



# WPA Form 1- Request for Determination of Applicability

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:

Marthas Vineyard Land Bank Name	_____	harrison.kisiel@vineyardlandbank.com E-Mail Address	_____
PO box 2057 Mailing Address	_____	MA	02539
Edgartown City/Town	_____	State	Zip Code
508-627-7141 Phone Number	_____	Fax Number (if applicable)	

2. Representative (if any):

Martha's Vineyard Land Bank Firm	_____	harrison.kisiel@vineyardlandbank.com E-Mail Address	_____
Harrison Kisiel Contact Name	_____	MA	02539
PO box 2057 Mailing Address	_____	State	Zip Code
Edgartown City/Town	_____	Fax Number (if applicable)	
508-627-7141 Phone Number	_____		

## B. Determinations

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

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below 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 below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

\_\_\_\_\_  
Name of Municipality

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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## C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

2 Henry Hough Lane + 0 South Road

Chilmark

Street Address

City/Town

19 + 25

47 + 21

Assessors Map/Plat Number

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Fulling Mill Brook Preserve is approximately 66 acres between Middle Road and South Road with

Fulling Mill Brook running through its entirety.

- c. Plan and/or Map Reference(s):

Title

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

We have 775 feet of raised boardwalk with diamond pier and cross piped footers. The land bank is looking to re-deck and replace the railing system throughout the entire 775 of existing boardwalk. We are not planning on changing any of the existing footers or adding any additional footers so the concept of replacing/repairing based on ongoing maintenance from 1997 may apply. We are not changing any site conditions and will not be impacting the wetlands any further. We will be replacing the existing material with ACQ lumber.



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### C. Project Description (cont.)

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).

These boardwalks were filed for, by the land bank, in 1996 with the work being completed in 1997. I

believe this repair in kind project may fall under ongoing maintenance in the order of conditions of the original filing.

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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## 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.

Name and address of the property owner:

Harrison Kisiel

\_\_\_\_\_  
Name

PO Box 2057

\_\_\_\_\_  
Mailing Address

Edgartown

\_\_\_\_\_  
City/Town

MA

\_\_\_\_\_  
State

02539

\_\_\_\_\_  
Zip Code

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.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date