’t think we can condition its use beyond storage. If an applicant came forward to use it for nourishment, they would have to do the compatibility testing. It sounds like they are selling it to Toscana.

Engelbourg – He had the same comment. He urges them to consider a high-level use such as beach nourishment.

Beale – Thinks we’re outside the scope of the application in discussing the end use.

Staff recomm. He could make a note that the material go into the sand bank.

Have everything needed to close.

Motion **Motion to Close.** (made by: Beale) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

B. Amended Order of Conditions

1. Philips, Trustee – 19 East Tristram Ave (31-4.1) SE48-3304 (Cont. 9/8)

III. PUBLIC MEETING

C. Requests for Determination of Applicability

1. None

D. Minor Modifications

1. Old North Wharf Cooperative- 29B & 29C Old North Wharf (42.3.1-225.1, 225.2) SE48-3453

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Representative Art Gasbarro, Nantucket Engineering & Survey

Staff recomm. Recommend issue as a minor modification.

Discussion (7:20) **Gasbarro** – This is the dredging project approved about 1 year ago. We’ve obtained the water quality cert as well as Chapter 91 permit. Over the past year, the scope of the project has been reduced; this reflects that change down to 1,400 cy.

Motion **Motion to Issue.** (made by: Engelbourg) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

E. Certificates of Compliance

1. Galihier- 34 Washing Pond Road (31-13.3) SE48-3439

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Representative Art Gasbarro, Nantucket Engineering & Survey

Staff recomm. Agree with Mr. Gasbarro

Discussion (7:23) **Gasbarro** – This was a net-benefit project and completed in compliance

Motion **Motion to Issue.** (made by: Engelbourg) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

2. Galihier- 34 Washing Pond Road (31-13.3) SE48-3250

Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski

Representative Art Gasbarro, Nantucket Engineering & Survey

Staff recomm. It is in compliance.

Discussion (7:25) **Gasbarro** – for replacement of beach stairs and planting of a substantial beachgrass buffer.

Motion **Motion to Issue.** (made by: Engelbourg) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

- 3. D & B Realty Trust- 11A Meadow Lane (41-448.1) SE48-3299
 - Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski
 - Representative Paul Santos, Nantucket Surveyors
 - Staff recomm. Constructed in compliance. Recommend issuing with on-going conditions 19, 20, 21, & 22 relating to management of the pool.
 - Discussion (7:26) None
 - Motion **Motion to Issue.** (made by: Engelbourg) (seconded)
 - Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

F. Orders of Condition

- 1. The Sachem Trust – 8 Sachem Road (30-239) SE48-3561
 - Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski
 - Documentation Draft Order of Conditions
 - Staff If they have to remove invasive species within the buffer, they would be in violation of this Order of Conditions; it's a grey area.
 - Discussion (7:27) **Erisman** – Would like to memorialize that they have met and cannot exceed the 50%.
Golding – Condition 25, straw doesn't waddle.
 - Motion **Motion to Approve as amended.** (made by: Golding) (seconded)
 - Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye
- 2. 88 Pocomo, LLC – 88 Pocomo Road (15-33 & 42) SE48-3569
 - Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski
 - Documentation Draft Order of Conditions
 - Staff Finding 2 addresses future Erosion Control Structure.
 - Discussion (7:31) None
 - Motion **Motion to Issue as drafted.** (made by: Engelbourg) (seconded)
 - Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye
- 3. 41 Hulbert, LLC – 41 Hulbert Avenue (29-18) SE48-3565
 - Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski
 - Documentation Draft Order of Conditions
 - Staff Normal conditions. He will add Condition 20 prohibiting impervious landings.
 - Discussion (7:33) **Engelbourg** – Thought we were going to require no impervious landings for the stairs.
 - Motion **Motion to Issue as amended.** (made by: Engelbourg) (seconded)
 - Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye
- 4. Shenandoah Trust – 40 Easton Street (42.1.4-20) SE48-3567
 - Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski
 - Documentation Draft Order of Conditions
 - Staff No conditions outside the waivers though Mr. Engel asked to add the propane tanks to the waiver and can add Condition 20 that underground tanks are limited to propane.
Read the reworded waiver under no adverse impact/no reasonable alternative.
 - Discussion (7:36) **Engelbourg** – Appreciates those changes. We should update the language regarding fuel tanks in the regulations.
Golding – “Dependent” is spelled wrong.
 - Motion **Motion to Issue as amended.** (made by: Engelbourg) (seconded)
 - Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye
- 5. Massachusetts Steamship Authority – 1 Steamboat Wharf (42-4.2.14) SE48-3564
 - Sitting Erisman, Golding, Engelbourg, Beale, and Plandowski
 - Documentation Draft Order of Conditions
 - Staff Matches the modification for Old North Wharf. He'll reach out to encourage testing for higher use of the sand, but we can't require it to be used in a specific manner.
 - Discussion (7:50) **Golding** – Condition 22 says all material will be tested for contamination before reuse.
Engelbourg – The footer has the wrong file number and applicant.
 - Motion **Motion to Issue as amended.** (made by: Golding) (seconded)
 - Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

G. EXTENSION REQUEST

- 1. None

H. Other Business

- 1. Approval of Minutes 08/11/2022:
 - Motion **Motion to Approve as drafted.** (made by: Beale) (seconded)
 - Roll-call vote Carried 4-0// Beale, Erisman, Golding, and Plandowski-aye; Engelbourg abstain
- 2. Supplemental Letter – Pocomo Realty Trust
 - Erisman** – Haven't heard from Counsel so will be continued to September 8.
- 3. Discussion of Regulatory Update
 - Erisman** – Need to set a final date. Reminded Commissioners to tell Mr. Carlson when they aren't available.
- 4. Enforcement Action/Potential Enforcement Action
 - a. None

5. Reports:
 - a. CRAC, Golding
 - b. CPC, Beale
 - c. NP&EDC, Engelbourg
6. Commissioners Comment
 - a. **Engelbourg** – He’s still waiting for a report on Sacacha Pond regarding the species identification. There’s still technical question if the project has wrong species and what was applied for; he doesn’t think it will be in compliance when they come in for the certificate.
Carlson – The benthic barriers have all be removed.
 - b. **Engelbourg** – He’s completed is MACC Fundamental training. Urges other commissioners to look into those resources.
7. Administrator/Staff Reports
 - a. MACC sent us a letter, which we forwarded to the Inquirer & Mirror, about Mr. Engelbourg completing the course. It takes effort to do the training and they are worthwhile. Let us know which class you want to do, and staff will sign your up. The Town will play for them.

I. Adjournment

Motion **Motion to Adjourn at 7:59 pm.** (made by: Beale) (seconded)

Roll-call vote Carried 5-0// Beale, Engelbourg, Erisman, Golding, and Plandowski-aye

Submitted by:
Terry L. Norton