



12 Surveyor's Lane, Box 339
Vineyard Haven, Mass.
508-693-2781
www.sbhinc.net
dhoehn@sbhinc.net

Notice of Intent

filed in accordance with the

**Mass. Wetlands Protection Act
&
the Chilmark Wetlands By-Law
for
The Signal Hill Home Owners
Association**

Property located at Shotnigher Lane

Chilmark Assessor's Parcel 1-10
July 18, 2022



12 Surveyor's Lane, Box 339
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dhoehn@sbhinc.net

Affidavit of Service

Under the Mass. Wetlands Protection Act
& the Chilmark Wetlands By-law

I, Tracey Smith, hereby certify under the pains and penalties of perjury that on July 18, 2022, I gave notice to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Mass. Wetlands Protection Act and the Edgartown Wetlands By-law for, **Signal Hill Home Owners Association**, for property located at Shotnagher Lane, **Assessor's Parcel 1-10**.


Tracey Smith

Date July 20, 2022



12 Surveyor's Lane, Box 339
Vineyard Haven, Mass.
508-693-2781
www.sbhinc.net
dhoehn@sbhinc.net

Notification of Abutters

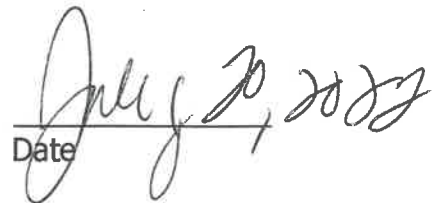
Under the Mass. Wetlands Protection Act
& the Chilmark Wetlands By-Law

In accordance with the second paragraph of the Massachusetts General Laws, Chapter 131 Section 40, we hereby notify you of the following:

- A. The name of the applicant is **the Signal Hill Homeowners Association c/o Tim Rich.**
- B. The applicant has filed a Notice of Intent with the Chilmark Conservation Commission seeking permission to remove, fill, dredge or alter an area subject to protection under the Mass. Wetlands Protection Act (**enlarge existing curb cut and refinish existing asphalt road plus add asphalt to existing gravel area**) The address of the activity is: **Shotnigher Lane, Assessor's Parcel 1-10.**
- C. Copies of the Notice of Intent may be examined at the offices of Schofield, Barbini & Hoehn Inc., agents for the applicants, located at 12 Surveyor's Lane, Vineyard Haven, MA, 508-693-2781.
- D. Information regarding the date, time and place of the public hearing may be obtained from Schofield, Barbini & Hoehn Inc. and by calling the Conservation Commission.

Notice of the public hearing including it's date, time and place will be published at least five days in advance in the Vineyard Gazette or the Martha's Vineyard Times and in the Town Hall not less than 48 hours in advance of the hearing. You may also contact the Conservation Commission.


Tracey Smith


Date



100 foot Abutters List Report

Chilmark, MA

July 15, 2022

Subject Property:

Abutters:

Parcel Number: 033-003-00 CAMA Number: 033-003-00 Property Address: 0 SOUTH RD	Mailing Address: SHERIFFS MEADOW FOUNDATION PO BOX 1088 VINEYARD HAVEN, MA 02568
Parcel Number: 033-005-00 CAMA Number: 033-005-00 Property Address: 267 STATE RD	Mailing Address: MENEMSHA POND LLC C/O: JACOB DAVIS 290 STATE RD CHILMARK, MA 02535
Parcel Number: 034-001-01 CAMA Number: 034-001-01 Property Address: 5 SHOTNAIGHER LN	Mailing Address: BERNARD PETER J & SUSAN P PO BOX 187 CHILMARK, MA 02535
Parcel Number: 034-001-02 CAMA Number: 034-001-02 Property Address: 0 SIGNAL HILL LN	Mailing Address: BERNARD PETER J TRUSTEE SIGNAL HILL RD RE TRUST PO BOX 187 CHILMARK, MA 02535
Parcel Number: 034-001-03 CAMA Number: 034-001-03 Property Address: 9 SIGNAL HILL LN	Mailing Address: ADAMS JAMES TRUSTEE ; SANTIAGO REALTY TRUST C/O: M LANDESMAN/ ML MGMNT LLC 888 SEVENTH AVE 4TH FL NEW YORK, NY 10106
Parcel Number: 034-001-04 CAMA Number: 034-001-04 Property Address: 11 SHOTNAIGHER LN	Mailing Address: HOWLAND WESTON III WOODVALE FARM 40 PAGE RD LINCOLN, MA 01773
Parcel Number: 034-001-05 CAMA Number: 034-001-05 Property Address: 0 SIGNAL HILL LN	Mailing Address: HOWLAND SUSANAH B & CHARLES E CLAPP III W HOWLAND III 2012 IRREV TRUST 75 FEDERAL ST BOSTON, MA 02110
Parcel Number: 034-001-07 CAMA Number: 034-001-07 Property Address: 0 SIGNAL HILL LN	Mailing Address: HOWLAND WESTON III, TCW&PB TRS SIGNAL HILL HOMEOWNRS ASSOC TR 75 FEDERAL ST STE# 1100 BOSTON, MA 02110
Parcel Number: 034-001-08 CAMA Number: 034-001-08 Property Address: 0 SIGNAL HILL LN	Mailing Address: HOWLAND WESTON III, TCW&PB TRS SIGNAL HILL HOMEOWNRS ASSOC TR 75 FEDERAL ST STE# 1100 BOSTON, MA 02110
Parcel Number: 034-001-09 CAMA Number: 034-001-09 Property Address: 0 SIGNAL HILL LN	Mailing Address: HOWLAND WESTON III, TCW&PB TRS SIGNAL HILL HOMEOWNRS ASSOC TR 75 FEDERAL ST STE# 1100 BOSTON, MA 02110



