



June 7, 2022

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

Department of Environmental Protection  
Southeast Region  
20 Riverside Drive  
Lakeville, MA 02347

Re: Eddy / Vineyard Open Land Foundation – Eddy Farm Road, Chilmark Assessor Parcel 25-7-15  
VLS&E Job No. 106

Dear Commissioners and D.E.P.,

Enclosed please find a Notice of Intent to mow, trim and prune vegetation to maintain vehicle and utility access within the buffer zone to a bordering vegetated wetland on the above referenced property.

If you need any additional information or have questions please contact our office.

Sincerely,

A handwritten signature in blue ink, reading 'Reid G. Silva'.

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

**Plans & Materials List**

William Eddy  
Vineyard Open Land Foundation  
Eddy Farm Road, Chilmark  
Assessor Parcel 25-7-15

- a. Notice of Intent Application
- b. Letter of Agency
- c. Project Description
- d. Abutter Notification dated June 7, 2022
- e. Abutter Report
- f. Chilmark Assessor Map
- g. Photographs
- h. NHESP Map
- i. USGS Topographic Quadrangle
- j. Underground Primary Cable Sketch
- k. Site Plan in Chilmark, Mass.  
Prepared for William Eddy  
By Vineyard Land Surveying & Engineering, Inc.  
Dated: May 12, 2022 Scale 1 inch = 20 feet



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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MassDEP File Number

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Document Transaction Number

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Chilmark

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City/Town

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
 And the Town of Chilmark Wetlands Bylaw

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:  
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>Eddy Farm Road</u>	<u>Chilmark</u>	<u>02535</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>25</u>	<u>7-15</u>	<u></u>
f. Assessors Map/Plat Number	g. Parcel /Lot Number	d. Latitude
		e. Longitude

2. Applicant:

<u>William</u>	<u>Eddy</u>	
a. First Name	b. Last Name	
<u>Eddy Farm Road Association</u>		
c. Organization		
<u>c/o Vineyard Land Surveying &amp; Engineering, Inc. P. O. Box 421</u>		
d. Street Address		
<u>West Tisbury</u>	<u>MA</u>	<u>02575</u>
e. City/Town	f. State	g. Zip Code
<u>508-693-3774</u>	<u>reid@vlse.net</u>	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

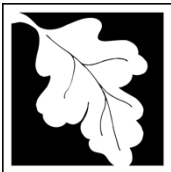
<u></u>	<u></u>	
a. First Name	b. Last Name	
<u>Vineyard Open Land Foundation</u>		
c. Organization		
<u>P. O. Box 4608</u>		
d. Street Address		
<u>Vineyard Haven</u>	<u>MA</u>	<u>02568</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u>pwallis@volfmv.org</u>	
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Reid G.</u>	<u>Silva, PE/PLS</u>	
a. First Name	b. Last Name	
<u>Vineyard Land Surveying &amp; Engineering, Inc.</u>		
c. Company		
<u>P. O. Box 421</u>		
d. Street Address		
<u>West Tisbury</u>	<u>MA</u>	<u>02575</u>
e. City/Town	f. State	g. Zip Code
<u>508-693-3774</u>	<u>reid@vlse.net</u>	
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$110.00</u>	<u>\$42.50</u>	<u>\$67.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
And the Town of Chilmark Wetlands Bylaw

Provided by MassDEP:	
MassDEP File Number	
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Chilmark	
City/Town	

## A. General Information (continued)

6. General Project Description:

Mow, trim and prune vegetation to maintain vehicle and utility access along existing road and utility line and poles.

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

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  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:

Dukes

a. County

1057

c. Book

b. Certificate # (if registered land)

677

d. Page Number

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

- 1.  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.
- 2.  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.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bordering Land Subject to Flooding and Isolated Land Subject to Flooding.

- f. 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

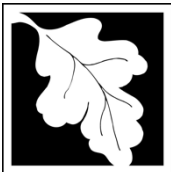
4. Proposed alteration of the Riverfront Area:
a. total square feet b. square feet within 100 ft. c. square feet between 100 ft. and 200 ft.

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. <input type="checkbox"/> 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. <input type="checkbox"/> 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

- 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](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\*

- 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

- 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 <https://www.mass.gov/ma-endangered-species-act-mesa-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 <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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@mass.gov](mailto:dmf.envreview-south@mass.gov)

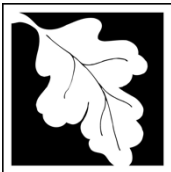
Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

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.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).





