

January 14, 2022

Job No. 2010-0074-00

Kara Shemeth, Agent
Chilmark Conservation Commission
P.O. Box 119 / 401 Middle Road
Chilmark, MA 02535

Sent via email: kshemeth@chilmarkma.gov

Re: Request for Bylaw Only Amended Order of Conditions
Proposed Additional Beach Nourishment/Cobble Berm
Fool's High Tide, LLC
25 East Lane, Chilmark, MA
Map 32 Parcel 68.1

Dear Kara:

On behalf of our client, the Fool's High Tide LLC, we are submitting a Request for a Bylaw Only Amended Order of Conditions for the above referenced project. The following items are enclosed:

- Request for Bylaw Only Amended Order of Conditions
- Affidavit of Service
- Abutter Notification Letter
- Certified Abutter List
- Chilmark USGS Map, identifying locus
- Assessor's Map 32, identifying locus

Please note the original documents will be overnight mailed to your office on January 18, 2022.

We respectfully request that you schedule the above referenced project for your **February 1, 2022** public hearing. If you have any questions, or require any additional information, please give me a call at 508-495-6240 or send an email to bgurney@woodsholegroup.com.

Sincerely,



Beth Gurney
Environmental Permitting Specialist

cc: Fool's High Tide, LLC
Richard Nylén, Lynch, DeSimone & Nylén, LLP
Tara Marden, Woods Hole Group, Inc.

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Chilmark Conservation Commission
PO Box 119/401 Middle Road
Chilmark, MA 02535

Sent via email: kshemeth@chilmarkma.gov

Re: Request for Amended Bylaw Only Order of Conditions
Proposed Additional Beach Nourishment/Cobble Berm
Fool's High Tide, LLC
25 East Lane, Chilmark, MA

Dear Commission Members:

On behalf of our client, the Fool's High Tide LLC, we would like to request an amendment to the Bylaw Only Order of Conditions, which was issued by the Chilmark Conservation Commission on June 10, 2016 for the above referenced project. An Extension Permit was also issued on March 21, 2018, which extended the Order's expiration date to June 9, 2022.

The proposed scope of the work is for a second installment of the previously designed and permitted cobble berm project at 25 East Lane. The cobble berm was constructed in May of 2020 by John Keene Excavation and supervised by Woods Hole Group. The homeowner was given permission by the Conservation Department and the Natural Heritage Endangered Species Program to work inside of the time-of-year restriction for state listed shorebirds to get the project completed before the summer. Post-construction monitoring has observed an incremental erosion and dispersal of the constructed cobble berm. Profile measurements documented that no significant impact occurred to intertidal beach and rocky intertidal coastal resources.

The re-nourishment of the cobble berm proposes no new changes to design and is intended to protect the existing single-family residence that is approximately 82 feet from the top of the coastal bank. The cobble berm will be a storm buffer to the coastal bank. It adds 575 cubic yards of beach compatible cobble to construct a berm above mean high water and an additional 650 cubic yards of sand on top of the cobble and as an apron from the berm to the east and west property bounds. The berm will run 314 linear feet and the sand will run 415 linear feet. The total project area is 17,450 sq. ft. The cobble and sand will be delivered to the project site by a conveyor belt stationed in the parking lot of 25 East Lane. A front-end bucket loader and an excavator will maneuver the cobble and sand on the beach to the defined specifications. The beach access will again be from 25 East Lane.

The Bylaw Only Order of Conditions was recorded at the Dukes County Registry of Deeds on September 26, 2017, Book 1448 Page 1077. The Extension Permit was recorded on July 17, 2018, Book 1472 Page 34.



If you have any questions, or require any additional information, please give me a call at 508-397-9689 or send an email to tmarden@woodsholegroup.com.

Sincerely,

Tara Marden

Tara Marden
Senior Coastal Geologist/Project Manager

TPM/beg

cc: Fool's High Tide, LLC
Richard Nylén, Lynch, DeSimone & Nylén, LLP

Job No. 2010-0074-00

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act, M.G.L. CH131, Sec. 40

(to be submitted to the Conservation Commission when filing a Request for a
Bylaw Only Amended Order of Conditions)

I, Beth Gurney, of The Woods Hole Group, Inc., hereby certify under the pains and penalties of perjury that on January 18, 2022, I will send notification to abutters, in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, Section 40, and the Department of Environmental Protection's Guide to Abutter Notification, dated, April 8, 1994, in connection with the following matter:

A Request for Amended Order of Conditions was filed only under the Chilmark Wetlands Protection By-law, by the Fool's High Tide LLC with the Chilmark Conservation Commission on January 14, 2022, for property located at 25 East Lane, Map 32, Parcel 68.1 in Chilmark, MA.

The form of the notification and a list of the abutters to whom the notice was given and their addresses are attached to this Affidavit of Service.



