

Squibnocket Access Project: Exploratory Work

**Chilmark,
Massachusetts**

Prepared for: **Squibnocket Farm, Inc.**

Prepared by:  **Vanasse Hangen Brustlin, Inc.**
Boston, Massachusetts



June 25, 2015

Ref: 13160.00

Chilmark Conservation Commission
Chilmark Town Offices
401 Middle Road, P.O. Box 119
Chilmark, MA 02535

Re: Squibnocket Access Project
Squibnocket Farm Inc. – **Notice of Intent**

Dear Commissioners,

On behalf of our client, Squibnocket Farm Inc., (the "Proponent"), VHB is pleased to submit the enclosed Notice of Intent (NOI) seeking authorizing for exploratory investigations within resource areas and associated buffer zones between Squibnocket Pond and Squibnocket Beach (the "Project"). The Project is intended to support the ongoing analysis and development of future regulatory filings for the access improvements recommended by the special Town Committee on Squibnocket in December 2014.

The Project will involve a series of borings and test pits in the area of the contemplated Access Project. The exploratory work is intended to help characterize the surrounding sediment profiles and to evaluate potential underground historical and archaeological resources. Work will occur within resources areas regulated under the Wetlands Protection Act and the Chilmark Wetlands Bylaws.

Notice of this application will be submitted to 300 foot abutters via certified mail, return receipt request, consistent with town requirements. We look forward to your review of this Project. Please don't hesitate to contact me at (617) 607-2985 if you have any questions or need any additional information.

Sincerely,

Daniel Padien
Senior Environmental Scientist
DPadien@VHB.com

CC: Mass DEP – Southeast Region

Engineers | Scientists | Planners | Designers

99 High Street
10th Floor
Boston, Massachusetts 02110
P 617.728.7777
F 617.728.7782

Squibnocket Access Project: Exploratory Work

**Chilmark,
Massachusetts**

Prepared for **Squibnocket Farm, Inc.**
279 Great Plains Road
Tisbury, MA 02575

Prepared by



Vanasse Hangen Brustlin, Inc.

Transportation, Land Development, Environmental Services
99 High Street, 10th Floor
Boston, Massachusetts 02110

June 2015



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NOI Wetland Fee Transmittal Form

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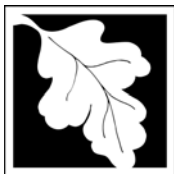
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Notice of Intent Forms

-
- WPA Form 3
 - NOI Wetland Fee Transmittal Form



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

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):

Squibnocket Road

a. Street Address

Chilmark

b. City/Town

02535

c. Zip Code

Latitude and Longitude:

41°19'05.9"N

d. Latitude

70°45'56.1"W

e. Longitude

Map 35

f. Assessors Map/Plat Number

1-30, 17.3, 17.4, 21, 22, 23

g. Parcel /Lot Number

2. Applicant:

a. First Name

Squibnocket Farm Inc.

b. Last Name

c. Organization

279 Great Plains Road

d. Street Address

Tisbury

e. City/Town

MA

f. State

02575

g. Zip Code

617-607-2985

h. Phone Number

617-728-7782

i. Fax Number

c/o DPadien@vhb.com

j. Email Address

3. Property owner (required if different from applicant): ☒ Check if more than one owner

a. First Name

Town of Chilmark (c/o Board of Selectmen)

b. Last Name

c. Organization

401 Middle Road, P.O. Box 119

d. Street Address

Chilmark

e. City/Town

MA

f. State

02535-0119

g. Zip Code

508-645-2101

h. Phone Number

508-645-2110

i. Fax Number

asstexcecsec@chilmarkma.gov

j. Email address

4. Representative (if any):

Daniel

a. First Name

Padien

b. Last Name

Vanasse Hangen Brustlin, Inc.

c. Company

99 High Street

d. Street Address

Boston

e. City/Town

MA

f. State

02210

g. Zip Code

617-607-2985

h. Phone Number

617-728-7782

i. Fax Number

DPadien@vhb.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50

c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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City/Town

A. General Information (continued)

6. General Project Description:

The Proponent is seeking to confirm wetland jurisdictional boundaries and complete archaeological test plots, test pits and test borings within resource areas and buffer zones.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration 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. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Dukes

a. County

691

c. Book

9733

b. Certificate # (if registered land)

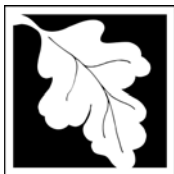
254

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.



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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	4 (temporary) 1. square feet	0 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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) - specify coastal or inland 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? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

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

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

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.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 checked="" type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	0 1. square feet	NA 2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	0 1. square feet	NA 2. cubic yards dune nourishment
	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input checked="" type="checkbox"/> Coastal Banks	175 LF / 128 SF 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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	265 1. square feet	

4. ☐ 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. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

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://maps.massgis.state.ma.us/PRI_EST_HAB/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
1 Rabbit Hill Road
Westborough, MA 01581

EH 79 13th edition

b. Date of map

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.f, 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).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☒ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

256 SF

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☒ 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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). 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.



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

- (c) ☒ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/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
- (f) 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/nhosp/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
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. 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, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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.



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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

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

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

4. 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
5. 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
6. 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
7. 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:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☒ Single-family house
 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

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

City/Town

D. Additional Information (cont'd)

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.

See attached list.

a. Plan Title

VHB, Inc.

b. Prepared By

June 24, 2015

d. Final Revision Date

Richard Dupuis, P.E.

c. Signed and Stamped by

1 inch = 40 feet

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.

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:

2. Municipal Check Number

June 23, 2015

4. State Check Number

Vanasse Hangen Brustlin, Inc.

6. Payor name on check: First Name

3. Check date

June 23, 2015

5. Check date

Vanasse Hangen Brustlin, Inc.

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

City/Town

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.

Dan Paul for Larry Lasser

1. Signature of Applicant

6.25.2015

2. Date

3. Signature of Property Owner (if different)

Dan Paul

4. Date

6.25.2015

5. Signature of Representative (if any)

6. Date

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.

aThe 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

Squibnocket Road

a. Street Address

Chilmark

b. City/Town

\$42.50

d. Fee amount

c. Check number

2. Applicant Mailing Address:

Squibnocket Farm, Inc.

c. Organization

279 Great Plains Road

d. Mailing Address

Tisbury

e. City/Town

MA

f. State

02575

g. Zip Code

617-607-2985

h. Phone Number

617-728-7782

i. Fax Number

c/o DPadien@vhb.com

j. Email Address

3. Property Owner (if different):

See Attached

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1	1	\$110	\$110

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:	\$110.00
	a. Total Fee from Step 5
State share of filing Fee:	\$42.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	\$67.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Owners List

Squibnocket Farm, Inc.

279 Great Plains Road Tisbury, MA
02575

Vineyard Open Land Foundation

232 Main St
Vineyard Haven, MA 02568

Town of Chilmark

401 Middle Road
PO Box 119
Chilmark, MA 02535



www.chilmarkma.gov

TOWN OF CHILMARK

CHILMARK, MASSACHUSETTS

TOWN OFFICES:
Beetlebung Corner
Post Office Box 119
Chilmark, MA 02535
508-645-2100
508-645-2110 Fax

June 9, 2015

Mr. Daniel Padien, Senior Environmental Scientist
Vanasse Hangen Brustlin, Inc.
99 High Street
Boston, MA 02110-2354

Subject: Permit Applications for Map 35 Lots 17.3, 17.4

Dear Dan,

On June 2, 2015 the Chilmark Board of Selectmen voted to allow the following activities on the recently-acquired Town land – Map 35 Lots 17.3, 17.4:

As it relates to the planning and site characterization efforts under way for the Squibnocket Beach Access Project, the Squibnocket Farms Homeowners Association (SFHA), acting through their consultants (Vanasse Hangen Brustlin, Inc., Haley & Aldrich, Inc. and Public Archaeology Laboratory) are hereby authorized to prepare and file permit applications for work on the Town of Chilmark parcels 35-17.3 and 35-17.4 and any adjacent land which the Town owns or controls and to perform such work as may be authorized by said permits. This authorization is limited to planning and design activities and does not include construction or site preparation activities required to build the planned improvements.

In consideration of this authorization, SFHA hereby agrees to protect, defend, indemnify and save the Town of Chilmark harmless from and against any and all claims and liabilities arising from the exercise of the authorized rights, and further agrees that this authorization shall terminate on the earlier to occur of the execution of the Squibnocket Beach Lease that is currently the subject of negotiation by and between the Squibnocket Farms Homeowners Association and the Town of Chilmark, or the revocation of this authorization by the Town of Chilmark.