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

**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

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- 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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City/Town	

**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 William Eddy

a. Plan Title

Vineyard Land Surveying & Engineering, Inc.

c. Signed and Stamped by

1"=

d. Final Revision Date

e. Scale

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:

148

2. Municipal Check Number

5/25/2022

3. Check date

1587

4. State Check Number

6/7/2022

5. Check date

1. Eddy Farm Road Association (municipal check)

6. Payor name on check: First Name

2. Vineyard Land Surveying & Engineering, Inc. (state check)



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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

*River of Life*

**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:**

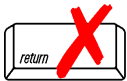
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**A. Applicant Information**

1. Location of Project:

<u>Eddy Farm Road</u>	<u>Chilmark</u>
a. Street Address	b. City/Town
<u>1587</u>	<u>\$42.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>William</u>	<u>Eddy</u>	
a. First Name	b. Last Name	
<u>Eddy Farm Road Association</u>		
c. Organization		
<u>c/o Vineyard Land Surveying &amp; Engineering, Inc. P. O. Box 421</u>		
d. Mailing Address		
<u>West Tisbury</u>	<u>MA</u>	<u>02575</u>
e. City/Town	f. State	g. Zip Code
<u>508-693-3774</u>	<u>reid@vlse.net</u>	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u>Vineyard Open Land Foundation</u>	<u></u>	
a. First Name	b. Last Name	
c. Organization		
<u>P. O. Box 4608</u>		
d. Mailing Address		
<u>Vineyard Haven</u>	<u>MA</u>	<u>02568</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u>pwallis@volfmv.org</u>	
h. Phone Number	i. Fax Number	j. Email Address

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1c. control vegetation	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$110.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filing Fee:			\$67.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Chilmark

City/Town

## 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.

*Michael S. De...*  
1. Signature of Applicant

5/25/22  
2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

### 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.

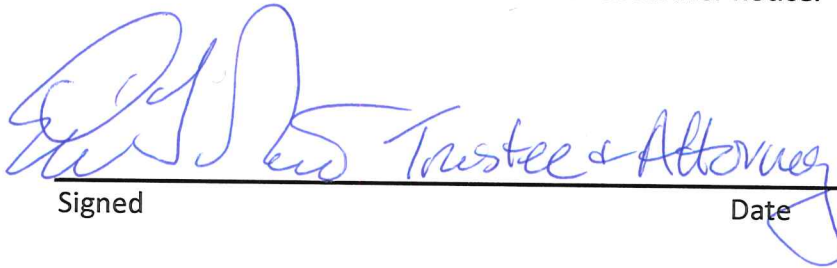
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

LETTER OF AGENCY

Re: Eddy Farm Road, Chilmark Assessor Parcel 25-7-15  
VLS&E Job No. 106

Vineyard Open Land Foundation, a Massachusetts charitable trust, hereby authorizes Vineyard Land Surveying & Engineering, Inc. to act on our behalf and as our Agent in any and all matters and dealings with respect to applications and permitting with the Town of Chilmark Conservation Commission and the Department of Environmental Protections at the above referenced address.

This authorization will remain in effect until further notice.

 Trustee & Attorney 6/7/22

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Signed

Date

Eric L. Peters, Trustee of and Attorney for Vineyard Open Land Foundation

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Printed

53-7292/2113 148

**EDDY FARM ROAD ASSOCIATION**

DATE May 23 / 22  Shield<sup>SM</sup>

PAY TO THE ORDER OF Town of Chatham \$ 67.30

SIXTY SEVEN & 30/100 DOLLARS  Security Features Included. Details on Back.

 **Martha's Vineyard**  
SAVINGS BANK  
Edgartown, MA

MEMO \_\_\_\_\_

[Signature] MP

⑆ 211372925⑆ 45 106242⑆ 0148

1587

**VINEYARD LAND SURVEYING & ENGINEERING INC**  
PO BOX 421  
WEST TISBURY, MA 02575  
(508) 693-3774

**MARTHA'S VINEYARD BANK**  

53-7292/2113 6/7/2022

PAY TO THE ORDER OF Commonwealth of Massachusetts \$ 42.50

Forty Two 50/100 DOLLARS

MEMO 106 Eddy - NOI State Fee

[Signature]  
AUTHORIZED SIGNATURE

⑆001587⑆ ⑆211372925⑆ 45 249570⑆

Security features. Details on back.



