

Conservation
Commission
Packet

For

07/27/2016



NANTUCKET CONSERVATION COMMISSION
Updated Meeting Notice/Agenda for Wednesday, July 13th 2016
4:00 P.M. in the 2nd Floor of the Public Safety Facility 4 Fairgrounds Road

*Matter has not been heard

I. PUBLIC MEETING

- A. Election of Officers
- B. Public Comment

II. PUBLIC HEARING

A. Notice of Intent

1. Edwin Snider RT – 1 Brock's Ct (42.3.4-84) SE48-2834 **Cont (08/10/2016)**
2. Edwin Snider RT – 1 Brock's Ct (42.3.4-84) SE48-2835 **Cont (08/10/2016)**
3. Nantucket Islands Land Bank – 17 Commerical Wharf (42.2.4-7 & 8) SE48-2885 **Cont (08/24/2016)**
4. Holt – 98 Squam Road – (12-36) SE48-2898
5. * Laz Family NT – 20 Waquoit Road (90-5) SE48- 2901 **Cont (08/10/2016)**
6. *78 Wauwinet Road LLC – 78 Wauwinet Road (14-18) SE48- 2900
7. *Third Time Trust – 41A Cliff Road (42.4.4-2) SE48-
8. *102 Wauwinet Road NT - 102 Wauwinet Road (11-24.2) SE48-
9. *Four Quaise Pasture Road NT – 4 Quaise Pasture Road (26-29) SE48-
10. *The Nantucket Land Bank – 4 Polpis Harbor Road (54-187) SE48-

B. Amended Orders of Conditions

1. *MAK Daddy Trust – 68/72 Monomoy Road (43-119,115) SE48-2803

PUBLIC MEETING

II.

A. Certificate of Compliance

1. Four Saratoga LLC – 14 Tennessee Ave (60.1.2-6) SE48-2506
2. *Thompson – 14 Fargo Way (14-17) SE48-2645
3. *Cross – 9 Wauwinet Road (20-44) SE48-2243
4. *48 SPR LLC – 48 Shimmo Pond Road (43-79) SE48-2789
5. Barbieri – 14 Gosnold Road (30-83) SE48-2282 – **Reissue**
6. *Todd- 11 Wauwinet Road (20-43) SE48-2831
7. *Stamas- 10A Crow's Nest Way (12-44.6) NAN-117
8. *Mayer – 20 Gingly Lane (41-848) NAN-101

B. Orders of Conditions (If the public hearing is closed – for discussion and/or issuance)
Discussion of other closed Notices of Intent

1. Holt – 98 Squam Road – (12-36) SE48-2898
2. *78 Wauwinet Road LLC – 78 Wauwinet Road (14-18) SE48- 2900
3. *Third Time Trust – 41A Cliff Road (42.4.4-2) SE48-
4. *102 Wauwinet Road NT - 102 Wauwinet Road (11-24.2) SE48-
5. *Four Quaise Pasture Road NT – 4 Quaise Pasture Road (26-29) SE48-
6. *The Nantucket Land Bank – 4 Polpis Harbor Road (54-187) SE48-

C. Extension for Order of Conditions

1. *Blue Shutters RT – 4 Hulbert Ave (42.1.4-2) SE48-2582
2. *Hither Creek Boatyard – 20 North Cambridge St (130-87) SE48-2141
3. *Hither Creek Boatyard – 20 North Cambridge St (130-87) SE48-2109

D. Monitoring Reports

1. * Waters Edge N.T – 16 Medouie Creek Road (20-26) SE48-2577
2. *Todd – 11 Wauwinet Road (20-43) SE48-2831

E. Other Business

1. Approval of Minutes 07/13/2016
2. Enforcement Action
3. Emergency Certification
4. Reports: CPC, NP&EDC, Mosquito Control Committee, Other
5. Commissioner's Comment
6. Administrator/ Staff Reports

PUBLIC MEETINGS AND PUBLIC HEARING

(from pp. 5-7 of the Nantucket Conservation Commission's Information and Procedures)

Public Meetings and Public Hearings are not the same. Public Meetings are conducted so that the Commission may discuss matters affecting the interests of the public and the rights of individuals in an open forum. To act on a matter, a quorum of the Commission (four of the seven members) must be present. Public Hearings are conducted for the same overall reasons as the Public Meeting – to protect both the public interest and the rights of individuals – with the additional purpose of gathering relevant information from the applicant, interested parties, and the public at large, and providing the Commission with the means of gathering the information necessary to developing an informed opinion and to issuing Orders that are fully supported by the appropriate facts, laws, and science.

Public Meetings, and Public Hearings held within Public Meetings, are held in conformance with the Massachusetts Open Meetings Law, M.G.L. Ch. 39 §§23A-C, and the Code of the Town of Nantucket §§1-7, 2-1, et seq., 136-4, where applicable. Pursuant to Section 1-7 of the Code of the Town of Nantucket, the Commission conducts business in accordance with parliamentary procedure as set out by Roberts Rules. The tenth edition is the most recent and presently effective version of Robert Rules. Additionally, where appropriate, the Commission follows the guidelines for Conservation Commission Meetings and Hearings set out by the Massachusetts Association of Conservation Commissions (MACC), the state umbrella organization of Conservation Commissions that works for strong, workable, science-based laws and regulations.

The Chairman or Chairwoman (hereinafter “Chair”) presides at Public Meetings and Public Hearings. In the absence of the Chair, the Vice Chair, or another Commissioner designated by the Chair presides. Public Hearings are conducted with an appropriate degree of formality, in accordance with Roberts Rules of Order, and with reference to state and local laws and regulations. During the Public Hearing portion of the Public Meeting, the Commission follows the following procedures:

- A. The Hearing is called by the applicant's name and the address of the proposed activity. The applicant may or may not be the owner of the property.
- B. The applicant, or the applicant's representative, presents the proposal to the Commission by describing the activity or project, its environmental impact, and its location relative to resource areas and buffer zones.
- C. The Commissioners or the Commission staff may at this point have questions for the applicant or the applicant's representative relating to clarity of the application.
- D. Interested parties, whether abutters, representatives of other entities, or the public, are invited to provide evidence or propose questions relevant to the project, to the resource area, to the protected interests arising by statute or regulation in relation to the resource area, and/or to the performance standards for such activities in such resource areas. Any questions must be directed to and through the Chair, not to the applicant or another person at the hearing. The time available for such public input may be limited by the Chair, especially where a large number of people seek to address the Commission. Public input should be limited to new information—if someone already has provided the same information to the Commission it is unnecessary for it to be restated by another speaker. For the above reasons, it is helpful to the Commission, and often will have more impact, if comments or questions are submitted in writing, in advance if at all possible.
- E. The Commission staff and/or technical consultants retained by the Commission will provide any additional information they may deem relevant to the application, may answer questions from the Commission, and may provide a recommendation to the Commission.
- F. The Commissioners may have additional questions from either the applicant or from persons who have provided evidence or other input to the Hearing.
- G. The Chairman will ask if the applicant has any additional information based on the questions and input outlined above.
- H. The Commission then will deliberate and decide a course of action. The Commission should not be interrupted during its deliberations.

Comments and questions are welcomed at the appropriate time in the hearing. Those most helpful to assisting the Commission in fulfilling its legal mandate are those comments or questions that pertain to the proposal or resource areas that are the subject of the Public Hearing. Issues beyond the Commission's jurisdiction are not legally relevant and should be avoided.

Because of the acoustics of the room in which the Commissions conducts Public Meetings, it can be difficult for Commissioners to hear those appearing before the Commission, or each other for that matter, if people are engaging in conversation elsewhere in the room. Please take all private conversations to the hallway outside.

Please note that the Commission keeps minutes of its proceedings in accordance with state law. The person keeping the minutes must record the names of persons addressing the Commission, and those addressing the Commission may need to spell their names if the spelling is not obvious. The files related to applications are available for public review at the Commission's office during normal business hours in advance of, and following the Public Meeting. They are not available for such review during the meeting, when such review would be distracting to Commissioners and staff, and would interfere with the orderly conduct of the Public Meeting.

Typically, the persons appearing before the Commission are professionals, that is, persons who are paid to attend the hearings on behalf of their client or employer. Such persons are expected to understand the rules and procedures of the Commission, and the relevancy of evidence, commentary, or questions submitted to the Commission.

It is not unusual for members of the public to appear before the Commission, especially in response to a notice that an activity is proposed on an abutting or nearby property. The Commission's staff is available to assist the public in understanding the applications under consideration by the

Commission relative to resource areas and protected interests. The public may visit the Commission's office and examine the application, the plans that are part of the application, and other materials that may be related to the proposal. Recognizing that non-professionals are not as familiar with the rules and procedures, the Chair is likely to allow them a little more leeway than might be permitted professionals practicing before the Commission. Nevertheless, this guide to Information & Procedures is designed to inform everyone of the practices and procedures. The Chair may redirect anyone at any point if they go beyond what is appropriate under the Commission's rules of procedure.

Holt

98 Squam Road

(12-36)

SE48-2898



NOTICE OF INTENT

APPLICATION

For Installation of a Swimming Pool

Within the Buffer Zone

At

98 Squam Road

Nantucket, MA

Prepared For

MATTHEW HOLT



June 9, 2016

Mr. Ernest Steinauer, Chair
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Notice of Intent
98 Squam Road
Map 12 Parcel 36

Dear Mr. Steinauer:

On behalf of the property owner, Matthew Holt, Nantucket Engineering & Survey, P.C. is submitting this Notice of Intent (NOI) to the Nantucket Conservation Commission for proposed activities within the Buffer Zone to a Coastal Bank and Bordering Vegetated Wetland at the above referenced property (the "Site") in Nantucket, Massachusetts.

Proposed activities at the Site consist of the installation of swimming pool with surround fence and landscaping. Attached are permit drawings, including plans showing a site locus, existing conditions including resource area locations, and proposed construction areas.

A completed WPA Form 3 – Notice of Intent is attached along with the NOI Wetland Fee Transmittal Form including checks for \$42.50, \$67.50, \$25 and \$200 to cover the WPA filing fee, Nantucket Wetland by-law fee and the Nantucket Expert Review fee. Also included is a check for \$266.90 to the Inquirer & Mirror for publication of the notice of the public hearing. A waiver is required from the Town of Nantucket Bylaw Chapter 136 for the proposed project to allow the footings for the structure within two-feet of groundwater.

Notification of this NOI filing was provided to all abutting property owners by certified mail. This property owner listing was obtained from the Town of Nantucket Assessor's office. Documentation of the notification is provided including a copy of the notification letter, the property owner listing and certified mail receipts.

SITE DESCRIPTION

The subject property is approximately 3.3-acres in size and is located on the northeast end of Nantucket Island. The lot contains two existing single-family dwellings, a garage and a studio served by on-site wells, and a septic system located in an easement on an adjacent lot.

The Wetland Resource Areas on-site subject to jurisdiction of the Commission are a Bordering Vegetated Wetland, and the respective Buffer Zones. A portion of the wetland resource area boundaries were approved by the Nantucket Conservation Commission in the past. The currently shown boundaries in the southern portion of the property were recently delineated by Brian Madden of LEC, with the associated field data forms included with this application.

A review of the October 1, 2008 "Massachusetts Natural Heritage Atlas", prepared by the Massachusetts Natural Heritage and Endangered Species Program (NHESP), indicates that the work area is not within the known range of state listed rare wildlife species defined by the Estimated Habitat mapping.

WORK DESCRIPTION

Prior to commencement of work, a silt fence will be placed at the limit of work as shown on the site plan. This fence will be inspected regularly and kept in good repair until the work has been completed and the site has stabilized. The Applicant proposes to remove a portion of the existing driveway. Excavation for the new swimming pool will then occur. Dewatering will be pumped to an area outside of the 100-foot buffer zone near Squam Road. The pool will then be constructed and backfilled. The landscaping will be installed, with all disturbed areas will be covered with a minimum of 6" of topsoil and planted with grass seed and native plants.

WAIVER REQUEST

A waiver is required from Section 3.02.B.1 to allow the bottom of the swimming pool within two-feet vertically of estimated seasonal high groundwater. Any dewatering activity will be temporary. Disturbed areas will be covered with topsoil and then be planted with Cape Cod Premium Grass Seed Mix. Waivers from the By-law can be granted for a number of reasons including:

- **Chapter 1.03 F.3.c** *The Commission may grant a waiver from these regulations when the Commission finds that a project will provide a long-term net benefit/improvement to the resource area, provided any adverse effects are minimized by carefully considered conditions. However, no such project may be permitted which could have an adverse effect on rare wildlife species.*

The proposed project will not have any adverse impact to the interests protected in the resource area by the Commission.

CONCLUSION

The proposed addition of a swimming pool to an existing residential-use property will not result in an adverse impact on the areas or the interests protected by the Commission including flood control, erosion control, storm damage prevention, prevention of pollution, wildlife, and wetland scenic views.

I plan to attend the Public Hearings for this application to address any questions, comments or concerns that the Commission may have.

Sincerely,



Arthur D. Gasbarro, PE, PLS, LEED AP

Cc: MassDEP
Matthew Holt



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Protection Bylaw 136



A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>98 Squam Road</u>	<u>Nantucket</u>	<u>02554</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>41d19'28"N</u>	<u>69d59'31"</u>
	d. Latitude	e. Longitude
<u>12</u>	<u>36</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Matthew</u>	<u>Holt</u>	
a. First Name	b. Last Name	
c. Organization		
<u>45 Greene Street, #5</u>		
d. Street Address		
<u>New York</u>	<u>NY</u>	<u>10013</u>
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	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	
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Arthur D.</u>	<u>Gasbarro, P.E., P.L.S.</u>	
a. First Name	b. Last Name	
<u>Nantucket Engineering & Survey, PC</u>		
c. Company		
<u>20 Mary Ann Drive</u>		
d. Street Address		
<u>Nantucket</u>	<u>MA</u>	<u>02554</u>
e. City/Town	f. State	g. Zip Code
<u>508-825-5053</u>	<u>art@nantucketengineer.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$110 + \$25 + \$200</u>	<u>\$42.50</u>	<u>\$67.50 + \$25 + \$200</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
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A. General Information (continued)

6. General Project Description:

The Applicant proposes to construct a swimming pool within the 100-foot buffer zone. The work is proposed outside of the 50-foot Buffer Zone. A waiver is requested from the Nantucket Wetland Protection Regulations to allow the footings to be within 2-feet of the estimated seasonal high groundwater elevation. Temporary dewatering may be required, and will be discharged outside of the buffer zone.

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:

NANTUCKET 23060
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.

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.



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



Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. Bordering Land Subject to Flooding
e. Isolated Land Subject to Flooding
f. Riverfront Area
2. Width of Riverfront Area (check one):
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration of the Riverfront Area:
5. Has an alternatives analysis been done and is it attached to this NOI?
6. Was the lot where the activity is proposed created prior to August 1, 1996?

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.

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
a. Designated Port Areas
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes



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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. 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

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/nhosp/nhregmap.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**

Oct. 1, 2008
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.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).*



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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)

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/nhenvmesa.htm>)
Make check payable to "Natural Heritage & Endangered Species Fund" 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/nhenvexemptions.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 Number	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.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see www.nhosp.org 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.



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

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
838 South Rodney French Blvd.
New Bedford, MA 02744

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:

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.



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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.

- 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.)
- 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.
- 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.
- List the titles and dates for all plans and other materials submitted with this NOI.

Site Plan to Accompany A Notice of Intent

a. Plan Title	
<u>Blackwell & Associates, Inc.</u>	<u>Jeffrey Blackwell, PLS</u>
b. Prepared By	c. Signed and Stamped by
<u>6/8/16</u>	<u>1"=30'</u>
d. Final Revision Date	e. Scale
f. Additional Plan or Document Title	
g. Date	

- If there is more than one property owner, please attach a list of these property owners not listed on this form.
- Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- Attach NOI Wetland Fee Transmittal Form
- Attach Stormwater Report, if needed.

E. Fees

- 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:

<u>1058</u>	<u>6/8/16</u>
2. Municipal Check Number	3. Check date
<u>1059</u>	<u>6/8/16</u>
4. State Check Number	5. Check date
<u>Nantucket Engineering & Survey, PC</u>	
6. Payor name on check: First Name	7. Payor name on check: Last Name



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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.

Arthur D. Sabour Agent 6/9/16
1. Signature of Applicant 2. Date

3. Signature of Property Owner (if different) 4. Date

Arthur D. Sabour 6/9/16
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.

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.



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



A. Applicant Information

1. Applicant:

Matthew Holt
 a. First Name b. Last Name

c. Organization
 45 Greene Street, #5
 d. Mailing Address

New York NY 10013
 e. City/Town f. State g. Zip Code

h. Phone Number i. Fax Number j. Email Address

2. Property Owner (if different):

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

3. Project Location:

98 Squam Road Nantucket
 a. Street Address b. City/Town

B. Fees

The fee should be calculated using the following six-step process and 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.



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
Work on a Single-family Dwelling Lot	1	\$110	\$110
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Nantucket Wetland By-law Fee	_____	_____	\$25
Nantucket Expert Review Fee	_____	_____	\$200
Step 5/Total Project Fee:			<u>\$110 + \$25 + \$200</u>

Step 6/Fee Payments:

Total Project Fee:	<u>\$110 + \$25 + \$200</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$42.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	<u>\$67.50</u>
	c. 1/2 Total Fee plus \$12.50

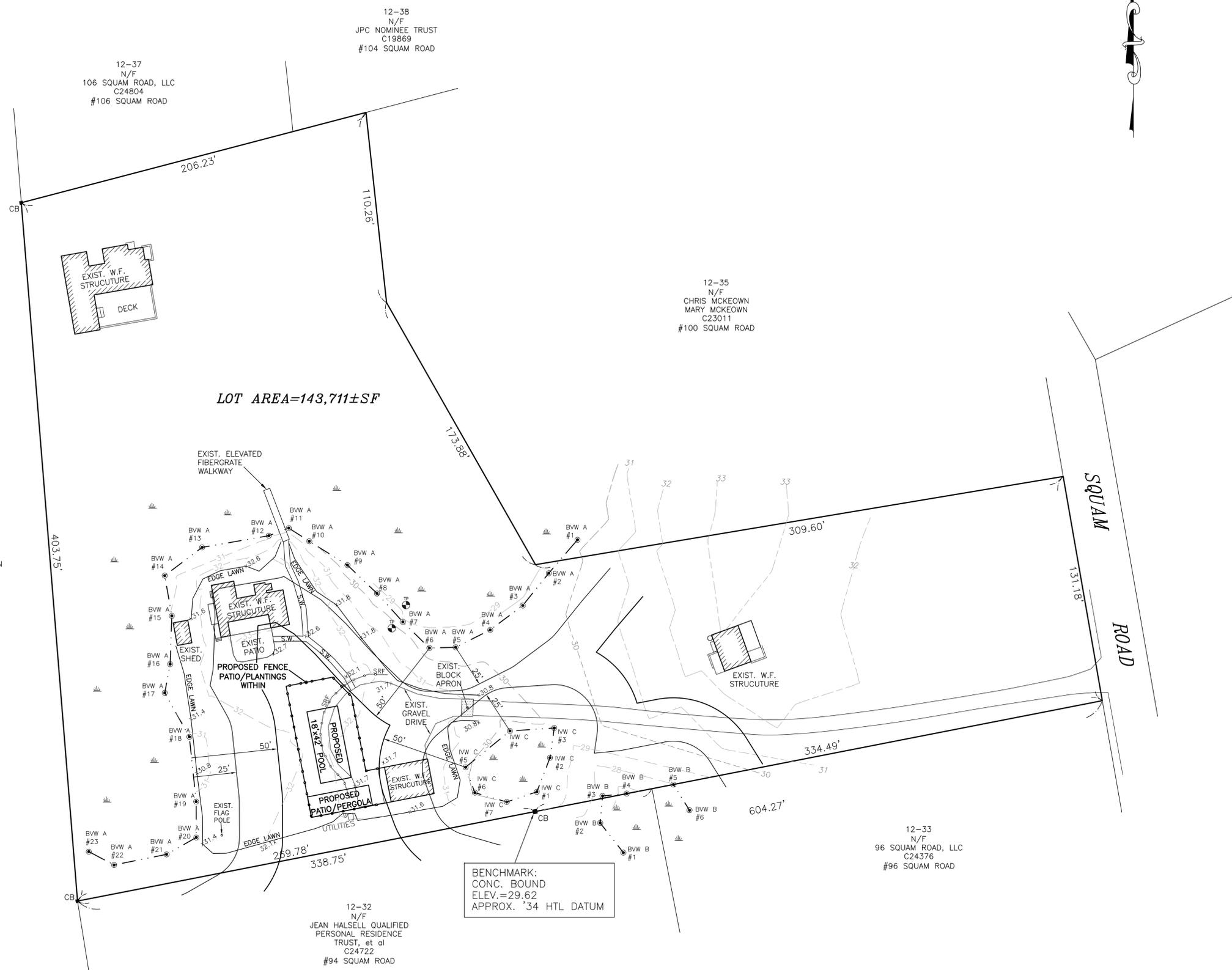
C. Submittal Requirements

- 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.)



LOT AREA=143,711±SF

BENCHMARK:
CONC. BOUND
ELEV.=29.62
APPROX. '34 HTL DATUM

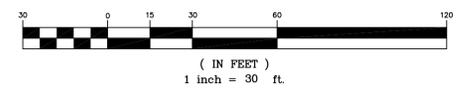
- LEGEND**
- CB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
 - BVW#4 ● DENOTES BORDERING VEGETATED WETLAND FLAG FOUND
 - IWV#4 ● DENOTES ISOLATED VEGETATED WETLAND FLAG FOUND
 - TP ● DENOTES EXIST. WETLAND TEST PIT
 - 5 — — DENOTES EXIST. GRADE CONTOUR
 - x4.2 DENOTES EXIST. GRADE SPOT ELEVATION
 - S.W. DENOTES EXIST. STEPPING STONE WALK
 - SRF DENOTES EXIST. SPLIT RAIL FENCE

NOTE:
RESOURCE DELINEATION BY LEC ENVIRONMENTAL. SUBJECT TO REVIEW BY NANTUCKET CONSERVATION COMMISSION.

**Site Plan of Land
To Accompany A
Notice of Intent
in Nantucket, MA**

Prepared for
MATTHEW HOLT
Assessor Map 12 Parcel 36
#98 Squam Road
Scale: 1"= 30' June 08, 2016

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026
GRAPHIC SCALE



OWNERS REFERENCE
MATTHEW HOLT
Certificate of Title 23060
L.C.C. 15961-31, Lot 161
L.C.C. 15961-32, Lot 164



MassDEP Bordering Vegetated Wetland
Field Delineation Data Forms

By:

Brian Madden
LEC Environmental

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

Applicant: _____ Prepared by: LEC Environmental Project location: 98 Squam Rd DEP File #: _____
Nantucket

Check all that apply:

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

Section I. **Vegetation** Observation Plot Number: 1 Transect Number: 1 Date of Delineation: 4/20/16

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<u>Ground</u> Arrowwood (<i>Viburnum dentatum</i>)	10.5	100%	Yes	FAC*
<u>Shrub</u> Arrowwood	63.0	100%	Yes	FAC*
<u>Vine</u> Fox grape (<i>Vitis labrusca</i>)	63.0	100%	Yes	FACU

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants:

Number of dominant non-wetland indicator plants:

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

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

MA DEP: 3/95

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 Nantucket County, June 1979

map number: 1

soil type mapped: R1B

hydric soil inclusions: Be

Are field observations consistent with soil survey? yes no

Remarks: Generally

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O	0.5-0"		
A	0-24"	10YR 2/1 Sandy loam	10YR 4/6 10YR 6/2

Remarks: Plot taken downgradient of wetland

3. Other: flag #57 & 8 w/ hand-held auger.

Conclusion: Is soil hydric? yes no

T1, P1

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

- Site inundated: _____
- Depth to free water in observation hole: @ 15"±
- Depth to soil saturation in observation hole: @ 12"±
- Water marks: Wetland interior
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: Wetland interior
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:		
hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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: _____ Prepared by: LEC Environmental Project location: 98 Squam Rd DEP File #: _____
Nantucket

Check all that apply:

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

Section I. **Vegetation** Observation Plot Number: 2 Transect Number: 1 Date of Delineation: 4/20/16

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<u>Ground</u>				
unknown weed	63.0	60.6%	Y	NI
Canada goldenrod (<i>Solidago canadensis</i>)	20.5	19.7	N	—
blackberry (<i>Rubus allegheniensis</i>)	20.5	19.7	N	—
<u>Shrub</u>				
Arrowwood (<i>Viburnum dentatum</i>)	38.0	78.4%	Y	FAC*
Bayberry (<i>Morella pensylvanica</i>)	10.5	21.6	Y	FAC*
<u>Vine</u>				
Fox grape (<i>Vitis labrusca</i>)	85.5	100%	Y	FACU

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FAC-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:Number of dominant wetland indicator plants: 2 Number of dominant non-wetland indicator plants: 2Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

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

MA DEP; 3/95

Section II. Indicators of Hydrology

N/A

Hydric Soil Interpretation

1. Soil Survey

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

title/date: Soil Survey of Nantucket County, June 1979

map number: 1

soil type mapped: RfB

hydric soil inclusions: Be

Are field observations consistent with soil survey? yes no

Remarks: Generally

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O	0.25-0"		
A	0-2"	10YR 2/1 Sandy loam	N/A
B	2-10"	10YR 4/6 Sandy loam	N/A
AB	10-28"	10YR 2/1 Sandy loam	N/A
C	28"+	10YR 5/2 Sandy loam	10YR 2/1

Remarks: Plot located upgradient of wetland

3. Other: flag #'s 7 & 8, with hand-held auger

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

	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:		
hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

LEGEND

- CB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- BVW#4 ● DENOTES BORDERING VEGETATED WETLAND FLAG FOUND
- IW#4 ● DENOTES ISOLATED VEGETATED WETLAND FLAG FOUND
- TP ● DENOTES EXIST. WETLAND TEST PIT
- 5 — — DENOTES EXIST. GRADE CONTOUR
- x4.2 DENOTES EXIST. GRADE SPOT ELEVATION
- S.W. DENOTES EXIST. STEPPING STONE WALK
- SRF DENOTES EXIST. SPLIT RAIL FENCE



12-37
N/F
106 SQUAM ROAD, LLC
C24804
#106 SQUAM ROAD

12-38
N/F
JPC NOMINEE TRUST
C19869
#104 SQUAM ROAD

12-35
N/F
CHRIS MCKEOWN
MARY MCKEOWN
C23011
#100 SQUAM ROAD

14-19
N/F
NANTUCKET CONSERVATION
FOUNDATION
C12905
#81 WAUWINET ROAD

12-33
N/F
96 SQUAM ROAD, LLC
C24376
#96 SQUAM ROAD

12-32
N/F
JEAN HALSELL QUALIFIED
PERSONAL RESIDENCE
TRUST, et al
C24722
#94 SQUAM ROAD

LOT AREA=143,711±SF

BENCHMARK:
CONC. BOUND
ELEV.=29.62
APPROX. '34 HTL DATUM

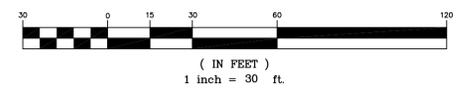
NOTE:
RESOURCE DELINEATION BY LEC
ENVIRONMENTAL. SUBJECT TO
REVIEW BY NANTUCKET
CONSERVATION COMMISSION.

**Site Plan of Land
To accompany A
Notice of Intent
in Nantucket, MA**

Prepared for
MATTHEW HOLT
Assessor Map 12 Parcel 36
#98 Squam Road
Scale: 1"= 30' June 08, 2016
REVISED: JULY 13, 2016

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026

GRAPHIC SCALE



OWNERS REFERENCE
MATTHEW HOLT
Certificate of Title 23060
L.C.C. 15961-31, Lot 161
L.C.C. 15961-32, Lot 164

**NEW
INFORMATION
FOR CURRENT
HEARING**



July 22, 2016

Ernest Steinauer, Chairman
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

RE: Matthew Holt NOI Application
98 Squam Road - Map 12 Parcel 36
SE48-2898

Dear Chairman Steinauer:

I am writing in response to comments made at the first public hearing. Attached is additional information to support the referenced application including the Order of Conditions, Certificate of Compliance and Site Plan for the existing garage structure.

Also, included is a revised site plan that removes existing lawn area, though permitted by the aforementioned documents, so as to provide an increase buffer zone to the isolated vegetated wetland.

Please feel free to contact me with any questions or concerns regarding this matter.

Sincerely,
Nantucket Engineering & Survey, P.C.
By: Arthur D. Gasbarro, PE, PLS, LEED AP

A handwritten signature in blue ink that reads "Arthur D. Gasbarro". The signature is written in a cursive style and is contained within a thin blue rectangular border.

Cc: Matthew Holt
Sarah F. Alger
Nantucket Land Council



2012 00137162

Cert: 23060 Doc: OOC
Registered: 05/22/2012 02:30 PM**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands****WPA Form 5 – Order of Conditions**Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:

SE48-2464

MassDEP File #

eDEP Transaction #

Nantucket

City/Town

A. General Information1. From: Nantucket
Conservation Commission2. This issuance is for
(check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

a. Matthew b. Holt
a. First Name b. Last Name

c. Organization

12 Bleecker Street

d. Mailing Address

New York NY 10012

e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Same as applicant
a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

98 Squam Road Nantucket

a. Street Address b. City/Town

12 36

c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: d m s d m s
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
SE48-2464
MassDEP File #

eDEP Transaction #
Nantucket
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Nantucket 23060
a. County b. Certificate Number (if registered land)

c. Book d. Page

7. Dates: 4/6/2012 4/25/2012 5/11/2012
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Site Plan to Accompany A Notice of Intent
a. Plan Title
Blackwell & Associates, Inc. Arthur D. Gasbarro, III, P.L.S.
b. Prepared By c. Signed and Stamped by
4/6/2012 1"=30'
d. Final Revision Date e. Scale

f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
j. Wetland Scenic Views (bylaw) k. Recreation (Bylaw)

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

FINDINGS and ADDITIONAL CONDITIONS

Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40)

Town of Nantucket Wetlands Bylaw (Chapter 136)

Address: 98 Squam Road
 Assessor's Map and Parcel: 12-36
 Property Owner: Matthew Holt
 Applicant: Matthew Holt
 DEP File Number: SE48-2464
 Filing Date: April 6, 2012
 Date Hearing Closed: April 25, 2012
 Date Orders Issued: May 11, 2012
 Plan of Record Information: Site Plan to Accompany A Notice of Intent,
 Dated 4/6/2012, stamped by Arthur D. Gasbarro, III,
 P.L.S.

Permit Overview:

This order permits the construction of a garage, modification of a grass driveway and associated landscaping within the buffer zone to a bordering vegetated wetland. Waivers are required for this project.

Additional Findings:

1. The area falls outside mapped habitat areas and does not require NHESP review.

In addition to the General Conditions contained elsewhere in this document, the Commission includes the following Special Conditions pursuant to MGLCh131s40 and the Town of Nantucket Wetlands Protection Bylaw, Chapter 136:

18. All work shall be performed in accordance with the Site and Work Description contained within the Notice of Intent and plan notes set out on the plan of record, provided project narratives, waiver requests and protocols.
19. No fertilizers or irrigation is permitted by this Order.
20. Temporary dewatering is allowed for the purposes of constructing the foundation. Any dewatering activities are to be done in accordance with the waiver request.

WAIVERS UNDER THE NANTUCKET WETLANDS BYLAW/REGULATIONS

Waivers are required to Section 3.02(B)(1) of the Nantucket Wetlands Protection Regulations, that all structures that are not water dependent shall have a minimum two-foot separation to groundwater. The Commission finds that given the existing site conditions, the project as proposed will not have an adverse impact and that there are no reasonable alternatives to this project. Therefore the Commission grants a waiver under Section 1.03(F)(3)(a) of the Nantucket Wetland Protection Regulations.



2014 00144061

Cert: 23060 Doc: COC
Registered: 04/01/2014 10:36 AM**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8B – Certificate of Compliance

SE48-2464

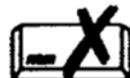
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

And the Nantucket Wetlands Bylaw (Chapter 136)

A. Project Information**Important:**

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



1. This Certificate of Compliance is issued to:

Matthew Holt

Name

12 Bleecker Street

Mailing Address

New York

City/Town

NY

State

10012

Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

Matthew Holt

Name

5/11/2012

Dated

SE48-2464

DEP File Number

3. The project site is located at:

98 Squam Road

Street Address

12

Assessors Map/Plat Number

Nantucket

City/Town

36

Parcel/Lot Number

the final Order of Condition was recorded at the Registry of Deeds for:

same as applicant

Property Owner (if different)

Nantucket

County

Book

Page

23060 (Order is L.C. Doc. 137162)

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

3/12/2014

Date


Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8B – Certificate of Compliance

SE48-2464

 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 And the Nantucket Wetlands Bylaw (Chapter 136)

Provided by DEP

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:
- _____
- _____
- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.
- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

C. Authorization

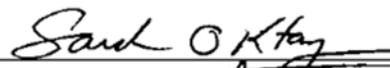
Issued by:

 Nantucket
 Conservation Commission

 3/19/2014
 Date of Issuance

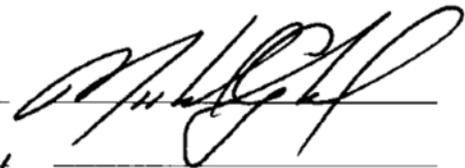
 This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <http://www.mass.gov/dep/about/region/findyour.htm>).

