



August 23, 2021

Town of Chilmark
Conservation Commission
P.O. Box 119
Chilmark, MA 02535

Re: Lenom House, LLC #138 State Road, Chilmark Assessor Parcel 33-16
VLS&E Job No. 797-7

Dear Board Members,

Enclosed please find a Notice of Intent to construct and maintain a detached bedroom, install a septic system tie-in, utilities and associated landscaping on the above referenced property. A portion of the proposed work is within the 100' buffer zone to the flood zone (local bylaw only).

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Reid G. Silva'.

Reid G. Silva, PE PLS
Professional Engineer
Professional Land Surveyor

Plans & Materials List

Lenom House, LLC
#138 State Road, Chilmark
Assessor Parcel 33-16

- a. Notice of Intent Application
- b. Abutter Notification dated August 24, 2021
- c. Abutter Report
- d. Chilmark Assessor Map
- e. GIS Locus Map
- f. FEMA Map
- g. Site Plan in Chilmark, Mass.
Prepared for Lenom House, LLC
By Vineyard Land Surveying & Engineering, Inc.
Dated: July 29, 2021 Scale 1 inch = 30 feet



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Town of Chilmark Wetlands By-Law Only

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Chilmark

City/Town

A. General Information (continued)

6. General Project Description:

To construct and maintain a detached bedroom, install a septic system tie-in, utilities and associated landscaping.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

<u>Dukes</u>	
a. County	b. Certificate # (if registered land)
<u>1544</u>	<u>445</u>
c. Book	d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
 Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4. Restoration/Enhancement
 If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

_____	_____
a. square feet of BVW	b. square feet of Salt Marsh

5. Project Involves Stream Crossings

_____	_____
a. number of new stream crossings	b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- 1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

August 1, 2021
 b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review*

- 1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage
- 2. Assessor's Map or right-of-way plan of site

- 2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
 Southeast Marine Fisheries Station
 Attn: Environmental Reviewer
 836 South Rodney French Blvd.
 New Bedford, MA 02744
 Email: DMF.EnvReview-South@state.ma.us

Division of Marine Fisheries -
 North Shore Office
 Attn: Environmental Reviewer
 30 Emerson Avenue
 Gloucester, MA 01930
 Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



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Online Users:
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C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
-
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
 b. No. Check why the project is exempt:
 1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.
 - Site Plan of Land in Chilmark, Mass. Prepared for Lenom House, LLC
 - a. Plan Title
 - Vineyard Land Surveying & Engineering, Inc. Reid G. Silva
 - c. Signed and Stamped by
 - July 29, 2021 1"=30'
 - d. Final Revision Date e. Scale
 - Sullivan Associates Architects - Floor Plans and Elevations June 14, 2021
 - f. Additional Plan or Document Title g. Date
- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

E. Fees

- 1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
Vineyard Land Surveying & Engineering, Inc.	
6. Payor name on check: First Name	7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date

Kevin White (Agent) August 23, 2021

For Conservation Commission:
 Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
 One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:
 If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

August 24, 2021

Dear Abutter:

Massachusetts General Laws Chapter 131 Section 40 requires any person filing a Notice of Intent with a conservation commission give notification to abutters.

As such an abutter please note that a Notice of Intent has been filed with the Chilmark Conservation Commission on behalf of Lenom House, LLC to construct and maintain a detached bedroom, install a septic system tie-in and associated landscaping. A portion of the proposed work is located within the buffer zone to a flood zone (Chilmark Wetland Bylaw only). The project site is located at #138 State Road, Chilmark Assessor Parcel 33-16.

Copies of this Notice of Intent are on file with the Chilmark Conservation Commission at the Town Hall. For more information or to examine copies contact the Conservation Commission at the Town Hall (508)-645-2114 or this office.

At least 5 days before the public hearing, a legal notice will be published in a local paper.

