



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability** Chilmark Municipality  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

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



1. Applicant:  
Barbara <sup>AND JOHN</sup> Armstrong  
First Name Last Name  
3 Creek Hill  
Address  
Chilmark MA 02535  
City/Town State Zip Code  
508-560-1449  
Phone Number  
jbarmstrong725@comcast.net  
Email Address

2. Property Owner (if different from Applicant):  
BARBARA ARMSTRONG, TRUSTEE  
First Name Last Name  
Address  
City/Town State Zip Code  
Phone Number Email Address (if known)

3. Representative (if any)  
First Name Last Name  
Company Name  
Address  
City/Town State Zip Code  
Phone Number Email Address (if known)

**B. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):  
4 Creek Hill Chilmark  
Street Address City/Town  
70.76484 41.35360  
Latitude (Decimal Degrees Format with 5 digits after decimal Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)  
27.1 145  
Assessors' Map Number Assessors' Lot/Parcel Number

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)

b. Area Description (use additional paper, if necessary):  
Bordering vegetated Wetland. Lawn with wild roses on edge of bank.

c. Plan and/or Map Reference(s): (use additional paper if necessary)  
HAND-DRAWN SITE MAP 11/21/23  
Title Date  
Title Date



**B. Project Description (cont.)**

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):  
proposing to cut an oak tree on bank adjacent to Menemsha Creek

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

NOT SUBSTANTIALLY CHANGING RESOURCE AREA

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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Municipality

**C. Determinations**

1. I request the Chilmark ConCom make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

Chilmark  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Barbara Amstutz  
Signature of Applicant

11/21/23  
Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