Best regards,

Chuck Hodgkinson



Vineyard Open Land Foundation

P.O. Box 4608, Vineyard Haven, MA 02568 TELEPHONE & FAX: 508-693-3280 E-MAIL: office@vineyardopenlandfoundation.org

TRUSTEES

Eric L. Peters, Chairman*
Glenn F. Provost, Treasurer*
Dennis P. daRosa, Secretary*

June 25, 2015

Arthur Yorke Allen
Augustus D. Ben David*
William J. Connolly*
Daniel J. Culkin
E. W. Finley, Jr.
Brian M. Hurley
Ivo Meisner*
John D. Vibberts

*executive committee

EXECUTIVE DIRECTOR

Carol L. Magee

Mr. Daniel Padien, Senior Environmental Scientist
Vanasse Hangen Brustlin, Inc.
99 High Street
Boston, MA 02110-2354

Subject: Permit Applications for Chilmark Map 35, Lot 1.30

Dear Dan,

As it relates to the planning and site characterization efforts under way for the Squibnocket Beach Access Project, the Squibnocket Farms Homeowners Association (Squibnocket Farm, Inc.), acting through their consultants (Vanasse Hangen Brustlin, Inc., Haley & Aldrich, Inc. and Public Archaeology Laboratory) are hereby authorized to prepare and file permit applications for work on the Vineyard Open Land Foundation (VOLF) parcel Assessors Map 35, Parcel 1.30 (Lot 30 shown on Chilmark Case File No. 301) and to perform such work as may be authorized by said permits. This authorization is limited to planning and design activities and does not include construction or site preparation activities required to build the planned improvements.

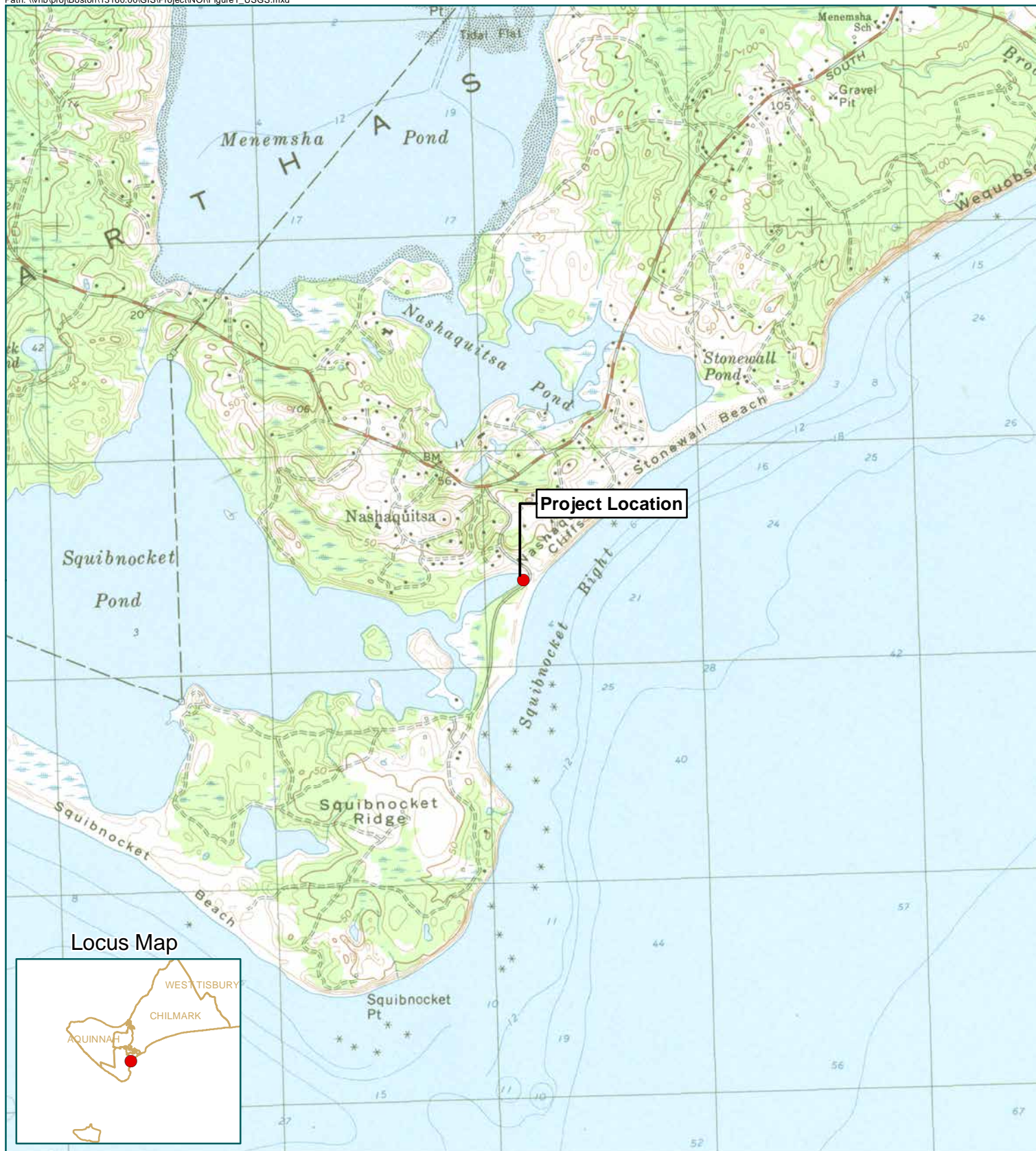
Sincerely,

Eric L. Peters, Chairman



Notice of Intent Figures

-
- Figure 1 – USGS Map
 - Figure 2 – Aerial Map
 - Figure 3 – NHESP Map
 - Figure 4 – FEMA Firmette
 - Figure 5 – Preliminary FEMA Map