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

7/15/2022

Page 1 of 2



100 foot Abutters List Report

Chilmark, MA

July 15, 2022

Parcel Number: 034-005-00
CAMA Number: 034-005-00
Property Address: 0 LAKE RD

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



www.cai-tech.com

7/15/2022

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Chilmark, MA



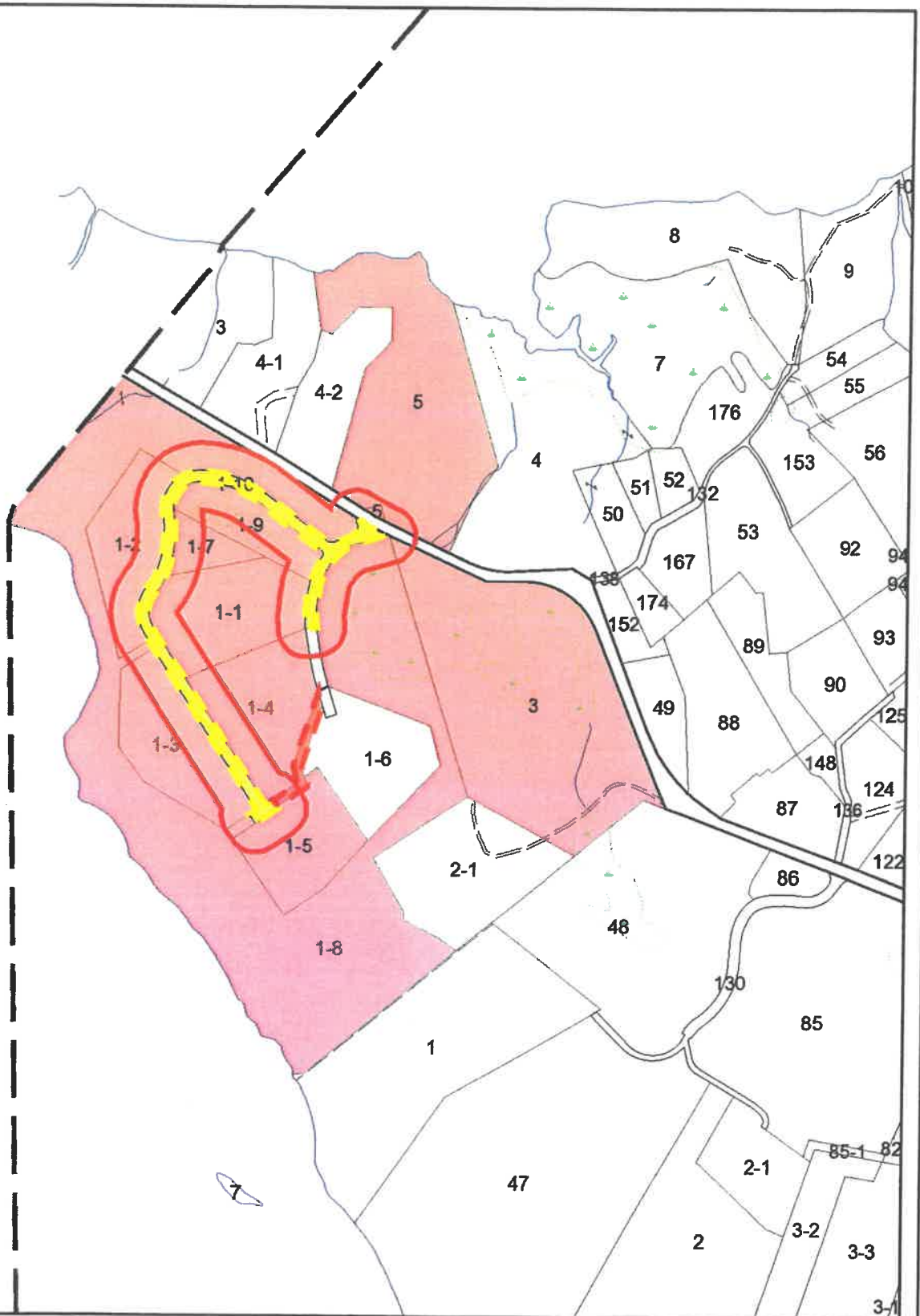
July 15, 2022

1 inch = 550 Feet

www.cai-tech.com



AQUINNAH



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



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

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>Shotnigher Lane</u>	<u>Chilmark</u>	<u>02535</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>N 41-25-16</u>	<u>W 70-34-05</u>
	d. Latitude	e. Longitude
<u>Map 1</u>	<u>Lot 10</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Signal Hill Homeowners Assossiation</u>	<u>c/o Tim Rich</u>
a. First Name	b. Last Name
<u>c/o Schofield, Barbini & Hoehn Inc.</u>	
c. Organization	
<u>Box 339</u>	
d. Street Address	
<u>Vineyard Haven</u>	<u>02568</u>
e. City/Town	f. State
<u>508-693-2781</u>	<u>508-693-6055</u>
h. Phone Number	i. Fax Number
	<u>TraceyD@sbhinc.net</u>
	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></u>	
c. Organization	
<u></u>	
d. Street Address	
<u></u>	<u></u>
e. City/Town	f. State
	g. Zip Code
<u></u>	<u></u>
h. Phone Number	i. Fax Number
	j. Email address

4. Representative (if any):

<u>Tracey</u>	<u>Smith</u>
a. First Name	b. Last Name
<u>Schofield, Barbini & Hoehn Inc.</u>	
c. Company	
<u>Box 339</u>	
d. Street Address	
<u>Vineyard Haven</u>	<u>MA</u>
e. City/Town	f. State
<u>508-693-2781</u>	<u>508-693-6055</u>
h. Phone Number	i. Fax Number
	<u>TraceyD@sbhinc.net</u>
	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



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

A. General Information (continued)

6. General Project Description:

enlarge existing curb cut and refinish existing asphalt plus add additon asphalt to existing gravel surface

7a. Project Type Checklist:

- 1. Single Family Home
2. Residential Subdivision
3. Limited Project Driveway Crossing
4. Commercial/Industrial
5. Dock/Pier
6. Utilities
7. Coastal Engineering Structure
8. Agriculture (e.g., cranberries, forestry)
9. Transportation
10. Other

7b. Is any portion of the proposed activity eligible to be treated as a 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:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Dukes

a. County

b. Certificate # (if registered land)

--

--

c. Book

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.

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.



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

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) _____	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 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?		<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Was the lot where the activity is proposed created prior to August 1, 1996?		<input type="checkbox"/> Yes <input type="checkbox"/> No

3. **Coastal Resource Areas: (See 310 CMR 10.25-10.35)**

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.

<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 _____

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



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Chilmark

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

	<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 _____