## ATTACHMENT TO THE NOTICE OF INTENT

0 EDDY FARM ROAD, CHILMARK

EDDY FARM ROAD IS AN EASEMENT ACROSS TWO TRACTS OF LAND OWNED BY THE VINEYARD OPEN LAND FOUNDATION (VOLF).

THE SOUTHERN PORTION (AERIAL VIEW ENCLOSED) BEGINS AT SOUTH ROAD AND RUNS NORTH AROUND A POND ON A 5 ACRE TRACT OF VOLF LAND.

THE NORTHERN TRACT IS A 4 ACRE PARCEL OF OPEN FIELDS NORTH OF THE BARN LOT, MOWED YEARLY UNDER AN EXISTING AGREEMENT WITH VOLF.

THE EDDY FARM ROAD ASSOCIATION IN AN AGREEMENT WITH VOLF MAINTAINS ON A SEASONAL BASIS:

- (1) THE MOWING OF 4' SWATHS OF GRASS AND BRANCHES ON EITHER SIDE OF THE ROADWAY LOCATED IN THE SOUTHERN AND NORTHERN TRACTS AND THE MAINTENANCE OF EXISTING DRAINAGE RUNS AND CULVERTS.
- (2) THE CLEARING OF BRANCHES THAT GROW INTO THE OVERHEAD UTILITY WIRES LOCATED IN THE SOUTHERN TRACT.
- (3) THE LIMITED CLEARING OF GROWTH AROUND FOUR UTILITY POLES AS SHOWN ON THE SOUTHERN TRACT PLOT PLAN:
  - POLES 1 & 3: CLEARING NOT TO EXCEED A 4' DIAMETER AREA AROUND EACH POLE;
  - POLES 2 & 4: CLEARING AROUND THE POLES AND GUY WIRES (BUT NOT MORE THAN THREE FEET BEYOND THE GUY WIRE STANTIONS).
- (4) THE MOWING OF AN EXISTING BYPASS AREA (8' WIDTH) AS INDICATED ON THE PLOT PLAN.
- (5) THE MOWING OF AN EXISTING 8' PATHWAY THAT RUNS AROUND THE SOUTHERN AND EASTERN BOUNDARIES OF THE POND, UNDER WHICH OR NEXT TO WHICH LIES THE PRIMARY ELECTRIC CABLE.

June 7, 2022

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 William Eddy and Vineyard Open Land Foundation to mow, trim and prune vegetation to maintain vehicle and utility access along an existing road and utility line. The proposed work is located on Eddy Farm Road, Chilmark and portions of which are within a buffer zone to a Bordering Vegetated Wetland.

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

June 03, 2022

## Subject Property:

Parcel Number: 025-007-15  
CAMA Number: 025-007-15  
Property Address: 0 EDDY FARM RD

Mailing Address: VINEYARD OPEN LAND FOUNDATION  
PO BOX 4608  
VINEYARD HAVEN, MA 02568

---

## Abutters:

Parcel Number: 025-001-01  
CAMA Number: 025-001-01  
Property Address: 443 SOUTH RD

Mailing Address: 443 SOUTH RD LLC  
10 LLEWELLYN RD  
SUMMIT, NJ 07901

Parcel Number: 025-001-02  
CAMA Number: 025-001-02  
Property Address: 6 EDDY FARM RD

Mailing Address: SLAVIN PAUL A & SUSAN D WAITZK  
325 WEST END AVE. APT. 1A  
NEW YORK, NY 10023

Parcel Number: 025-007-06  
CAMA Number: 025-007-06  
Property Address: 12 WELLES WAY

Mailing Address: EDDY SUSAN  
PO BOX 331  
CHILMARK, MA 02535

Parcel Number: 025-007-07  
CAMA Number: 025-007-07  
Property Address: 20 EDDY FARM RD

Mailing Address: EDDY WILLIAM, ELIZABETH H, ANNIE P,  
S.TR  
ELIZABETH A EDDY REVOC TRUST PO  
BOX 97  
CHILMARK, MA 02535

Parcel Number: 025-007-16  
CAMA Number: 025-007-16  
Property Address: 0 EDDY FARM RD