Project Location



Town Boundaries

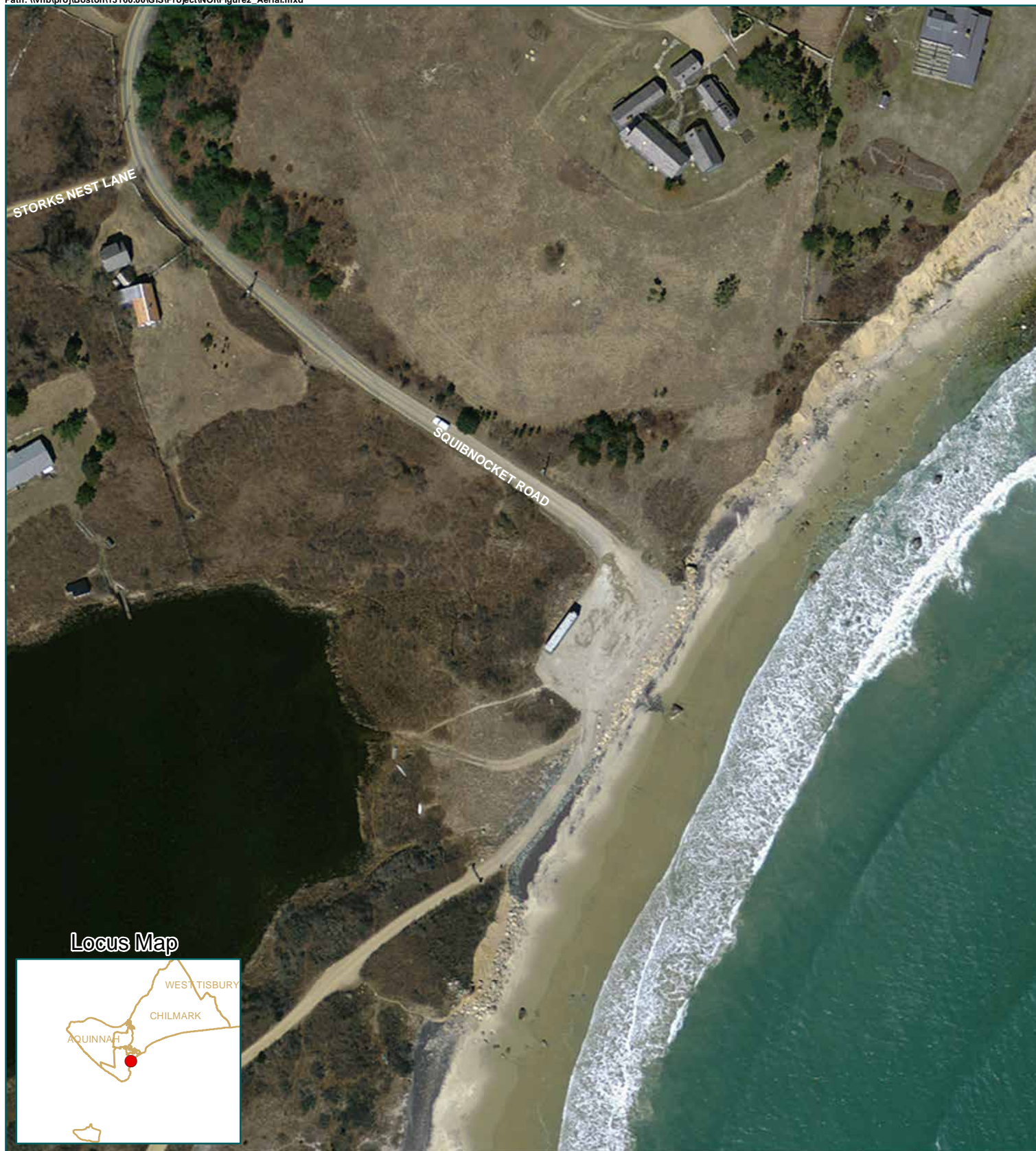


Figure 1- USGS Site Location Map
Squibnocket Point, Martha's Vineyard

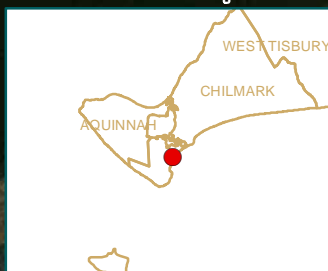
Source: MassGIS, VHB

Prepared by: VHB





Locus Map



- Project Location
- Town Boundaries



Figure 2 – Aerial Map
Squibnocket Point, Martha's Vineyard

Source: MassGIS, VHB
Prepared by: VHB





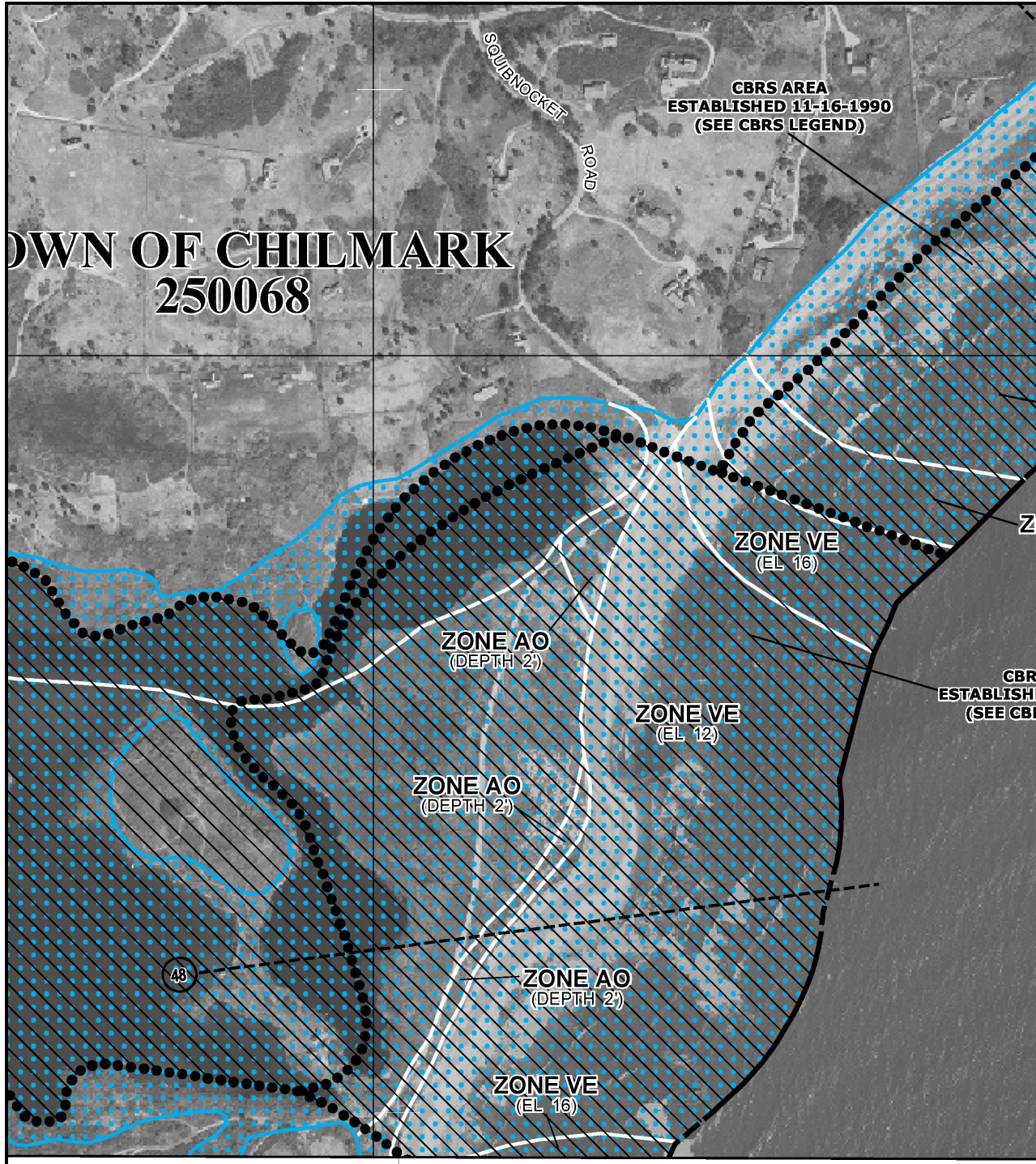
- Project Location
- Town Boundaries
- ▨ NHESP Priority & Estimated Habitat
- ▨ Protected Open Space



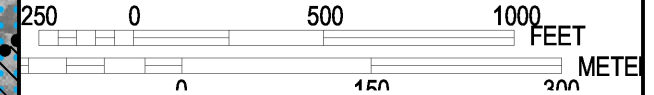
**Figure 3- NHESP and Protected Open Space Map
Squibnocket Point, Martha's Vineyard**

**Source: MassGIS, VHB
Prepared by: VHB**





MAP SCALE 1" = 500'



NFIP

PANEL 0159H

NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

DUKES COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 159 OF 227

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
AQUINNAH, TOWN OF	250070	0159	H
CHILMARK, TOWN OF	250068	0159	H

- NOTE -

THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

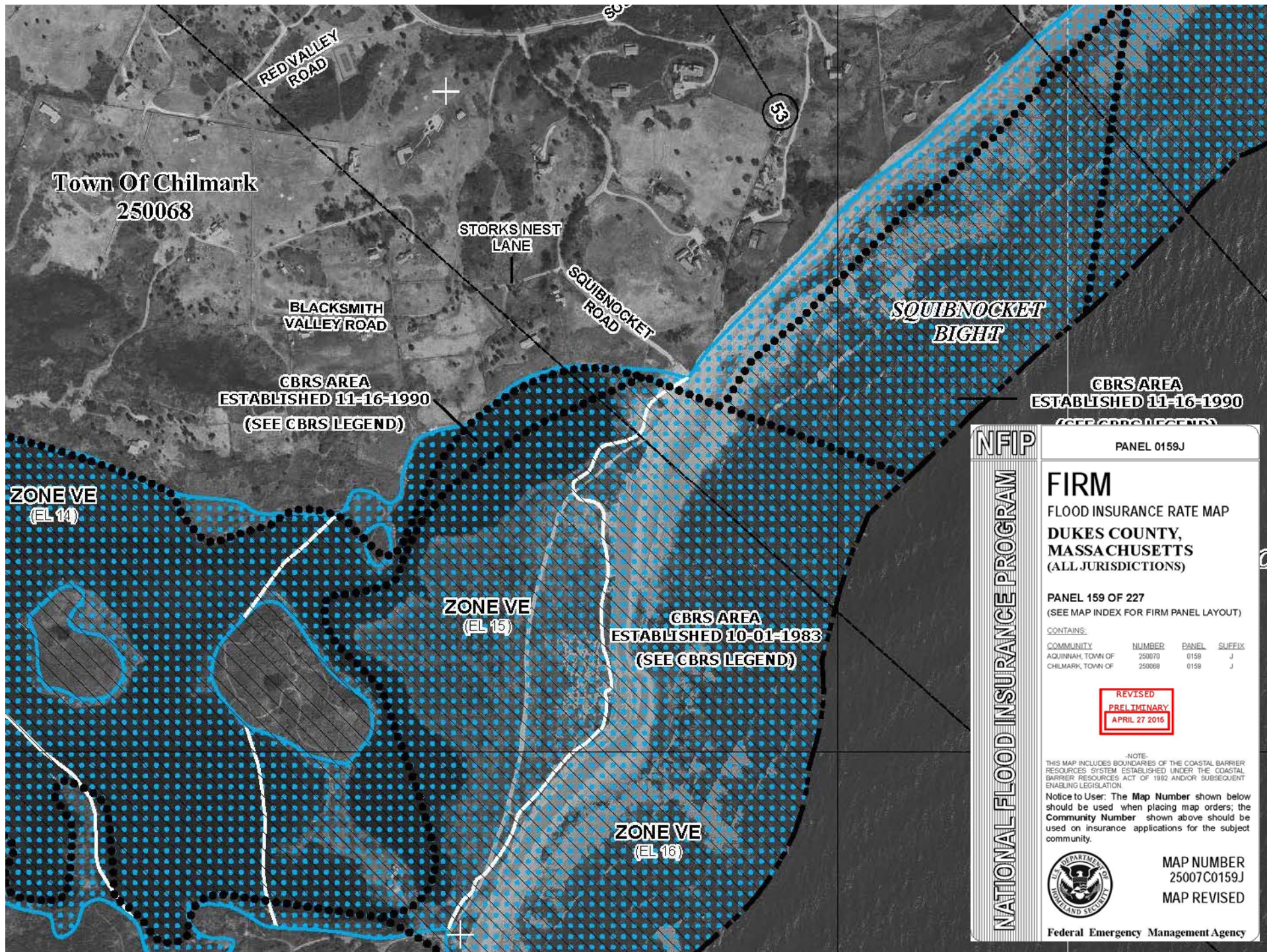


MAP NUMBER
25007C0159H

EFFECTIVE DATE
JULY 6, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0159J

FIRM

FLOOD INSURANCE RATE MAP
**DUKES COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)**

PANEL 159 OF 227
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
AQUINNAH, TOWN OF	250070	0159	J
CHILMARK, TOWN OF	250068	0159	J

REVISED
PRELIMINARY
APRIL 27 2015

NOTE:
THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
25007C0159J
MAP REVISED

Federal Emergency Management Agency



Attachment A

Notice of Intent Narrative

-
- Introduction
 - Relationship to Committee on Squibnocket's Recommendation
 - Existing Conditions
 - Proposed Work in Wetland Resource Areas
 - Mitigation Measures
 - Regulatory Compliance
 - Conclusion





Attachment A

Notice of Intent Narrative

VHB is submitting this Notice of Intent on behalf of Squibnocket Farm, Inc. ("Squibnocket Farm" or the "Proponent") pursuant to the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and the Chilmark Wetlands Protection Bylaws. This Notice of Intent seeks authorization solely for exploratory investigations within resource areas and associated buffer zones. The results of these investigations will support the subsequent development and submission of a separate Notice of Intent seeking authorization for the construction of the access-related components of the final recommendations that the special Town Committee on Squibnocket (the "Committee") issued in December, 2014 (the "Committee Recommendations"). The access-related components of the Committee Recommendations are referred to below as the "Access Project."