Signatures:









78 Wauwinet Road LLC

78 Wauwinet Road

(14-18)



NOTICE OF INTENT APPLICATION

For Residential Development
In the Buffer Zone to a
Bordering Vegetated Wetland

At

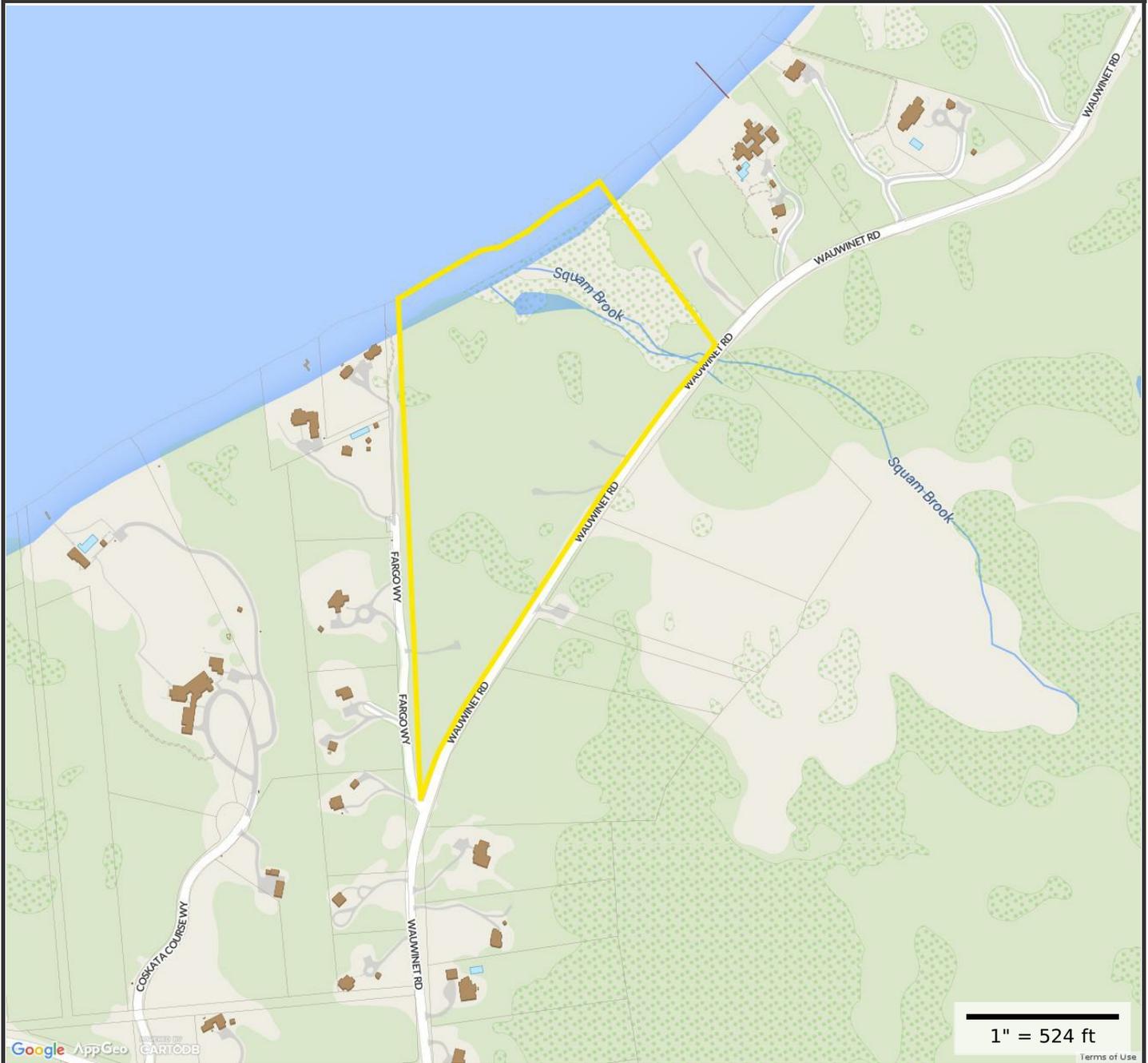
78 Wauwinet Road
Nantucket, MA

June 2016

Prepared For

78 WAUWINET ROAD LLC

Locus Map



Property Information

Property ID 14 18
Location 78 WAUWINET RD
Owner 78 WAUWINET ROAD LLC



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014
 Properties updated January, 2015

1" = 524 ft

Terms of Use



June 24, 2016

Mr. Ernest Steinauer, Chair
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

Re: Notice of Intent
78 Wauwinet Road
Map 14 Parcel 18

Dear Mr. Steinauer:

On behalf of the property owner, 78 Wauwinet Road LLC, Nantucket Engineering & Survey, P.C. is submitting this Notice of Intent (NOI) to the Nantucket Conservation Commission for proposed activities within the Buffer Zone to a Bordering Vegetated Wetland at the above referenced property (the "Site") in Nantucket, Massachusetts.

Proposed activities at the Site consist of residential development that includes constructing structures and landscaping. Attached are permit drawings, including plans showing a site locus, existing conditions including resource area locations, and proposed construction areas.

A completed WPA Form 3 – Notice of Intent is attached along with the NOI Wetland Fee Transmittal Form including checks for \$237.50, \$262.50, \$25 and \$200 to cover the WPA filing fee, Nantucket Wetland by-law fee and the Nantucket Expert Review fee. Also included is a check for \$266.90 to the Inquirer & Mirror for publication of the notice of the public hearing. A waiver is required from the Town of Nantucket Bylaw Chapter 136 for the proposed project to allow the footings for the structure within two-feet of groundwater.

Notification of this NOI filing was provided to all abutting property owners by certified mail. This property owner listing was obtained from the Town of Nantucket Assessor's office. Documentation of the notification is provided including a copy of the notification letter, the property owner listing and certified mail receipts.

SITE DESCRIPTION

The subject property is approximately twenty-five acres in size and is located in the Wauwinet section of Nantucket Island. The property is bounded to the north by Nantucket Harbor, and east and west by existing residential-use properties. The southerly boundary is Wauwinet Road, a paved traveled way. The defined resource area in the vicinity of the proposed work area is a Bordering Vegetated Wetland with the associated Buffer Zones subject to jurisdiction under both the Massachusetts Wetland Protection Act and the Nantucket Wetland Bylaw and Regulations. A review of the October 1, 2008 "Massachusetts Natural Heritage Atlas", prepared by the Massachusetts Natural Heritage and Endangered Species Program (NHESP), indicates that the project area is within the known range of state listed rare wildlife species. An application for project review has been provided to the NHESP.

WORK DESCRIPTION

Prior to commencement of work, a silt fence will be placed at the limit of work as shown on the site plan. This fence will be inspected regularly and kept in good repair until the work has been completed and the site has stabilized. The Applicant proposes to selective clear the work areas, with care to save as many of the trees as possible. Excavation for the new foundations will then occur. Dewatering will be pumped to an area outside of the 100-foot buffer zone. The foundation will then be backfilled and the wood frame structures constructed. The landscaping will be installed, with all disturbed areas will be covered with a minimum of 6" of topsoil and planted as shown on the accompanying landscape plan.

WAIVER REQUEST

A waiver is required from Section 3.02.B.1 to allow the footings within two-feet vertically of estimated seasonal high groundwater. Any dewatering activity will be temporary. Disturbed areas will be covered with topsoil and then be planted with Cape Cod Premium Grass Seed Mix. Waivers from the By-law can be granted for a number of reasons including:

- **Chapter 1.03 F.3.c** *The Commission may grant a waiver from these regulations when the Commission finds that a project will provide a long-term net benefit/improvement to the resource area, provided any adverse effects are minimized by carefully considered conditions. However, no such project may be permitted which could have an adverse effect on rare wildlife species.*

The proposed project will not have any adverse impact to the interests protected in the resource area by the Commission.

CONCLUSION

The proposed development of the residential-use property on approximately one out of twenty-five acres will not result in an adverse impact on the areas or the interests protected by the Commission including flood control, erosion control, storm damage prevention, prevention of pollution, wildlife, and wetland scenic views.

I plan to attend the Public Hearings for this application to address any questions, comments or concerns that the Commission may have.

Sincerely,



Arthur D. Gasbarro, PE, PLS, LEED AP

Cc: MassDEP
Sarah F. Alger, for 78 Wauwinet Road LLC



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136



A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>78 Wauwinet Road</u>	<u>Nantucket</u>	<u>02554</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>41d 19'16"N</u>	<u>70d 00'18"W</u>
	d. Latitude	e. Longitude
<u>14</u>	<u>18</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>78 Wauwinet Road LLC</u>	<u>MA</u>	<u>02554</u>
c. Organization	f. State	g. Zip Code
<u>c/o Sarah F. Alger, P.C. - 2 South Water Street</u>		
d. Street Address		
<u>Nantucket</u>		
e. City/Town		
<u>508-228-1118</u>		
h. Phone Number	i. Fax Number	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>	<u></u>	
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Arthur D.</u>	<u>Gasbarro, PE, PLS, LEED AP</u>	
a. First Name	b. Last Name	
<u>Nantucket Engineering & Survey, P.C.</u>		
c. Company		
<u>20 Mary Ann Drive</u>		
d. Street Address		
<u>Nantucket</u>	<u>MA</u>	<u>02554</u>
e. City/Town	f. State	g. Zip Code
<u>508-228-9026 x13</u>	<u>508-228-5292</u>	<u>art@blackwellsurvey.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$500 + \$25 + \$200</u>	<u>\$237.50</u>	<u>\$262.50 + \$25 + \$200</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
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

NANTUCKET

City/Town

A. General Information (continued)

6. General Project Description:

The Applicant proposes to construct a single-family home with attendant structures, utilities and landscaping located within the buffer zone to a Bordering Vegetated Wetland. The structures are proposed outside of the 50-foot buffer zone, and the limit of work outside of the 25-foot buffer zone. A septic system will be installed, with the leaching facility located outside of the 100-foot buffer zone. Fertilizer and irrigation use is proposed in accordance with the Nantucket Best Management Practices. A siltation fence will be installed and maintained at the limit of work.

7a. Project Type Checklist:

- 1. [X] 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:

NANTUCKET

a. County

24,638

b. Certificate # (if registered land)

c. Book

d. Page Number

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

- 1. [X] 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.

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.

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



WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

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

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. Bordering Land Subject to Flooding
e. Isolated Land Subject to Flooding
f. Riverfront Area
2. Width of Riverfront Area (check one):
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration of the Riverfront Area:
5. Has an alternatives analysis been done and is it attached to this NOI?
6. Was the lot where the activity is proposed created prior to August 1, 1996?

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.

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. Designated Port Areas
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes



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

Table with columns: Description, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves 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. [X] 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

10/1/08
b. Date of map



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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)

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	0
	percentage/acreage
(b) outside Resource Area	4%/ 1 ac. +/-
	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/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

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/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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhosp/nhosp.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
And the Town of Nantucket Wetlands Bylaw Chapter 136

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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:

- 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

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
And the Town of Nantucket Wetlands Bylaw Chapter 136

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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 to Accompany a Notice of Intent Application

a. Plan Title

Nantucket Engineering & Survey, PC

Arthur D. Gasbarro, PE, PLS

b. Prepared By

c. Signed and Stamped by

6/24/16

1"=40'

d. Final Revision Date

e. Scale

Landscape Plan by Jardins Intl.

6/10/16

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

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:
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E. Fees

- 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:

<u>1084</u>	<u>6/23/16</u>
2. Municipal Check Number	3. Check date
<u>1078</u>	<u>6/23/16</u>
4. State Check Number	5. Check date
<u>Nantucket Engineering & Survey, PC</u>	
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.

<u></u> Agent	<u>6/24/16</u>
1. Signature of Applicant	2. Date
_____ 3. Signature of Property Owner (if different)	_____ 4. Date
<u></u>	<u>6/24/16</u>
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.

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.



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. Applicant:

a. First Name b. Last Name

78 Wauwinet Road LLC

c. Organization

c/o Sarah F. Alger, P.C. - 2 South Water Street

d. Mailing Address

Nantucket MA 02554

e. City/Town f. State g. Zip Code

508-228-1118

h. Phone Number i. Fax Number j. Email Address

2. Property Owner (if different):

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

3. Project Location:

78 Wauwinet Road Nantucket

a. Street Address b. City/Town

B. Fees

The fee should be calculated using the following six-step process and 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
Construct Single Family Dwelling	1	\$500	\$500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Nantucket Wetland By-law Fee	_____	_____	\$25
Nantucket Expert Review Fee	_____	_____	\$200
Step 5/Total Project Fee:			\$500 + \$25 + \$200

Step 6/Fee Payments:

Total Project Fee:	\$500 + \$25 + \$200
State share of filing Fee:	a. Total Fee from Step 5 \$237.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$262.50
	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.)



MESA PROJECT REVIEW CHECKLIST

Massachusetts Endangered Species Act M.G.L. c. 131A and Regulations (321 CMR 10.00)

Massachusetts Division of Fisheries & Wildlife
Natural Heritage & Endangered Species Program

~~~~ CONTACT INFORMATION ~~~~

If you already completed your Notice of Intent- Form 3, you can send page 1 of the NOI in place of questions 1 through 4 in this section

1. Project Location:

Street Address/Location	City/Town	Zip Code
Assessors Map/Plat Number	Parcel	/Lot Number

2. Applicant:

First Name	Last	Name	Company
Mailing Address			
City/Town	State	Zip Code	
Phone Number	Fax Number	Email address	

3. Property owner (if different from applicant):

First Name	Last	Name	Company
Mailing Address			
City/Town	State	Zip Code	
Phone Number	Fax Number	Email address	

4. Representative (if any):

Company			
Contact Person First Name	Contact Person Last Name		
Mailing Address			
City/Town	State	Zip Code	
Phone Number	Fax Number	Email	address

~~~~ADDITIONAL INFORMATION ~~~~~

1. Will this project require a filing with the Conservation Commission and/or DEP?  No  Yes
2. Will this project meet any threshold for a MA Environmental Policy Act (MEPA) filing (excluding rare species, 301 CMR 11.03 (2))?  No  Yes
3. Has this project previously been issued a NHESP Tracking Number (either by previous NOI Submittal or MESA Information Request Form)?  No  Yes

If Yes - Tracking No. \_\_\_\_\_

~~~~PROJECT DESCRIPTION (attach separate sheet, as needed) ~~~~~

Please note, certain projects or activities are exempt from review, see 321 CMR 10.14. The MESA does not allow project segmentation. Your filing must reflect all anticipated work associated with the proposed project (CMR 321 10.16).

The Applicant proposes to construct a single-family home with attendant structures, utilities and landscaping located within the buffer zone to a Bordering Vegetated Wetland. The structures are proposed outside of the 50-foot buffer zone, and the limit of work outside of the 25-foot buffer zone. A septic system will be installed, with the leaching facility located outside of the 100-foot buffer zone. Fertilizer and irrigation use is proposed in accordance with the Nantucket Best Management Practices. A siltation fence will be installed and maintained at the limit of work.

~~~~INCLUDE THE FOLLOWING INFORMATION ~~~~~

*The NHESP will notify the applicant within 30 days if the materials submitted do not satisfy requirements for a filing and request submission of any missing materials (321 CMR 10.18(1)).*

**ALL Applicants must submit:**

- USGS map (1:24,000 or 1:25,000) with property boundary clearly outlined
- Project plans for entire site (including wetland Resource Areas, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work)
- Assessor's map or right-of-way plan of site
- Project description
- Statement/proof that applicant is the Record Owner or that applicant is a person authorized in writing by the record owner to submit this filing
- Photographs representative of the site

**Projects altering\* 10 or more acres, must also submit:**

- A vegetation cover type map of the site
- Project plans showing Priority Habitat boundaries

The NHESP may request additional information, such as, but not limited to, species and habitat surveys, wetland reports, soil map and reports, and stormwater management reports (321 CMR 10.16).

\*Alteration: Any physical alteration of land, soils, drainage or destruction of plant life, see "Project or Activity" (321 CMR 10.02).

~~~~ FILING FEES ~~~~

See Fee Schedule below

a. Total MESA Fee Paid _____ b. Acreage of Disturbance* _____ c. Total Site Acreage _____

~~~~ REQUIRED SIGNATURES ~~~~

I hereby certify under the penalties of perjury that the foregoing MESA filing and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

*Arthur D. Sabano*

\_\_\_\_\_  
Signature of Property Owner/Record Owner of Property

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant (required, if different from Owner)

\_\_\_\_\_  
Date

**Please send form, required information, and filing fee (payable to “Comm. of MA - NHESP”) to:**

Regulatory Review  
Natural Heritage & Endangered Species Program  
1 Rabbit Hill Road  
Westborough, MA 01581



**Questions regarding this form should be directed according to the county that the property is located:**

Berkshire, Essex, Franklin, Hampshire, Hampden, Middlesex & Worcester Counties call: 508-389-6361  
Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth & Suffolk Counties call: 508-389-6385

| PROJECT REVIEWS<br>321 CMR 10.18 |                                                                          |                                                |                                               |
|----------------------------------|--------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------|
| Project Definition               | Project Criteria                                                         | Fee                                            | Response Time                                 |
| Simple                           | Less than 5 acres of disturbance*                                        | \$ 300.00                                      | 60 days from determination of complete filing |
| Intermediate<br>(Moderate)       | 5 to 20 acres of disturbance*                                            | \$ 1800.00                                     | 60 days from determination of complete filing |
| Complex                          | More than 20 acres of disturbance* or project requires wetlands variance | \$ 4000.00                                     | 60 days from determination of complete filing |
| Linear                           | Projects greater than 1 mile in length.                                  | \$ 4000.00<br>per Priority Habitat intersected | 60 days from determination of complete filing |

\* Disturbance means direct physical disturbance of the land surface or waterbody, soil and/or vegetation, if only a portion of the project site is located within Priority Habitat, indicate total area of disturbance for site as a whole.



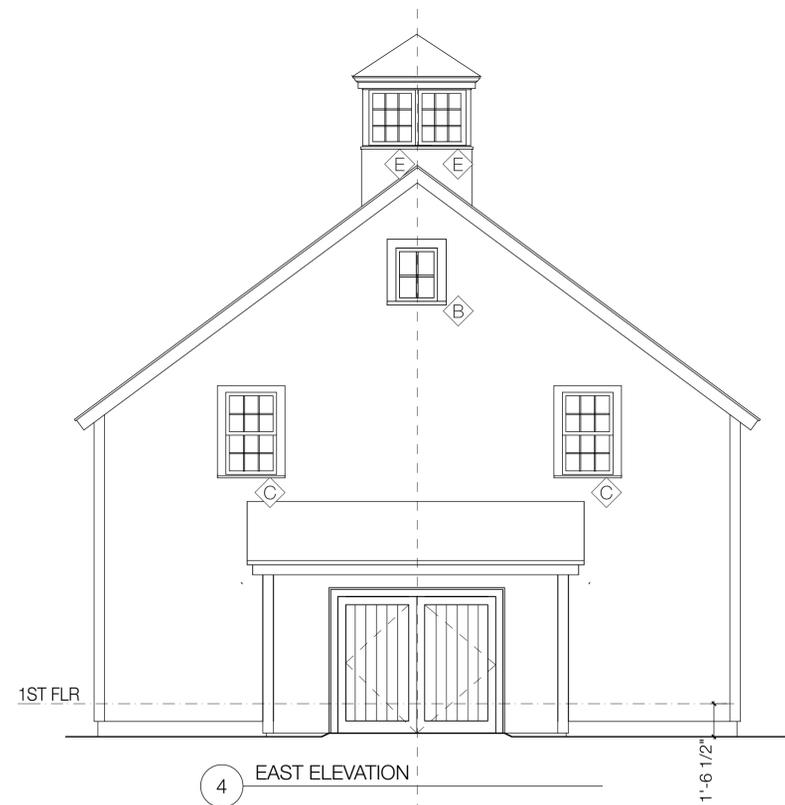
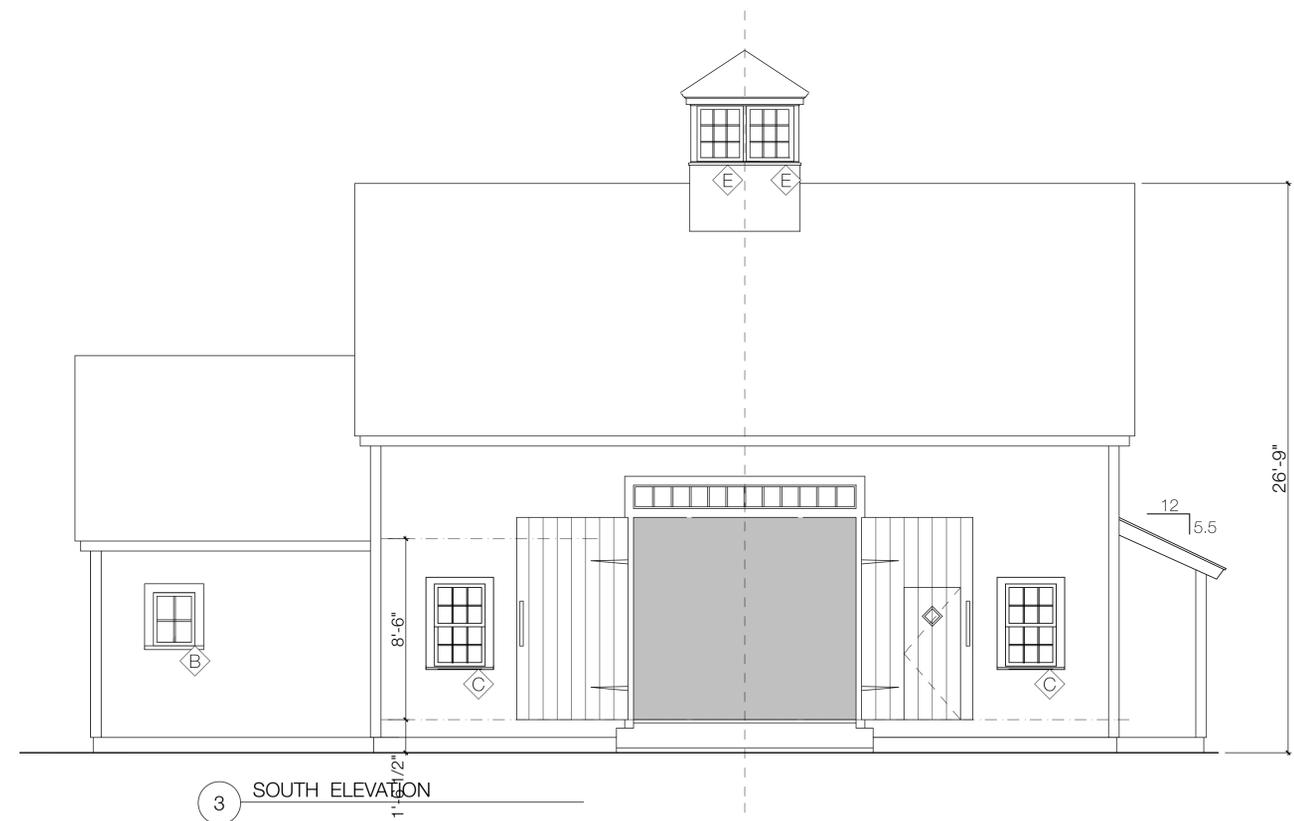
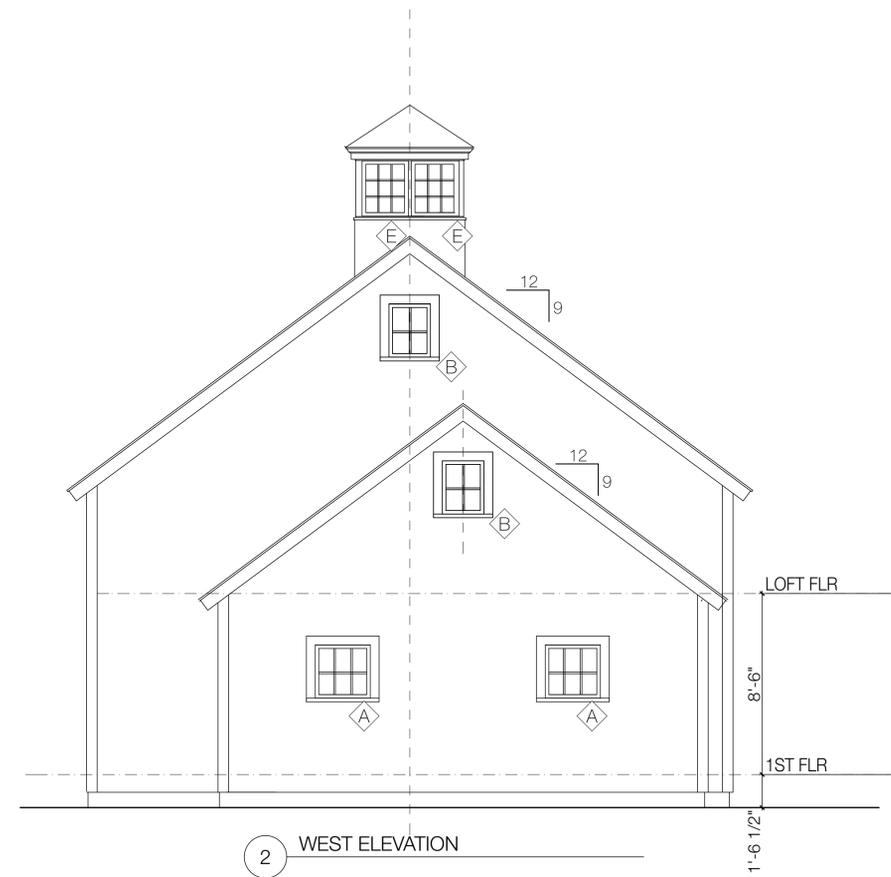
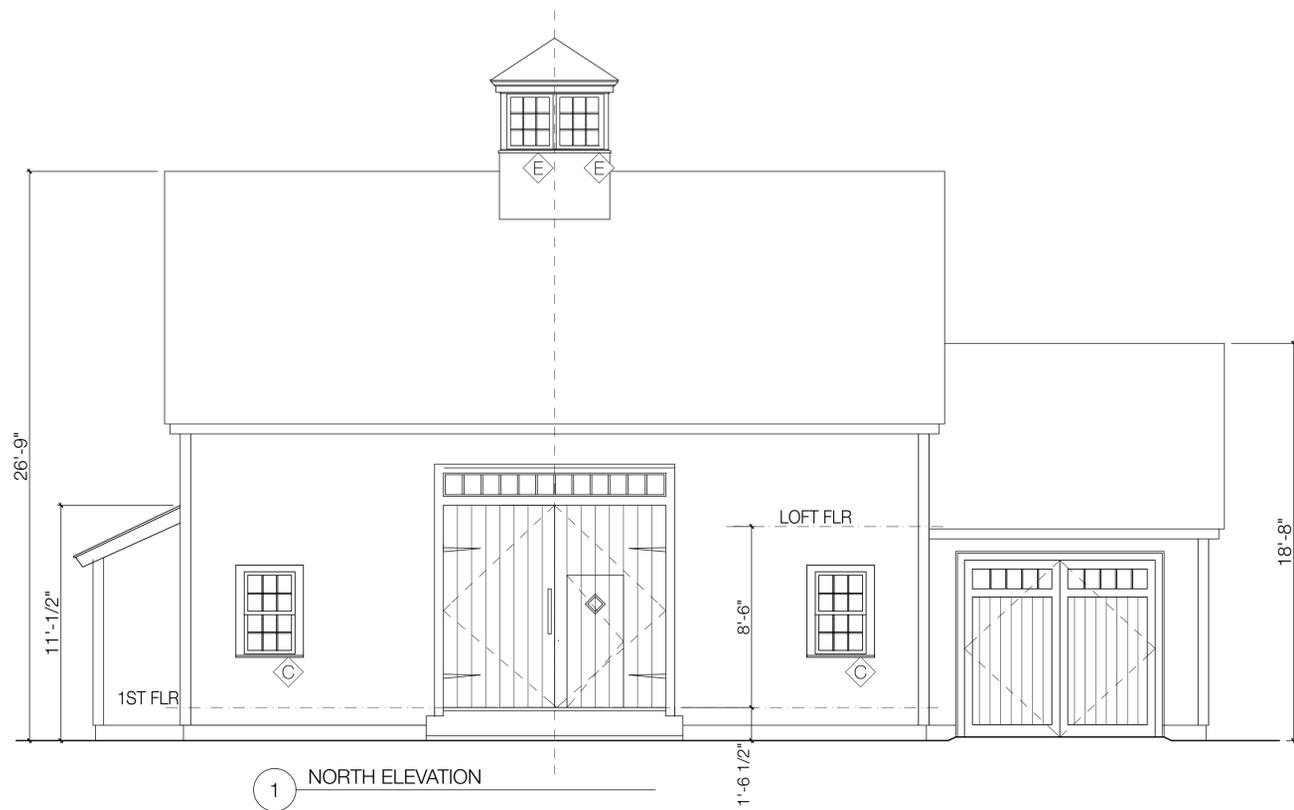
FARGO WV

FARGO WV

WAWWINE TRD

WAWWINE TRD

WAWWINE TRD



Mellowes & Paladino inc.

Architects

63 South Street / Suite 280  
Hopkinton, Massachusetts 01748  
508.625.1371

| NO        | DESCRIPTION | DATE |
|-----------|-------------|------|
| REVISIONS |             |      |

TORPEY-CROSS  
BARN

78 WAUWINET ROAD  
NANTUCKET, MA

EXTERIOR ELEVATIONS

PROJECT NO:  
5221  
DATE:  
5/10/16  
SCALE:  
1/4" = 1'-0"

A-2




**Jardins  
Intl.**  
 53 Pleasant Street  
 Nantucket MA 02554  
 508 325 9911 F508 325 9917

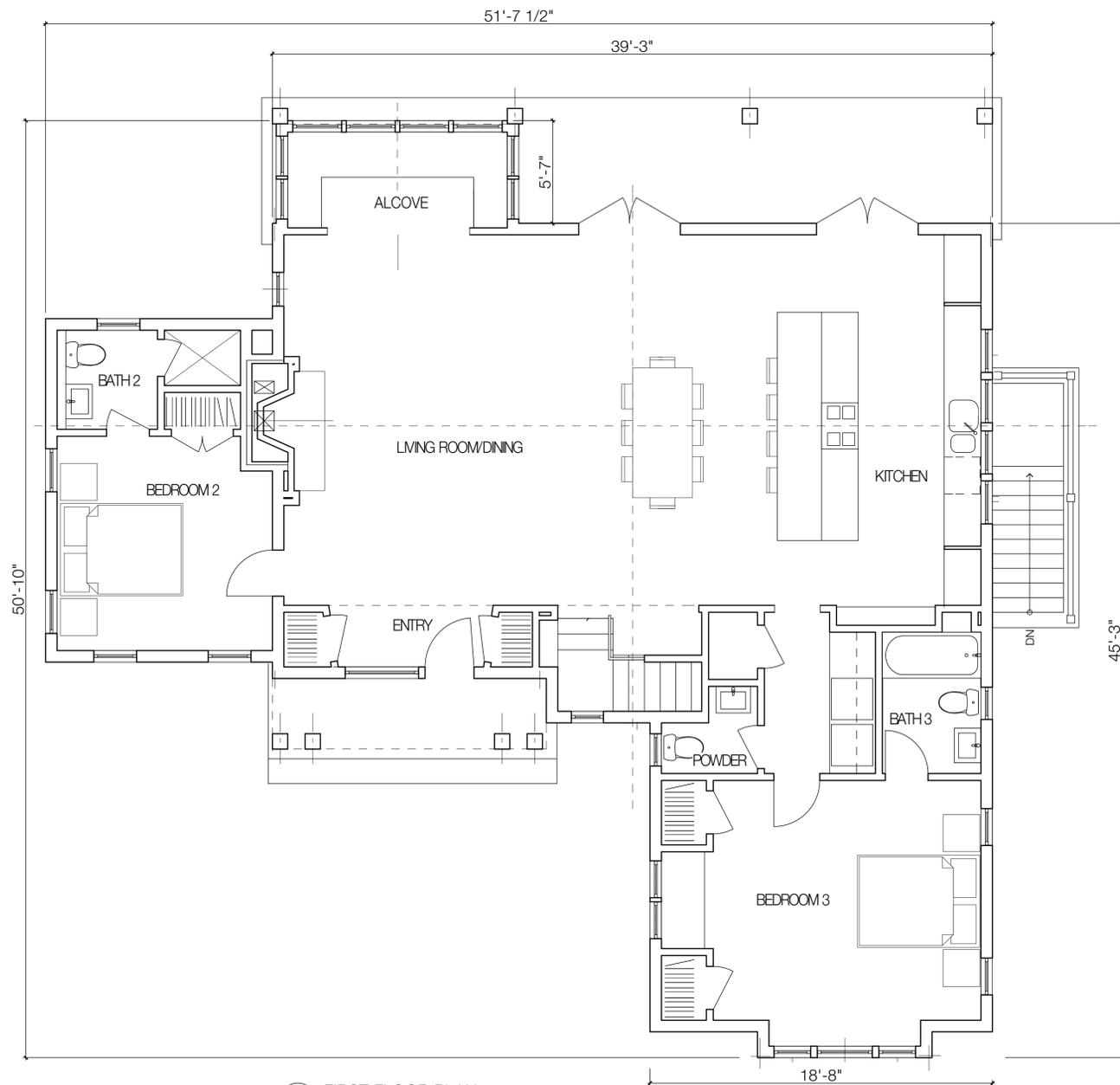
**Torpey Cross Residence**  
 78 Wauwinet Road  
 Nantucket MA 02554  
 General Site Plan

6-10-2016  
 Scale 1"=20'

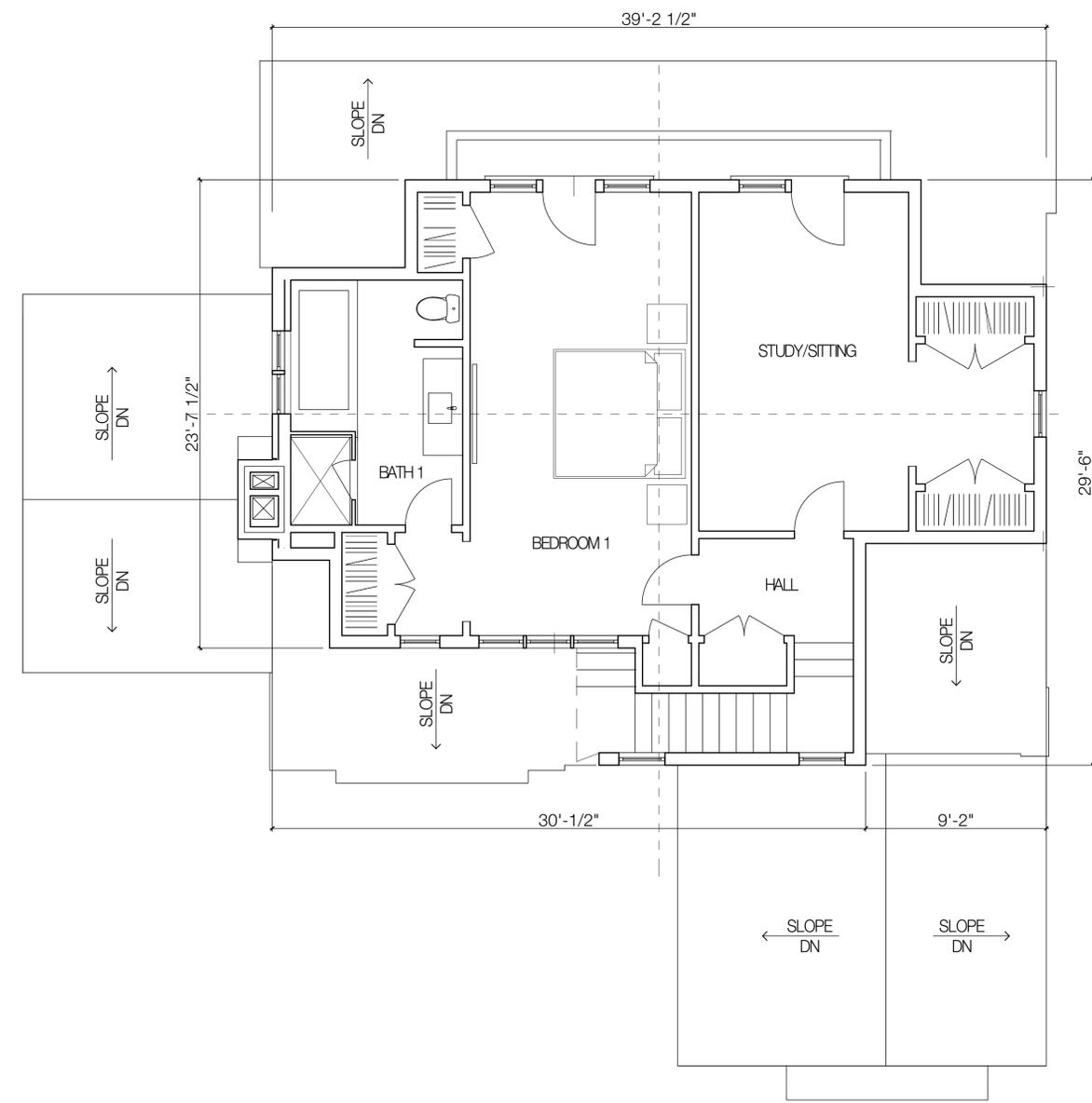
Mellowes & Paladino inc.