Mailing Address: VINEYARD OPEN LAND FOUNDATION  
PO BOX 4608  
VINEYARD HAVEN, MA 02568

Parcel Number: 025-007-17  
CAMA Number: 025-007-17  
Property Address: 0 EDDY FARM RD

Mailing Address: EDDY WILLIAM, ELIZABETH H, ANNIE P,  
S.TR  
ELIZABETH A EDDY REVOC TRUST PO  
BOX 97  
CHILMARK, MA 02535

Parcel Number: 025-020-01  
CAMA Number: 025-020-01  
Property Address: 421 SOUTH RD

Mailing Address: ALLEN-POSIN NATHANIEL & KAILA  
421 SOUTH RD  
CHILMARK, MA 02535

Parcel Number: 029-016-04  
CAMA Number: 029-016-04  
Property Address: 436 SOUTH RD

Mailing Address: ALLEN CLARISSA & MITCHELL POSIN  
TRUSTEES  
ALLEN-POSIN REALTY TRUST 421  
SOUTH RD  
CHILMARK, MA 02535



www.cai-tech.com

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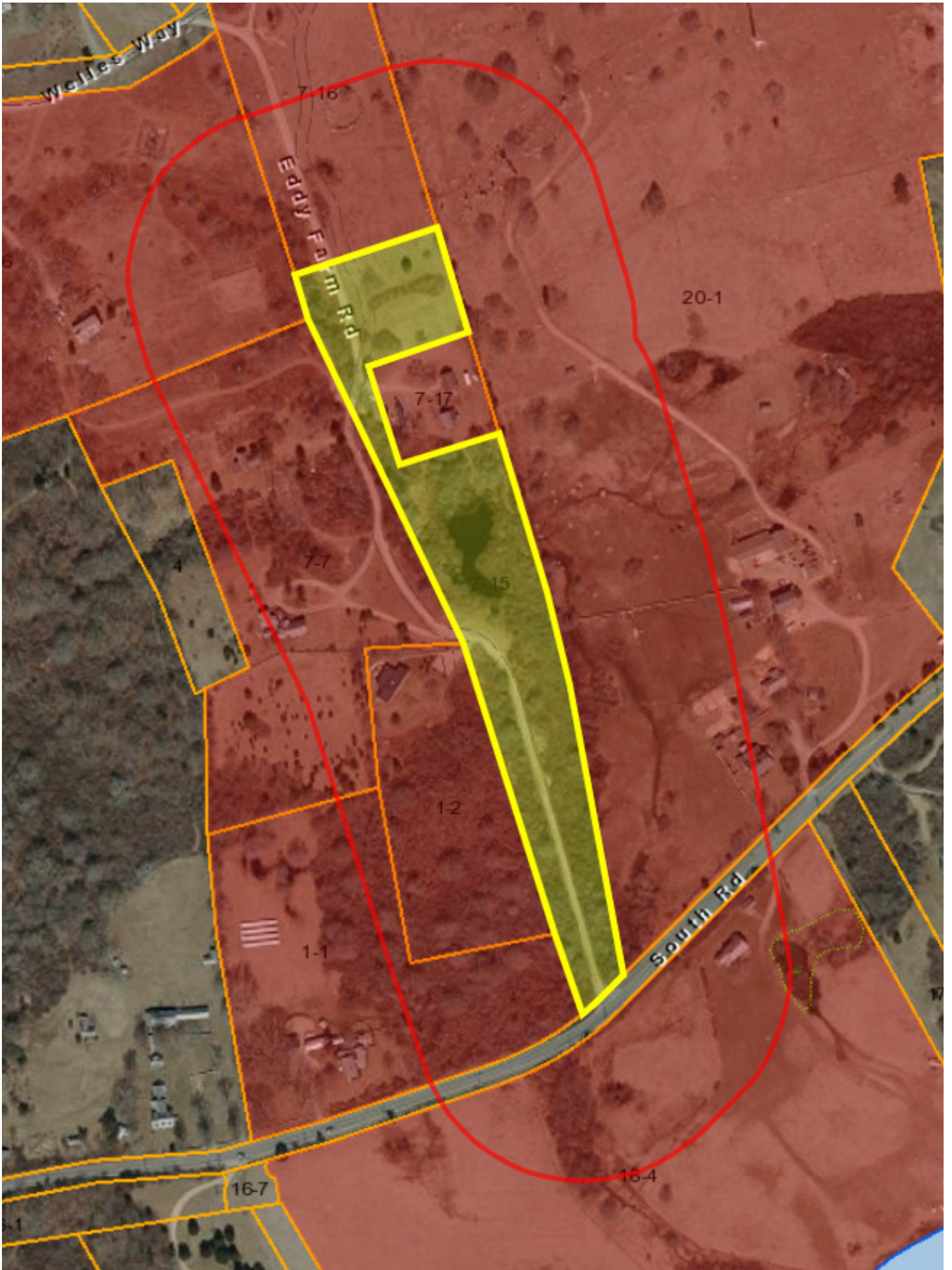
6/3/2022