Name

1/14/2022

Date

**NOTIFICATION TO ABUTTERS AND PROPERTY OWNERS
UNDER THE TOWN OF CHILMARK WETLANDS PROTECTION BYLAW**

Return Receipt Requested

RE: Conservation Commission Filing

TO WHOM IT MAY CONCERN:

As a person listed as an abutter or owning property within 300 feet of the property listed below, please be advised that a Request for an Amended Bylaw Only Order of Conditions has been filed with the Chilmark Conservation Commission regarding said property, which is subject to protection under the Ordinances of the Town of Chilmark. Additional details are as follows:

APPLICANT:	Fool's High Tide, LLC
PROPERTY LOCATION:	25 East Lane Chilmark, MA
ASSESSOR'S MAP/PARCEL:	Map 32, Parcel 68.1
DESCRIPTION:	Proposed additional beach nourishment/cobble berm above mean high water.
AGENT:	Woods Hole Group, Inc. Attn: Tara Marden 107 Waterhouse Road Bourne, MA 02532
PUBLIC HEARING LOCATION:	WILL BE HELD REMOTELY VIA ZOOM Date: February 1, 2022 Time: 9:00am

The request describing the proposed activity is on file with the Chilmark Conservation Commission and Woods Hole Group, Inc. If you would like a free copy of the request, have any questions, or desire to comment for the record, do not hesitate to contact Tara Marden at tmarden@woodsholegroup.com or call (508) 397-9689, or the Chilmark Conservation Commission at kshemeth@chilmarkma.gov or call (508) 645-2104.

NOTE: Notice of the public hearing, including its date and time will be published at least five (5) days in advance in the local newspaper.

Notice of the public hearing, including its date and time, will be posted in the Town Hall at least forty-eight (48) hours in advance.



300 foot Abutters List Report

Chilmark, MA
January 06, 2022

Subject Property:

Parcel Number: 032-068-01
CAMA Number: 032-068-01
Property Address: 25 EAST LN

Mailing Address: FOOLS HIGH TIDE LLC
C/O:F.HACKNEY,REYNOLDS,RAPPAPO
PO BOX 2540
EDGARTOWN, MA 02539

Abutters:

Parcel Number: 032-038-01
CAMA Number: 032-038-01
Property Address: 0 STONEWALL RD

Mailing Address: SHERIFFS MEADOW FOUNDATION
PO BOX 1088
VINEYARD HAVEN, MA 02568

Parcel Number: 032-038-02
CAMA Number: 032-038-02
Property Address: 83 STONEWALL RD

Mailing Address: HANNAN JUDITH
1 JOHN ST. PHB
BROOKLYN, NY 11201

Parcel Number: 032-065-00
CAMA Number: 032-065-00
Property Address: 14 EAST LN

Mailing Address: CLETHRA LLC
C/O: HEATHER ROBB 200 MAIN ST
WENHAM, MA 01984

Parcel Number: 032-066-00
CAMA Number: 032-066-00
Property Address: 0 EAST LN

Mailing Address: HACKNEY S FAIN TRUSTEE ; 21 EAST
LN RE TR
C/O: REYNOLDS RAPPAPORT & KAP PO
BOX 2540
EDGARTOWN, MA 02539

Parcel Number: 032-067-00
CAMA Number: 032-067-00
Property Address: 21 EAST LN

Mailing Address: HACKNEY S FAIN TRUSTEE ;21 EAST
LN REALTY TRUST
C/O: REYNOLDS, RAPPAPORT,KAPLA
PO BOX 2540
EDGARTOWN, MA 02539

Parcel Number: 032-068-02
CAMA Number: 032-068-02
Property Address: 100 BEACH LOT STONEWALL

Mailing Address: STONEWALL BEACH ASSOC., LLC ;C/O
RICHARD W COUCH JR
HYPERTHERM INC PO BOX 5010
HANOVER, NH 03755

Parcel Number: 032-069-00
CAMA Number: 032-069-00
Property Address: 101 BEACH LOT STONEWALL

Mailing Address: STONEWALL BEACH ASSOC., LLC ;C/O
RICHARD W COUCH JR
HYPERTHERM INC PO BOX 5010
HANOVER, NH 03755

Parcel Number: 032-070-00
CAMA Number: 032-070-00
Property Address: 95 STONEWALL RD

Mailing Address: MORRIS ROBERT T
28 ARLINGTON ST
CAMBRIDGE, MA 02140

Parcel Number: 032-071-00
CAMA Number: 032-071-00
Property Address: 86 STONEWALL RD

Mailing Address: CS RE 1 LLC ; GADSDEN
SCHNEIDER&WOODWARD
C/O: KAREN SMITH 1275 DRUMMERS LN
STE# 210
WAYNE, PA 19087-1571



www.cai-tech.com

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300 foot Abutters List Report

Chilmark, MA
January 06, 2022

Parcel Number: 032-072-00
CAMA Number: 032-072-00
Property Address: 11 EAST LN

Mailing Address: BELL LEONARD & LINDA S TRSTEES
EAST LN NOMINEE TRUST 59
TUMBLEBROOK RD
WOODBIDGE, CT 06525-2533



www.cai-tech.com

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1/6/2022

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107 Waterhouse Road
 Bourne, MA 02532

Fool's High Tide, LLC
 25 East Lane
 Chilmark, MA
 USGS Squibnocket Quadrangle
 Map Scale 1:24,000