Architects

63 South Street / Suite 280  
Hopkinton, Massachusetts 01748  
508.625.1371

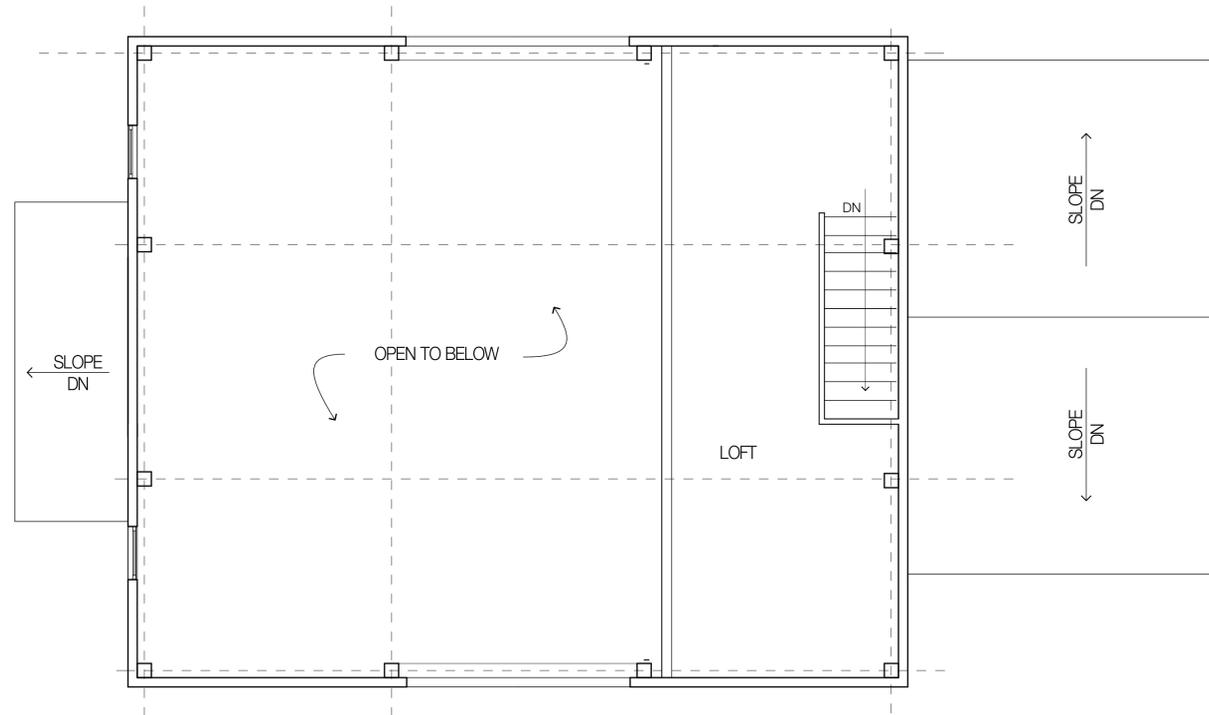


1 FIRST FLOOR PLAN

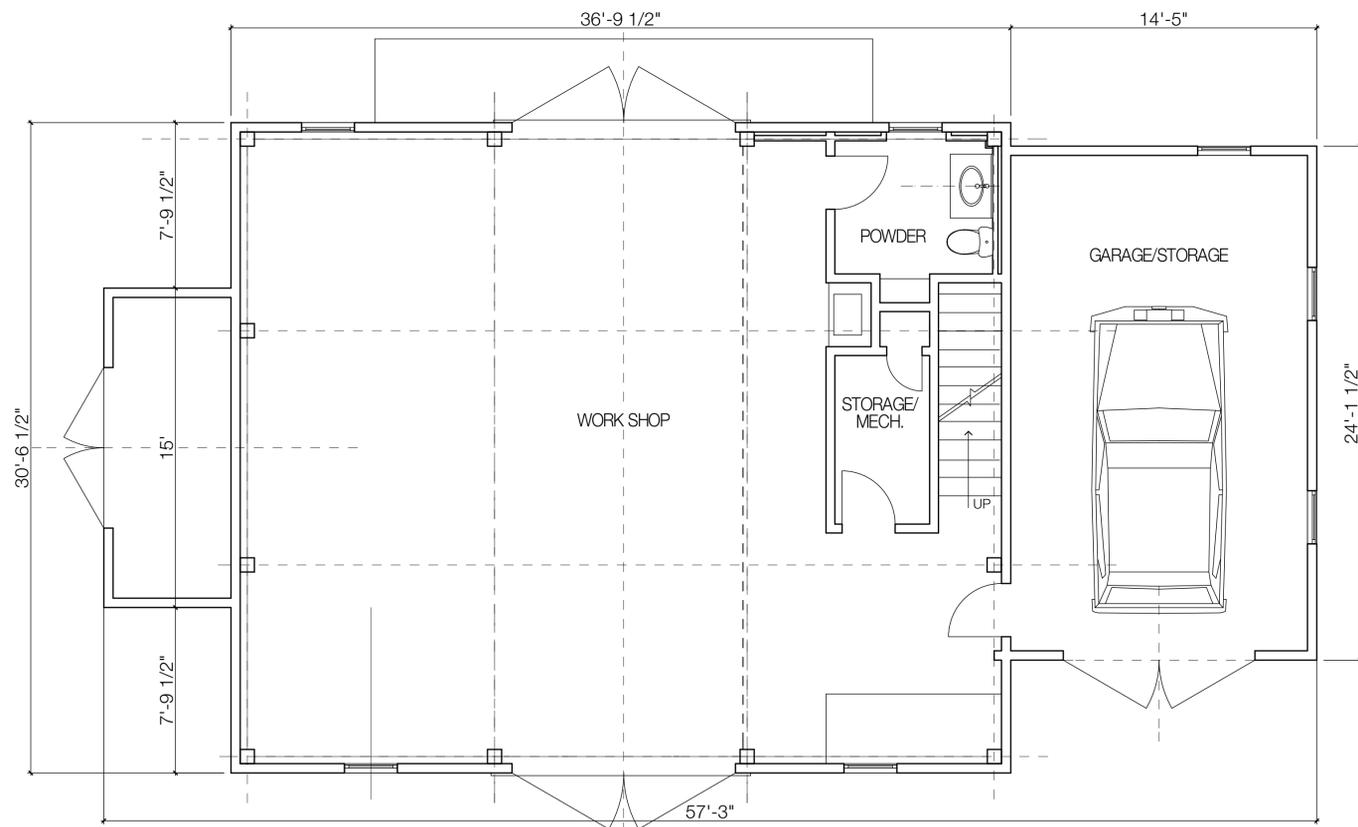


2 SECOND FLOOR PLAN

| NO                                                                          | DESCRIPTION  | DATE |
|-----------------------------------------------------------------------------|--------------|------|
| REVISIONS                                                                   |              |      |
| TORPEY-CROSS DWELLING                                                       |              |      |
| 78 WAUWINET ROAD<br>NANTUCKET, MA                                           |              |      |
| FLOOR PLANS                                                                 |              |      |
| <small>© 2016 Mellowes &amp; Paladino, Inc.<br/>ALL RIGHTS RESERVED</small> |              |      |
| PROJECT NO.                                                                 | 5221         |      |
| DRAWN BY                                                                    |              |      |
| CHECKED BY                                                                  |              |      |
| DATE                                                                        | 5/10/16      |      |
| SCALE                                                                       | 1/4" = 1'-0" |      |



2 LOFT FLOOR PLAN



1 FIRST FLOOR PLAN

Mellowes & Paladino inc.

Architects

63 South Street / Suite 280  
Hopkinton, Massachusetts 01748  
508.625.1371

| NO        | DESCRIPTION | DATE |
|-----------|-------------|------|
| REVISIONS |             |      |

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

TORPEY-CROSS BARN

78 WAUWINET ROAD  
NANTUCKET, MA

FLOOR PLANS

|                                                         |  |
|---------------------------------------------------------|--|
| © 2016 Mellowes & Paladino, Inc.<br>ALL RIGHTS RESERVED |  |
| PROJECT NO.<br>5221                                     |  |
| DRAWN BY                                                |  |
| CHECKED BY                                              |  |
| DATE<br>5/10/16                                         |  |
| SCALE<br>1/4" = 1'-0"                                   |  |

A-1



# WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and  
The Town of Nantucket Wetlands Bylaw Chapter 136



## A. General Information

From:

Nantucket  
Conservation Commission

To: Applicant

Nantucket Island Properties  
Name  
300 Old County Road Suite 351  
Mailing Address  
Mineola NY 11501  
City/Town State Zip Code

Property Owner (if different from applicant):

Same as applicant  
Name  
Mailing Address  
City/Town State Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Site Plan of Land in Nantucket, Mass 12/16/2011  
Title Date  
Title Date  
Title Date

2. Date Request Filed:

10/21/2011

## B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

No work proposed  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Location:

78 Wauwinet Road  
Street Address  
14  
Assessors Map/Plat Number

Nantucket  
City/Town  
18  
Parcel/Lot Number



## WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and  
The Town of Nantucket Wetlands Bylaw Chapter 136



### B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

#### Positive Determination

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.

2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

Land Under the Ocean, Coastal Beach, Barrier Beach, Salt Pond, Coastal Bank, Land Subject to Coastal Storm Flowage and Bordering Vegetated Wetland

2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).

5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

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

Pursuant to the following municipal wetland ordinance or bylaw:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Ordinance or Bylaw Citation



## WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and  
The Town of Nantucket Wetlands Bylaw Chapter 136



### B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

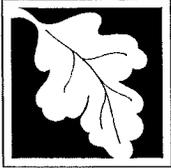
- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

### Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

- 1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
- 2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
- 3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).

- 4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



## WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and  
The Town of Nantucket Wetlands Bylaw Chapter 136



### B. Determination (cont.)

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name

Ordinance or Bylaw Citation

### C. Authorization

This Determination is issued to the applicant and delivered as follows:

- by hand delivery on  by certified mail, return receipt requested on

12/23/2011

Date

Date

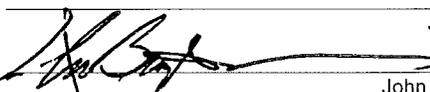
This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

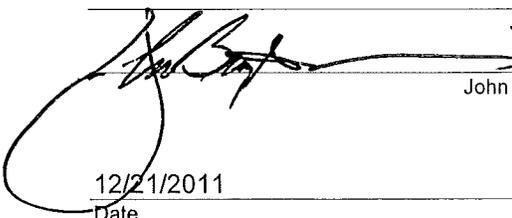
This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region.findyour.htm>) and the property owner (if different from the applicant).

Signatures:

  
Ernest Steinuer, Chairman

  
Sarah Oktay

  
Jennifer Karberg

  
John Braginton-Smith

12/21/2011

Date

  
Andrew Bennett

  
Ian Golding

  
John Brescher

Third Time Trust

41A Cliff Road

(42.4.4-2)



P.O. Box 3627, Nantucket, Massachusetts 02584-3627  
Tel. (508) 228-0240 Fax (508) 228-9856  
www.nantucketsurveyors.com  
nslcinfo@nantucketsurveyors.com

N-10663

July 8, 2016

Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, Massachusetts 02554

Re: Notice of Intent

Applicant: Steven L. Cohen, Trustee  
Third Time Trust  
41A Cliff Road, Map: 42.4.4 Parcel: 2  
Nantucket, MA 02554

Dear Commission Members,

Enclosed please find the following:

- Two (2) copies of a Notice of Intent for the above-referenced project;
- One (1) Filing Fee to the Town of Nantucket - \$25.00 (bylaw);
- One (1) Filing Fee to the Town of Nantucket - \$200.00 (Consultant review fee);
- One (1) Check to the Inquirer & Mirror - \$266.90 (publishing of the Public Notice).
- One (1) Check to the Town of Nantucket - \$262.50 (WPA Fee)
- One (1) Check to the Commonwealth of MA – \$237.50 (WPA Fee) Copy

This application is for the proposed relocation and expansion of an existing dwelling with associated foundation, grading and landscaping on the subject property within buffers to a Coastal Bank. Waivers are required for this project. The proposed work is shown on the included plan, "Site Plan to Accompany a Notice of Intent #41A Cliff Road", Nantucket, MA prepared by Nantucket Surveyors, LLC dated July 8, 2016

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call our office.

Respectfully,  
Nantucket Surveyors, LLC

A handwritten signature in blue ink, appearing to read 'Paul J. Santos', is written over the typed name.

Paul J. Santos, PLS

Enclosures

cc: DEP Southeast Regional Office  
Steven L. Cohen, Trustee of Third Time Trust

Office located at 5 Windy Way • Nantucket, MA 02554

Land Surveying • Topographic Surveys • Civil Engineering • Construction • Marine • Environmental Permitting



**Notice of Intent**  
Map 42.4.4 Parcel 2  
41A Cliff Road  
Nantucket, Massachusetts

Prepared for: **Steven L. Cohen, Trustee**  
**Third Time Trust**  
**34 Main Street 2<sup>nd</sup> Floor**  
**Nantucket, MA 02554**

Prepared by: **Nantucket Surveyors, LLC**  
**5 Windy Way, PO Box 3627**  
**Nantucket, MA 02584**

**July 8, 2016**



# WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Nantucket

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):

|                              |                       |              |
|------------------------------|-----------------------|--------------|
| 41A Cliff Road               | Nantucket             | 02554        |
| a. Street Address            | b. City/Town          | c. Zip Code  |
| Latitude and Longitude:      | 41.290139             | -70.105418   |
|                              | d. Latitude           | e. Longitude |
| 42.4.4                       | 2                     |              |
| f. Assessors Map/Plat Number | g. Parcel /Lot Number |              |

2. Applicant:

|                           |               |                       |  |
|---------------------------|---------------|-----------------------|--|
| a. First Name             |               | b. Last Name          |  |
| Third Time Trust          |               |                       |  |
| c. Organization           |               |                       |  |
| 34 Main Street, 2nd Floor |               |                       |  |
| d. Street Address         |               |                       |  |
| Nantucket                 | MA            | 02554                 |  |
| e. City/Town              | f. State      | g. Zip Code           |  |
| 508-228-0337              | 508-228-0970  | steven@cohenlegal.net |  |
| h. Phone Number           | i. Fax Number | j. Email Address      |  |

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

|                   |               |                  |             |
|-------------------|---------------|------------------|-------------|
| a. First Name     |               | b. Last Name     |             |
| c. Organization   |               |                  |             |
| d. Street Address |               |                  |             |
| e. City/Town      |               | f. State         | g. Zip Code |
| h. Phone Number   | i. Fax Number | j. Email address |             |

4. Representative (if any):

|                          |               |                                |  |
|--------------------------|---------------|--------------------------------|--|
| Paul                     |               | Santos                         |  |
| a. First Name            |               | b. Last Name                   |  |
| Nantucket Surveyors, LLC |               |                                |  |
| c. Company               |               |                                |  |
| P.O. Box 3627            |               |                                |  |
| d. Street Address        |               |                                |  |
| Nantucket                | MA            | 02554                          |  |
| e. City/Town             | f. State      | g. Zip Code                    |  |
| 508-228-0240             | 508-228-9856  | psantos@nantucketsurveyors.com |  |
| h. Phone Number          | i. Fax Number | j. Email address               |  |

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

|                   |                   |                       |
|-------------------|-------------------|-----------------------|
| \$500             | \$237.50          | \$262.50              |
| a. Total Fee Paid | b. State Fee Paid | c. City/Town Fee Paid |



**A. General Information (continued)**

6. General Project Description:

This application is for the proposed relocation and expansion of an existing dwelling with associated foundation, grading and landscaping on the subject property within buffers to a Coastal Bank.

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

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  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 CMR10.24(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:

|           |                                       |
|-----------|---------------------------------------|
| a. County | b. Certificate # (if registered land) |
| 1515      | 163                                   |
| 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.



**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  
 Nantucket  
 \_\_\_\_\_  
 City/Town

**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.

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

| <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 _____<br>3. cubic feet of flood storage lost _____ | 2. square feet _____<br>4. cubic feet replaced _____ |
| e. <input type="checkbox"/> Isolated Land Subject to Flooding  | 1. square feet _____<br>2. cubic feet of flood storage lost _____ | 3. cubic feet replaced _____                         |

- f.  Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland** \_\_\_\_\_
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 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.



**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  
 Nantucket  
 City/Town

**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.

| <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           |
|                                                                   | <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 |



# 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

Nantucket

City/Town

## 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](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**

2008

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.2.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

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.



# WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Nantucket

City/Town

## 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](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](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:

North Shore - Hull to New Hampshire border:

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](mailto:DMF.EnvReview-South@state.ma.us)

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



# 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 |
| Nantucket                   |
| 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.



**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.

Siteplan to Accompany a Notice of Intent #41A Cliff Road

|                                      |                                 |                          |                            |
|--------------------------------------|---------------------------------|--------------------------|----------------------------|
| a. Plan Title                        | <u>Nantucket Surveyors, LLC</u> |                          | <u>Paul J. Santos, PLS</u> |
| b. Prepared By                       |                                 | c. Signed and Stamped by |                            |
| <u>7/8/16</u>                        |                                 | <u>1"=30'</u>            |                            |
| d. Final Revision Date               |                                 | e. Scale                 |                            |
|                                      |                                 |                          | <u>6/16/16</u>             |
| 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:

|                                    |                                   |
|------------------------------------|-----------------------------------|
| <u>13057</u>                       | <u>7/6/16</u>                     |
| 2. Municipal Check Number          | 3. Check date                     |
| <u>13058</u>                       | <u>7/6/16</u>                     |
| 4. State Check Number              | 5. Check date                     |
| <u>Ann</u>                         | <u>Schmidt</u>                    |
| 6. Payor name on check: First Name | 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

Nantucket

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.

|                                               |         |
|-----------------------------------------------|---------|
|                                               |         |
| 1. Signature of Applicant                     | 2. Date |
|                                               |         |
| 3. Signature of Property Owner (if different) | 4. Date |
|                                               |         |
| 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.

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.



**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:

|                   |               |
|-------------------|---------------|
| 41A Cliff Road    | Nantucket     |
| a. Street Address | b. City/Town  |
| 13058             | \$237.50      |
| c. Check number   | d. Fee amount |

2. Applicant Mailing Address:

|                           |               |                       |  |
|---------------------------|---------------|-----------------------|--|
| a. First Name             |               | b. Last Name          |  |
| Third Time Trust          |               |                       |  |
| c. Organization           |               |                       |  |
| 34 Main Street, 2nd Floor |               |                       |  |
| d. Mailing Address        |               |                       |  |
| Nantucket                 | MA            | 02554                 |  |
| e. City/Town              | f. State      | g. Zip Code           |  |
| 508-228-0337              | 508-228-0970  | steven@cohenlegal.net |  |
| h. Phone Number           | i. Fax Number | j. Email Address      |  |

3. Property Owner (if different):

|                    |  |               |                  |
|--------------------|--|---------------|------------------|
| 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 |

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

**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.



**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 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------|------------------------------|
| This application is for the proposed relocation and expansion of an existing dwelling with associated foundation, grading and landscaping on the subject property within buffers to a Coastal Bank. | 1                           | \$500                          | \$500                        |
|                                                                                                                                                                                                     |                             |                                |                              |
|                                                                                                                                                                                                     |                             |                                |                              |
|                                                                                                                                                                                                     |                             |                                |                              |
|                                                                                                                                                                                                     |                             |                                |                              |
|                                                                                                                                                                                                     |                             |                                |                              |
|                                                                                                                                                                                                     |                             |                                |                              |

**Step 5/Total Project Fee:** \$500

**Step 6/Fee Payments:**

|                                 |                                      |
|---------------------------------|--------------------------------------|
| Total Project Fee:              | \$500                                |
| State share of filing Fee:      | \$237.50                             |
| City/Town share of filling Fee: | \$262.50                             |
|                                 | a. Total Fee from Step 5             |
|                                 | b. 1/2 Total Fee <b>less</b> \$12.50 |
|                                 | c. 1/2 Total Fee <b>plus</b> \$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.)

ATTACHMENT A

NOTICE OF INTENT

41A Cliff Road  
Nantucket, Massachusetts  
Map: 42.4.4 Parcel: 2

List of Plans and Supporting Documents

APPENDIX A – Assessor’s Map

APPENDIX B – Project Narrative

APPENDIX C – Nantucket Topography Map

APPENDIX D – NHESP Estimated and Priority Habitat Map

APPENDIX E– FEMA Flood Insurance Rate Map

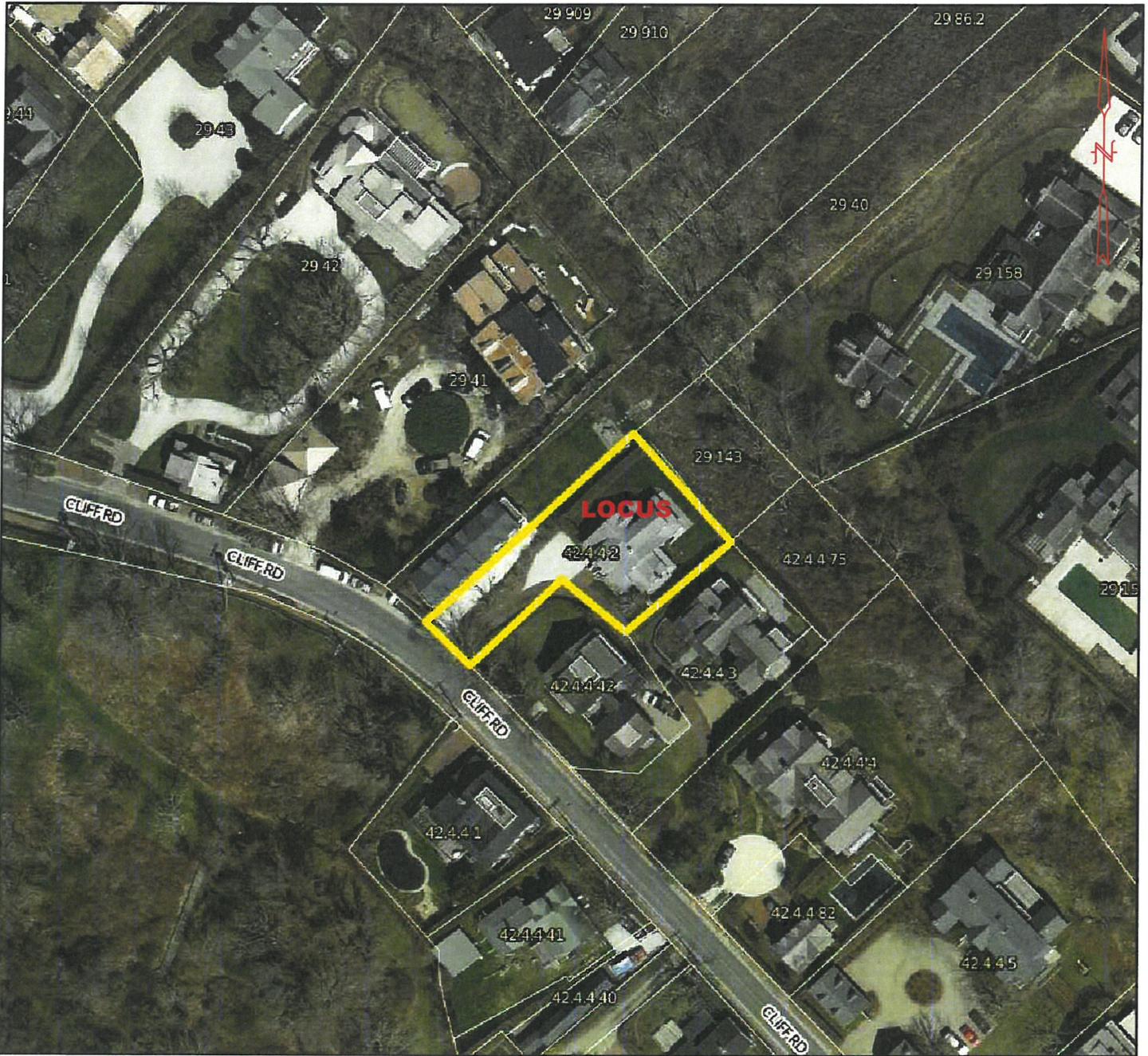
APPENDIX F – Site Photographs

APPENDIX G – Abutter Notification Information

APPENDIX H– “Site Plan to Accompany a Notice of Intent #41A Cliff Road”  
Prepared by: Nantucket Surveyors LLC  
Dated: July 8, 2016

## **APPENDIX A**

### Assessors Map



### Figure 1: ASSESSOR'S MAP

#41A CLIFF ROAD  
NANTUCKET, MASSACHUSETTS  
SCALE: N.T.S. DATE: JULY 8, 2016  
ASSESSOR'S REFERENCE:  
MAP: 42.4.4 PARCEL: 2

PREPARED FOR:  
THIRD TIME TRUST  
NANTUCKET SURVEYORS LLC  
5 WINDY WAY  
NANTUCKET, MA. 02554

## **APPENDIX B**

### Project Narrative

## **APPENDIX B PROJECT NARRATIVE**

### **Introduction**

This Notice of Intent is submitted to the Nantucket Conservation Commission (“the Commission”) and the Massachusetts Department of Environmental Protection (MassDEP) pursuant to the Massachusetts Wetlands Protection Act, MGL c.131, s.40, for the proposed relocation and expansion of an existing dwelling with associated foundation, grading and landscaping on the subject property within buffers to a Coastal Bank.

### **Existing Site Conditions**

The subject property is located on the north side of Cliff Road, Nantucket Assessors Map: 42.4.4 Parcels: 2 & 25 and Assessors Map: 29 Parcel: 143. Lot size is approximately 17,916 S.F. The surrounding land uses are residential.

This site contains resource areas subject to jurisdiction under the Nantucket Wetland Bylaw and Massachusetts Wetlands Protection Act. The resource area includes a Coastal Bank.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for this portion of Nantucket (Map No. 25019C0086G), dated June 9, 2014 shows that the developed portion of the property is not located within a Flood Hazard Zone.

The Massachusetts Natural Heritage Atlas, 13<sup>th</sup> Edition, dated October 2008 (Appendix D) shows that Priority Habitat and Estimated Habitat is not mapped with the project vicinity. The proposed work does not require a filing with NHESP.

### **Proposed Work**

This application is for the proposed relocation and expansion of an existing dwelling with associated foundation, grading and landscaping on the subject property within buffers to a Coastal Bank. Waivers are required for this project. All proposed work occurs within the developed portion of the existing lot all located southerly of a Coastal Bank. The proposed work is shown on the included plan, “Site Plan to Accompany a Notice of Intent #41A Cliff Road”, Nantucket, MA prepared by Nantucket Surveyors, LLC dated July 8, 2016.

## **APPENDIX C**

### Nantucket Topography



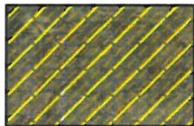
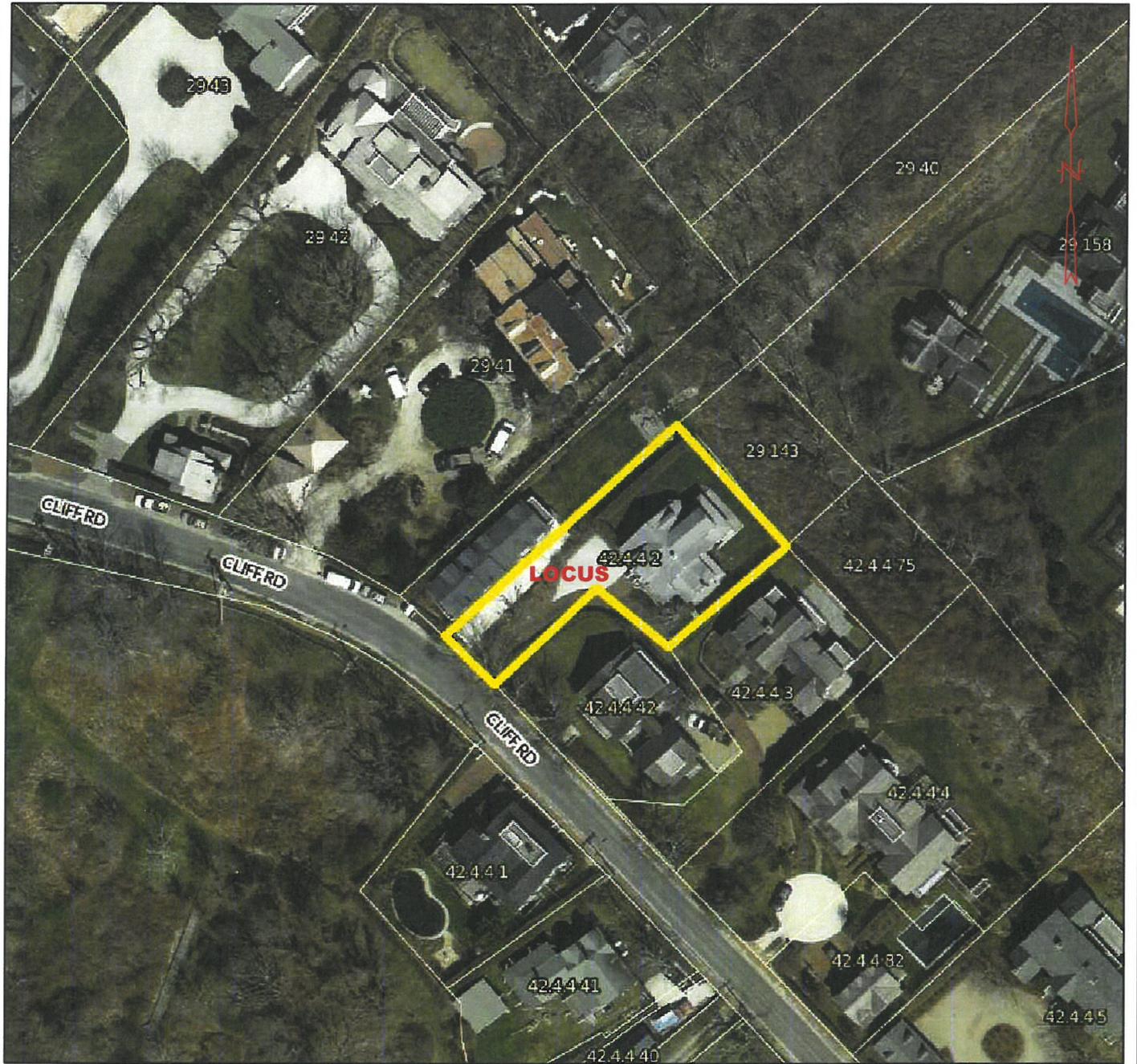
## Figure 2: Nantucket Topography Map

#41A CLIFF ROAD  
 NANTUCKET, MASSACHUSETTS  
 N.T.S.  
 DATE: JULY 8, 2016  
 ASSESSOR'S REFERENCE:  
 MAP: 42.4.4 PARCEL: 2

PREPARED FOR:  
 THIRD TIME TRUST  
 NANTUCKET SURVEYORS LLC  
 5 WINDY WAY  
 NANTUCKET, MA. 02554

## **APPENDIX D**

NHESP Estimated and Priority Habitat Map



NHESP PRIORITY HABITATS  
OF RARE SPECIES  
NHESP ESTIMATED HABITATS  
OF RARE WILDLIFE

**Figure 3: NHESP MAP**

#41A CLIFF ROAD  
NANTUCKET, MASSACHUSETTS  
SCALE: N.T.S. DATE: JULY 8, 2016  
ASSESSOR'S REFERENCE:  
MAP: 42.4.4 PARCEL: 2  
PREPARED FOR:  
THIRD TIME TRUST

NANTUCKET SURVEYORS LLC  
5 WINDY WAY  
NANTUCKET, MA. 02554

N-10663

## **APPENDIX E**

### **FEMA Flood Insurance Rate Map**



### Figure 4: FIRM MAP

#41A CLIFF ROAD  
NANTUCKET, MASSACHUSETTS  
SCALE: N.T.S. DATE: JULY 8, 2016  
ASSESSOR'S REFERENCE:  
MAP: 42.4.4 PARCEL: 2  
25019C0086G

PREPARED FOR:  
THIRD TIME TRUST  
NANTUCKET SURVEYORS LLC  
5 WINDY WAY  
NANTUCKET, MA. 02554

## **APPENDIX F**

### Site Photographs

**41A Cliff Road, Nantucket, MA**  
**Applicant: Steven L. Cohen, Trustee of Third Time Trust**



Front View of Dwelling



Rear View of Dwelling



Rear View of Dwelling



View Top of Coastal Bank



Existing Lawn Area/Rear of Dwelling



Existing Lawn Area/Rear of Dwelling

## **APPENDIX H**

**“Site Plan to Accompany a Notice of Intent #41A Cliff Road”**

**Prepared by: Nantucket Surveyors LLC**

**Dated: July 8, 2016**





P.O. Box 3627, Nantucket, Massachusetts 02584-3627  
Tel. (508) 228-0240 Fax (508) 228-9856  
www.nantucketsurveyors.com  
nslcinfo@nantucketsurveyors.com

NS10663

July 22, 2016

Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, Massachusetts 02554

Re: Waiver Request  
Applicant: Steven L. Cohen, Trustee of  
Third Time Trust  
41A Cliff Road – Map: 42.4.4 Parcel: 2

Dear Commissioners:

On behalf of the applicant, Nantucket Surveyors, LLC, is requesting a waiver from the Nantucket Wetland Protection Regulations, Section 2.05 (B)(5) for the above referenced project, Specifically a waiver for the proposed relocation and expansion of an existing dwelling with associated foundation, grading and landscaping on the subject property within buffers to a Coastal Bank. The applicant wishes to apply for this waiver under the premise that project will not adversely impact the interests identified in the bylaw and there are no other reasonable conditions or alternatives that would allow the project to proceed on compliance with regulations. (Section 1.03 (F) (3a).