Introduction

Squibnocket Farm, Inc. respectfully submits this Notice of Intent (NOI) application to the Chilmark Conservation Commission (the "Commission") seeking an Order of Conditions (OOC) that would

- Authorize exploratory work within local and state-regulated wetland resource areas and buffer zones, and
- Confirm wetland jurisdictional boundaries in the area of the contemplated Access Project.

The proposed exploratory work has three goals:

- (a) To complete hand-dug archaeological investigations within the area of the Access Project, subject to the approval of the Massachusetts Historical Commission.
- (b) To characterize the subsurface conditions within the area of the Access Project to identify critical physical characteristics of the soil in furtherance of project design, specifically the depth of piles required to support the low causeway described in the Committee Recommendations and confirm other road design elements, and
- (c) To confirm the glacial origins of Money Hill.



The work proposed in this NOI includes mitigation measures selected to avoid, minimize and mitigate potential impacts to local and state-regulated wetland resource areas. No long-term adverse impacts are anticipated to the regulated wetland resource areas or buffer zones as a result of the proposed exploratory activities.

The work proposed in this NOI will not result in the loss of any local or state-regulated wetland resource areas or the placement of any permanent fill within any such resource areas or buffer zones. Anticipated impacts to regulated resource areas and buffer zones will be small in scale and short in duration. These impacts will be limited to the temporary removal of soil by hand (for archaeological excavations), and by mechanical means (for geotechnical test borings and test pits). The only “fill” proposed within any wetland resource area at this time is the *potential* temporary placement of timber “swamp mats” within the bordering vegetated wetlands adjacent to Squibnocket Pond in connection with the deployment of equipment to one of the proposed boring locations. Swamp mats will be deployed only if deemed necessary to reduce impacts to vegetated wetlands adjacent to Squibnocket Pond.

The proposed investigatory work has been designed to fully comply with all provisions of the Massachusetts Wetlands Protection Act and Chilmark Wetlands Protection Bylaws. Further, the work is a necessary early step in the implementation of the Committee Recommendations. Accordingly, VHB, on behalf of Squibnocket Farm, respectfully requests that the Commission issue an Order of Conditions authorizing the proposed investigations, and also confirm the delineation of wetland resource area boundaries within and adjacent to the Committee-recommended corridor of the Access Project.

Relationship to Committee Recommendations

The archaeological and geotechnical investigations proposed in this NOI are centered, without deviation, on the access road alignment proposed in the Committee Recommendations.

One goal of the exploratory work is to confirm that the new access roadway can be constructed within the Committee’s recommended alignment without creating unacceptable impacts to local or state-regulated wetland resource areas or to archaeological resources.

The definitive proposed alignment of the Access Project will be described in a Notice of Intent to be filed after the completion of a more advanced engineered design that is informed by the results of the investigations proposed in this NOI.



Resource Area Delineations

In addition to recommending the Access Project, the Committee also recommended projects that would enhance and improve the Town's existing beach and boat launch facilities, as well as the parking serving those facilities (the "Town Project"). The Town Project is adjacent to but geographically separate from the Access Project, and will be the subject of separate permitting processes to be pursued by the Town. Because of the contiguous and compressed geography within which the Access Project and the Town Project are sited, this NOI seeks confirmation of wetland resource boundaries in the combined project area, referred to below as the "Combined Site."

The Combined Site is located between Squibnocket Beach and the eastern shoreline of Squibnocket Pond. Within this narrow neck of land, the subsurface investigatory activities proposed in this NOI are located within the roadway alignment described in the Committee Recommendations.

The locations and boundaries of local and state-regulated wetland resource areas within the Combined Site were field delineated by VHB environmental scientists in October 2013 and independently delineated by LEC Environmental Consultants in August 2014 to assist the Committee in its deliberations. In the fall of 2014, the Committee retained Epsilon Associates to peer-review the LEC wetland delineation and boundaries. In December 2014, Epsilon Associates reported to the Committee that Epsilon generally agreed with the August 2014 LEC delineation, with the exception of LEC defining the Town's existing parking lot and the "causeway" connecting the parking lot to the access road to Squibnocket Farm as Coastal Dune.

The wetland resource area boundaries described below and depicted on the attached plans generally agree with the 2014 LEC delineation, except, consistent with Epsilon's findings, for LEC's Coastal Dune classification of the existing parking lot and causeway. We agree that these areas are within local and state regulated wetland resource areas but, as described below, do not agree that they meet the regulatory criteria for Coastal Dune.

The Combined Site includes the following local and state-regulated wetland resource areas:

- Bordering Vegetated Wetlands
- Coastal Bank
- Land Subject to Coastal Storm Flowage
- Barrier Beach
- Coastal Dune
- Land Subject to Tidal Action



These wetland resource areas are defined consistent with the Massachusetts Wetlands Protection Act Regulations and the Town of Chilmark Wetlands Regulations ("Chilmark Regulations"), as explained below.

Bordering Vegetated Wetlands

The WPA regulations (310 CMR 10.55) and the Chilmark Regulations (Section 3.02) define vegetated wetlands slightly differently, but rely on the same basic criteria to define the boundaries of this resource. That is, each defines vegetated wetlands as an area of generally low topography with perennially saturated soils or surface water inundation such that 50% or more of the vegetational community consists of wetland indicator plants. Vegetated wetlands can include disturbed or filled areas.

The Combined Site includes vegetated wetlands extending landward of the edge of Squibnocket Pond in the direction of the existing parking lot and causeway. These vegetated wetlands are adjacent to and contiguous with Squibnocket Pond and therefore are regulated as Bordering Vegetated Wetlands (BVW).

The limits of BVW have been reviewed at the Combined Site by three separate consultant teams, with virtually no disagreement as to the landward limit of this resource. VHB environmental scientists delineated BVW at the project site using the MassDEP methodology defined in 310 CMR 10.55(2) and the MassDEP handbook entitled "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (1995)." Copies of the BVW delineation data forms are provided as an attachment to this NOI.

The BVW at the site is a palustrine scrub-shrub (PSS) community, transitioning to a palustrine emergent (PEM) community at the edge of the pond. In the area between the revetment and the pond, a population of common reed (*Phragmites australis*) has become established; to the southwest, narrow-leaved cattail (*Typha angustifolia*) lines the edge of the pond. A portion of the slope to the northeast of the pond, downgradient from Squibnocket Road, also consists mainly of cattails; runoff from the road or possibly a buried drainage structure keeps this slope saturated.

As Squibnocket Road continues to the southwest from the revetment, the slope from the edge of the road to the pond becomes more pronounced, and a small amount of Bank (Coastal or Inland) is coincident with the BVW line at the edge of Squibnocket Pond. Other dominant species in the BVW include northern arrowwood (*Viburnum dentatum*), seaside goldenrod (*Solidago sempervirens*), and sensitive fern (*Onoclea sensibilis*). The soils in the pond and up the saturated slope are composed of decayed organic matter, forming a thick histosol layer (16 inches and greater).



Within the Combined Site, the area between Squibnocket Road and the pond receives sediment (sand) from seasonal flooding; this area exhibits reduced, saturated sands, with some redoximorphic features present in the top 12 inches. The upgradient soils presented a fairly uniform layer (14 inches and greater) of medium sand with no redoximorphic features. A 100-foot buffer zone extends from the delineation of BVW (and Bank) at the edge of Squibnocket Pond.