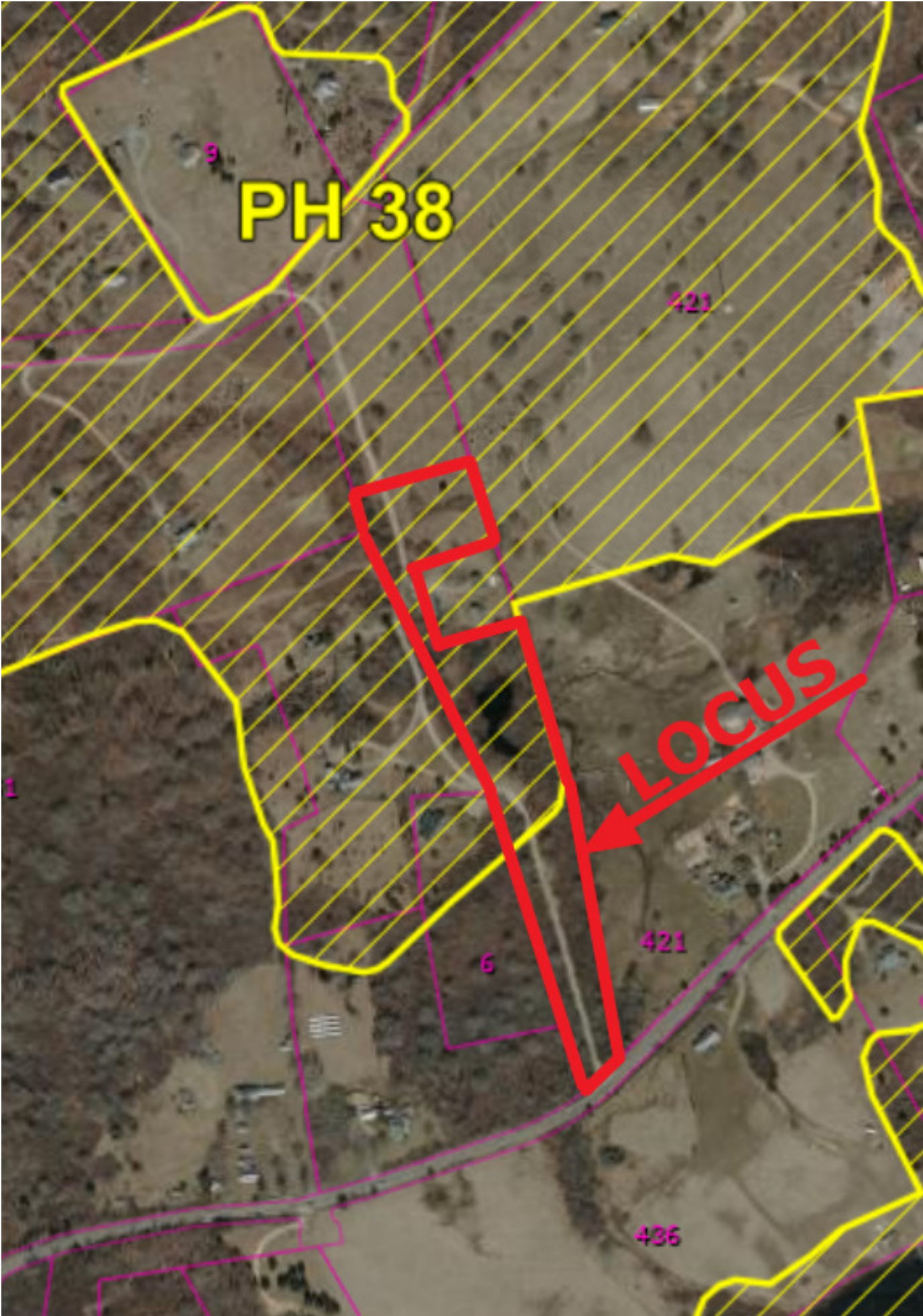
Page 1 of 1

Re: Eddy/Vineyard Open Land Foundation – Eddy Farm Road, Chilmark Assessor Parcel 25-7-15  
VLS&E Job No. 106