The applicant proposes redevelopment of the existing site within areas previously altered. More specifically the following work is proposed.

**0-25' No Disturb Zone**

- Removal of Boardwalk and Enclosed Porch and addition of Dwelling and Porches.
- Area within 25', Existing Footprint: 362±S.F., Proposed Footprint: 464±S.F.

**25-50' No Build Zone**

- Removal of Enclosed Porch, addition and relocation of Dwelling.

Office located at 5 Windy Way • Nantucket, MA 02554

Land Surveying • Topographic Surveys • Civil Engineering • Construction • Marine • Environmental Permitting

### 50-100' Buffer Zone

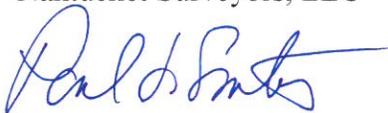
- Relocation and addition to Dwelling.

#### Interests Protected:

- **Public and Private Water Supply:** The existing site is connected to municipal water.
- **Groundwater:** Not applicable to this project.
- **Fisheries and Shellfish:** Not applicable to this project.
- **Recreation:** The area of disturbance is on private property, and it is not available for recreational use by the public.
- **Water Pollution:** All resource areas will be protected during the construction. No erosion is anticipated.
- **Wetland Scenic Views:** The existing views will not be altered.
- **Wildlife:** No changes in landscape will take place that would cause a change in the movement of wildlife. No wildlife obstruction will occur.
- **Flood control and Storm Damage Prevention:** There is no new change in grades proposed by this project.
- **Erosion control:** The site will be protected during the construction phase of this project.

Thank you for your time and attention in this matter.

Sincerely,  
Nantucket Surveyors, LLC



By Paul J. Santos, PLS  
Agent for the Applicant

CC Steven L. Cohen, Trustee

Four Quaise Pasture  
Road NT

4 Quaise Pasture Road  
(11-24.2)

# Notice of Intent Application

---

July 8, 2016

Subject Property

4 Quaise Pasture Road  
Map 26, Parcel 69  
Nantucket, Massachusetts

Applicants/Property Owners

Four Quaise Pasture Nominee Trust  
Ronald E. Weinberg, Trustee  
982 Chestnut Run  
Gates Mills, OH 44040

**LEC Environmental Consultants, Inc.**

12 Resnik Road, Suite 1  
Plymouth, MA 02360  
508-746-9491  
508-746-9492 fax

*[www.lecenvironmental.com](http://www.lecenvironmental.com)*

July 8, 2016

**Hand Delivery**

Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

**Re: Notice of Intent Application  
4 Quaise Pasture Road  
Map 26, Parcel 69  
Nantucket, Massachusetts**

[LEC File #: BrEI\16-073.01]

Dear Members of the Commission:

On behalf of the Applicant, Four Quaise Pasture Nominee Trust, LEC Environmental Consultants, Inc., (LEC) is submitting this Notice of Intent (NOI) Application for a proposed pool, decking, fence, equipment, and landscaping on the above-referenced subject parcel. Proposed work activities occur within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW)/Vegetated Wetlands protected under the *Massachusetts Wetlands Protection Act* (M.G.L., c. 131, s. 40), its implementing *Regulations* (310 CMR 10.00), and the *Town of Nantucket Bylaw* (Chapter 136) and *Wetlands Protection Regulations (Bylaw)*. Details of the proposed project are depicted on the *Proposed Site Plan* prepared by Bracken Engineering, Inc., dated July 6, 2016.

Enclosed please find three checks made payable to the Town of Nantucket: Sixty-Seven Dollars and Fifty Cents (\$67.50) for the town portion of the WPA filing fee; Two Hundred Dollars (\$200.00) for the Town Consultant fee; and Twenty-Five Dollars (\$25.00) for the *Bylaw* fee. A check made payable to the *Inquirer and Mirror* (\$266.90) has also been submitted for the legal advertising fee. A copy of the submitted DEP filing fee is included.

Thank you for your consideration of this Application. We look forward to meeting with you at the July 27, 2016 Public Hearing to discuss the project further. Should you have any questions or require additional information, please do not hesitate to contact me at 508-746-9491 or [bmadden@lecenvironmental.com](mailto:bmadden@lecenvironmental.com).

Sincerely,

**LEC Environmental Consultants, Inc.**



Brian T. Madden  
Wildlife Scientist

cc: DEP SERO; NHESP; Four Quaise Pasture Nominee Trust; Bracken Engineering, Inc.

---

LEC Environmental Consultants, Inc.

[www.lecenvironmental.com](http://www.lecenvironmental.com)

12 Resnik Road  
Suite 1  
Plymouth, MA 02360  
508-746-9491  
508-746-9492 (Fax)

**PLYMOUTH, MA**

380 Lowell Street  
Suite 101  
Wakefield, MA 01880  
781-245-2500  
781-245-6677 (Fax)

**WAKEFIELD, MA**

100 Grove Street  
Suite 302  
Worcester, MA 01605  
508-753-3077  
508-753-3177 (Fax)

**WORCESTER, MA**

P. O. Box 590  
Rindge, NH 03461  
603-899-6726  
603-899-6726 (Fax)

**RINDGE, NH**

|       |                               |
|-------|-------------------------------|
| i.    | WPA Form 3 – Notice of Intent |
| ii.   | Wetland Fee Transmittal Form  |
| iii.  | Copy of Filing Fees           |
| iv.   | Affidavit of Service          |
| v.    | Letter to Abutters            |
| vi.   | Abutter Notification Form     |
| vii.  | Certified List of Abutters    |
| viii. | Nantucket GIS                 |

## **Wetland Resource Area Analysis and Report**

|           |                                                             |          |
|-----------|-------------------------------------------------------------|----------|
| <b>1.</b> | <b>Introduction</b>                                         | <b>1</b> |
| <b>2.</b> | <b>General Site Description</b>                             | <b>1</b> |
| 2.1       | Floodplain Designation                                      | 2        |
| 2.2       | Natural Heritage and Endangered Species Program Designation | 2        |
| <b>3.</b> | <b>Wetland Boundary Determination Methodology</b>           | <b>2</b> |
| <b>4.</b> | <b>Wetland Resource Area Descriptions</b>                   | <b>3</b> |
| 4.1       | Bordering Vegetated Wetland/Vegetated Wetlands              | 3        |
| <b>5.</b> | <b>Proposed Project</b>                                     | <b>4</b> |
| <b>6.</b> | <b>Summary</b>                                              | <b>5</b> |

## **Literature Referenced**

## **Appendices**

### **Appendix A**

Locus Maps  
 Figure 1: USGS Topographic Map  
 Figure 2: Aerial Orthophoto  
 Figure 3: FEMA Flood Insurance Rate Map  
 Figure 4: NHESP Map

### **Appendix B**

Photographs

### **Appendix C**

Field Data Forms

### **Appendix D**

*Proposed Site Plan*, prepared by Bracken Engineering, Inc., dated July 6, 2016



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and The Town of Nantucket Wetlands Bylaw Chapter 136



**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

## A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

|                                |                       |                   |
|--------------------------------|-----------------------|-------------------|
| <u>4 Quaise Pasture Road</u>   | <u>Nantucket</u>      | <u>MA</u>         |
| a. Street Address              | b. City/Town          | c. Zip Code       |
| <u>Latitude and Longitude:</u> | <u>N 41.29549</u>     | <u>W 70.02775</u> |
|                                | d. Latitude           | e. Longitude      |
| <u>Map 26</u>                  | <u>Parcel 69</u>      |                   |
| f. Assessors Map/Plat Number   | g. Parcel /Lot Number |                   |

2. Applicant:

|                                          |                          |                  |
|------------------------------------------|--------------------------|------------------|
| <u>Ronald E.</u>                         | <u>Weinberg, Trustee</u> |                  |
| a. First Name                            | b. Last Name             |                  |
| <u>Four Quaise Pasture Nominee Trust</u> |                          |                  |
| c. Organization                          |                          |                  |
| <u>982 Chestnut Run</u>                  |                          |                  |
| d. Street Address                        |                          |                  |
| <u>Gates Mills</u>                       | <u>OH</u>                | <u>44040</u>     |
| e. City/Town                             | f. State                 | g. Zip Code      |
| <u></u>                                  | <u></u>                  | <u></u>          |
| h. Phone Number                          | i. Fax Number            | 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>       | <u></u>          |
| e. City/Town      | f. State      | g. Zip Code      |
| <u></u>           | <u></u>       | <u></u>          |
| h. Phone Number   | i. Fax Number | j. Email address |

4. Representative (if any):

|                                            |                     |                                     |
|--------------------------------------------|---------------------|-------------------------------------|
| <u>Brian T.</u>                            | <u>Madden</u>       |                                     |
| a. First Name                              | b. Last Name        |                                     |
| <u>LEC Environmental Consultants, Inc.</u> |                     |                                     |
| c. Company                                 |                     |                                     |
| <u>12 Resnik Road, Suite 1</u>             |                     |                                     |
| d. Street Address                          |                     |                                     |
| <u>Plymouth</u>                            | <u>MA</u>           | <u>02360</u>                        |
| e. City/Town                               | f. State            | g. Zip Code                         |
| <u>508-746-9491</u>                        | <u>508-746-9492</u> | <u>bmadden@lecenvironmental.com</u> |
| h. Phone Number                            | i. Fax Number       | 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 |



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|                             |
|-----------------------------|
| Provided by MassDEP:        |
| MassDEP File Number         |
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| City/Town                   |

## A. General Information (continued)

6. General Project Description:

The Applicant is proposing a pool, decking, fence, and equipment within the 100-foot Buffer Zone to  
Bordering Vegetated Wetlands.

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

- |                                                                       |                                                           |
|-----------------------------------------------------------------------|-----------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Single Family Home (pool)      | 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 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 CMR10.24(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:

|           |                                       |
|-----------|---------------------------------------|
| Nantucket | 23909                                 |
| a. County | b. Certificate # (if registered land) |
| _____     | _____                                 |
| c. Book   | d. Page Number                        |

## B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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.
- 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 type="checkbox"/> Bordering Vegetated Wetland          | 1. square feet              | 2. square feet                |
| c. <input type="checkbox"/> Land Under Waterbodies and Waterways | 1. square feet              | 2. square feet                |
|                                                                  | 3. cubic yards dredged      |                               |

| Resource Area                                                  | Size of Proposed Alteration                                           | Proposed Replacement (if any) |
|----------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------|
| d. <input type="checkbox"/> Bordering Land Subject to Flooding | 1. square feet                                                        | 2. square feet                |
|                                                                | 3. cubic feet of flood storage lost                                   | 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) - <b>specify coastal or inland</b> |                               |

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 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<br>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  |

| Resource Area                                                     | Size of Proposed Alteration                                                                                                                               | Proposed Replacement (if any)          |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 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<br>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<br>1. cubic yards dredged |                                        |
| l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | 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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|                             |       |
|-----------------------------|-------|
| Provided by MassDEP:        |       |
| MassDEP File Number         | _____ |
| Document Transaction Number | _____ |
| Nantucket                   | _____ |
| City/Town                   | _____ |

## 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

- 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](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**

- 10/1/08  
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.2.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\*

- Percentage/acreage of property to be altered:
 

|                                  |                    |
|----------------------------------|--------------------|
| (a) within wetland Resource Area | percentage/acreage |
| (b) outside Resource Area        | percentage/acreage |

- Assessor's Map or right-of-way plan of site

- 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\*\*
  - Project description (including description of impacts outside of wetland resource area & buffer zone)
  - 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/nhesp/regulatory\\_review/mesa/mesa\\_fee\\_schedule.htm](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

(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/nhesp/regulatory\\_review/mesa/mesa\\_exemptions.htm](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

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](mailto: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](mailto: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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## C. Other Applicable Standards and Requirements (cont'd)

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

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.



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|                             |
|-----------------------------|
| Provided by MassDEP:        |
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| 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.

Proposed Site Plan

a. Plan Title

Bracken Engineering, Inc.

Alan M. Grady

b. Prepared By

c. Signed and Stamped by

7/6/16

1"= 20'

d. Final Revision Date

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:

11396

2. Municipal Check Number

7/5/16

3. Check date

11399

4. State Check Number

7/5/16

5. Check date

Bracken Engineering, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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MassDEP File Number

Document Transaction Number

Nantucket

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.

Donald F. Marchant - agent  
1. Signature of Applicant

7-6-16  
2. Date

3. Signature of Property Owner (if different)  
Donald F. Marchant  
5. Signature of Representative (if any)  
Bud Madden

4. Date  
7-6-16  
6. Date  
7.6.16

**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:**

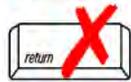
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



**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:

|                              |                  |
|------------------------------|------------------|
| <u>4 Quaise Pasture Road</u> | <u>Nantucket</u> |
| a. Street Address            | b. City/Town     |
| <u>11399</u>                 | <u>\$42.50</u>   |
| c. Check number              | d. Fee amount    |

2. Applicant Mailing Address:

|                                          |                          |                  |
|------------------------------------------|--------------------------|------------------|
| <u>Ronald E.</u>                         | <u>Weinberg, Trustee</u> |                  |
| a. First Name                            | b. Last Name             |                  |
| <u>Four Quaise Pasture Nominee Trust</u> |                          |                  |
| c. Organization                          |                          |                  |
| <u>982 Chestnut Run</u>                  |                          |                  |
| d. Mailing Address                       |                          |                  |
| <u>Gates Mills</u>                       | <u>OH</u>                | <u>44040</u>     |
| e. City/Town                             | f. State                 | g. Zip Code      |
| <u></u>                                  | <u></u>                  | <u></u>          |
| h. Phone Number                          | i. Fax Number            | j. Email Address |

3. Property Owner (if different):

|                    |               |
|--------------------|---------------|
| <u></u>            | <u></u>       |
| a. First Name      | b. Last Name  |
| <u></u>            | <u></u>       |
| c. Organization    |               |
| <u></u>            |               |
| d. Mailing Address |               |
| <u></u>            | <u></u>       |
| e. City/Town       | f. State      |
| <u></u>            | <u></u>       |
| g. Zip Code        |               |
| <u></u>            | <u></u>       |
| h. Phone Number    | i. Fax Number |
| <u></u>            | <u></u>       |
| 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 1a. Pool                | 1                           | \$110.00                       | \$110.00                             |
| _____                            | _____                       | _____                          | _____                                |
| _____                            | _____                       | _____                          | _____                                |
| _____                            | _____                       | _____                          | _____                                |
| _____                            | _____                       | _____                          | _____                                |
| _____                            | _____                       | _____                          | _____                                |
| _____                            | _____                       | _____                          | _____                                |
| _____                            | _____                       | _____                          | _____                                |
| <b>Step 5/Total Project Fee:</b> |                             |                                | \$110.00                             |
| <b>Step 6/Fee Payments:</b>      |                             |                                |                                      |
| Total Project Fee:               |                             |                                | \$110.00                             |
| State share of filing Fee:       |                             |                                | \$42.50                              |
| City/Town share of filing Fee:   |                             |                                | \$67.50                              |
|                                  |                             |                                | a. Total Fee from Step 5             |
|                                  |                             |                                | b. 1/2 Total Fee <b>less</b> \$12.50 |
|                                  |                             |                                | c. 1/2 Total Fee <b>plus</b> \$12.50 |

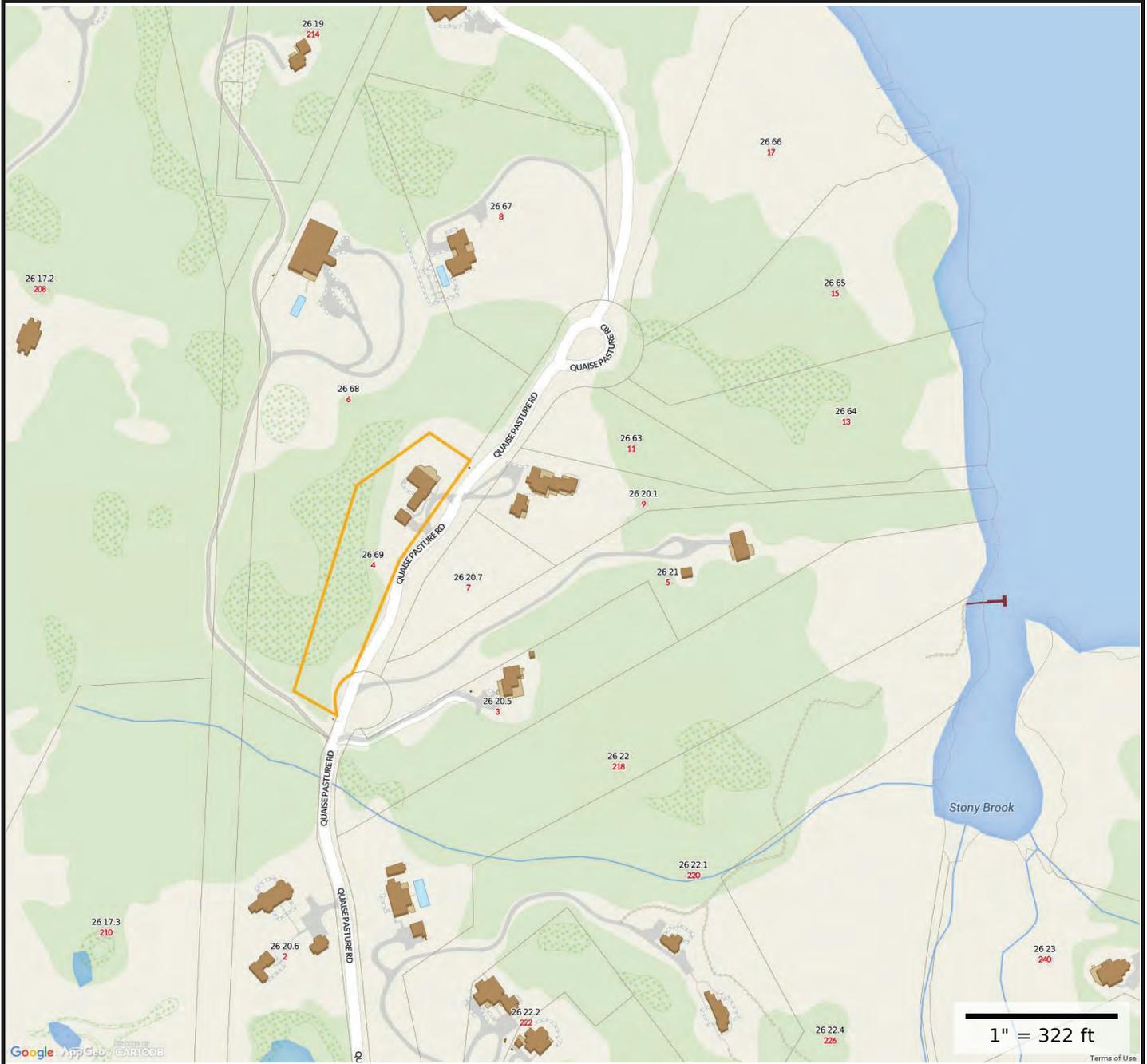
**C. Submittal Requirements**

- 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.)



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014  
Properties updated January, 2015

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**1. Introduction**

On behalf of the Applicant, Four Quaise Pasture Nominee Trust, LEC Environmental Consultants, Inc., (LEC) is submitting this Notice of Intent (NOI) Application for a proposed pool, decking, fence, equipment, and landscaping at 4 Quaise Pasture Road. Proposed work activities occur within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW)/Vegetated Wetlands protected under the *Massachusetts Wetlands Protection Act* (M.G.L., c. 131, s. 40), its implementing *Regulations* (310 CMR 10.00, collectively the “WPA”), and the *Town of Nantucket Bylaw* (Chapter 136) and *Wetlands Protection Regulations (Bylaw)*. A Waiver is concurrently requested for a small portion of the proposed pool fence extending through the 50-foot Buffer Zone.

The following NOI Application provides a description of the existing site conditions, Wetland Resource Areas, and proposed project designed to protect the interests and values of the Wetland Resource Areas enumerated within the above-referenced statutes. Details of the proposed project are depicted on the *Proposed Site Plan* prepared by Bracken Engineering, Inc., dated July 6, 2016 (Appendix D).

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**2. General Site Description**

The 2.01± acre subject parcel is located along the west side of Quaise Pasture Road (Appendix A, Figures 1 and 2). Developed single-family residential properties occur to the north, south, and east. The site is currently improved by an existing single-family dwelling and detached garage within the northern portion of the lot; accessed via a gravel driveway. Areas immediately surrounding the dwelling and garage are occupied by lawn and landscaping/gardens. BVW/Vegetated Wetlands dominate the southern and western portions of the property. Undeveloped land abuts to the west. An existing Conservation Restriction exists west and south of the dwelling.

Dominant upland vegetation surrounding developed conditions consists of scattered black oak (*Quercus velutina*) trees and saplings, American hazelnut (*Corylus americana*), sweet pepperbush (*Clethra alnifolia*), and arrowwood (*Viburnum dentatum*) shrubs along with sporadic scrub oak (*Quercus ilicifolia*) and maleberry (*Lyonia ligustrina*) shrubs. Dense entanglement of common greenbrier (*Smilax rotundifolia*) and fox grape (*Vitis labrusca*) are prevalent.

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**2.1 Floodplain Designation**

According to the June 9, 2014, Federal Emergency Management Agency Flood Insurance Rate Map for the Town of Nantucket (25019C0092G), the project site is located within Zone X (unshaded), areas determined to be outside the 0.2% annual chance flood (Appendix A, Figure 3).

**2.2 Natural Heritage and Endangered Species Program Designation**

According to the 13<sup>th</sup> edition of the Massachusetts *Natural Heritage Atlas* (effective October 1, 2008) published by the Natural Heritage & Endangered Species Program (NHESP), the subject parcel occurs within an Estimated Habitat of Rare Wildlife and Priority Habitat of Rare Species (Appendix A, Figure 4). However, the proposed pool and appurtenances are located entirely within previously existing lawn/landscaped areas and are exempt from NHESP review under the *Massachusetts Endangered Species Act* (MESA, M.G.L. c. 131A) and its implementing *Regulations* (321 CMR 10.00). A copy of the NOI has been sent to NHESP for review under the WPA to confirm that the proposed project will not adversely affect the actual Resource Area habitat of state-listed wildlife.

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**3. Wetland Boundary Determination Methodology**

LEC conducted a site evaluation on March 23, 2016, to identify and characterize existing protectable Wetland Resource Areas located within or immediately abutting the site. The BVW/Vegetated boundary was determined through observations of the existing plant communities, using the “fifty percent criteria” to determine dominance of wetland/upland vegetation, the interpretation of soil characteristics, and other indicators of hydrology, in accordance with the principals of DEP’s handbook, *Delineating Bordering Vegetated Wetlands under the Massachusetts Wetlands Protection Act* (March 1995), the *Field Indicators for Identifying Hydric Soils in New England* (April 2004), and the criteria set forth in 310 CMR 10.55(2) and the *Bylaw*, specifically analyzing the depth of high groundwater within 18 inches of the ground surface.

Based on these methods, the boundaries of BVW/Vegetated Wetlands (#’s 1-22) were demarcated with sequentially numbered blaze orange surveyor’s tape with the words “LEC Resource Area Boundary” embossed in bold, black print. As survey-located by

Bracken Engineering, Inc., the wetland flagging locations are depicted on the *Proposed Site Plan* (Appendix D). Field Data Forms have been included to support the wetland delineation (Appendix C).

#### 4. Wetland Resource Area Descriptions

On-site Wetland Resource Areas include Bordering Vegetated Wetland (BVW)/Vegetated (Freshwater) Wetlands as described below.

##### 4.1 Bordering Vegetated Wetland / Vegetated (Freshwater) Wetland

Bordering Vegetated Wetlands (BVW) are defined in 310 CMR 10.55(2) as *freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. In these areas soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The boundary of BVW is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.*

A vegetated Freshwater Wetland is defined within Section 1.02 of the Nantucket *Wetlands Protection Regulations* as a *wet meadow, freshwater marsh, swamp, bog, pond, lake, creek, or stream; an area of low topography where ground water, flowing water, standing surface water, or ice provides a significant part of the supporting substrate for a plant community for at least five months a year; characterized by emergent and submergent plant communities in inland waters; and/or where depth to high groundwater is within 18 inches of the ground surface, and/or exhibits hydric soil characteristics and includes that portion of any inland bank which touches any inland waters. Freshwater wetlands are not defined to include drainage facilities constructed to include wetland vegetation as treatment for stormwater runoff.*

The BVW/Vegetated Wetlands are occupied by a mix of mature red maple (*Acer rubrum*) trees and moderate to dense shrubs composed of sweet pepperbush, arrowwood, winterberry (*Ilex verticillata*), bayberry (*Morella pensylvanica*), and highbush blueberry (*Vaccinium corymbosum*) along with dense common greenbrier entanglements. Cinnamon fern (*Osmunda cinnamomea*) and sphagnum moss (*Sphagnum* spp.) occupy portions of the groundcover.

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## 5. Proposed Project

The Applicant is proposing an 8-foot deep pool located immediately northeast of the dwelling. The existing wooden deck is to be squared off and a dry laid stone patio will extend along the western portion of the pool. A 4-foot tall pool fence will surround the pool and decking and also enclose the pool equipment. Minimal regrading and landscaping features will abut these features. The proposed pool and appurtenances will all be located within the existing lawn/landscaping footprint.

*As stated within the Bylaw, Vegetated Wetlands or Land within 100 feet of Vegetated Wetlands shall be presumed significant to the Interests Protected by the Bylaw.*

*Furthermore, proposed projects which are not water dependent shall maintain at least a 25-foot natural undisturbed area adjacent to vegetated wetlands. All structures which are not water dependent shall be at least 50 feet from a vegetated wetland, and all structures shall maintain an undisturbed two-foot separation to high groundwater. Fifty percent (50%) of the area between the 25-foot buffer and the 50-foot buffer shall not be altered.*

No work is proposed within the 25-foot Buffer Zone and the proposed pool is located in excess of 50 feet from the downgradient BVW/Vegetated Wetlands. The proposed new work will not alter greater than 50% of the area between the 25 and 50-foot buffers. The pool will also maintain a 2-foot separation to high groundwater.

A small portion of the pool fence extends into the 50-foot Buffer Zone as it runs parallel (interior) to the westerly edge of lawn. The Applicant is therefore respectfully requesting a Waiver under Section 1.03 F.3.(a) of the Nantucket *Wetlands Protection Regulations*. The proposed pool fence will not result in an adverse impact on the BVW/Vegetated Wetlands or their protected interests. The fence is concentrated around the pool area and existing lawn footprint. The minor intrusion into the 50-foot Buffer Zone is necessary to accommodate access from the westerly set of steps off the wooden deck. The pool fence will not adversely affect potential wildlife habitat and corridors that will be maintained within the southern, western, and northern portions of the project site. Large and small mammals will be able to traverse over or under the pool fence, respectively. For these reasons, the Waiver is being requested.

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**6. Summary**

On behalf of the Applicant, Four Quaise Pasture Nominee Trust, LEC is submitting this NOI Application for a proposed pool and appurtenances within the 100-foot Buffer Zone to BVW/Vegetated Wetlands protected under the WPA and *Bylaw*. A Waiver is concurrently requested for a small portion of the proposed pool fence extending through the 50-foot Buffer Zone.

Federal Emergency Management Agency Flood Insurance Rate Map, Town of Nantucket (25019C0092G) effective June 9, 2014.

Massachusetts Natural Heritage Atlas, 13<sup>th</sup> Edition. Natural Heritage & Endangered Species Program, Massachusetts Division of Fisheries and Wildlife, Route 135, Westborough, MA 01581, [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

*Massachusetts Wetlands Protection Act* (M.G.L. c. 131, §. 40) and its implementing *Regulations* (310 CMR 10.00), [www.state.ma.us/dep](http://www.state.ma.us/dep).

Sorrie, B. and Dunwiddie, P. 1996. *The Vascular and Non-Vascular Flora of Nantucket, Tuckernuck, and Muskeget Islands*. Massachusetts Audubon Society, Massachusetts Natural Heritage and Endangered Species Program, Nantucket Maria Mitchell Association, and The Natural Conservancy.

Town of Nantucket Bylaw (Chapter 136) and *Wetlands Protection Regulations*.

United States Department of Agriculture, Soil Conservation Service, in cooperation with Massachusetts Agricultural Experiment Station, Soil Survey for Nantucket County, Massachusetts, issued June 1979.

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## Appendix A

### Locus Maps

Figure 1: USGS Topographic Map

Figure 2: Aerial Orthophoto

Figure 3: FEMA Flood Insurance Rate Map

Figure 4: NHESP Map



**MASS GIS**  
 USGS Topographic Map acquired from the Office of Geographic Information (MassGIS) website.

0 1,000 2,000 4,000 Feet

**LEC**  
 LEC Environmental Consultants, Inc.  
 Plymouth, MA  
 508.746.9491  
 www.lecenvironmental.com

**Figure 1: USGS Topographic Map**

4 Quaise Pasture Road  
 Nantucket, Massachusetts

N  
  
 July 8, 2016



**MASS GIS**

2014 Aerial Orthophoto acquired from the Office of Geographic Information (MassGIS) website.

0 150 300 600 Feet

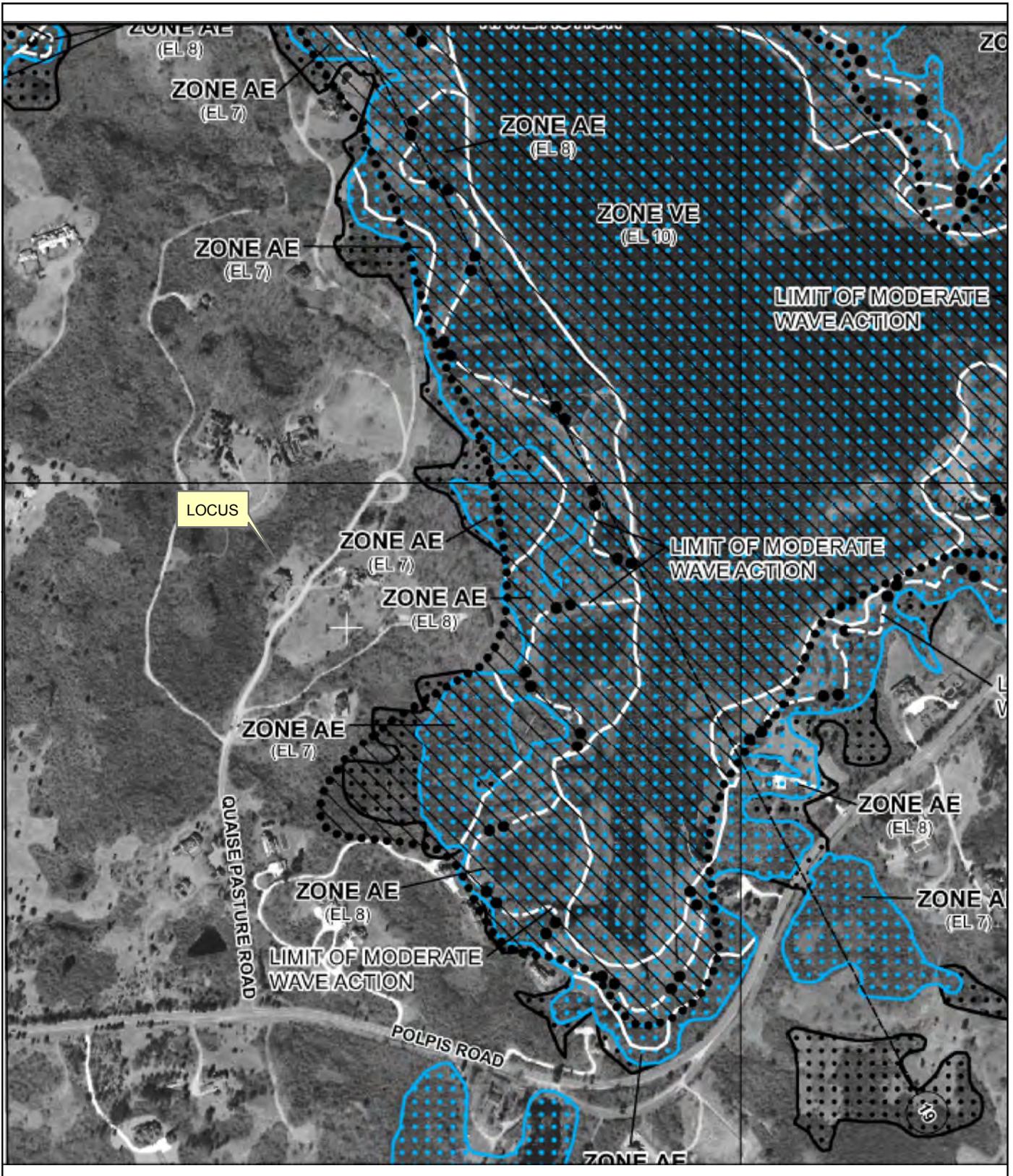
**LEC**  
LEC Environmental Consultants, Inc.  
Plymouth, MA  
508.746.9491  
www.lecenvironmental.com

**Figure 2: Aerial Orthophoto**

4 Quaise Pasture Road  
Nantucket, Massachusetts



July 8, 2016



LEC Environmental Consultants, Inc.