Coastal Bank

Coastal Bank is defined in the WPA regulations at 310 CMR 10.30 and the Chilmark Regulations (Section 2.05) as:

[T]he seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of a coastal beach, land subject to tidal action, or other wetland. (Emphasis added)

The state's regulatory definition of Coastal Bank is further elaborated on in MassDEP's Wetlands Policy 92-1, *Coastal Banks*, which includes the following suggested clarifications on defining the "top of coastal bank":

- A. *The slope of a coastal bank must be greater than or equal to 10:1.*
- B. *For a coastal bank with a slope greater than or equal to 4:1 the "top of coastal bank" is that point above the 100-year flood elevation where the slope becomes less than 4:1.*
- C. *For a coastal bank with a slope greater than or equal to 10:1 but less than 4:1, the top of coastal bank is the 100-year flood elevation.*
- D. *A "top of coastal bank" will fall below the 100-year flood elevation and is the point where the slope ceases to be greater than or equal to 10:1.*
- E. *There can be multiple coastal banks within the same site. This can occur where the coastal banks are separated by land subject to coastal storm flowage [an area less than 10:1].*

The Combined Site includes two distinct areas of Coastal Bank described as follows.

Area 1 – Seaward face of the existing parking lot and causeway revetments.

The seaward face of the natural and manmade landform located at the edge of the coastal beach consists of the face of the existing parking lot revetment and the base of



the existing causeway. This man-made coastal bank extends from the toe of the revetments to the top of the slope, ending at the first break in slope where the slope of the revetment becomes less than 10:1, pursuant to DEP Policy 92-1(A). The elevation at the top of this section of Coastal Bank is located between elevation 10 FT and 11 FT (NAVD88).

Along the seaward face of Money Hill, the top of coastal bank is more sinuous, but by regulation ends where the slope is flatter than 10:1. The top of Coastal Bank along the seaward face of Money Hill is located between elevation 11 FT and 13 FT (NAVD88).

Area 2 – Seaward Landform between Squibnocket Road and the Pond.

A portion of the hillside between Squibnocket Road and Squibnocket Pond is presumed to contain Coastal Bank up to the limit of Land Subject to Coastal Storm Flowage (Elevation 15 FT NAVD88) because it consists of a seaward landform with a slope steeper than 10:1 but less than 4:1, pursuant to DEP Policy 92-1(C).

Area 3 – Landward Facing Landform on the Backside of Money Hill

The landward face of Money Hill variably slopes down from a highpoint at the top of the hill (approximate Elevation 19 FT NAVD88) to the edge of Squibnocket Pond at elevation 2 FT (NAVD88). These portions of the slope are steeper than 10:1, are located with Land Subject to Coastal Storm Flowage and are conservatively assumed to be regulated as Coastal Bank under 310 CMR 10.30 and the Chilmark Regulations (Section 2.05).

The limits of Coastal Bank at the project site are shown on the project plans.

Coastal Beach

The resource area Coastal Beach is defined slightly differently under the WPA regulations at 310 CMR 10.27 and the Chilmark Regulations, with the latter providing additional clarification as described below. Despite the slight definitional differences, the local and state delineation of regulated Coastal Beach at the Combined Site is identical.

The WPA regulations at 310 CMR 10.27 define Coastal Beach as

[U]nconsolidated sediment subject to wave, tidal and coastal storm action which forms the gently sloping shore of a body of salt water and includes tidal flats.



Coastal beaches extend from the mean low water line landward to the dune line, coastal bankline or the seaward edge of existing human-made structures, when these structures replace one of the above lines, whichever is closest to the ocean.

The Chilmark Regulations (Section 2.02(1)(A)) add that Coastal Beach may include:

land which is separated from other land by a body of water or a marsh system.

Furthermore:

If no bank or dune is present, the beach will extend to the landward limit of beach grasses.

Coastal Beach at the project site is located seaward of the existing parking lot and causeway revetments as shown on the project plans.

Land Subject to Tidal Action

The WPA regulations at 310 CMR 10.04 and the Chilmark Regulations (Section 1.05) define Land Subject to Tidal Action as:

[L]and subject to the periodic rise and fall of a coastal water body, including spring tides.

Land Subject to Tidal Action at the project site includes Coastal Beach and that portion of Coastal Bank located on the seaward face of the existing parking lot and causeway revetments and the seaward face of Money Hill up to and including the Spring High Tide mark, located along the seaward face of the existing revetments and Money Hill.

Land Subject to Coastal Storm Flowage

The WPA regulations at 310 CMR 10.04 and the Chilmark Regulations (Section 1.05) define Land Subject to Coastal Storm Flowage as:

[L]and subject to any inundation caused by coastal storms up to and including that caused by the "100 year storm" surge of record or local storm of record, whichever is greater.

(This quote is from the Chilmark Regulations; the WPA definition is nearly identical.) The WPA and the Chilmark Regulations define the limit of Land Subject to Coastal Storm Flowage as the lateral extent of the 100-year storm or surge of record as depicted on the most recently issued Federal Emergency Management Agency Flood



Insurance Rate Map. The current FEMA map of record for the Combined Site was issued on July 6, 2010¹ and identifies the following floodplain segments:

- Zone VE (El. 12 FT) along the Coastal Beach, generally defined by the top of the existing parking lot and causeway stone revetments and the seaward face of Money Hill.
- Zone A0 (Depth 2FT) along the seaward face of Money Hill, landward of the VE Zone defined above.
- Zone AE (El. 8 FT) along the northern shoreline of Squibnocket Pond and the entire pond area adjacent to the project site.

FEMA has recently completed revisions to its coastal floodplain study on Martha's Vineyard, and issued a preliminary FIRM for Dukes County, including the Combined Site, on April 27, 2015.² This Preliminary FIRM substantially revises the predicted 100-year coastal flood elevations at the Combined Site, placing the entire area within the following mapped velocity zones.

- Zone VE (Elevation 16 FT) located generally at the landward edge of the existing parking lot and the landward face of Money Hill.
- Zone VE (Elevation 15 FT) located within Squibnocket Pond and its adjacent Bordering Vegetated Wetlands.

While the current map of record is the FIRM issued on July 6, 2010, the Preliminary FIRM map was prepared to reflect a more comprehensive assessment of the coastal floodplain using updated methodologies and calculations. Accordingly, this NOI assumes the Preliminary FIRM will be adopted without significant revisions. This conservative assumption is reflected in the Land Subject to Coastal Storm Flowage boundaries depicted on the project plans.

Barrier Beach

The WPA regulations at 310 CMR 10.29 define Barrier Beach(es) as:

[A] narrow low-lying strip of land generally consisting of coastal beaches and coastal dunes extending roughly parallel to the trend of the coast.

The Chilmark Regulations at 2.04 add:

▼
¹ Federal Emergency Management Agency, Flood Insurance Rate Map. Community Panel 25007 C0159H, Chilmark MA.
² Federal Emergency Management Agency, Preliminary Flood Insurance Rate Map. Community Panel 25007 C0159J, Chilmark MA., Issued April 27, 2015.



[A barrier beach] is separated from the mainland by a narrow body of fresh, brackish, or saline water, a marsh system, or other wetland system. A barrier beach may be joined to the mainland at one or both ends.

The Chilmark Regulations (Section 2.04(1)) include the following additional clarification regarding the definition of barrier beaches:

Barrier Beaches include, but are not limited to, "those shown on the Federal and Coastal Zone Management Barrier Beach Maps."

Portions of the Combined Site are located within a federally designated Coastal Barrier Resource unit and have been informally mapped as a barrier beach by MassDEP. Based on the site topography and orientation of the existing landforms relative to the downgradient Coastal Beach, Barrier Beach begins at the bottom of the slope adjacent to Squibnocket Road and extends generally south and west past Money Hill. The limits of Barrier Beach are shown on the project plans.

Coastal Dune

The Chilmark Regulations (Section 2.03), and, in nearly identical language, the WPA regulations at 310 CMR 10.28, define Coastal Dune as:

[A]ny natural hill, mound, or ridge of sediment landward of a coastal beach deposited by wind action or storm overwash. Coastal dune sediment deposited by artificial means also serves the purpose of storm damage prevention or flood control.

Both the local and state definitions of Coastal Dune recognize the importance of artificially deposited dune sediments (i.e., sand) to storm damage prevention. However, the existing stone revetments, causeway and parking lot are not classifiable as Coastal Dune under these definitions.

Accordingly, Coastal Dunes present at the site are limited to sediment landward of the coastal beach and deposited by wind action or storm overwash. While the land between the landward edge of the parking lot and Squibnocket Pond does not constitute a "natural hill, mound or ridge of sediment," the natural accretion of this land and the altered nature of the existing parking lot and causeway indicate that this area has likely functioned as a Coastal Dune in the past. The project plans identify the area between the parking lot and the pond as Coastal Dune.



Proposed Work in Wetland Resource Areas

Work proposed at this time within local and state-regulated wetland resource areas is limited to investigative archaeological and geotechnical excavations and borings. The Proponent is not seeking authorization at this time to construct the Access Project; the Access Project will be the subject of a subsequent NOI filing. No construction or permanent alteration of any resource area or buffer zone is proposed at this time.