**Photographs**







**PH 38**

**LOCUS**

3

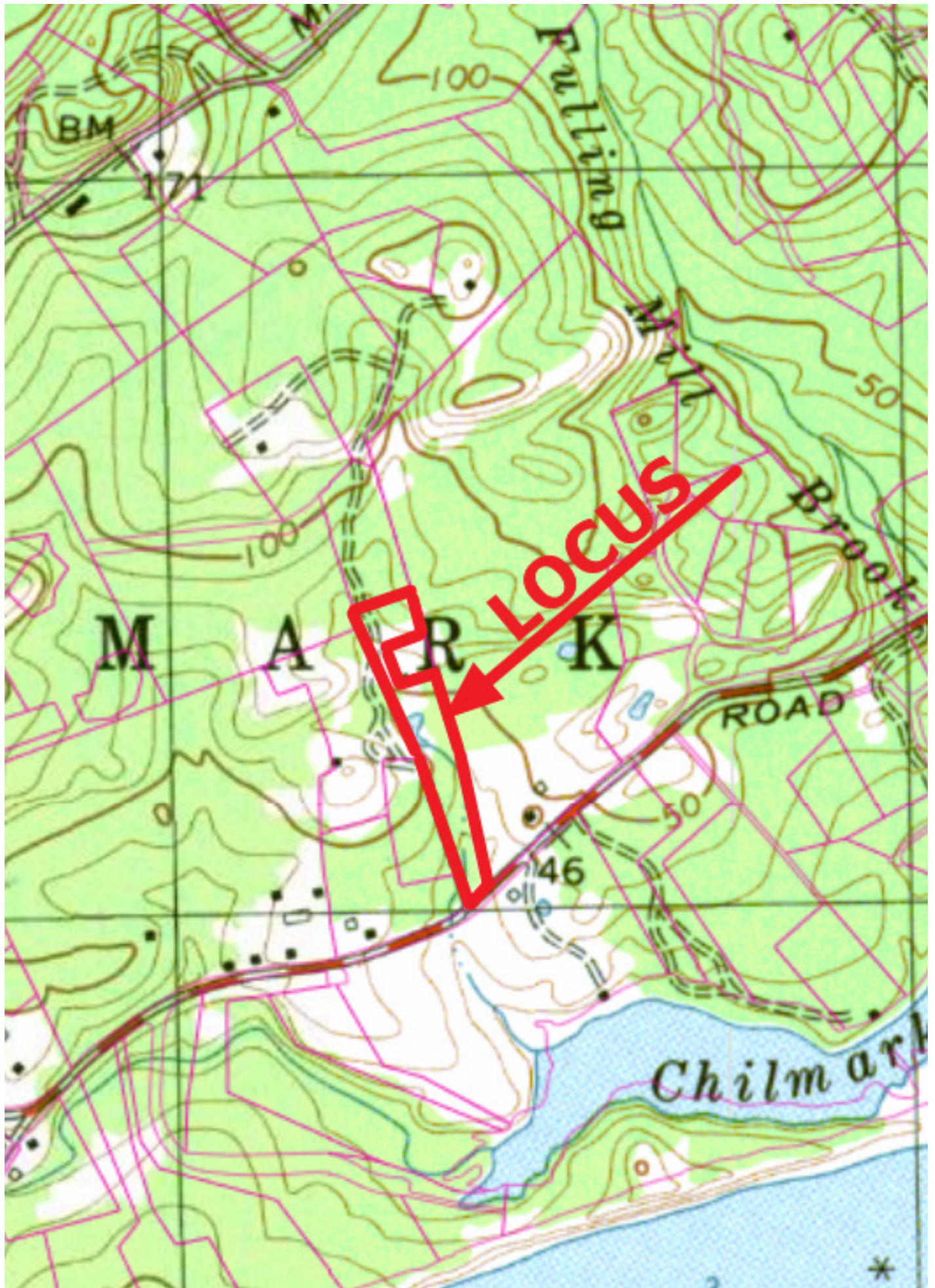
421

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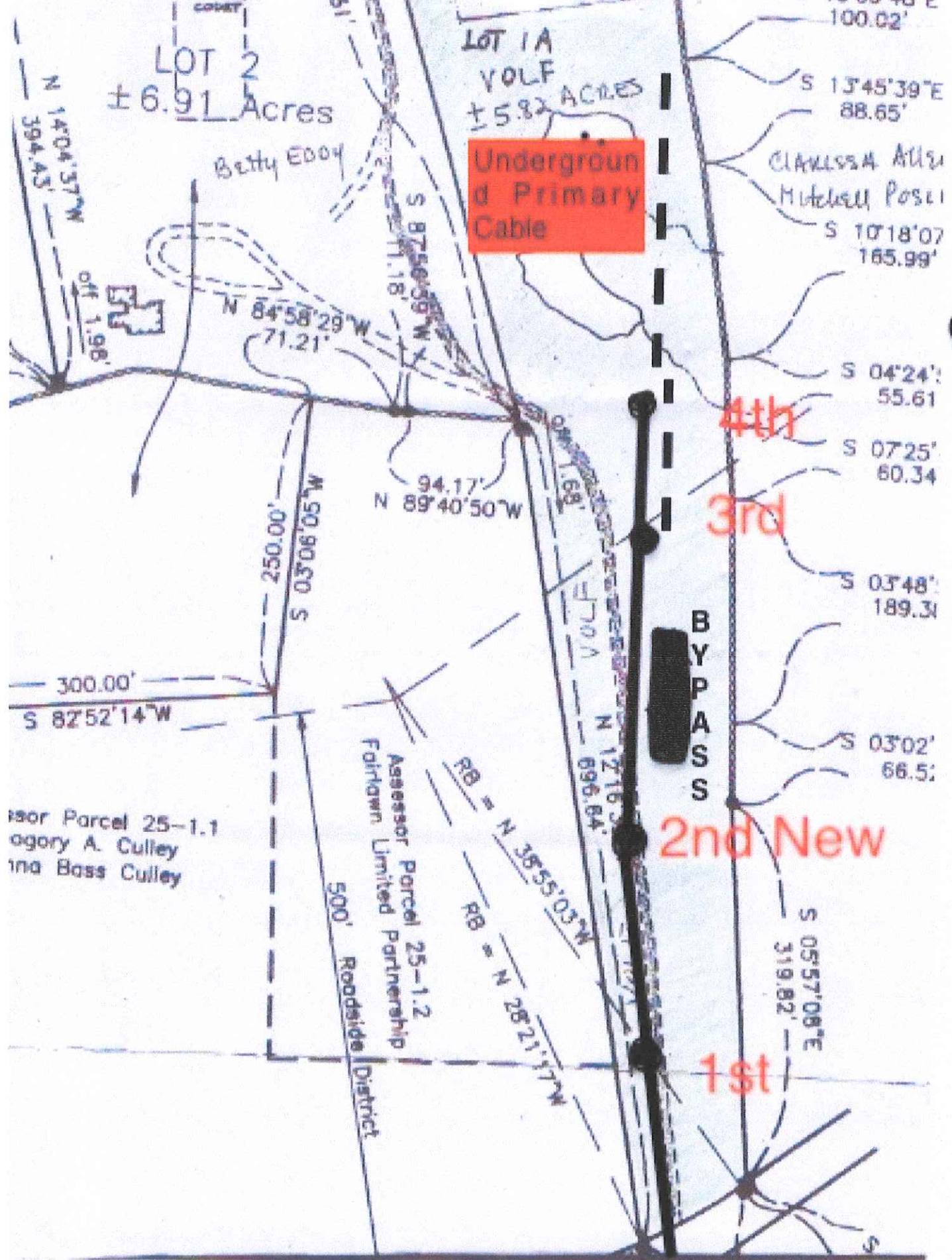
LOT 2  
± 6.91 Acres

LOT 1A  
VOLF  
± 5.82 ACRES

Underground  
Primary  
Cable

Betty EDDY

CLAUSSA Allen  
Mitchell Posci



Assessor Parcel 25-1.1  
Category A, Culley  
and Anna Bass Culley

Assessor Parcel 25-1.2  
Fairtown Limited Partnership

500' Roadside District

BYPASS

2nd New

1st

4th

3rd