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. 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://www.mass.gov/dfwele/dfw/nhESP/regulatory_review/priority_habitat/online_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
Route 135, North Drive
Westborough, MA 01581**

b. Date of map _____



WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Chilmark _____

City/Town _____

C. Other Applicable Standards and Requirements (cont'd)

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.1.d, 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).*

1. c. Submit Supplemental Information for Endangered Species Review*

1. 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

3. 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

(c) MESA filing fee (fee information available at:

http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm).

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

d. 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, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; 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 _____

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm>, regulatory review tab). 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.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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Chilmark

City/Town

C. Other Applicable Standards and Requirements (cont'd)

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
2. 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 or hand delivery of NOI to either:
- | | |
|---|--|
| South Shore - Cohasset to Rhode Island, and the Cape & Islands: | North Shore - Hull to New Hampshire: |
| Division of Marine Fisheries - Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694 | Division of Marine Fisheries - North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930 |

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.

3. 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
4. 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
5. 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
6. 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:
- Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 - A portion of the site constitutes redevelopment
 - Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
- Single-family house

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



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

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C. Other Applicable Standards and Requirements (cont'd)

- 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

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.
- 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 prepared for: Signal Hill Homeowners Association

a. Plan Title

Schofield, Barbini & Hoehn Inc.

b. Prepared By

July 18, 2022

d. Final Revision Date

Doug Hoehn

c. Signed and Stamped by

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.



WPA Form 3 – Notice of Intent

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City/Town

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:

5791	July 18, 2022
2. Municipal Check Number	3. Check date
5790	July 18, 2022
4. State Check Number	5. Check date
Schofield, Barbini & Hoehn Inc.	
6. Payor name on check: First Name	7. Payor name on check: Last Name

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

July 18, 2022

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.