Sincerely,



Reid G. Silva, PE/PLS
Professional Engineer
Professional Land Surveyor



300 foot Abutters List Report

Chilmark, MA
August 12, 2021

Subject Property:

Parcel Number: 033-016-00
CAMA Number: 033-016-00
Property Address: 138 STATE RD

Mailing Address: LENOM HOUSE LLC
20A ADRIAN ST
SOMERVILLE, MA 02143

Abutters:

Parcel Number: 032-041-00
CAMA Number: 032-041-00
Property Address: 11 HILL LAND

Mailing Address: MANN ELAINE F TRUSTEE ;THE
STONEWALL NOMINEE TRUST
C/O:SHARI LEVITAN/HOLLAND&KNIG 10
ST JAMES AVE
BOSTON, MA 02116

Parcel Number: 033-011-00
CAMA Number: 033-011-00
Property Address: 124 STATE RD

Mailing Address: LEVITAN SHARI TRUSTEE ;124 STATE
RD NOM TRUST
C/O: HOLLAND & KNIGHT 10 ST. JAMES
AVE. 11TH FL.
BOSTON, MA 02116

Parcel Number: 033-015-00
CAMA Number: 033-015-00
Property Address: 127 STATE RD

Mailing Address: KEGAN ROBERT G & BARBARA H WOLF

71 LARCH RD
CAMBRIDGE, MA 02138

Parcel Number: 033-017-00
CAMA Number: 033-017-00
Property Address: 140 STATE RD

Mailing Address: LIEBEL GENE R
17 BERGEN ST. #3
BROOKLYN, NY 11201

Parcel Number: 033-018-00
CAMA Number: 033-018-00
Property Address: 142 STATE RD

Mailing Address: WHEELER AUGUSTE R, ELGA R,
EDWARD ET AL
104 LOMITA DR
MILL VALLEY, CA 94941

Parcel Number: 033-019-00
CAMA Number: 033-019-00
Property Address: 6 ELIOT AVE

Mailing Address: STOEBER ELIZABETH,MARGARET DES
C/O: ELIZABETH STOEBER 42957
CHANCERY TER
ASHBURN, VA 20148

Parcel Number: 033-020-00
CAMA Number: 033-020-00
Property Address: 6 ELIOT AVE

Mailing Address: STOEBER ELIZABETH,MARGARET DES
C/O: ELIZABETH STOEBER 42957
CHANCERY TER
ASHBURN, VA 20148

Parcel Number: 033-021-00
CAMA Number: 033-021-00
Property Address: 3 ELIOT AVE

Mailing Address: CHIPPARI VINCENT A & DENEEN M
2 INDIAN ROCK LN
HINGHAM, MA 02043

Parcel Number: 033-058-00
CAMA Number: 033-058-00
Property Address: 0 MAYHEWS ISLAND

Mailing Address: FRANK ANDREW J & GEORGE W III
TRSTEES ;FRANK MV 2011 TRUST
C/O: ANDREW J FRANK 49 MIDDLE ST
HINGHAM, MA 02043



www.cai-tech.com

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300 foot Abutters List Report

Chilmark, MA
August 12, 2021

Parcel Number: 033-059-00
CAMA Number: 033-059-00
Property Address: 0 STATE RD/LANDING QUITSA

Mailing Address: CHILMARK TOWN OF
PO Box 119
CHILMARK, MA 02535

Parcel Number: 033-060-00
CAMA Number: 033-060-00
Property Address: 131 STATE RD

Mailing Address: MILLER EDWARD F & MONINA VON
OPEL
PO BOX 721
CHILMARK, MA 02535

Parcel Number: 033-061-00
CAMA Number: 033-061-00
Property Address: 0 STATE RD/ACCESS QUITSA

Mailing Address: PERSONS KATIE E TRUSTEE
WILLIAM EB VINCENT IRREV TR 2284
PREISMAN DR
NISKAYUNA, NY 12309

Parcel Number: 033-062-00
CAMA Number: 033-062-00
Property Address: 135 STATE RD

Mailing Address: HURLEY DONALD JR & STEPHEN N
C/O: COURTNEY H PIERSON 5
LAKEVIEW DR
HANOVER, NH 03755

Parcel Number: 033-063-00
CAMA Number: 033-063-00
Property Address: 145 STATE RD

Mailing Address: FRANK ANDREW J & GEORGE W III
TRSTEES ;FRANK MV 2011 TRUST
C/O: ANDREW J FRANK 49 MIDDLE ST
HINGHAM, MA 02043