The proposed archaeological and geotechnical investigations will be performed in the following sequence:

- Proposed locations for archaeological test plots, soil borings and test pits will be field-staked. These locations will be considered approximate and finalized based on actual field conditions encountered;
- Notification of Dig Safe prior to any soil exploration;
- By-hand archaeological excavations within approximately eight 0.5 x 0.5 meter test plots to identify potential archaeological resources within the footprint of planned soil borings and test pits;
- Limited vegetation trimming and pruning to facilitate access to truck mounted or tracked vehicles to perform the proposed archaeological test plots, soil borings and test pits;
- Installation of temporary erosion controls and limit of work barriers consisting of straw wattle and hand-staked orange construction fencing to minimize the potential of inadvertent impacts to wetland resource areas or buffer zones;
- Subsurface soil excavation by backhoe or truck mounted soil boring equipment;
- Backfilling of each soil boring and test pit location and compaction of soil following excavation or soil boring;
- Removal of temporary construction fencing and erosion controls at the completion of soil borings and test pits.

The text below provides detail on how soil borings and test pits are to be completed. Temporary impacts to resource areas and buffer zones are summarized in Table 1.



Test Borings

Test borings will be completed using a track mounted or rubber tired ATV. Borings are anticipated to be completed using drive and wash techniques. 4.5 Inch outside diameter (O.D.) steel casing will be driven to sampling depth and washed out using a roller bit. Wash water and cuttings will be contained in a mud tub. Split spoon samples will be collected every 5 feet or at stratigraphic changes (based on drill action). The sampler will be driven in accordance with ASTM D1586 Standard Test Method for Standard Penetration Test (SPT) and Split-Barrel Sampling of Soils. It is possible that hollow stem augers (HSA) may be used instead of the drive and wash technique. In the HSA approach, 8.5-inch O.D. augers will be used to advance the borehole to the sampling intervals. Test borings are anticipated to be 35 feet in depth or less. Soil conditions or bedrock elevation will determine the final depth of each boring. Upon completion, boreholes will be backfilled with drill cuttings and pea gravel as necessary to restore the pre-existing grade.

Test pits

Test pits will be completed using a rubber tired backhoe (e.g., Case 580 or similar). Test pits are anticipated to be excavated to a depth of less than 12 FT. The actual dimensions of the test pits will be dictated by the depth excavated. In general, shallow test pits will be 10-15 feet long by 4 feet wide. Deeper test pits will be longer and wider. For safety purposes, the sides of the excavation may be widened or sloped back to prevent sidewall collapse. Upon completion, the test pits will be backfilled with the excavated soils and compacted with the bucket of the backhoe.

Table 1 Summary of Proposed Wetland and Buffer Zone Impacts

Test Location	Resource Area	Temporary Impacts (SF)
TP-1	Barrier Beach	60 ±
TP-2	Barrier Beach	60 ±
SC-1	Barrier Beach	< 4
SC-2	BVW	< 4
SC-3		< 4
SC-4	Coastal Bank	< 4
TP-3		60 ±
TP-4		60 ±
Total		256 ±



Mitigation Measures

The proposed exploratory work at the project site has been designed to avoid, minimize and mitigate potential wetland impacts to the extent practicable. The following mitigation measures are proposed:

- Test boring and test pit locations will be identified in the field in advance and reviewed with the Chilmark Conservation Agent and any member of the Conservation Commission who wishes to review test locations;
- Temporary hand-staked plastic construction fencing will be installed as shown on the project plans to confine construction vehicle access to locations approved by the Commission;
- Temporary erosion control barriers will be installed downgradient of the test boring and test pit locations on an as-needed basis to avoid erosion and sedimentation into the surrounding resource areas;
- At the completion of each test boring and test pit, excavations will be backfilled and the soil compacted to restore pre-existing grades.

Regulatory Compliance

The proposed investigations are proposed to occur within the following local and state-regulated wetland resource areas:

- Land Subject to Coastal Storm Flowage
- Coastal Bank
- Bordering Vegetated Wetlands
- Barrier Beach

The following section describes how work in each of these resource areas complies with the applicable local or state performance standard.

Land Subject to Coastal Storm Flowage

The WPA does not establish any performance standards for work in Land Subject to Coastal Storm Flowage.

The Chilmark Wetlands Regulations at Section 2.10(2) establish four standards governing work in Land Subject to Coastal Storm Flowage. The proposed subsurface investigations comply with each standard, as explained in this section.



(A) The work shall not reduce the ability of the land to absorb and contain floodwaters, or to buffer inland area from flooding and wave damage.

The proposed exploratory work will not result in any long-term impacts to Land Subject to Coastal Storm Flowage or reduce the ability of the land to absorb and contain floodwaters.

(B) Projects shall be designed in such a way to protect ground, surface, or salt water from pollution triggered by coastal storm flowage. All newly constructed septic tanks and leach facilities shall be outside the 100 year floodplain unless the Commission is presented with documentation by a Registered Professional Engineer or Health Sanitician which documents that the waste disposal system would eliminate infiltration of floodwaters into the system and discharges from the system into floodwaters.

This standard does not apply to the current project because no new structure or septic system is proposed. The work proposed in this NOI consists solely of archaeological and geotechnical excavations and borings, temporary in nature, that will be backfilled and compacted promptly upon completion.

(C) Septic systems are prohibited in the velocity zone.

This standard does not apply to the current project because no new structure or septic system is proposed.

(D) The proposal shall not alter land subject to coastal storm flowage which is significant to wildlife and their habitats.

The project does not include any permanent alterations to Land Subject to Coastal Storm Flowage. The work consists solely of temporary excavations and borings that will be backfilled and compacted promptly upon completion, with no resulting alteration to wildlife habitat. The project site is located within Estimated Habitat of the state-listed northern harrier (*Circus cyaneus*). A copy of this Notice of Intent has been sent to the Massachusetts Natural Heritage Program as required.

Coastal Bank

The WPA distinguishes between Coastal Banks that serve as a sediment source and Coastal Banks that serve as a vertical buffer. The Coastal Bank where work is proposed is located between Squibnocket Road and the Squibnocket Pond, downslope from the road. This Coastal Bank is densely vegetated and does not serve as a sediment source for any Coastal Beach. It does, however, serve as a vertical buffer to stormwater. Accordingly, the following performance standards at 310 CMR 10.30(6) through (8) apply.



(6) Any project on such a coastal bank or within 100 feet landward of the top of such coastal bank shall have no adverse effects on the stability of the coastal bank.

The proposed archaeological and geotechnical excavations, exploratory borings and test pits will not have any adverse effect on the stability of Coastal Bank. The hillside resource area is densely vegetated and soil alteration is limited to approximately 60 SF per test pit and less than 4 SF for each test boring. All excavated materials will be replaced at the completion of the work and soils compacted as needed.

(7) Bulkheads, revetments, seawalls, groins or other coastal engineering structures may be permitted on such a coastal bank except when such bank is significant to storm damage prevention or flood control because it supplies sediment to coastal beaches, coastal dunes, and barrier beaches.

No coastal bulkheads, revetments, seawalls, groins or other coastal engineering structures are proposed.

(8) Notwithstanding the provisions of 310 CMR 10.30(3) through (7), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.

The Combined Site is located within Estimated Habitat of the Northern Harrier. Based on preliminary habitat evaluations by VHB environmental scientists and pre-filing consultation with Massachusetts Natural Heritage staff, however, no adverse effects on the habitat are anticipated to result from the proposed investigations. A copy of this NOI has been provided to the Massachusetts Natural Heritage Program as required.

The Chilmark Wetlands Regulations, Section 2.05(3), prohibit all alterations to Coastal Bank or within 100 feet of a Coastal Bank, except the maintenance of an existing structure or pursuant to a variance to this provision granted under Section 5.01 and described in Section 2.05(4). (The standard for the issuance of variances, and the compliance of the proposed investigatory activities with this standard, is addressed below in the section entitled "Request for Variance.")

The following activities are permitted under a Commission-approved variance to Section 2.05(3):

(A) No new bulkhead, revetment, seawall, groin, vertical walls or other coastal engineered structure shall be permitted on such a coastal bank except that such a coastal engineered structure may be permitted when required to prevent storm damage to buildings constructed prior to August 10, 1978 or constructed pursuant to a Notice of Intent filed prior to August 10, 1978, including reconstructions of such buildings subsequent to August 10, 1978, using the best available measures acceptable to the State DEP, Coastal Zone Management and/or



the Army Corps of Engineers, provided that the following requirements [established in Section 2.05(4)(A)(i) through (iii)] are met.

No new bulkhead, revetment, seawall, groin, vertical walls or other coastal engineered structure are proposed in this Notice of Intent, and this provision therefore does not apply.

(B) Any project on a coastal bank or within 100 feet landward of the top of a coastal bank, other than a structure permitted by Section 2.05(4)(a), shall not have an adverse effect on the movement of sediment by wave action from the coastal bank to coastal beaches or land subject to tidal action.

The proposed exploratory work in Coastal Bank will occur in a densely vegetated area which does not serve as a sediment source for any Coastal Beach. The work will not affect the natural movement of sediment by wave action.

(C) The Order of Conditions and the Certificate of Compliance for any new building within 100 feet landward of the top of a coastal bank permitted by the Conservation Commission under this Bylaw shall contain the specific condition: "Section 2.05 of the Wetlands Regulations, promulgated under the Chilmark Wetlands Protection Bylaw requires that no coastal engineered structure, such as a bulkhead, revetment, or seawall shall be permitted on the bank at any time in the future to protect the project allowed by this permit."