Plymouth, MA  
508.746.9491  
www.lecenvironmental.com

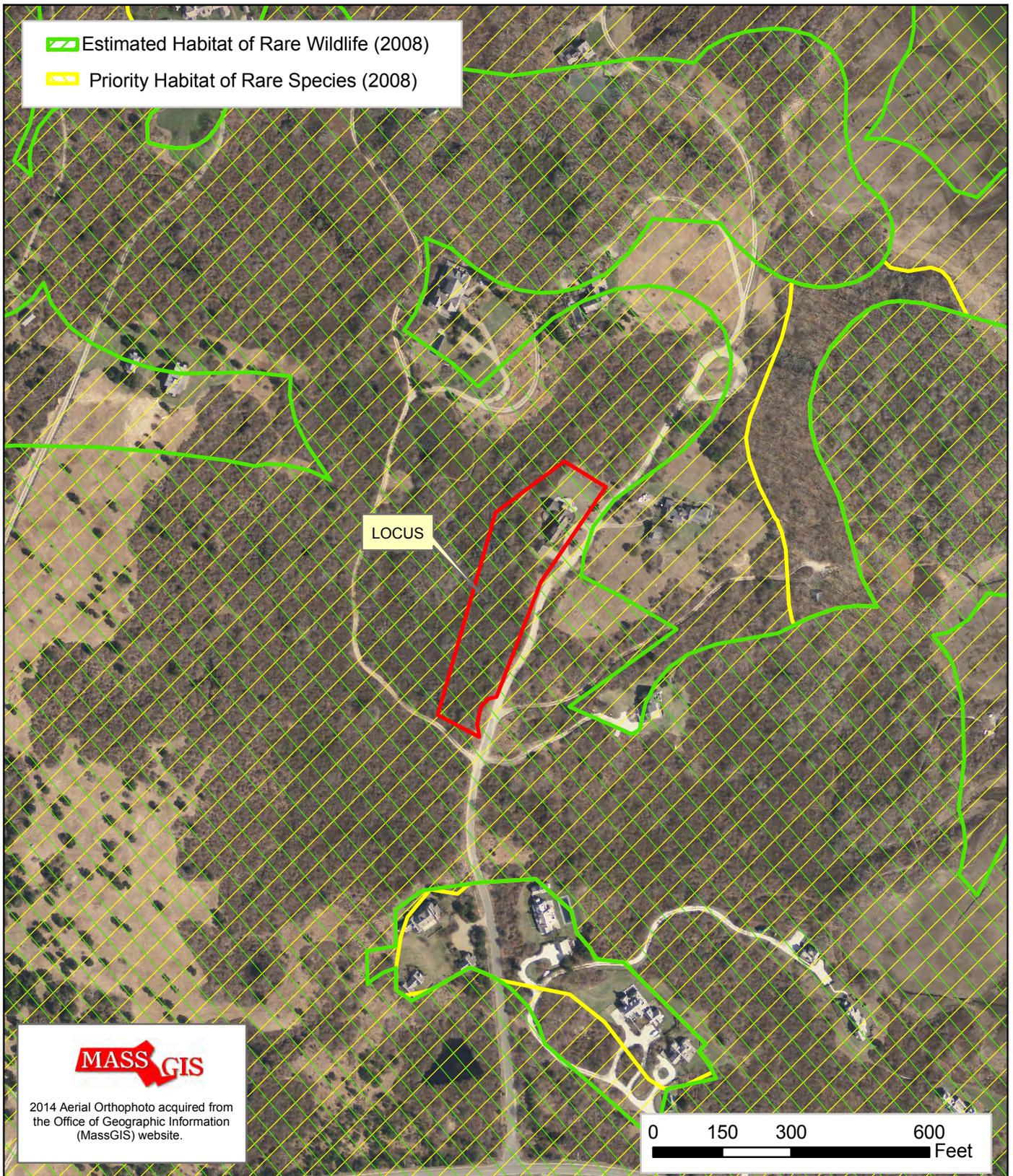
**Figure 3: FEMA Flood Insurance Rate Map**

**#25019C0092G**

4 Quaise Pasture Road  
Nantucket, Massachusetts



Effective Date:  
June 9, 2014



**MASS GIS**

2014 Aerial Orthophoto acquired from the Office of Geographic Information (MassGIS) website.

**LEC**

LEC Environmental Consultants, Inc.

Plymouth, MA  
508.746.9491  
www.lecenvironmental.com

**Figure 4: NHESP Map**

4 Quaise Pasture Road  
Nantucket, Massachusetts



July 8, 2016

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## **Appendix B**

Photographs



Photograph 1: Southerly view of proposed pool location within lawn (3/23/16).



Photograph 2: Northeasterly view of proposed pool location within lawn (3/23/16).

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## **Appendix C**

Field Data Forms

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

Applicant: Four Quaise Pasture Prepared by: LEC Environmental Project location: 4 Quaise Pasture Rd DEP File #: \_\_\_\_\_Check all that apply: Nominec TrustNantucket

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

## Section I. Vegetation

Observation Plot Number: I Transect Number: I Date of Delineation: 3/23/16

| A. Sample Layer and Plant Species<br>(by common/scientific name) | B. Percent Cover<br>(or basal area) | C. Percent<br>Dominance | D. Dominant Plant<br>(yes or no) | E. Wetland<br>Indicator<br>Category* |
|------------------------------------------------------------------|-------------------------------------|-------------------------|----------------------------------|--------------------------------------|
| <u>Ground</u>                                                    |                                     |                         |                                  |                                      |
| Highbush blueberry ( <i>Vaccinium corymbosum</i> )               | 10.5                                | 38.9%                   | Y                                | FACW- *                              |
| Common greenbrier ( <i>Smilax rotundifolia</i> )                 | 10.5                                | 38.9                    | Y                                | FAC *                                |
| Sweet pepperbush ( <i>Clethra alnifolia</i> )                    | 3.0                                 | 11.1                    | N                                | —                                    |
| Arrowwood ( <i>Viburnum dentatum</i> )                           | 3.0                                 | 11.1                    | N                                | —                                    |
| <u>Shrub</u>                                                     |                                     |                         |                                  |                                      |
| Highbush blueberry                                               | 38.0                                | 78.4                    | Y                                | FACW- *                              |
| Sweet pepperbush                                                 | 10.5                                | 21.6                    | Y                                | FAC+ *                               |

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

## Vegetation conclusion:

Number of dominant wetland indicator plants: 4 Number of dominant non-wetland indicator plants: 0Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

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

MA DEP; 3/95

## 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 Nantucket County, June 1979

map number: S

soil type mapped: P<sub>2</sub>B

hydric soil inclusions: ME, Be

Are field observations consistent with soil survey?  yes  no

Remarks: Generally

## 2. Soil Description

| Horizon | Depth | Matrix Color | Mottles Color                   |
|---------|-------|--------------|---------------------------------|
| O       | 1-0"  |              |                                 |
| A       | 0-7"  | 10YR 2/1     | sandy loam N/A                  |
| B       | 7-24" | 10YR 4/3     | sandy loam 10YR 3/6<br>10YR 2/1 |

Remarks: Plot taken w/ hand-held auger

3. Other: downgradient/between wetland flag # 5 2&amp;3

Conclusion: Is soil hydric?  yes  no

T1, P1

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

- Site inundated: Wetland Interior
- Depth to free water in observation hole: \_\_\_\_\_
- Depth to soil saturation in observation hole: @ 14"±
- Water marks: interior
- Drift lines: \_\_\_\_\_
- Sediment deposits: \_\_\_\_\_
- Drainage patterns in BVW: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: interior
- Recorded data (stream, lake, or tidal gauge; aerial photo; other) : \_\_\_\_\_
- Other: \_\_\_\_\_

## Vegetation and Hydrology Conclusion

|                                                                                | yes                                 | no                       |
|--------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| Number of wetland indicator plants<br>≥ number of non-wetland indicator plants | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wetland hydrology present:<br>hydric soil present                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| other indicators of hydrology<br>present                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sample location is in a BVW                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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: Four Quaise Pasture Prepared by: LEC Environmental Project location: 4 Quaise Pasture Rd DEP File #: \_\_\_\_\_  
Numinee Trust Nantucket

Check all that apply:

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

Section I. **Vegetation** Observation Plot Number: 2 Transect Number: 1 Date of Delineation: 3/23/16

| A. Sample Layer and Plant Species<br>(by common/scientific name) | B. Percent Cover<br>(or basal area) | C. Percent<br>Dominance | D. Dominant Plant<br>(yes or no) | E. Wetland<br>Indicator<br>Category* |
|------------------------------------------------------------------|-------------------------------------|-------------------------|----------------------------------|--------------------------------------|
| <u>Ground</u>                                                    |                                     |                         |                                  |                                      |
| Common greenbrier ( <i>Smilax rotundifolia</i> )                 | 63.0                                | 75.4                    | Y                                | FAC *                                |
| American hazelnut ( <i>Corylus americana</i> )                   | 20.5                                | 24.6                    | Y                                | FACU-                                |
| <u>Shrub</u>                                                     |                                     |                         |                                  |                                      |
| American hazelnut                                                | 38.0                                | 61.3                    | Y                                | FACU-                                |
| Arrowwood ( <i>Viburnum dentatum</i> )                           | 10.5                                | 16.9                    | N                                | ---                                  |
| Sweet pepperbush ( <i>Clethra alnifolia</i> )                    | 10.5                                | 16.9                    | N                                | ---                                  |
| Maleberry ( <i>Lyonia ligustrina</i> )                           | 3.0                                 | 4.8                     | N                                | ---                                  |
| <u>Vine</u>                                                      |                                     |                         |                                  |                                      |
| Fox grape ( <i>Vitis labrusca</i> )                              | 3.0                                 | 100%                    | Y                                | FACU                                 |

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FAC-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

**Vegetation conclusion:**

Number of dominant wetland indicator plants: 1 Number of dominant non-wetland indicator plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes  no

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

MA DEP; 3/95

## 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 Nantucket County, June 1979

map number: 5

soil type mapped: Pcb

hydric soil inclusions: ME, Be

Are field observations consistent with soil survey?  yes  no

Remarks: Generally

## 2. Soil Description

| Horizon        | Depth    | Matrix Color | Mottles Color  |
|----------------|----------|--------------|----------------|
| O              | 0.5-0.1" |              |                |
| A              | 0-4      | 10YR 2/1     | Sandy loam N/A |
| B <sub>1</sub> | 4-9      | 10YR 3/4     | Sandy loam N/A |
| B <sub>2</sub> | 9-24     | 10YR 5/8     | Sandy loam N/A |

Remarks: Plot taken w/ hand-held auger  
upgradient/between wetland flag3. Other:  
#s 283Conclusion: Is soil hydric?  yes  no

N/A

T1, P2

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

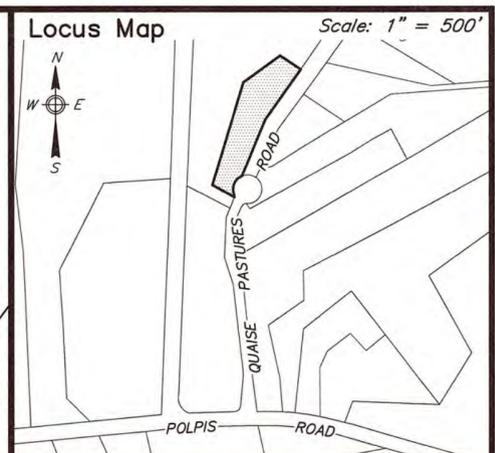
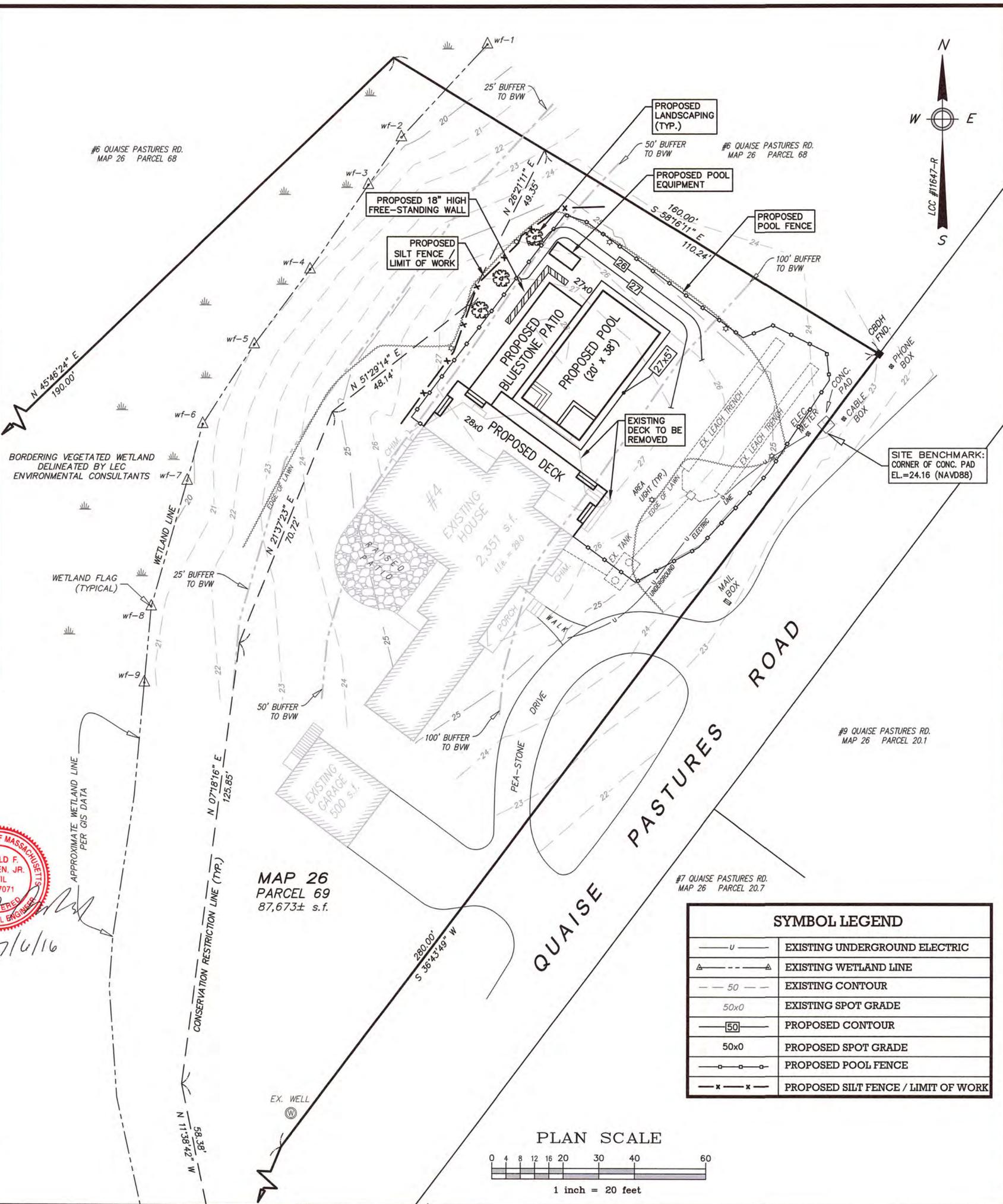
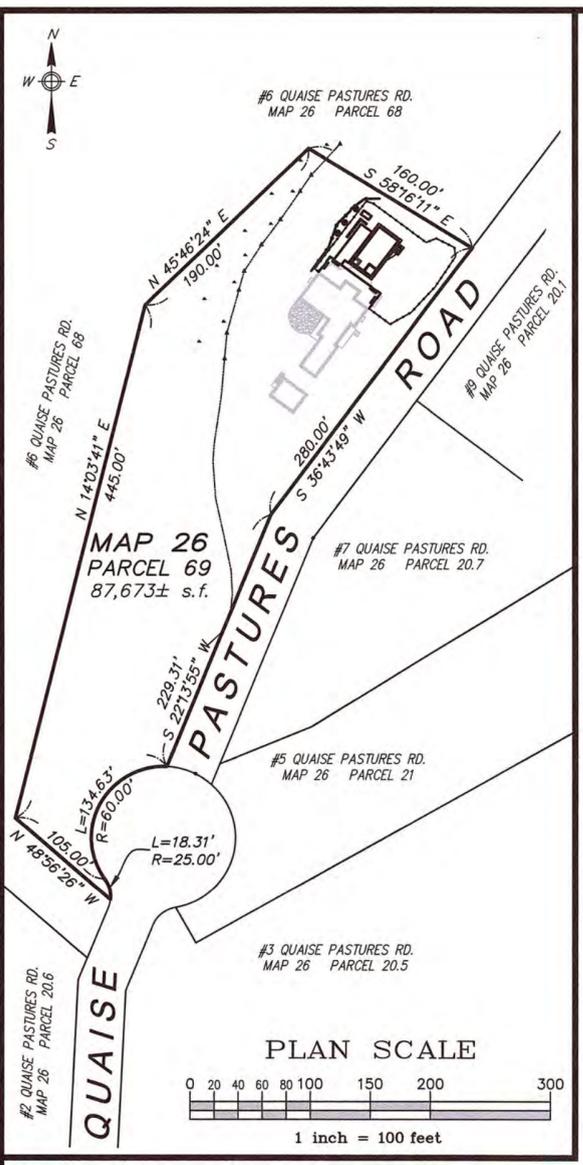
|                                                                                | yes                      | no                                  |
|--------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| Number of wetland indicator plants<br>≥ number of non-wetland indicator plants | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Wetland hydrology present:                                                     |                          |                                     |
| hydric soil present                                                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| other indicators of hydrology<br>present                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sample location is in a BVW                                                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

---

**Appendix D**

*Proposed Site Plan*, prepared by Bracken Engineering, Inc., dated July 6, 2016



- Notes**
- LOCUS: #4 QUAISE PASTURES ROAD MAP 26 PARCEL 69
  - OWNER: FOUR QUAISE PASTURE NOMINEE TRUST 982 CHESTNUT RUN GATES MILLS, OHIO 44040
  - DEED REF: CERT #23909
  - PLAN REF: LCC #11647-R (LOT 43)
  - EASEMENT: SHOWN ON LCC #11647-R
  - LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C-0092-G dated 06/09/2014.
  - LOCUS FALLS WITHIN THE NATURAL HERITAGE and ENDANGERED SPECIES PROGRAM (NHESP) AREAS OF ESTIMATED HABITATS OF RARE WILDLIFE and PRIORITY HABITATS OF RARE SPECIES.
  - POOL DEPTH IS 8 FEET (ELEV. 19.5) AND GROUNDWATER IS BELOW ELEVATION 11.5 PER SEPTIC DESIGN PLAN 2/8/1995.

|                 | ZONE: LUG-3  | REQUIRED     | EXISTING |
|-----------------|--------------|--------------|----------|
| LOT AREA:       | 120,000 s.f. | 87,673± s.f. |          |
| FRONTAGE:       | 200'         | 500'+        |          |
| FRONT YARD:     | 35'          | 35.8'        |          |
| SIDE/REAR YARD: | 20'          | 65.2'        |          |
| GROUND COVER:   | 3% (MAX)     | 3.3%*        |          |
|                 | (2,630 s.f.) | (2,851 s.f.) |          |

\* PRE-EXISTING STRUCTURES

Prepared By:

**BRACKEN ENGINEERING, INC.**

49 HERRING POND ROAD BUZZARDS BAY, MA 02532  
(tel) 508.833.0070 (fax) 508.833.2282

19 OLD SOUTH ROAD NANTUCKET, MA 02554  
(tel) 508.325.0044 www.brackeneng.com

**PROPOSED SITE PLAN IN NANTUCKET, MASSACHUSETTS**

Prepared For:  
**FOUR QUAISE PASTURE NOMINEE TRUST**  
#4 QUAISE PASTURES ROAD  
MAP 26 PARCEL 69

| No. | Date | Revision Description | By |
|-----|------|----------------------|----|
|     |      |                      |    |

Date: JULY 6, 2016  
Drawn: RMM/ERC/DLH  
Checked: DFB/AMG  
Sheet: 1 of 1

Professional Engineer seals for Alan M. Grady and Donald F. Bracken, Jr. dated 7/6/16.

**SILTATION FENCE DETAIL**  
NOT TO SCALE

POST  
SUPPORT NET  
FILTER FABRIC  
BACKFILL FLOW  
NATIVE SOIL

The Nantucket Land  
Bank

4 Polpis Harbor Road  
(54-187)

7/8/2016

Mr. Ernie Steinauer, Chairman  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

Dear Mr. Steinauer,

Please find enclosed a Notice of Intent application for restoration on the Nantucket Islands Land Bank Holly Farm property at 4 Polpis Harbor Road (Map/Parcel 25 3.1). The proposed project includes the removal of brush and wood chips, manual invasive species management and planting of native shrubs and trees. We are seeking a waiver from Section 3.02(B) (1), which requires that all non-water dependent projects be at least 25 feet from the wetland, as this project includes restoration of vegetation within 25 feet of a Bordering Vegetated Wetland resource area. Our goal is to eliminate any negative effects of unpermitted work and have a long-term net benefit to the habitat on the site.

I am available for a site visit with the Commission on Monday the 25<sup>th</sup> and I look forward to presenting our restoration plan at the hearing on the 27<sup>th</sup> of July. Please feel free to contact me with any questions you may have.

Sincerely,

Rachael Freeman  
Environmental Coordinator



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
And the Town of Nantucket Bylaw Chapter 136



## A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

4 Polpis Harbor Road  
a. Street Address

Nantucket  
b. City/Town

02554  
c. Zip Code

Latitude and Longitude:  
25 3.1  
f. Assessors Map/Plat Number

d. Latitude  
e. Longitude

g. Parcel /Lot Number

2. Applicant:

Nantucket Islands Land Bank  
a. First Name

b. Last Name

c. Organization

22 Broad Street  
d. Street Address

Nantucket  
e. City/Town

MA  
f. State

02554  
g. Zip Code

(508)- 228 - 7240  
h. Phone Number

(508) – 228 - 9369  
i. Fax Number

rfreeman@nantucketlandbank.org  
j. Email Address

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

Nantucket Islands Land Bank  
a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Rachael  
a. First Name

Freeman  
b. Last Name

Nantucket Islands Land Bank  
c. Company

22 Broad Street  
d. Street Address

Nantucket  
e. City/Town

MA  
f. State

02554  
g. Zip Code

(508) – 228 - 7240  
h. Phone Number

i. Fax Number

rfreeman@nantucketlandbank.org  
j. Email address

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

EXEMPT  
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
And the Town of Nantucket Bylaw Chapter 136

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Nantucket
City/Town



A. General Information (continued)

6. General Project Description:

Restoration of cleared areas with native species.

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:

Nantucket

a. County

C0017

c. Book

b. Certificate # (if registered land)

407

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.

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  
And the Town of Nantucket Bylaw Chapter 136

|                             |
|-----------------------------|
| Provided by MassDEP:        |
| MassDEP File Number         |
| Document Transaction Number |
| Nantucket                   |
| 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<br>3. cubic feet of flood storage lost | 2. square feet<br>4. cubic feet replaced                 |
| e. <input type="checkbox"/> Isolated Land Subject to Flooding                  | 1. square feet<br>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<br>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      |



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
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## B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

|                                                                              | Size of Proposed Alteration                                                                                                                                                                                           | Proposed Replacement (if any)             |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage | 10                                                                                                                                                                                                                    |                                           |
|                                                                              | 1. square feet                                                                                                                                                                                                        |                                           |
| 4. <input checked="" 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. |                                           |
|                                                                              | 150                                                                                                                                                                                                                   |                                           |
| 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/nhosp/regulatory\\_review/priority\\_habitat/online\\_viewer.htm](http://www.mass.gov/dfwele/dfw/nhosp/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**

7.2016  
b. Date of map



|                             |
|-----------------------------|
| Provided by MassDEP:        |
| MassDEP File Number         |
| Document Transaction Number |
| Nantucket                   |
| City/Town                   |

# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
And the Town of Nantucket Bylaw Chapter 136



## 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](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm)).  
Make check payable to "Natural Heritage & Endangered Species Fund" 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](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  
And the Town of Nantucket Bylaw Chapter 136

|                             |
|-----------------------------|
| Provided by MassDEP:        |
| MassDEP File Number         |
| Document Transaction Number |
| Nantucket                   |
| 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<br>Attn: Environmental Reviewer<br>838 South Rodney French Blvd.<br>New Bedford, MA 02744 | Division of Marine Fisheries - North Shore Office<br>Attn: Environmental Reviewer<br>30 Emerson Avenue<br>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



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
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|                             |
|-----------------------------|
| Provided by MassDEP:        |
| MassDEP File Number         |
| Document Transaction Number |
| Nantucket                   |
| City/Town                   |



## 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.

|                                      |                          |
|--------------------------------------|--------------------------|
| _____                                |                          |
| a. Plan Title                        |                          |
| _____                                |                          |
| b. Prepared By                       | c. Signed and Stamped by |
| _____                                |                          |
| d. Final Revision Date               | 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

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
And the Town of Nantucket Bylaw Chapter 136



## E. Fees

- 1. XX 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:

EXEMPT

- |                                    |                                   |
|------------------------------------|-----------------------------------|
| 2. Municipal Check Number          | 3. Check date                     |
| 4. State Check Number              | 5. Check date                     |
| 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 |

### 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.



**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



**A. Applicant Information**

1. Applicant:

Nantucket Islands Land Bank  
 a. First Name \_\_\_\_\_ b. Last Name \_\_\_\_\_  
 c. Organization \_\_\_\_\_  
 22 Broad Street  
 d. Mailing Address \_\_\_\_\_  
 Nantucket MA 02554  
 e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_  
 (508) – 228 - 7240 rfreeman@nantucketlandbank.org  
 h. Phone Number \_\_\_\_\_ i. Fax Number \_\_\_\_\_ j. Email Address \_\_\_\_\_

2. Property Owner (if different):

Nantucket Islands Land Bank  
 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 \_\_\_\_\_

3. Project Location:

\_\_\_\_\_ Nantucket  
 a. Street Address \_\_\_\_\_ b. City/Town \_\_\_\_\_

**B. Fees**

The fee should be calculated using the following six-step process and 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.



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 |
|-------------------------|-----------------------------|--------------------------------|------------------------------|
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: EXEMPT  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 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.)

# ***Holly Farm Notice of Intent***

---

## ***Proposed Restoration Plan***

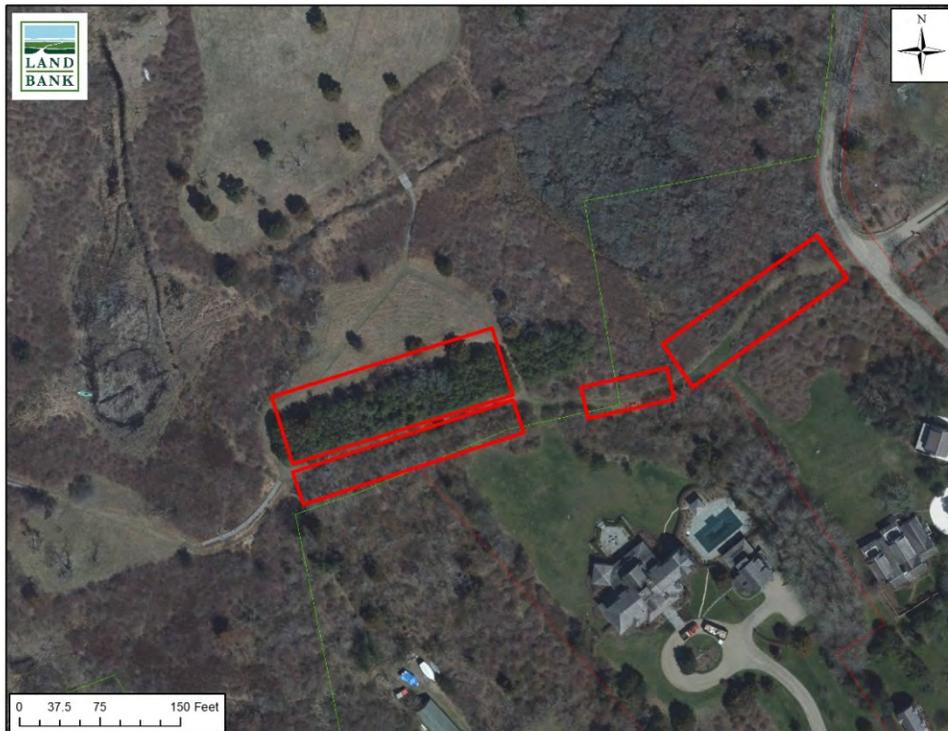
Prepared by  
Rachael Freeman, Environmental Coordinator  
Nantucket Islands Land Bank  
July 8, 2016

## Project Narrative

### Project Overview:

The Land Bank's Holly Farm property, located at 4 Polpis Harbor Road, was originally owned by Donal and Marie Craig, who grew and harvested holly for local sales and export during the early 1900's. The large stand of holly trees that constituted the farm still remains along the southeastern edge of the property. The Holly Farm property is hydrologically connected to the Windswept Cranberry Bogs and the Stump Pond wetland complex in the Middle Moors. After crossing Polpis Road, the freshwater marsh divides, travelling to Polpis Harbor north across the Land Bank's Holly Farm property and west through the properties of Shawkemo. On the Holly Farm, the extent of the freshwater marsh has been altered by ditching, which has resulted in increased upland. The ditches form an upside down "T" and culminate in a large salt marsh that enters Polpis Harbor. The majority of the property is within the 100 year flood zone. In addition, the property is mapped as estimated habitat for rare species and so this project requires review by the Massachusetts Natural Heritage and Endangered Species Program.

In late April 2016, the Nantucket Islands Land Bank oversaw a project where approximately 80% or 491 of the American holly trees located on the site had between 4 and 6 feet of their upper trunk removed. As a result, the health of the damaged trees remains in question. In addition, a number of cedar trees were removed, the edges of the easement across the property at 290 Polpis Road were brushcut to allow a truck and chipper access to the site and the majority of the vegetation in front of 286 and 288 Polpis Road was removed. The easement used to access the site travels through a wetland, which was damaged during the process. Much of this work occurred within a wetland resource area or within the buffer to a wetland resource area and no permits were acquired prior to the start of work.



On May 4, 2016, the Town of Nantucket Conservation Commission issued an Enforcement Report documenting the “unpermitted cutting and disturbance to resource areas and their buffer zones” at 4 Polpis Harbor Road, 286, 288 and 290 Polpis Road. The purpose of this Notice of Intent is to have the Nantucket Conservation Commission’s approval for the Land Bank to restore all damaged resources at the Holly Farm. We are proposing a multi-step restoration plan that is listed below and described in detail after.

- 1) Document the extent of the damage to the property
  - a. Number of holly trees cut: 491
  - b. Extent of brushcutting
  - c. Damage to the section of the easement that crosses a wetland
  - d. Number of cedar trees removed: 12
- 2) Delineate all wetlands on the site to establish which parts of the site fall within 100 feet of a wetland resource area: Complete
- 3) Prepare a restoration plan: Ongoing
  - a. Site clean-up (Removal of excess wood chips, any remaining cut brush etc)
  - b. Removal of invasive species within the holly stand
  - c. Landscape plan for brushcut areas
  - d. Plan for section of the easement that crosses a wetland
  - e. Plan for Holly trees
- 4) Submit a Notice of Intent to the Nantucket Conservation Commission/Obtain Order of Conditions
- 5) Perform site clean-up: July/August
- 6) Remove invasive species: July/August
- 7) Assess health of damaged holly trees: September
- 8) Plant native species: October
- 9) Remove/replant holly trees if necessary: October

*Document the Extent of the Damage to the Property*

The damaged areas are shown in the figure below. Four hundred and ninety-one Holly trees were “topped” and approximately 200 linear feet of road/path edge was brushcut. The area of the easement that was damaged is approximately 30 linear feet. Twelve Cedar trees were removed from the site as well.

### *Delineate all Wetlands on the Site*

The impacted wetlands and associated 25, 50 and 100-foot buffers are shown below. All areas of work fall within the 100-foot buffer to a wetland resource and therefore require a permit for work in a wetland resource area from the Nantucket Conservation Commission. As this permit was not obtained prior to the start of work, the Land Bank is submitting this Notice of Intent to perform the proposed restoration.

