



# 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:

Russell Maloney  
Name

russellmaloney@gmail.com  
E-Mail Address

Mailing Address

PO Box 820

MA

02535

City/Town

State

Zip Code

Chilmark

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

## B. Determinations

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

- 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).



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

**C. Project Description**

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

Cygnets Way	Chilmark
Street Address	City/Town
24	46
Assessors Map/Plat Number	Parcel/Lot Number

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

\_\_\_\_\_

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):

Remove existing, rotted, pressure treated plank walkway to floating dock and replace with vertical grain fir



## WPA Form 1- Request for Determination of Applicability

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

### 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).

Pre-existing walkway. Replacement is necessary to prevent further injuries to users

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.)



## WPA Form 1- Request for Determination of Applicability

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

### 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:

Thumb Cove Beach Association

Name

PO Box 820

Mailing Address

Chilmark

City/Town

MA

State

02535

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

04282022

Date

Signature of Representative (if any)

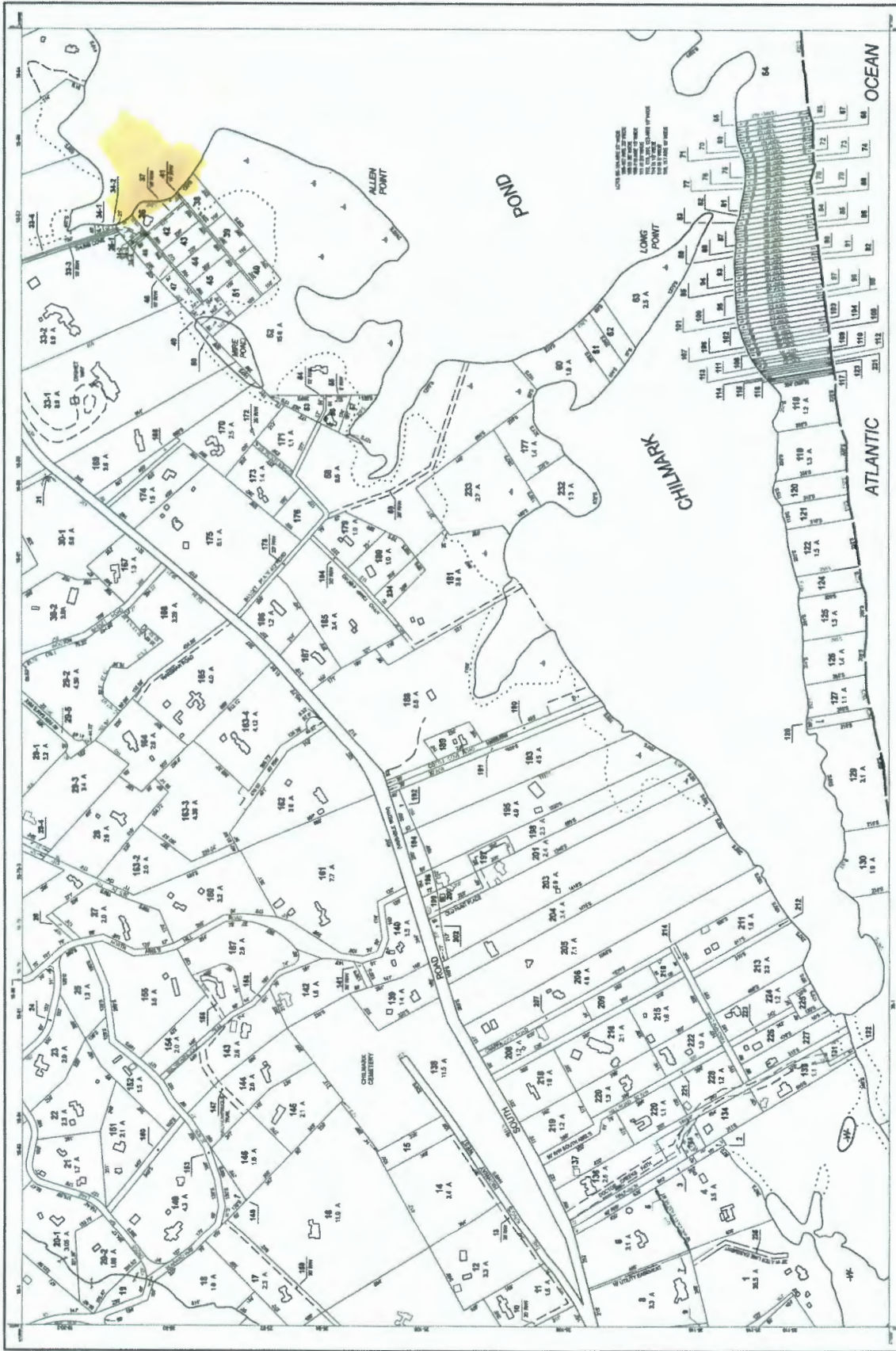
Date





Thumb Cove





THIS MAP IS FOR REFERENCE PURPOSES - IT IS NOT A LEGAL DOCUMENT.  
 THE HORIZONTAL DATUM IS THE MASSACHUSETTS STATE PLANE  
 COORDINATE SYSTEM, NAD 83, U.S. FOOT.  
 ORIGINAL PROPERTY MAPS WERE PREPARED BY USES BY SCOPFIELD BROTHERS, INC.  
 BULKANCES LOCATED FROM 1941 THROUGH 1950 ONLY.

REVISED & REPRINTED BY  
**CAJ Technologies**  
 11200 W. 16th Avenue, Suite 100  
 Broomfield, CO 80020

LEGEND  
 LOT NUMBER: 13-03  
 AREA: 13-03  
 BULKANCE: 13-03  
 PORT OF INTEREST: 13-03  
 SECOND CHAINAGE: 13-03  
 BOUNDARY: 13-03  
 WATER: 13-03

FEET 0 100 200 300 400 500  
 METERS 0 100 200 300 400 500  
 SCALE: 1" = 200'  
 INDEX DIAGRAM  
 MAP NO. **24**  
 PROPERTY MAPS  
**CHILMARK**  
 MASSACHUSETTS  
 REVISED TO: JANUARY 1, 2018