This provision does not apply to the proposed exploratory borings because no new building is proposed in this Notice of Intent.

Bordering Vegetated Wetlands

The WPA regulations and the Chilmark Wetlands Bylaws each establish performance standards for work in Bordering Vegetated Wetlands. The following sections summarize the local and state standards for work in this resource area and describe the project's compliance with these standards.

Wetlands Protection Act Standards (BVW)

The WPA regulations at 310 CMR 10.55(4) establish four (4) performance standards for work in Bordering Vegetated Wetlands. The following section provides a summary of these standards and describes how the project complies with each.

- (a) ...proposed work in a Bordering Vegetated Wetland shall not destroy or otherwise impair any portion of said area.*



The proposed exploratory work will not result in the loss of any Bordering Vegetated Wetlands or otherwise impair any portion of such vegetated wetlands because the proposed alterations are localized and temporary in nature. No placement of fill is proposed within wetlands. It is possible that, in order to access the single soil boring planned within Bordering Vegetated Wetlands, timber swamp mats will temporarily be deployed in order to protect the resource from the drilling equipment. The swamp mat arguably constitutes "fill," but is temporary, and would only be used in order to protect the resource.

(b) Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of up to 5000 square feet of Bordering Vegetated Wetland when said area is replaced in accordance with the following general conditions and any additional, specific conditions the issuing authority deems necessary to ensure that the replacement area will function in a manner similar to the area that will be lost:

The exploratory work proposed herein complies with this performance standard because no loss of Bordering Vegetated Wetlands is proposed.

(c) Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of a portion of Bordering Vegetated Wetland when;

- 1. said portion has a surface area less than 500 square feet;*
- 2. said portion extends in a distinct linear configuration ("finger-like") into adjacent uplands;*

This performance standard does not apply to the proposed work as no loss of Bordering Vegetated Wetlands is proposed.

(d) Notwithstanding the provisions of 310 CMR 10.55(4)(a),(b) and (c), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.

The project site is located within mapped Estimated Habitat of the rare vertebrate species northern harrier (*Circus cyaneus*). Based on preliminary habitat review and pre-filing consultation with Massachusetts Natural Heritage staff, no adverse effect on the habitat of this species is anticipated. As required by regulation, a copy of this NOI has been sent to the Natural Heritage Program.

(e) Any proposed work shall not destroy or otherwise impair any portion of a Bordering Vegetated Wetland that is within an Area of Critical Environmental Concern designated by the Secretary of Energy and Environmental Affairs under M.G.L. c. 21A, § 2(7) and 301 CMR 12.00: Areas of Critical Environmental Concern. 310 CMR 10.55(4)(e):



This performance standard does not apply to the project because no portion of the Combined Site is located within a mapped Area of Critical Environmental Concern.

Chilmark Wetlands Regulations Standards (BVW)

The Chilmark Regulations at Section 3.02(3) prohibit all activities, other than the maintenance of an already existing structure or activities authorized by variance, which result in alterations to vegetated wetlands. Section 3.02(4) allows the Commission to issue a variance pursuant to Section 5.01 provided that the work does not impair the vegetated wetland's ability to perform any of the functions set forth in Section 3.02(2). (The proposed investigatory activities' eligibility for a variance is further discussed below.)

The proposed exploratory work will result in short-term minor impacts to approximately 4 SF of vegetated wetlands from soil borings. No new structures, filling or loss of vegetated wetlands are proposed. The work complies with Section 3.02(4) and is eligible for the variance.

Barrier Beach

The WPA regulations at 310 CMR 10.29 and the Chilmark Regulations (Section 20.4) each establish performance standards for work on Barrier Beaches. The following sections provide a summary of the standards applicable under each of the WPA and the Chilmark Regulations, and describe the project's compliance with applicable standards.

Wetlands Protection Act Standards (Barrier Beach)

The WPA regulations at 310 CMR 10.29 establish the following two (2) performance standards for work on Barrier Beaches:

(3) When a Barrier Beach Is Determined to Be Significant to Storm Damage Prevention, Flood Control, Marine Fisheries or Protection of Wildlife Habitat. 310 CMR 10.27(3) through (6) (coastal beaches) and 10.28(3) through (5) (coastal dunes) shall apply to the coastal beaches and to all coastal dunes which make up a barrier beach.

No work is proposed within any Coastal Beach or Coastal Dune.

(4) Notwithstanding the provisions of 310 CMR 10.29(3), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.



The Combined Site is located within mapped Estimated Habitat of the rare vertebrate species northern harrier (*Circus cyaneus*). Based on preliminary habitat review and pre-filing consultation with Massachusetts Natural Heritage staff, the proposed investigations are not anticipated to have any adverse effects on this species. As required by regulation, a copy of the NOI has been sent to the Natural Heritage Program.

Chilmark Wetlands Regulations Standards (Barrier Beaches)

The Chilmark Regulations at Section 2.04(4) establish the following regulations for work on Barrier Beaches:

(A) Fill may be used only if the Commission authorizes its use and only if such fill is to be used for beach and dune nourishment projects.

No fill is proposed within any barrier beach.

(B) Excavation of sand around existing houses may be permitted, but no new projects shall be permitted which will require periodic sand removal for maintenance. All disturbed areas (including blowouts) shall be stabilized through planting of vegetation. The excavated sand must be retained in the area and be a part of the barrier beach.

No permanent excavation of sand is proposed. All exploratory work at the project site will be temporary in nature and test plots, boring and pits will be refilled and compacted after sample collection and characterization is complete.

(C) Vehicular access for existing houses, fishing areas, or shellfishing areas shall be done in accordance with such procedures as the Commission determines will minimize any adverse effect on the beach.

No new vehicular access is proposed. The Access Project (which will involve the improvement of an existing access corridor) will be the subject of a future NOI filing with the Commission.

(D) Projects such as Pond openings for the enhancement of fisheries and shellfisheries may be permitted if they are performed in a manner which will not permanently adversely affect the interests of storm damage prevention and flood control, wildlife and wildlife habitat (see DEP Policy 91-2).

This standard is not applicable to the project because no pond openings are proposed.



Request for Variance under Chilmark Wetlands Regulations

Section 5.01(A) of the Chilmark Regulations allows the Commission to issue a variance

upon a clear and convincing showing by the applicant that any proposed work, or its natural and consequential impacts and effects, will not have an adverse effect upon any of the interests protected in the Bylaws.

Section 1.01(2) defines the interests of the Chilmark Regulations to include the following:

- *public water supply*
- *private water supply*
- *groundwater and groundwater quality*
- *water quality in the numerous ponds in the Town*
- *flood control*
- *erosion and sedimentation control*
- *storm damage prevention*
- *recreation*
- *fisheries*
- *shellfish*
- *wildlife and wildlife habitat*
- *agriculture and aquaculture*

The proposed exploratory work is minor in nature, will not result in the loss or degradation of any local-regulated wetland resource area and will not have any adverse effect on any interest protected by the Chilmark Wetlands Protection Bylaws. No long-term adverse impacts to any locally-regulated resource area are anticipated. None of the form, function, vegetative cover, or other characteristics of the resource areas will be substantively altered by the exploratory activities described in this NOI.

Conclusion

VHB, on behalf of Squibnocket Farm, Inc., respectfully requests that the Chilmark Conservation Commission issue an Order of Conditions pursuant to the Massachusetts Wetlands Protection Act and the Chilmark Wetlands Protection Bylaws authorizing the following exploratory activities at the project site:

- Approximately eight to ten hand-dug archaeological research plots;
- Approximately four (4) test borings and approximately four (4) test pits to evaluate the subsurface conditions as necessary to design the Access Project.



Based on the foregoing regulatory analysis, these activities comply with all applicable local and state performance standards for work in the wetland resource areas present at the Combined Site, as those areas are delineated in the plans submitted with this NOI. We also are requesting that the Conservation Commission confirm these resource area delineations.