### *Prepare a Restoration Plan*

Once an Order of Conditions has been obtained, we will begin restoration work. There is a substantial amount of woody debris that remains at the site, which the Land Bank's property management crew will manually remove. At that time we will also remove any invasive species that are located within the holly stand. These include privet, bush and vine honeysuckle and multiflora rose.

Re-planting of native species will begin in the fall. By waiting until October, we are increasing the likelihood that plants will naturally succeed. However, if necessary, the Land Bank will water installed shrubs to ensure their survival. If necessary, plants will also be fenced to protect against deer browse.

Prior to brushcutting the areas along the edge of the easement were a mix of typical woody species found in or on the edges of a shrub swamp. These include *Prunus serotina*, *Viburnum dentatum*, *Clethra alnifolia*, *Vaccinium corymbosum*, *Ilex verticillata* and *Lyonia ligustrina*. These native shrubs can be purchased locally and will be replanted every five feet along the edge of the road/path.

We will use a mix of *Morella caroliniensis*, *Viburnum dentatum*, *Juniperus virginiana* and *Prunus serotina* to replace the plants that were removed along the boundary between 286 and 288 Polpis Road and the Land Bank's property. Prior to brushcutting, this area was a mix of *Ligustrum spp.*, *Lonicera spp.* and a few upland native species.

We are also proposing to plant fifteen cedar trees in appropriate locations on the property near areas where individuals were removed. A landscape sketch detailing the location of plants is included.

The topped holly trees are slowly beginning to sprout leaves and the Land Bank is requesting permission to wait until September to see what naturally regrows in the wetland area along the road/path and within the holly stand. Any holly trees that do not show signs of regrowth by September, will be replaced. Similarly, if there are no herbaceous species recolonizing the wetland within the road/path, we will create a planting plan for this site.

### **Wetland Information:**

The Holly Farm property is hydrologically connected to the Windswept Cranberry Bogs and the Stump Pond wetland complex in the Middle Moors. After crossing Polpis Road, the freshwater marsh divides, travelling to Polpis Harbor north across the Land Bank's Holly Farm property and west through the properties of Shawkemo. Approaching the Polpis Harbor, the wetland transitions from a freshwater **Bordering Vegetated Wetland (310 CMR 10.55)** to tidally influenced **Salt Marsh (310 CMR 10.32)**. On the Holly Farm, the extent of the freshwater marsh has been altered by ditching, which has resulted in increased upland, and the formation of an **Inland Bank (310 CMR 10.54)** resource area. The ditches form an upside down "T" and culminate in the large salt marsh that abuts Polpis Harbor. The wetland resource areas as defined in the Nantucket Wetlands Regulations are **Bordering Vegetated Wetland**

**(3.02), Salt Marsh (2.06), and Inland Bank (3.01).** Much of the property falls within the 100 year flood zone and is defined as **Land Subject to Coastal Storm Flowage (2.10)** and the area is mapped as **Estimated Habitat for Rare Species.**

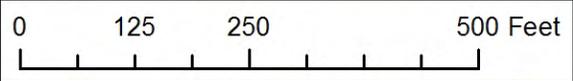
**Waiver Request:**

The Nantucket Land Bank requests a waiver from Section 3.02(B) (1). Section 3.02(B) (1) requires that all non-water dependent projects be at least 25 feet from the wetland. This project seeks to restore vegetation within a Bordering Vegetated Wetland resource area.

The Nantucket Land Bank believes that the project will result in a “long term net benefit/improvement to the resource area” by:

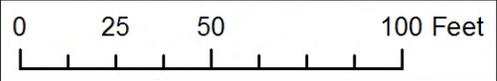
- 1) Restoring native vegetation to areas that were cleared.
- 2) Removing invasive species.

Therefore the Nantucket Land Bank requests that a waiver be issued under Section 1.03(F) (c) of the Nantucket Wetland Regulations.



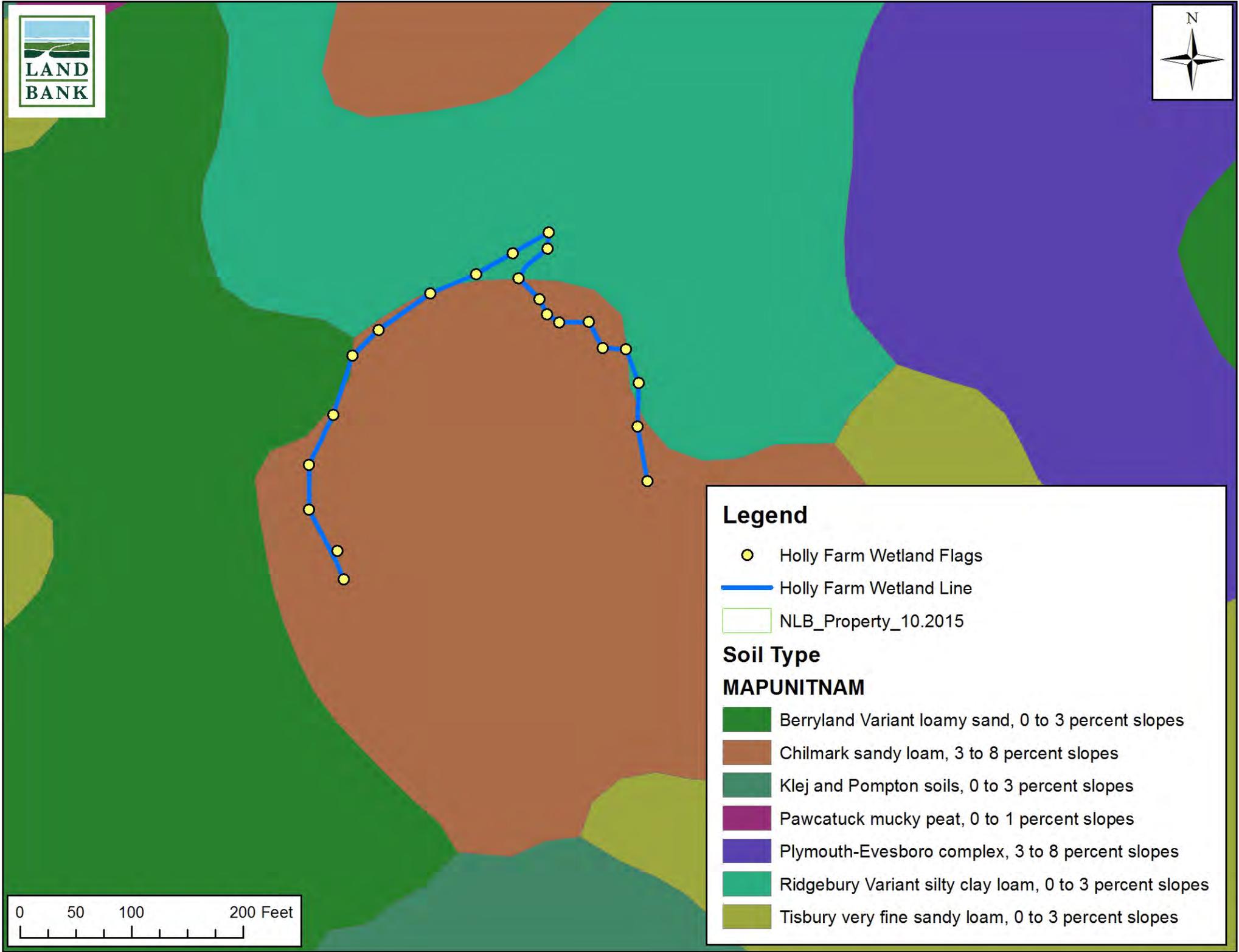
**Legend**

 NLB\_Property\_10.2015



**Legend**

- Holly Farm Test Pits
- Holly Farm Wetland Flags
- Holly Farm Wetland Line
- NLB\_Property\_10.2015



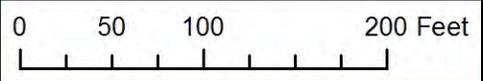
**Legend**

- Holly Farm Wetland Flags
- Holly Farm Wetland Line
- NLB\_Property\_10.2015

**Soil Type**

**MAPUNITNAM**

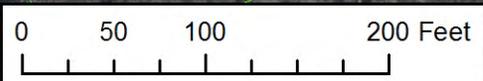
- Berryland Variant loamy sand, 0 to 3 percent slopes
- Chilmark sandy loam, 3 to 8 percent slopes
- Klej and Pompton soils, 0 to 3 percent slopes
- Pawcatuck mucky peat, 0 to 1 percent slopes
- Plymouth-Evesboro complex, 3 to 8 percent slopes
- Ridgebury Variant silty clay loam, 0 to 3 percent slopes
- Tisbury very fine sandy loam, 0 to 3 percent slopes

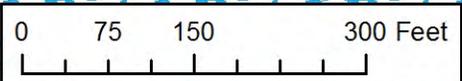
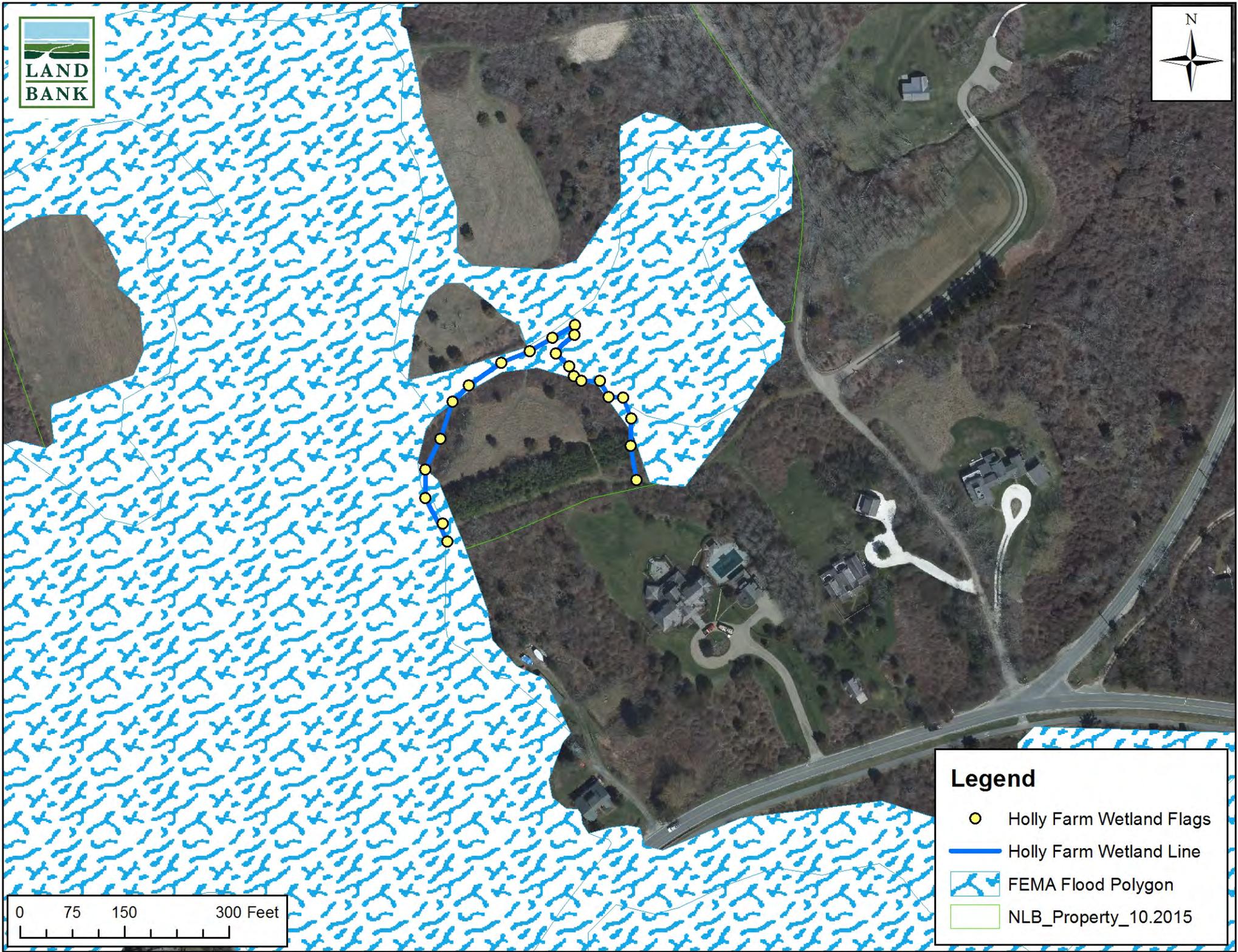




**Legend**

- Holly Farm Wetland Flags
- Elevation (ft)
- Holly Farm Wetland Line
- NLB\_Property\_10.2015





**Legend**

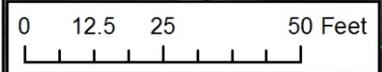
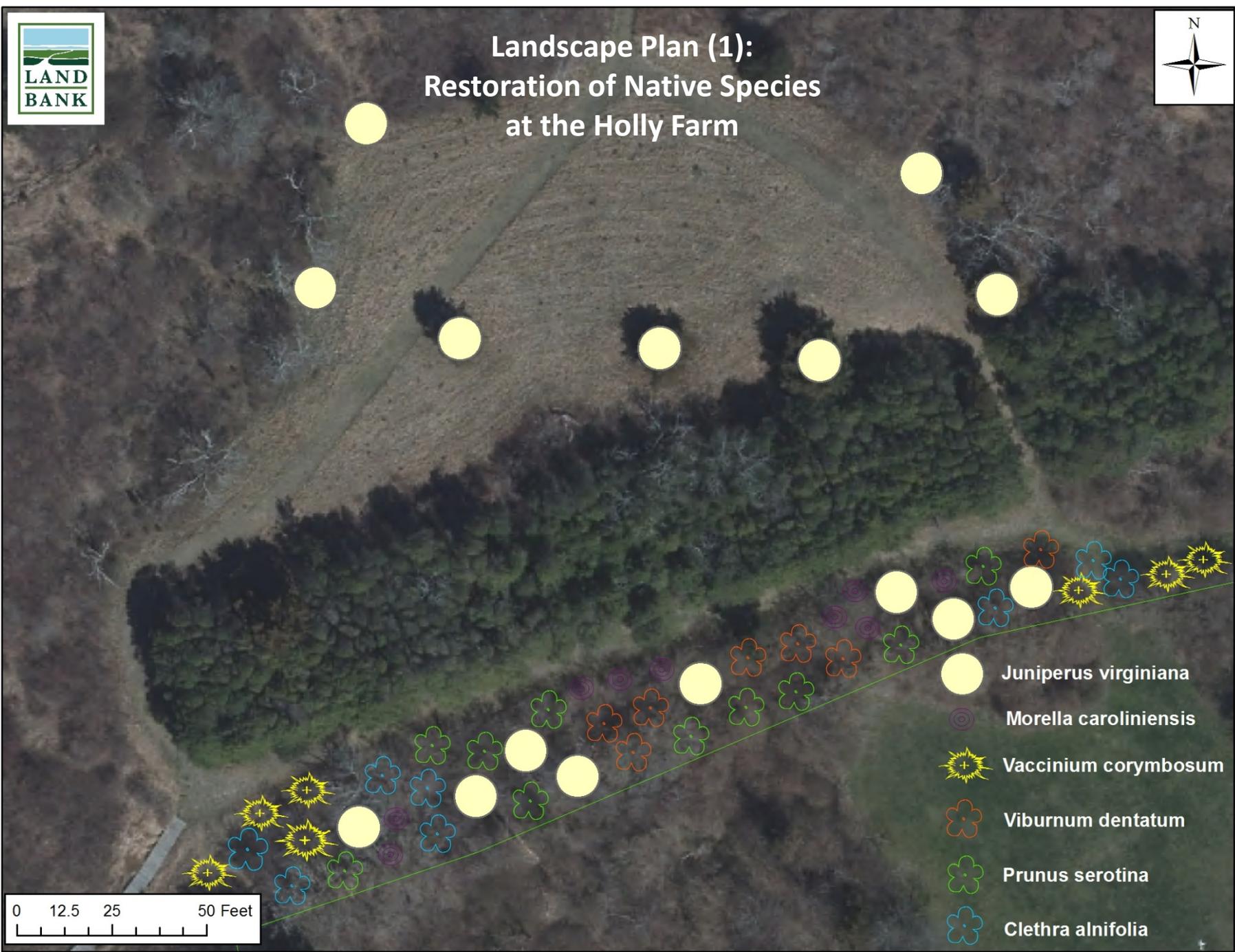
- Holly Farm Wetland Flags
- Holly Farm Wetland Line
- FEMA Flood Polygon
- NLB\_Property\_10.2015







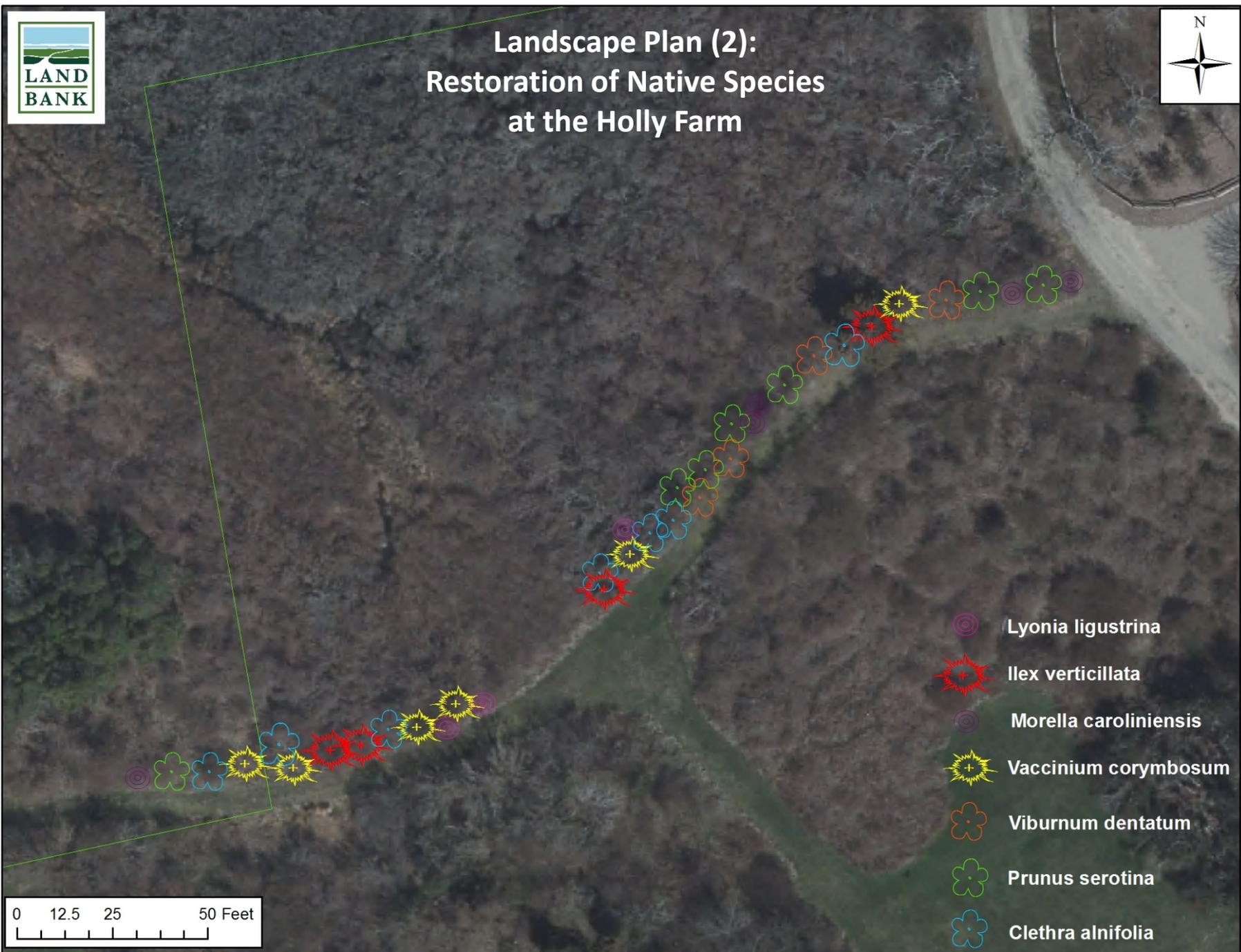
# Landscape Plan (1): Restoration of Native Species at the Holly Farm



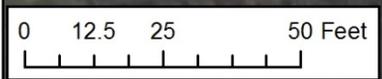
- *Juniperus virginiana*
- ⊙ *Morella caroliniensis*
- ⊕ *Vaccinium corymbosum*
- ⊗ *Viburnum dentatum*
- ⊗ *Prunus serotina*
- ⊗ *Clethra alnifolia*



# Landscape Plan (2): Restoration of Native Species at the Holly Farm



-  *Lyonia ligustrina*
-  *Ilex verticillata*
-  *Morella caroliniensis*
-  *Vaccinium corymbosum*
-  *Viburnum dentatum*
-  *Prunus serotina*
-  *Clethra alnifolia*



# AMENDED ORDER OF CONDITIONS REQUESTS

MAK Daddy Trust

68/72 Monomoy Road

(43-119,115)



July 7, 2016

Mr. Ernest Steinauer, Chair  
Nantucket Conservation Commission  
2 Bathing Beach Road  
Nantucket, MA 02554

RE: 68 & 72 Monomoy Road  
Map 43 Parcels 119 & 115  
Amend Order - SE48-2803

Dear Mr. Steinauer:

I am writing to request the issuance of an Amended Order of Conditions for the referenced project. Attached for review are an updated site plan and landscape drawings to accompany the request for an Amended Order of Conditions. Also included is a locus map, the front page of the original Order, as recorded at the Registry of Deeds and the required filing fees.

The ownership of the properties has transferred since the Order of Conditions was issued. The new owner is: MAK Daddy Trust, Steven L. Cohen, Trustee. The applicant is seeking approval of revised structural footprints and landscape layout design which has been developed since the original application. All of the work is proposed within the previously approved limit of work, and as with the original approval, the revised project will result in an overall net benefit to the protected interests. There is a vegetated 25-foot no disturb zone provided along the top of the coastal dune other than for access to the beach via boardwalks, which will serve as a protective area for the dune.

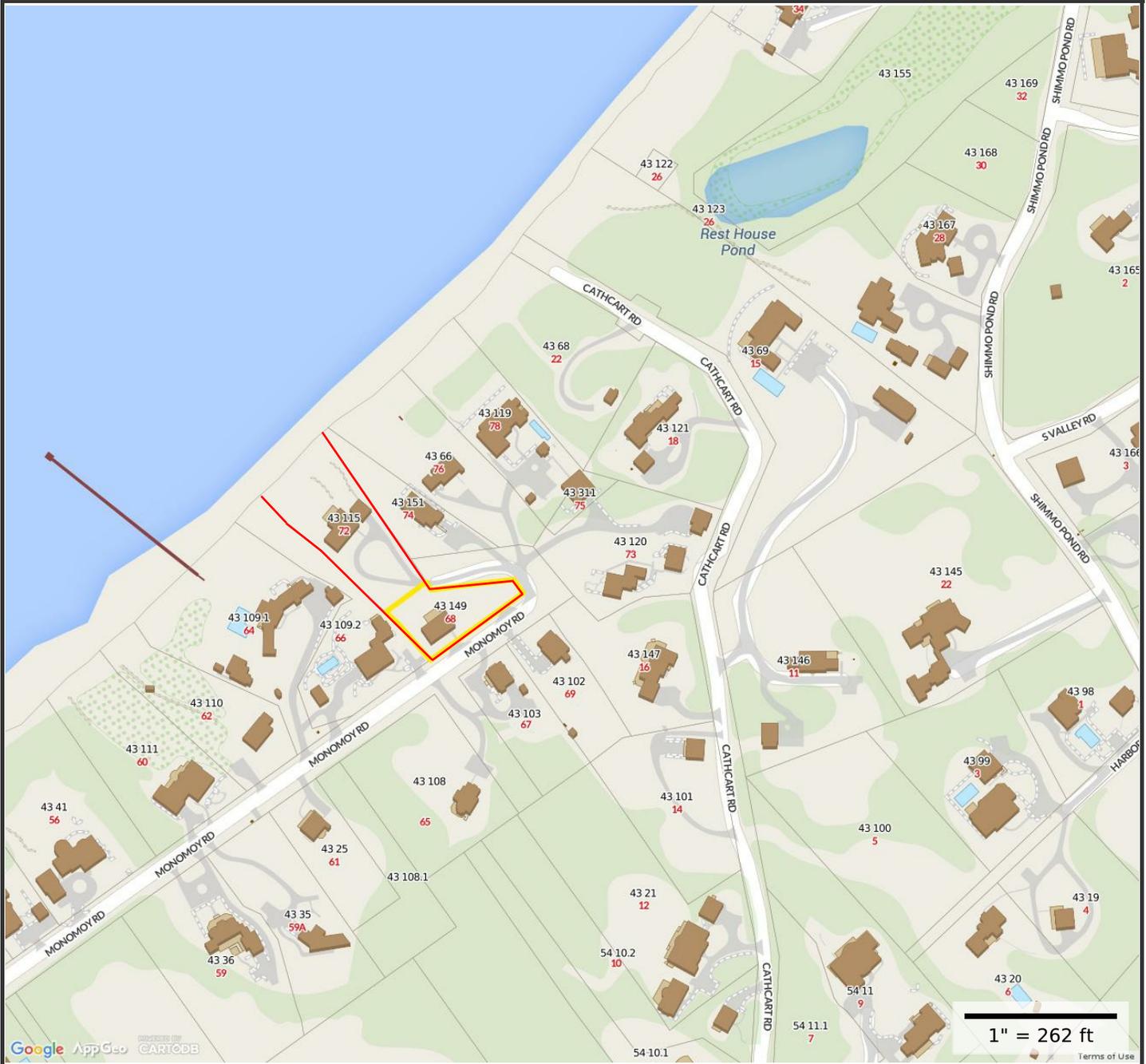
The proposal is within the scope of the original approval, and will not have an adverse impact on the interests protected by the Commission. I plan to attend the public hearing on this matter to address any questions or concerns.

Sincerely,  
Nantucket Engineering & Survey, P.C.  
By: Arthur D. Gasbarro, PE, PLS, LEED AP

A handwritten signature in blue ink that reads "Arthur D. Gasbarro". The signature is written in a cursive style and is enclosed in a thin blue rectangular border.

CC: Steven L. Cohen, Trustee

# Locus Map - 68 & 72 Monomoy Road



**Property Information**

**Property ID** 43 149 & 115  
**Location** 68 & 72 MONOMOY RD  
**Owner** Steven L. Cohen, Trustee



**MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014  
 Properties updated January, 2015

Terms of Use



2015 00148576  
Cert: 15309 Doc: OOC  
Registered: 07/16/2015 11:00 AM



2015 00001925  
Bk: 1491 Pg: 183 Page: 1 of 17  
Doc: OOC 07/16/2015 11:02 AM



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
And the Town of Nantucket Wetlands Bylaw Chapter 136

Provided by MassDEP:  
SE48- 2803  
MassDEP File #

eDEP Transaction #  
Nantucket  
City/Town

**A. General Information**

1. From: Nantucket  
Conservation Commission

2. This issuance is for (check one):  
a.  Order of Conditions b.  Amended Order of Conditions

3. To: Applicant:

Thomas J., Patricia S. Robert P. & Jane G. Anathan  
a. First Name b. Last Name

& Anathan Family Limited Partnership  
c. Organization

12 Schuyler Lane  
d. Mailing Address

Bloomfield CT 06002-1534  
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Same As Applicant  
a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

68 & 72 Monomoy Road Nantucket  
a. Street Address b. City/Town

43 149 & 115 Respectively  
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 41d16'54"N 70d04'46"W  
d. Latitude e. Longitude



CURRENT ZONING CLASSIFICATION:  
Limited Use General 1 (L.U.G.-1)

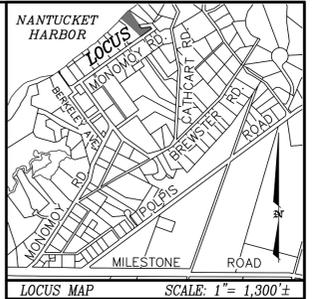
MINIMUM LOT SIZE: 40,000 S.F.  
MINIMUM FRONTAGE: 100 FT.  
FRONT YARD SETBACK: 35 FT.  
REAR/SIDE SETBACK: 10 FT.  
GROUND COVER %: 7%

Previously Approved Plan - SE48-2803

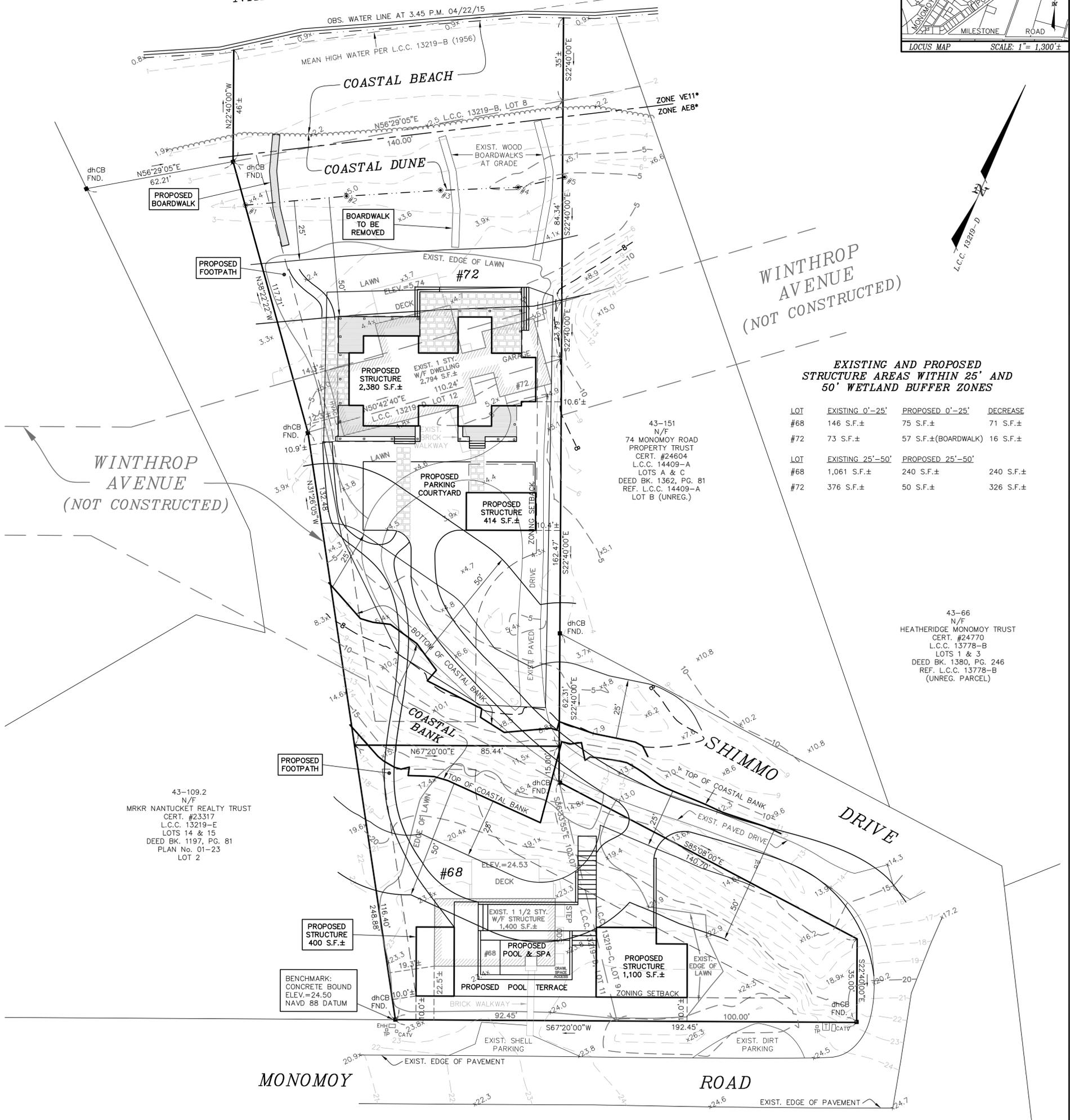
**NOTE:**

WETLAND RESOURCE AREA BOUNDARIES  
SUBJECT TO APPROVAL BY THE NANTUCKET  
CONSERVATION COMMISSION.

TOP OF COASTAL BANK DETERMINED  
PER DWW POLICY 92-1



NANTUCKET HARBOR



**EXISTING AND PROPOSED  
STRUCTURE AREAS WITHIN 25' AND  
50' WETLAND BUFFER ZONES**

| LOT | EXISTING 0'-25'  | PROPOSED 0'-25'     | DECREASE  |
|-----|------------------|---------------------|-----------|
| #68 | 146 S.F.±        | 75 S.F.±            | 71 S.F.±  |
| #72 | 73 S.F.±         | 57 S.F.±(BOARDWALK) | 16 S.F.±  |
| LOT | EXISTING 25'-50' | PROPOSED 25'-50'    |           |
| #68 | 1,061 S.F.±      | 240 S.F.±           | 240 S.F.± |
| #72 | 376 S.F.±        | 50 S.F.±            | 326 S.F.± |

43-151  
N/F  
74 MONOMOY ROAD  
PROPERTY TRUST  
CERT. #24604  
L.C.C. 14409-A  
LOTS A & C  
DEED BK. 1362, PG. 81  
REF. L.C.C. 14409-A  
LOT B (UNREG.)

43-66  
N/F  
HEATHERIDGE MONOMOY TRUST  
CERT. #24770  
L.C.C. 13778-B  
LOTS 1 & 3  
DEED BK. 1380, PG. 246  
REF. L.C.C. 13778-B  
(UNREG. PARCEL)

43-109.2  
N/F  
MRKR NANTUCKET REALTY TRUST  
CERT. #23317  
L.C.C. 13219-E  
LOTS 14 & 15  
DEED BK. 1197, PG. 81  
PLAN No. 01-23  
LOT 2

**\*NOTE:**

LAND SUBJECT TO COASTAL STORM  
FLOWAGE (LSCSF): ELEV.= 8.0 PER  
FEMA F.I.R.M. NUMBER 25019C0087G,  
FLOOD HAZARD ZONE AE, EFFECTIVE  
DATE OF MAP: JUNE 9, 2014.