Parcel Number: 033-126-00
CAMA Number: 033-126-00
Property Address: 0 STATE RD

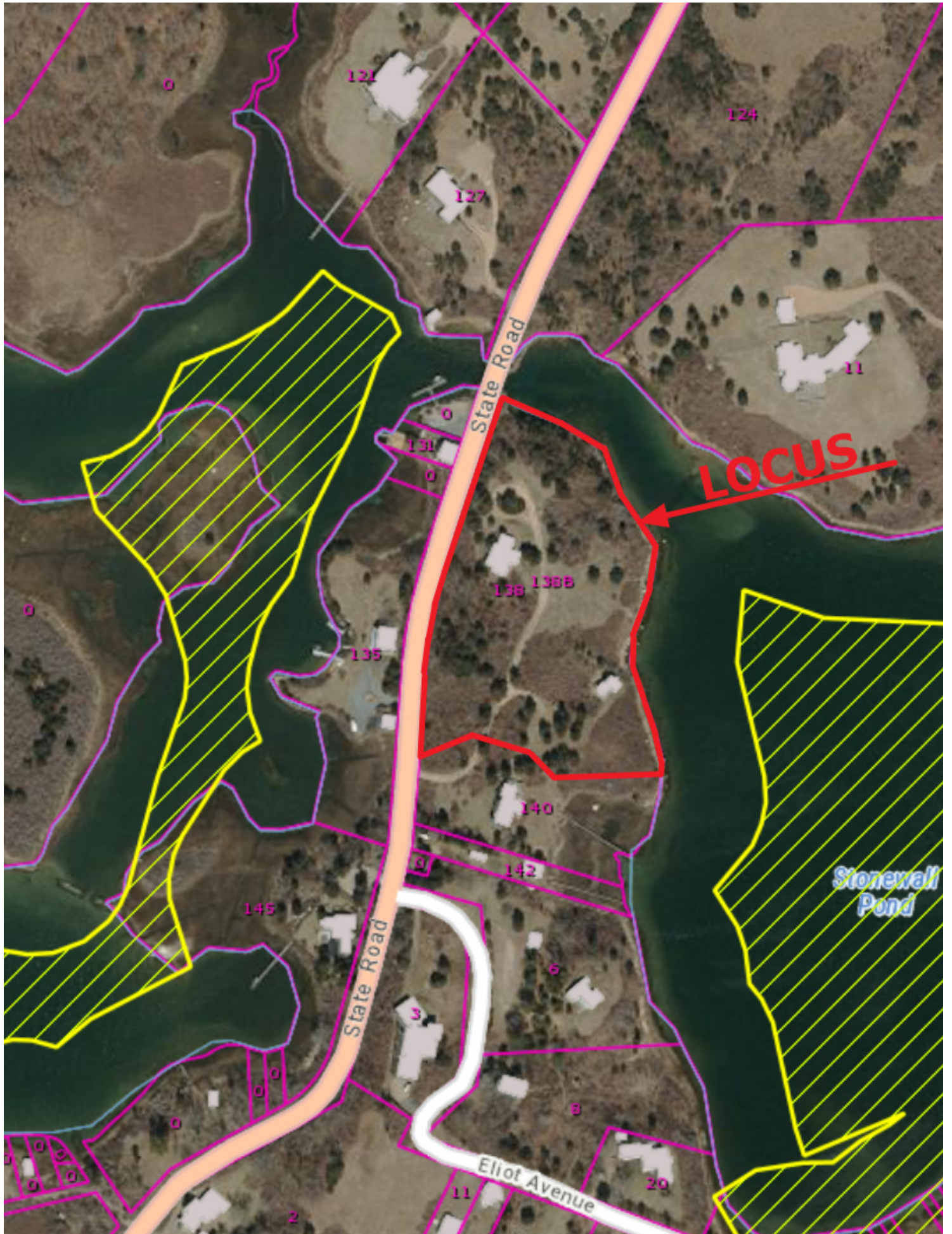
Mailing Address: CHILMARK TOWN OF/POUND
PO BOX 119
CHILMARK, MA 02535



www.cai-tech.com

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