Attachment B

Bordering Vegetated Wetlands

Delineation Data Sheets

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Squibnocket Farm Ass'n

Prepared by: VHB

Project location: Squibnocket Farm Road, Chilmark

DEP File #: _____

Check all that apply: ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

☐ Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: WF1-107	Transect Number: Upgradient		Date of Delineation:
Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*
<u>Tree Layer</u>					
none					
<u>Sapling Layer</u>					
none					
<u>Shrub Layer</u>					
poison ivy	<i>Toxicodendron radicans</i>	20.5%	32.8%	yes	FAC*
autumn olive	<i>Elaeagnus umbellata</i>	10.5%	16.8%	yes	UPL
privet hedge	<i>Ligustrum sp.</i>	10.5%	16.8%	yes	FACU
rugosa rose	<i>Rosa rugosa</i>	10.5%	16.8%	yes	FACU
Oriental bittersweet	<i>Celastrus orbiculata</i>	10.5%	16.8%	yes	FACU
<u>Climbing Woody Vine</u>					
none					
<u>Ground Cover</u>					
seaside goldenrod	<i>Solidago sempervirens</i>	63.0%	75.0%	yes	FACW*
poison ivy	<i>Toxicodendron radicans</i>	10.5%	12.5%	no	FAC*
Oriental bittersweet	<i>Celastrus orbiculata</i>	10.5%	12.5%	no	FACU
Remarks: _____					
Morphological Adaptations: <u>0</u>		Description: _____			
* An asterisk after indicator status denotes wetlands plants: plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL.					
Vegetation conclusion:					
Number of dominant wetland indicator plants: 2			Number of dominant non-wetland indicator plants: 4		
Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? no					

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no

title/date: Soil Survey of Dukes County - 1986

map number: _____

soil type mapped: Eastchop loamy sand

hydric soil inclusions: _____

Are field observations consistent with soil survey? ☒ yes ☐ no

Remarks: _____

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
A	0-14+	10YR 4/4	Loamy sand

Remarks: _____

3. Other: _____

Conclusion: Is soil hydric? ☐ yes ☒ no

Other Indicators of Hydrology: (check all that apply and describe)

- ☐ Site inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift Lines: _____
- ☐ Sediment deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):

- ☐ Other: _____

Vegetation and Hydrology Conclusion for Upgradient of WF1-107

	<u>yes</u>	<u>no</u>
Number of wetland indicator plants >= number of non-wetland plants		X
Wetland hydrology present:		
hydric soils present		X
other indicators of hydrology present		X
Sample location is in a BVW		X

Submit this form with the Request for Determination of Applicability or Notice of Intent

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Squibnocket Farm Ass'n

Prepared by: VHB

Project location: Squibnocket Farm Road, Chilmark

DEP File #: _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: WF1-107	Transect Number: Downgradient		Date of Delineation:	
Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*	
<u>Tree Layer</u>						
none						
<u>Sapling Layer</u>						
none						
<u>Shrub Layer</u>						
black willow	<i>Salix nigra</i>	10.5%	100.0%	yes	FACW*	
<u>Climbing Woody Vine</u>						
none						
<u>Ground Cover</u>						
narrow-leaf cattail	<i>Typha angustifolia</i>	83.0%	86.0%	yes	OBL*	
sensitive fern	<i>Onoclea sensibilis</i>	10.5%	10.9%	no	FACW*	
purple loosestrife	<i>Lythrum salicaria</i>	3.0%	3.1%	no	FACW*	
Remarks: _____						
Morphological Adaptations: <u>0</u>		Description: _____				
* An asterisk after indicator status denotes wetlands plants: plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL.						
Vegetation conclusion:						
Number of dominant wetland indicator plants: 2			Number of dominant non-wetland indicator plants: 0			
Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes						

If vegetation alone is presumes adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no

title/date: Soil Survey of Dukes County - 1986

map number: _____

soil type mapped: Eastchop loamy sand

hydric soil inclusions: _____

Are field observations consistent with soil survey? ☐ yes ☒ no

Remarks: Soil contains much more organic material

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
O/A	0-16+	10YR 2/1	muck - histosol

Remarks: _____

3. Other: _____

Conclusion: Is soil hydric? ☒ yes ☐ no

Other Indicators of Hydrology: (check all that apply and describe)

☐ Site inundated: _____

☐ Depth to free water in observation hole: _____

☐ Depth to soil saturation in observation hole: _____

☐ Water marks: _____

☐ Drift Lines: _____

☐ Sediment deposits: _____

☐ Drainage patterns in BVW: _____

☐ Oxidized rhizospheres: _____

☐ Water-stained leaves: _____

☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____

☐ Other: _____

Vegetation and Hydrology Conclusion for Downgradient of WF1-107

	<u>yes</u>	<u>no</u>
Number of wetland indicator plants		
>= number of non-wetland plants	X	
Wetland hydrology present:		
hydric soils present	X	
other indicators of hydrology present		X
Sample location is in a BVW	X	

Submit this form with the Request for Determination of Applicability or Notice of Intent



Attachment C

Abutter Information

-
- Notice to Abutters
 - List of Abutters



Notification to Abutters Under the Wetlands Protection Act

Pursuant to the requirements of the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40), and the Town of Chilmark Wetlands Protection Bylaws, you are hereby notified of the following:

The Squibnocket Farm Homeowners Association has filed a Notice of Intent (NOI) with the Chilmark Conservation Commission seeking authorization solely for exploratory investigations within resource areas and associated buffer zones. The results of these investigations will support the subsequent development and submission of a separate Notice of Intent seeking authorization for the construction of the access-related components of the final recommendations that the special Town Committee on Squibnocket issued in December, 2014.

Information regarding the NOI may be obtained by calling the Chilmark Conservation Commission at 508-645-2114 between 7:30am to 4:30pm Monday through Thursday. The NOI may be viewed at the Chilmark Conservation Commission Office located at 401 Middle Road in Chilmark. You may also call Daniel Padien at 617-607-2985 on Monday through Friday between 9 AM and 5 PM with questions or to arrange to view the NOI.

Copies of the NOI may be obtained from the Chilmark Conservation Commission by calling the number above or by calling Daniel Padien at 617-607-2985. You may be charged for a copy of the NOI.

The Chilmark Conservation Commission will hold a public hearing on the NOI. Notice of the public hearing (including the date, time and place) will be published in a local newspaper at least 5 business days before and posted in Town Hall at least 48 hours in advance. You may also call the Chilmark Conservation Commission (at the number identified above) to determine the date, time and place of the hearing.

Information on this NOI and the Wetlands Protection Act may also be obtained by calling the Southeast Regional Office of the Massachusetts Department of Environmental Protection at 508-946-2700.

ABUTTERS LIST**Proponent:** Squibnocket Farm, Inc.**Project:** Squibnocket Access Project: Exploratory Work**Site Address:** Squinocket Road, Chilmark MA**Parcels:** Assessor's Map 35, Parcels: 1-30, 17.3, 17.4, 21, 22, 23***Assessors Map #35***

<i>Lot</i>	<i>Owner</i>	<i>Address</i>	<i>Owner Address</i>	<i>Owner City</i>	<i>Owner Zip</i>
1-2	Honker & Sons LLC	55 Squibnocket Farm Rd	1357 Broadway	New York, NY	10018
1-3	Hornblower, Paul S.	51 Squibnocket Farm Rd	PO Box 345	Chilmark, MA	02535
1-16	Squibnocket Farm Assoc. Inc.	0 Squibnocket Rd	PO Box 1055	West Tisbury, MA	02575
1-18	Vineyard Open Land Foundation	0 Squibnocket Farm Rd	PO Box 4608	Vineyard Haven, MA	02568
1-19	Vineyard Open Land Foundation	0 Squibnocket Farm Rd	PO Box 4608	Vineyard Haven, MA	02568
1-22	Vineyard Open Land Foundation	0 Squibnocket Farm Rd	PO Box 4608	Vineyard Haven, MA	02568
1-28	Foster, Barbara Hunter, Trs.	49 Squibnocket Farm Rd	101 Arch St, Floor 18	Boston, MA	02110
1-30	Vineyard Open Land Foundation	0 Squibnocket Farm Rd	PO Box 4608	Vineyard Haven, MA	02568
17-1	Orphanos, A./Jeffers, W. Trs.	14 Squibnocket Rd	61-63 Crosby St	New York, NY	10012
17-2	Pratt, H./Bator, T., Trs.	16 Squibnocket Rd	50 Congress St	Boston, MA	02109
17-3	Orphanos, A./Jeffers, W. Trs.	0 Squibnocket Rd	61-63 Crosby St	New York, NY	10012
18	Mewhinney, Michael C./Linda D.	22 Quitsa Ln	4242 Cochran Chapel Rd	Dallas, TX	75209
20	Town of Chilmark/Squib. Parking Lot	34 Squibnocket Rd	PO Box 119	Chilmark, MA	02535
21	Squibnocket Farm Assoc. Inc.	0 Squibnocket Rd	PO Box 1055	West Tisbury, MA	02575
22	Town of Chilmark/Squib. Parking Lot	0 Squibnocket Rd	PO Box 119	Chilmark, MA	02535
23	Squibnocket Farm Assoc. Inc.	0 Squibnocket Rd	PO Box 1055	West Tisbury, MA	02575
24	Estate of Vytlacil, Anne B.	21 Squibnocket Rd	14 Wildwood Dr	Bedford, MA	01730
25	Dawson, Virginia P., Tr.	24 Blackstone Valley Rd.	3290 Glencairn Rd	Shaker Heights, OH	44122
26	Dawson, Virginia P., Tr.	24 Blackstone Valley Rd.	3290 Glencairn Rd	Shaker Heights, OH	44122
27	Regen Fam Storks Nest LLC & D Stork	6 Storks Nest Ln	6 Storks Nest Ln	Chilmark, MA	02535
38	Liman, Douglas	34 Blacksmith Valley Rd	71 Hudson St	New York, NY	10013
44	Hale, Martin M. & Deborah C.	64 Squibnocket Farm Rd	220 Boylston St, #1020	Boston, MA	02116
46	Estate of Vytlacil, Anne B.	21 Squibnocket Rd	14 Wildwood Dr	Bedford, MA	01730
47	Regen Fam Storks Nest LLC & D Stork	6 Storks Nest Ln	6 Storks Nest Ln	Chilmark, MA	02535



Attachment D

Project Drawings