**OWNER INFORMATION**

THOMAS J. ANATHAN, et al.  
CERT. OF TITLE #15309  
L.C.C. 13219-D, LOT 11  
L.C.C. 13219-C, LOT 9  
ASSESSOR'S MAP 43, PARCEL 149  
#68 MONOMOY ROAD

ANATHAN FAMILY LIMITED PARTNERSHIP  
CERT. OF TITLE #18190  
L.C.C. 13219-B, LOT 8  
L.C.C. 13219-D, LOT 12  
DEED BK. 908, PG. 274  
PLAN FILE 04-31  
ASSESSOR'S MAP 43, PARCEL 115  
#72 MONOMOY ROAD

**LEGEND**

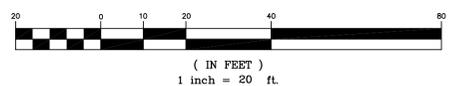
- dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- 20 ——— DENOTES EXIST. GRADE CONTOUR LINE
- x22.6 DENOTES EXIST. GRADE SPOT ELEVATION
- DENOTES EXIST. TRANSFORMER
- EHH □ DENOTES EXIST. ELECTRIC HANDHOLE
- TP □ DENOTES EXIST. TELEPHONE PEDESTAL
- CATV □ DENOTES EXIST. CATV PEDESTALS

Site Plan of Land  
To Accompany A  
Notice of Intent  
In Nantucket, MA  
Prepared for  
**ANATHAN FAMILY  
LIMITED PARTNERSHIP**

Scale: 1" = 20' JUNE 19, 2015

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

GRAPHIC SCALE



# NANTUCKET HARBOR

Proposed Amended Plan



PROPOSED PRIMARY DWELLING - MAIN MASS  
 PROPOSED SHELL DRIVEWAY AND PARKING  
 PROPOSED PRIMARY DWELLING - STUDIO MASS  
 PROPOSED POOL

H.L.C.

# CLB

## 68 MONOMOY

68 MONOMOY ROAD, NANTUCKET, MA 02554

OWNER

MARK SHACK TRUST, LLC  
 Nantucket, MA 02554

ARCHITECT

WORKSHOP/app

WORKSHOP/app ARCHITECTURE PC  
 39 West 38th Street, 7th Fl, New York, NY 10018  
 T: (212) 273-9172 info@workshopapp.com

STRUCTURAL ENGINEER

CRAFFT - ENGINEERING STUDIO  
 39 West 38th Street, 7th Fl  
 New York, NY 10018  
 T: (646) 912-8857

SURVEYOR

BLOCKWELL & ASSOCIATES, INC.  
 207 West 42nd Street  
 New York, NY 10018  
 T: (212) 228-9026

CONTRACTOR

ROBERT J. REED BUILDERS  
 7 Windy Way  
 Nantucket, MA 02554  
 T: (508) 731-9191

ALL DESIGNS & SPECS ARE SUBJECT TO  
 VERIFICATION OF EXISTING FIELD CONDITIONS

REVISIONS

NOT FOR CONSTRUCTION



ISSUES

| NO. | DATE       | DESCRIPTION              |
|-----|------------|--------------------------|
| 01  | 05/10/2016 | HDC SUBMISSION (PRIMARY) |
| 02  | 06/08/2016 | HDC REVISION             |

DRAWING INFO

| CONSTRUCTION DOCUMENTS | DATE         | BY |
|------------------------|--------------|----|
| DRAWN BY:              | ZSR/AL/WJ/P  |    |
| CHECKED BY:            | ADK/AJH      |    |
| DATE:                  | MAY 10, 2016 |    |
| SCALE:                 | AS NOTED     |    |
| PROJ. NO.:             | CLB - 31802Z |    |

SITE PLAN

L-101

COMPILED © 2016 WORKSHOP/APP ARCHITECTURE PC

**Architectural Drawings**

**By**

**Workshop/APD**

**Photocopy Reduced  
Not to Scale**

HDC SUBMISSION 05.10.2016



**1 SOUTH ELEVATION**  
1/4" = 1'-0"

HDC SUBMISSION 05.10.2016



**2 WEST ELEVATION**  
1/4" = 1'-0"

**CLB**  
72 MONOMOY  
72 MONOMOY ROAD, NANTUCKET, MA 02554

**OWNER**  
MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**  
**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**  
CRAFT - ENGINEERING STUDIO  
39 West 38th Street, 7th Fl  
New York, NY 10018  
T: (646) 912-8867

**SURVEYOR**  
BLACKWELL & ASSOCIATES, INC.  
20 Traskdale Circle  
Nantucket, MA 02554  
T: (508) 228-9026

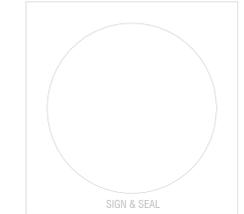
**CONTRACTOR**  
ROBERT J. REID BUILDERS  
7 Windy Way  
Nantucket, MA 02554  
T: (508) 737-6191

ALL DESIGNS & SPECS ARE SUBJECT TO VERIFICATION OF EXG. FIELD CONDITIONS

**REVISIONS**

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |

**NOT FOR CONSTRUCTION**



**ISSUES**

| NO. | DATE       | DESCRIPTION              |
|-----|------------|--------------------------|
| 01  | 05/10/2016 | HDC SUBMISSION (PRIMARY) |
| 02  | 05/10/2016 | HDC SUB. (GARAGE/STUDIO) |
| 03  | 06/08/2016 | HDC REVISION             |

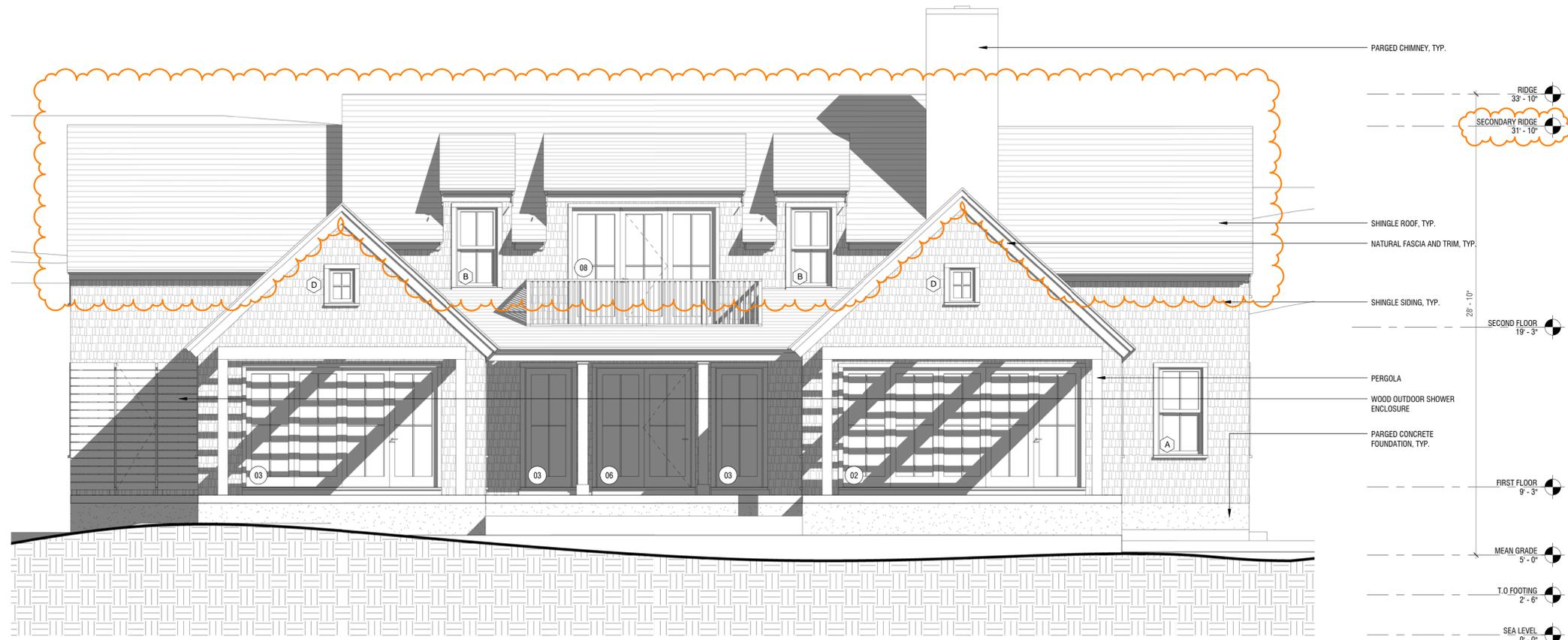
**DRAWING INFO**

CONSTRUCTION DOCUMENTS

|             |              |
|-------------|--------------|
| DRAWN BY:   | ZSH/MLW/WJP  |
| CHECKED BY: | ADK/AFH      |
| DATE:       | MAY 10, 2016 |
| SCALE:      | AS NOTED     |
| PROJ. NO.   | CLB - 316002 |

**BUILDING ELEVATIONS**  
**A-200**

HDC SUBMISSION 05.10.2016



**1** NORTH ELEVATION  
1/4" = 1'-0"

HDC SUBMISSION 05.10.2016



**2** EAST ELEVATION  
1/4" = 1'-0"

# CLB

## 72 MONOMOY

72 MONOMOY ROAD, NANTUCKET, MA 02554

**OWNER**  
MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**  
**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**  
CRAFT - ENGINEERING STUDIO  
39 West 38th Street, 7th Fl  
New York, NY 10018  
T: (646) 912-8867

**SURVEYOR**  
BLACKWELL & ASSOCIATES, INC.  
20 Traskdale Circle  
Nantucket, MA 02554  
T: (508) 228-9026

**CONTRACTOR**  
ROBERT J. REID BUILDERS  
7 Windy Way  
Nantucket, MA 02554  
T: (508) 737-6191

ALL DESIGNS & SPECS ARE SUBJECT TO VERIFICATION OF EXG. FIELD CONDITIONS

**REVISIONS**

| NO. | DATE | DESCRIPTION |
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**NOT FOR CONSTRUCTION**



**ISSUES**

| NO. | DATE       | DESCRIPTION              |
|-----|------------|--------------------------|
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| 02  | 05/10/2016 | HDC SUB. (GARAGE/STUDIO) |
| 03  | 06/08/2016 | HDC REVISION             |

**DRAWING INFO**

CONSTRUCTION DOCUMENTS

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| DRAWN BY:   | ZSH/MLW/WJP  |
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| PROJ. NO.   | CLB - 316002 |

**BUILDING ELEVATIONS**  
**A-201**

**OWNER**

MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**

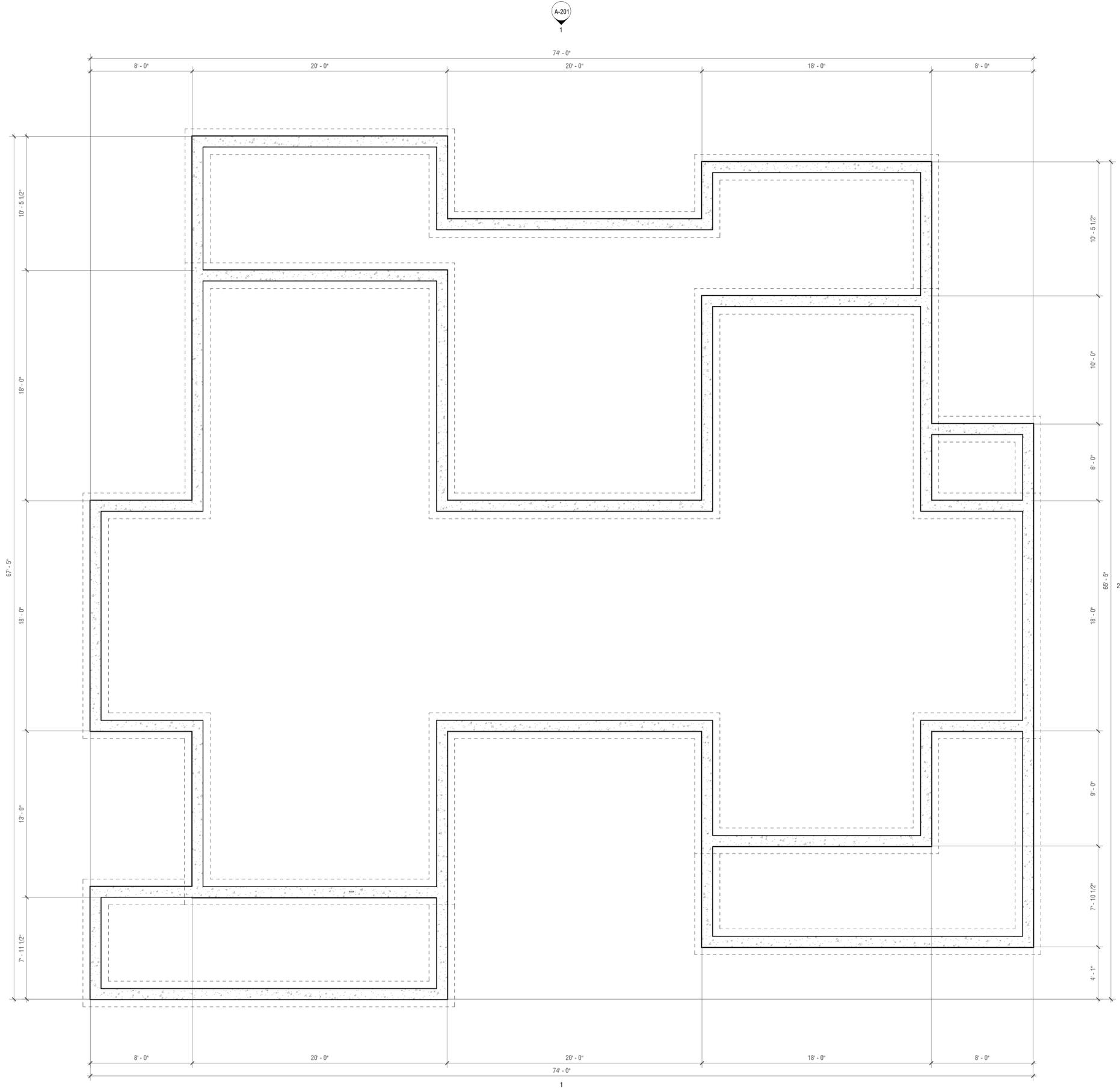
CRAFT - ENGINEERING STUDIO  
39 West 38th Street, 7th Fl  
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**1 FOUNDATION PLAN**  
1/4" = 1'-0"

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PROJ. NO. CLB - 316002

**FOUNDATION PLAN**

**A-100**

**OWNER**

MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**

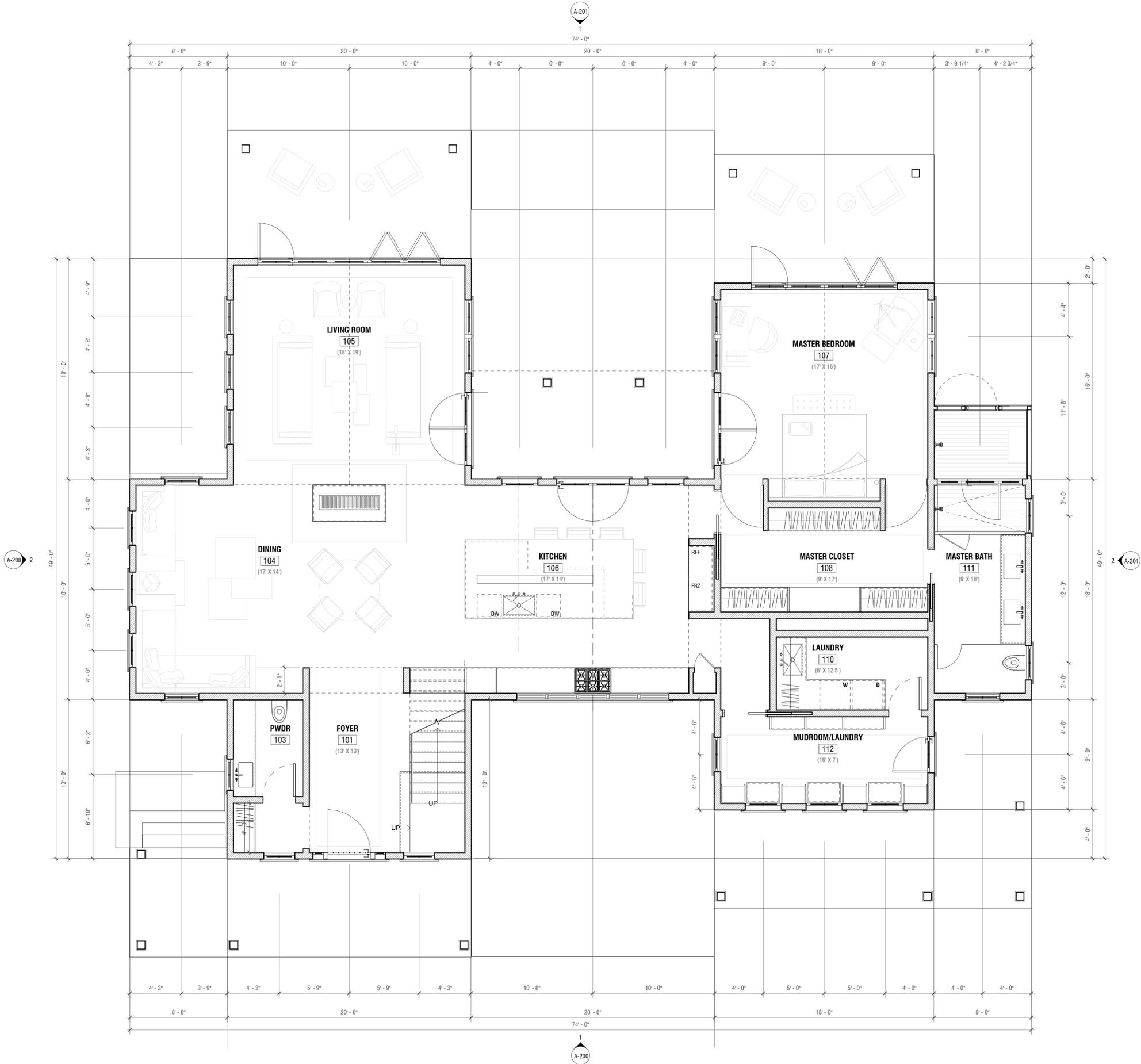
CRAFT - ENGINEERING STUDIO  
39 West 38th Street, 7th Fl  
New York, NY 10018  
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**REVISIONS**

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**ISSUES**

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| 03 | 06/08/2016 | HDC REVISION             |

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PROJ. NO. CLB - 316002

**FIRST FL. PLAN**

# A-101

**OWNER**

MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**

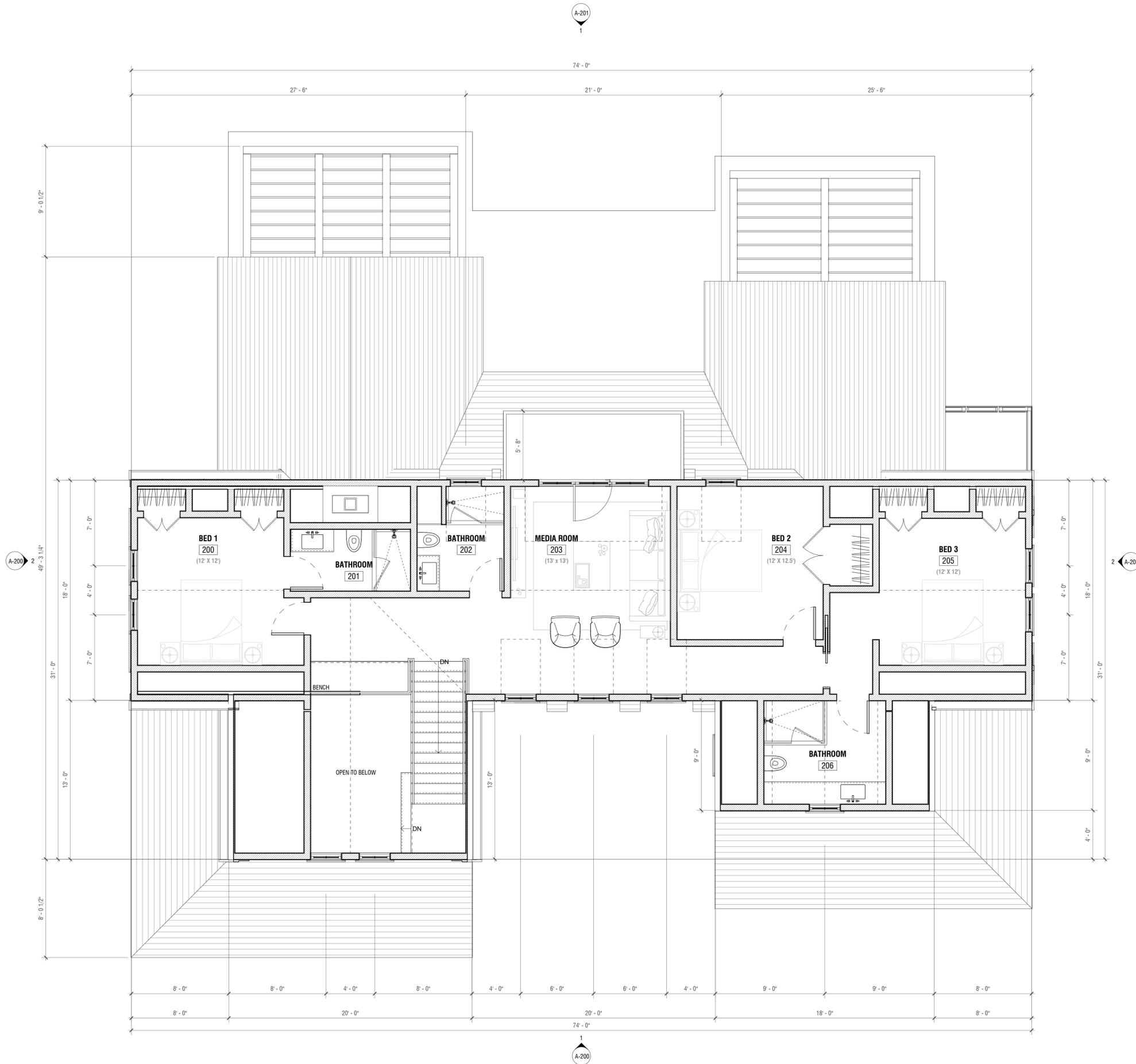
CRAFT - ENGINEERING STUDIO  
39 West 38th Street, 7th Fl  
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**SURVEYOR**

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**REVISIONS**

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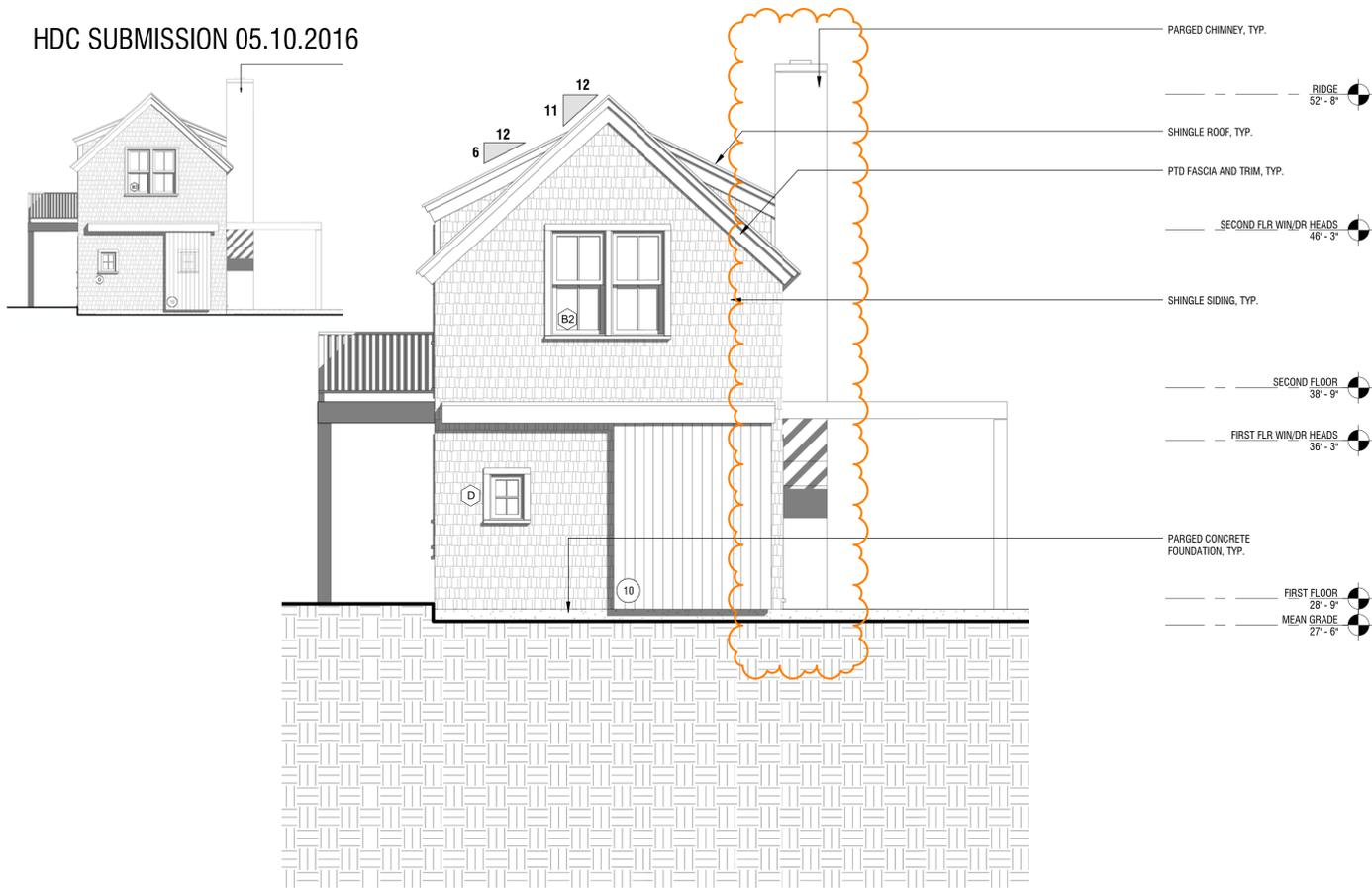
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CONSTRUCTION DOCUMENTS  
DRAWN BY: ZSH/MLW/WJP  
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DATE: MAY 10, 2016  
SCALE: AS NOTED  
PROJ. NO. CLB - 316002

**SECOND FL. PLAN**

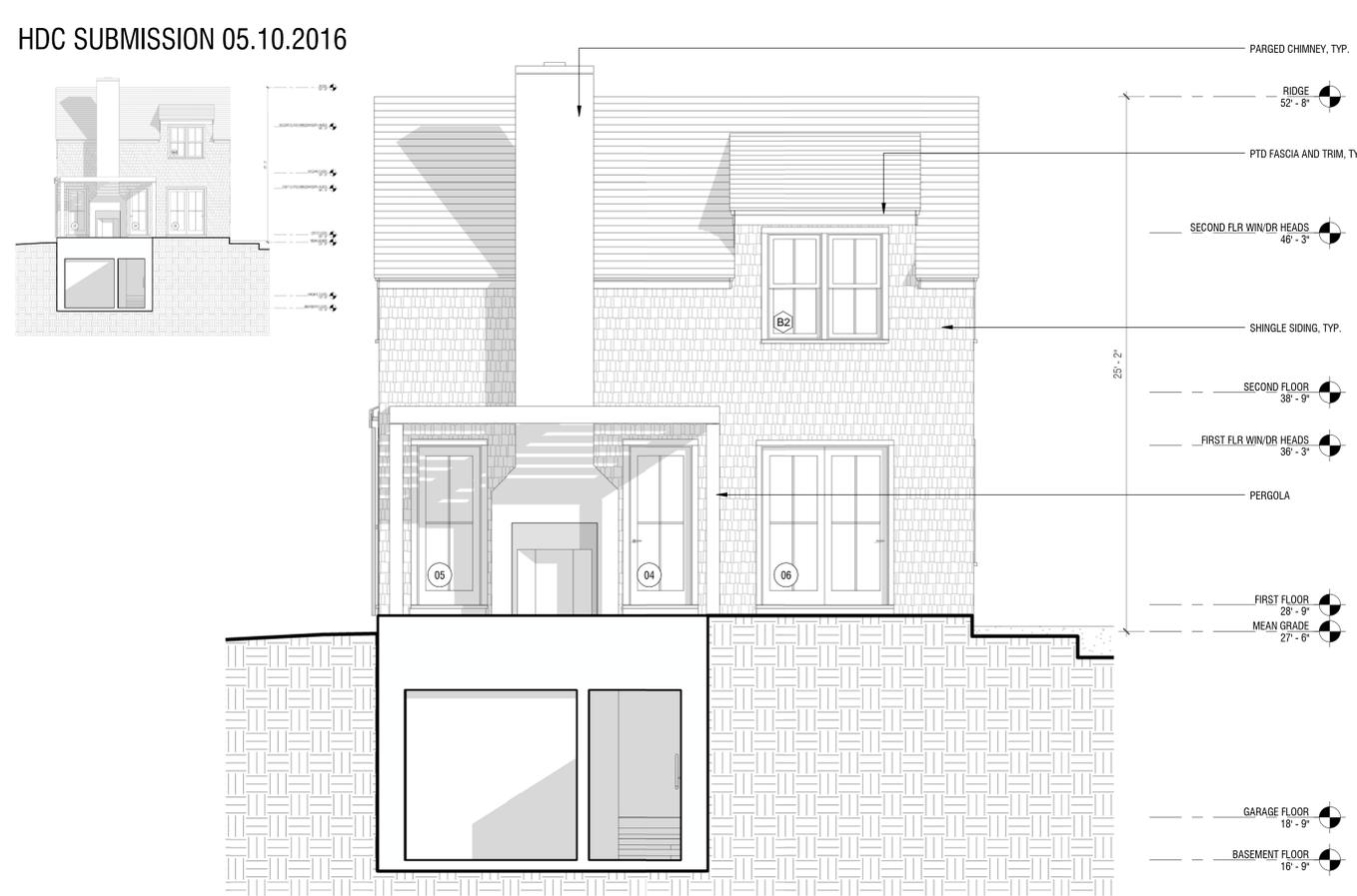
**A-102**

HDC SUBMISSION 05.10.2016



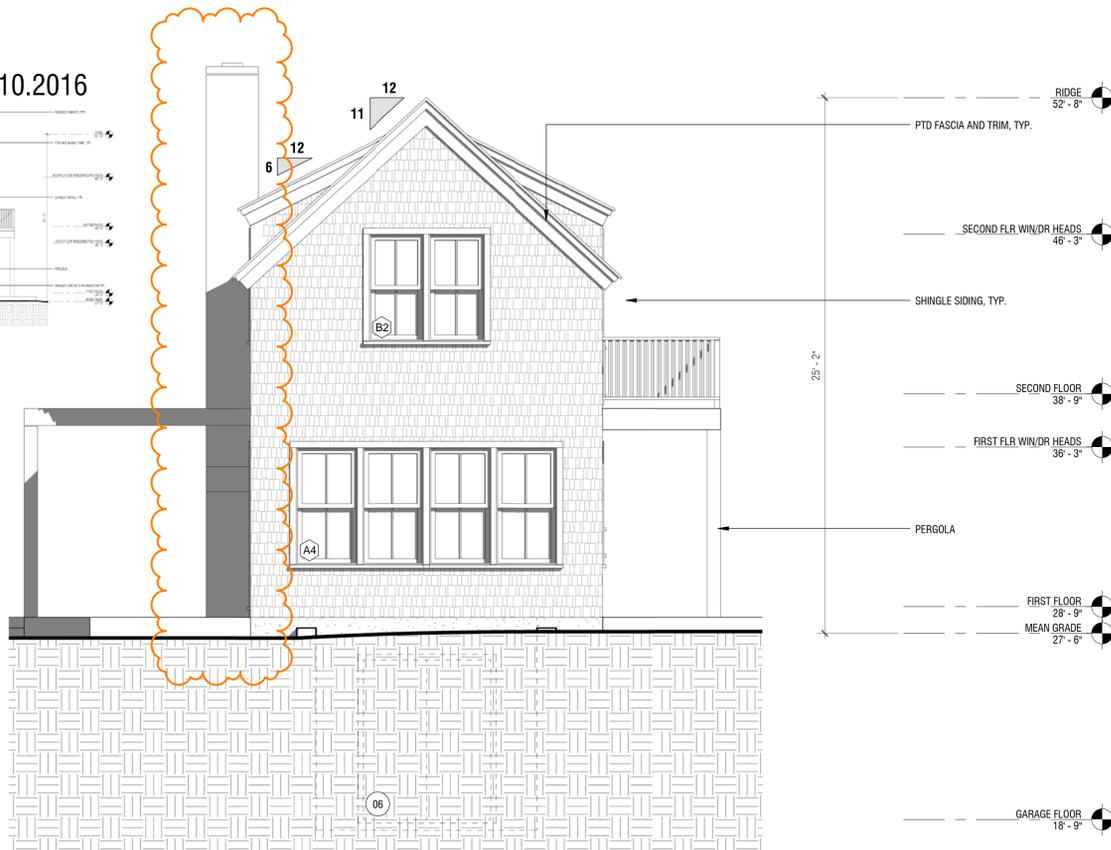
**1** SOUTH ELEVATION - STUDIO  
1/4" = 1'-0"

HDC SUBMISSION 05.10.2016



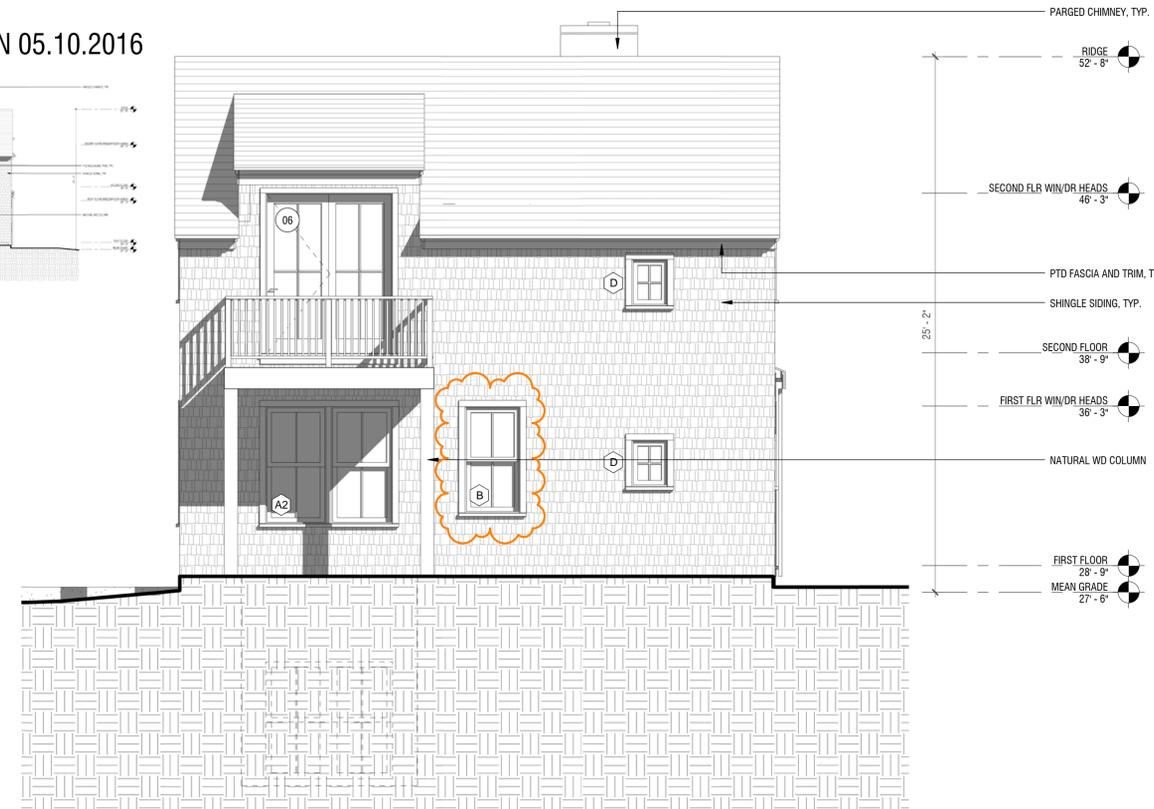
**2** EAST ELEVATION - STUDIO  
1/4" = 1'-0"

HDC SUBMISSION 05.10.2016



**3** NORTH ELEVATION - STUDIO  
1/4" = 1'-0"

HDC SUBMISSION 05.10.2016



**4** WEST ELEVATION - STUDIO  
1/4" = 1'-0"

**CLB**  
68 MONOMOY

68 MONOMOY ROAD, NANTUCKET, MA 02554

**OWNER**

MAK sHACK Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
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**STRUCTURAL ENGINEER**

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39 West 38th Street, 7th Fl  
New York, NY 10018  
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**SURVEYOR**

BLACKWELL & ASSOCIATES, INC.  
20 Traskdale Circle  
Nantucket, MA 02554  
T: (508) 228-9026

**CONTRACTOR**

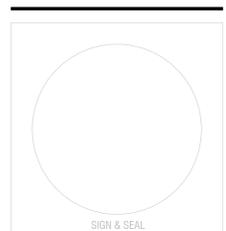
ROBERT J. REID BUILDERS  
7 Windy Way  
Nantucket, MA 02554  
T: (508) 737-6191

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SCALE: AS NOTED  
PROJ. NO. CLB - 316002

**BUILDING ELEVATIONS**

**A-201**

**OWNER**

MAK shACK Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
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**STRUCTURAL ENGINEER**

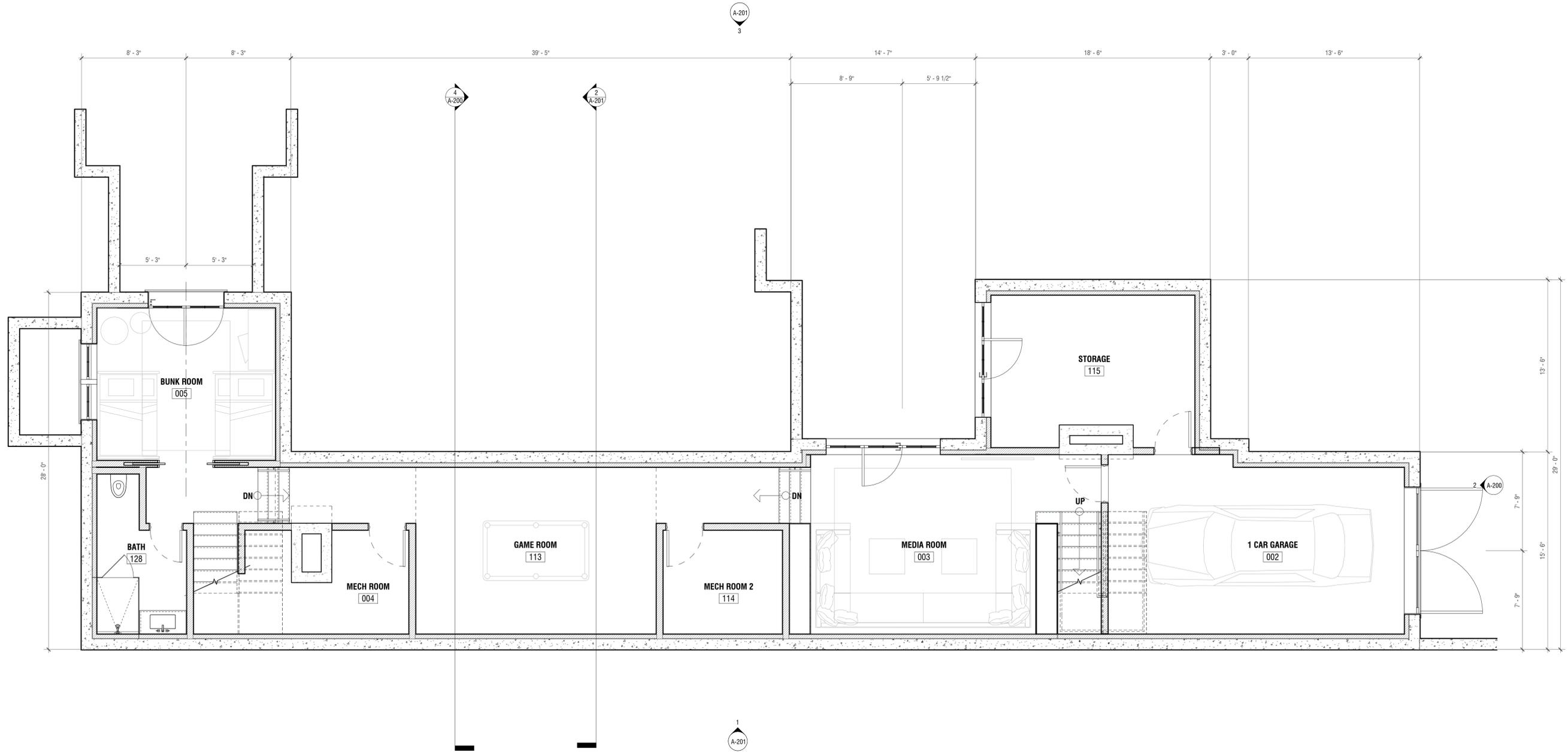
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**CONTRACTOR**

ROBERT J. REID BUILDERS  
7 Windy Way  
Nantucket, MA 02554  
T: (508) 737-6191



**1 BASEMENT FLOOR**  
1/4" = 1'-0"

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**REVISIONS**

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**BASEMENT FL. PLAN**



**OWNER**

MAK shACK Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**

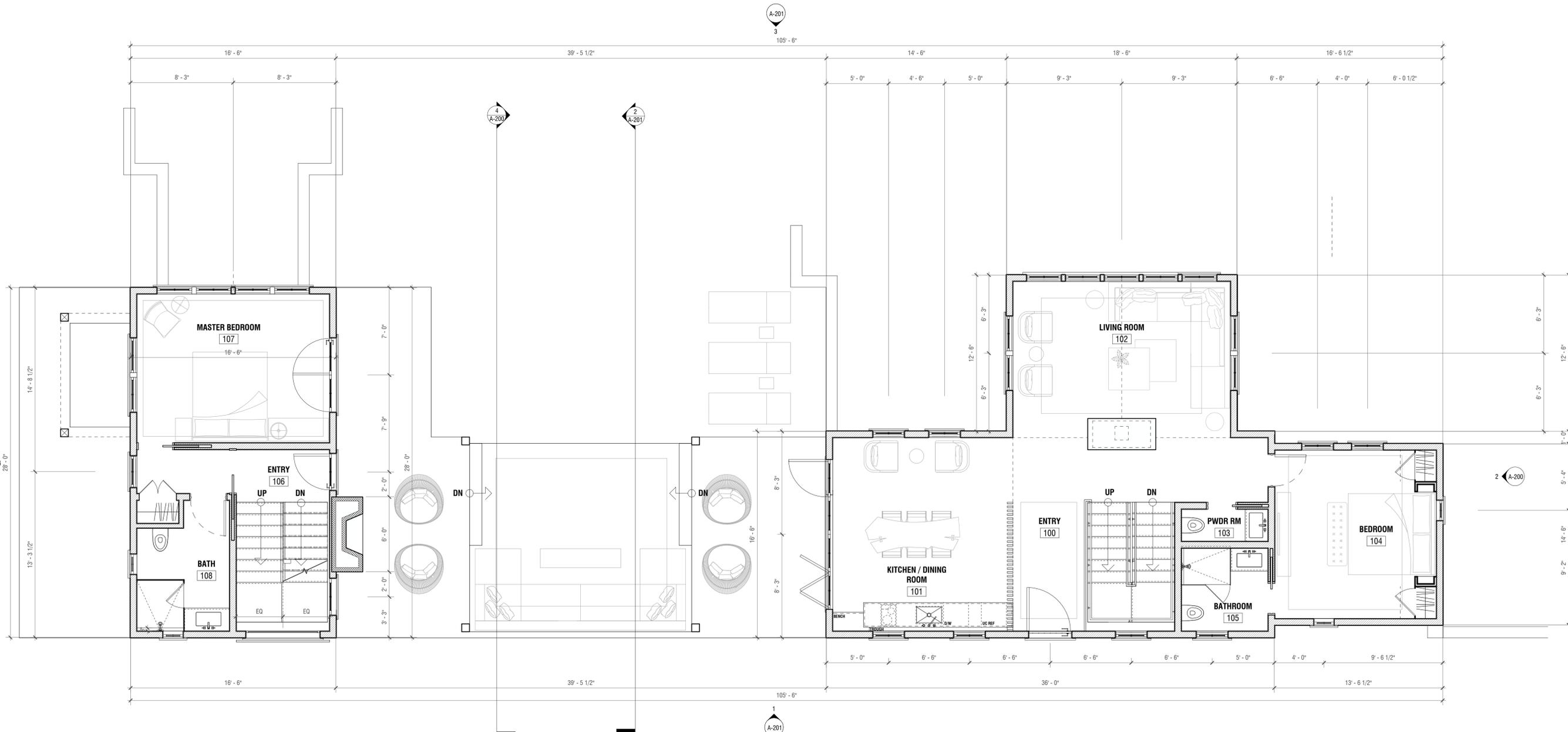
CRAFT - ENGINEERING STUDIO  
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New York, NY 10018  
T: (646) 912-8867

**SURVEYOR**

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20 Traddale Circle  
Nantucket, MA 02554  
T: (508) 228-9026

**CONTRACTOR**

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7 Windy Way  
Nantucket, MA 02554  
T: (508) 737-6191



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**REVISIONS**

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PROJ. NO. CLB - 316002

**FIRST FL. PLAN**



**1 FIRST FLOOR**  
1/4" = 1'-0"

**OWNER**

MAK shACK Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
WORKSHOP/APD ARCHITECTURE DPC  
39 West 38th Street, 7th Fl, New York, NY 10018  
T: (212) 273-9712 info@workshopapd.com

**STRUCTURAL ENGINEER**

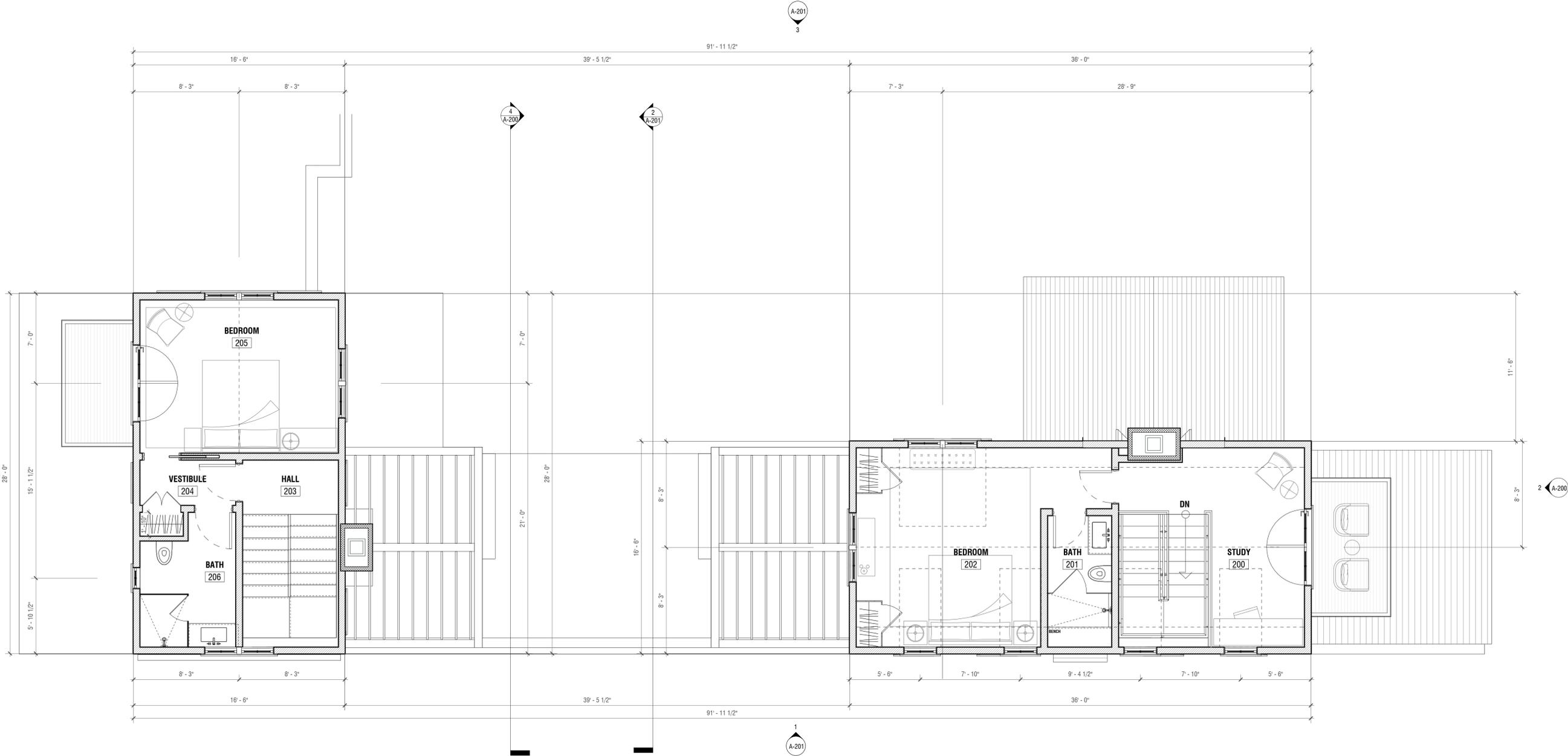
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**CONTRACTOR**

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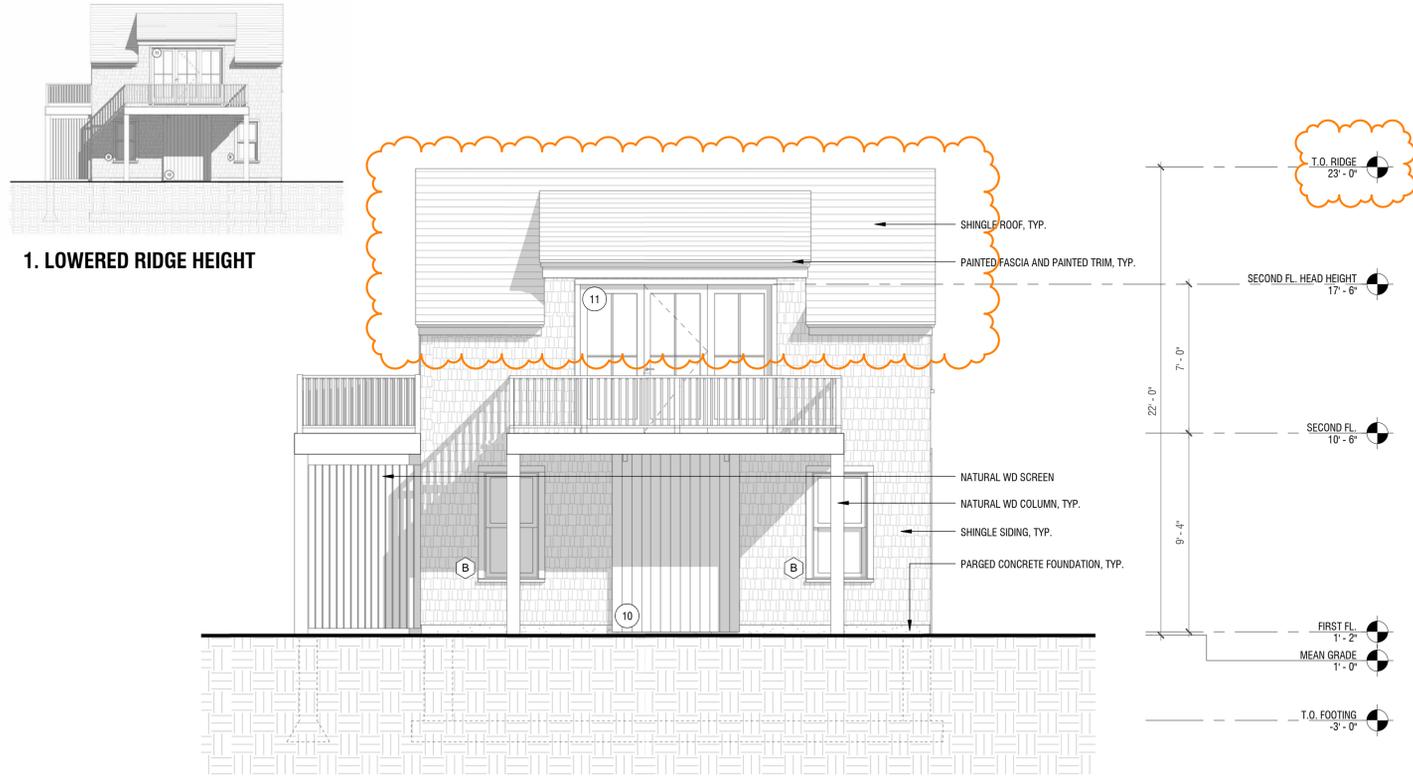
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**SECOND FL. PLAN**



**1 SECOND FLOOR**  
1/4" = 1'-0"

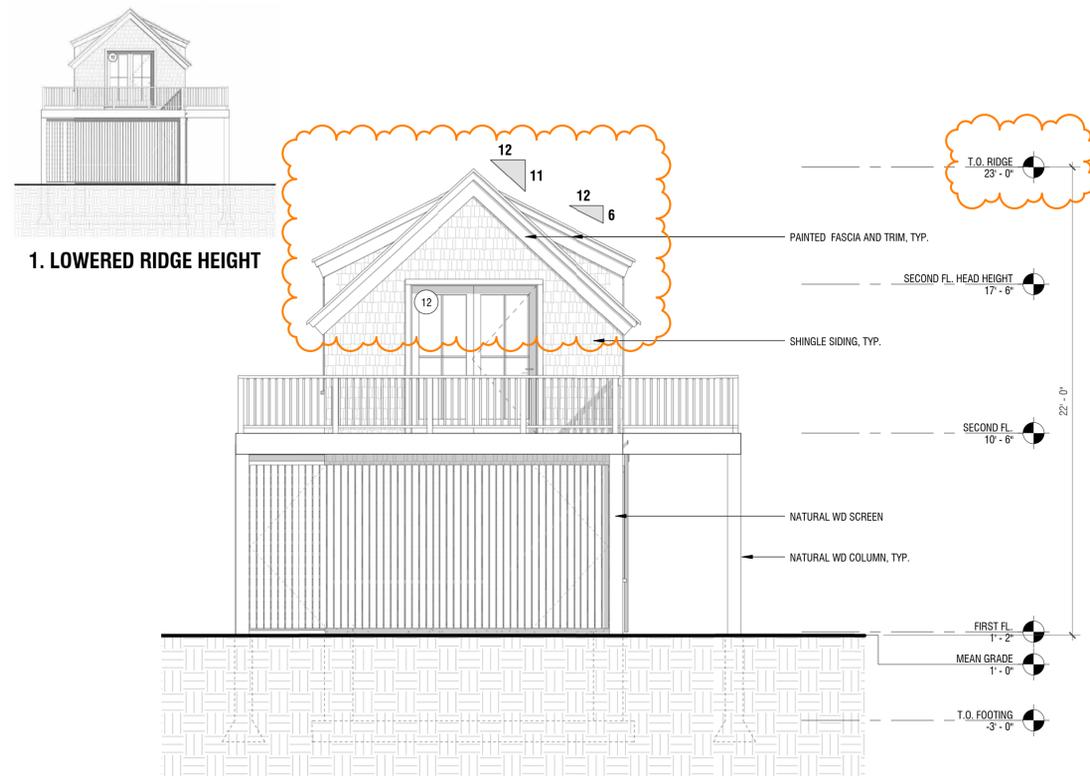
HDC REVISION 06.08.2016



1. LOWERED RIDGE HEIGHT

**1** NORTH ELEVATION  
1/4" = 1'-0"

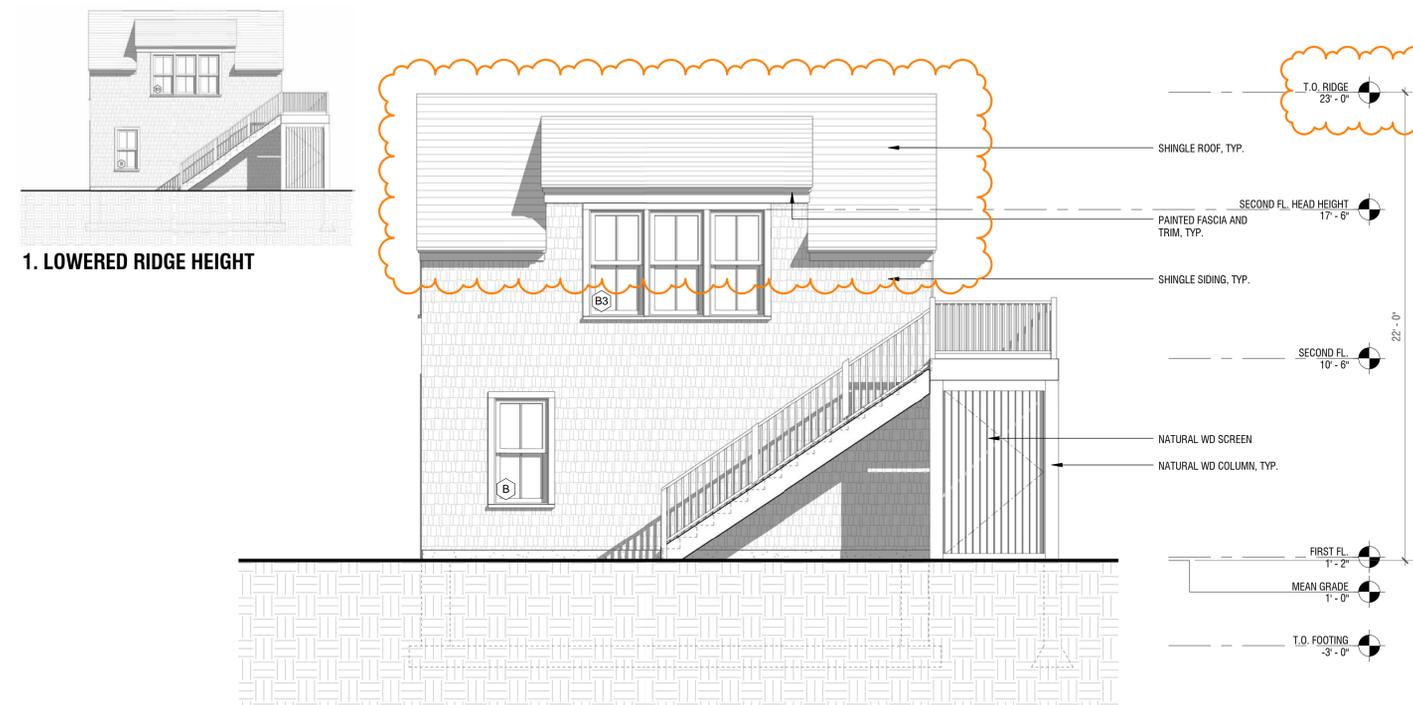
HDC REVISION 06.08.2016



1. LOWERED RIDGE HEIGHT

**2** EAST ELEVATION  
1/4" = 1'-0"

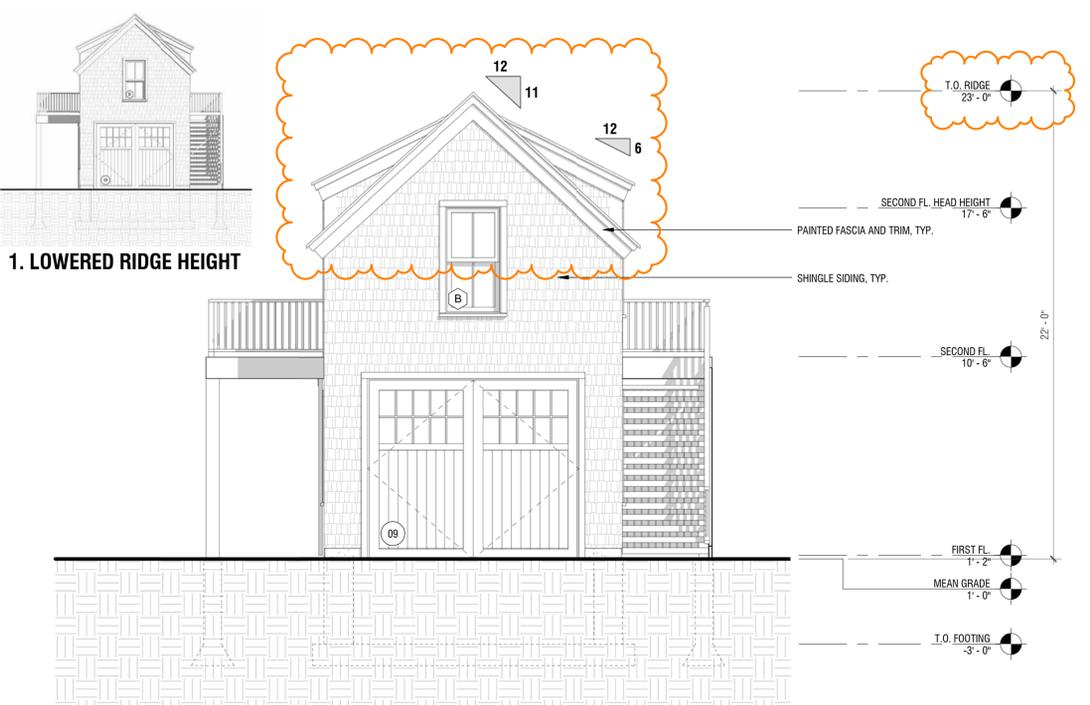
HDC REVISION 06.08.2016



1. LOWERED RIDGE HEIGHT

**3** SOUTH ELEVATION  
1/4" = 1'-0"

HDC REVISION 06.08.2016



1. LOWERED RIDGE HEIGHT

**4** WEST ELEVATION  
1/4" = 1'-0"

**OWNER**

MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
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**STRUCTURAL ENGINEER**

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**SURVEYOR**

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**CONTRACTOR**

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Nantucket, MA 02554  
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**BUILDING ELEVATIONS**

**OWNER**

MAK Daddy Trust, U/D/T  
34 Main Street  
Nantucket, MA 02554

**ARCHITECT**

**WORKSHOP/APD**  
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**STRUCTURAL ENGINEER**

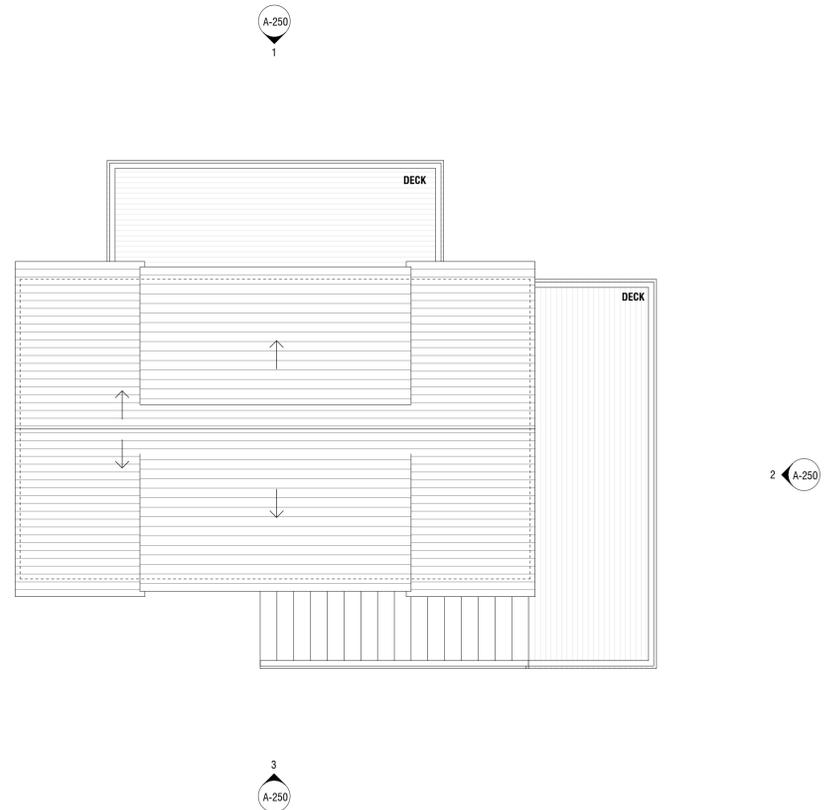
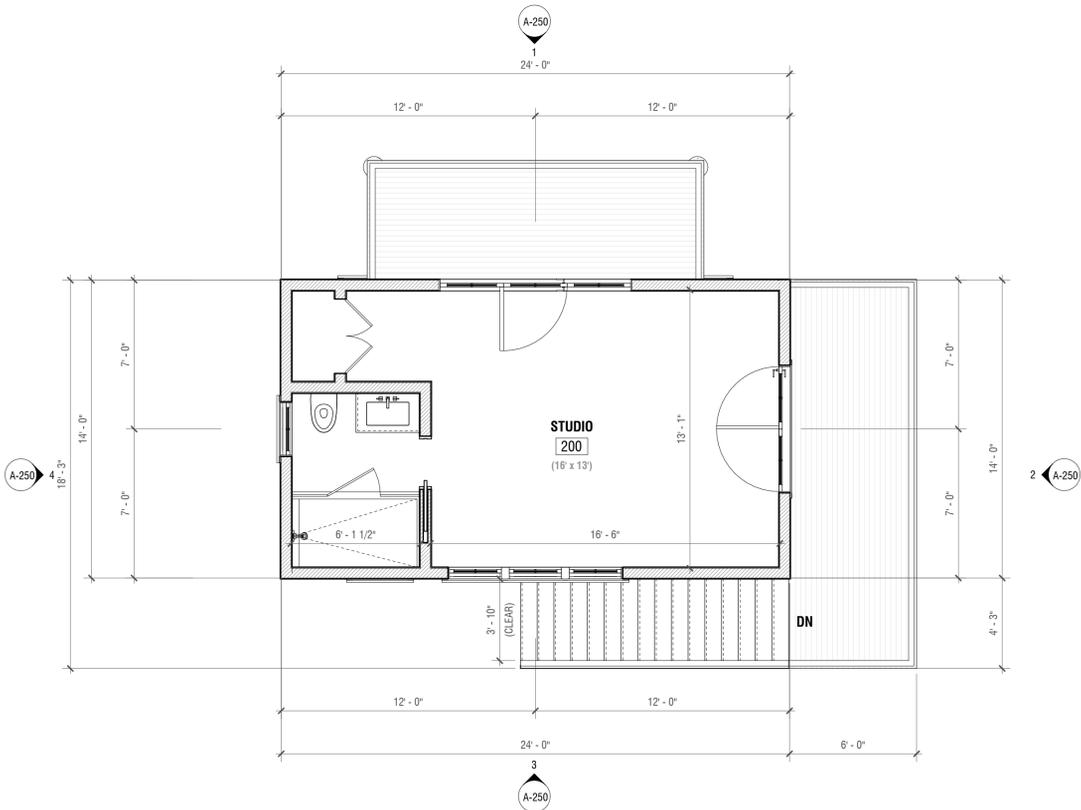
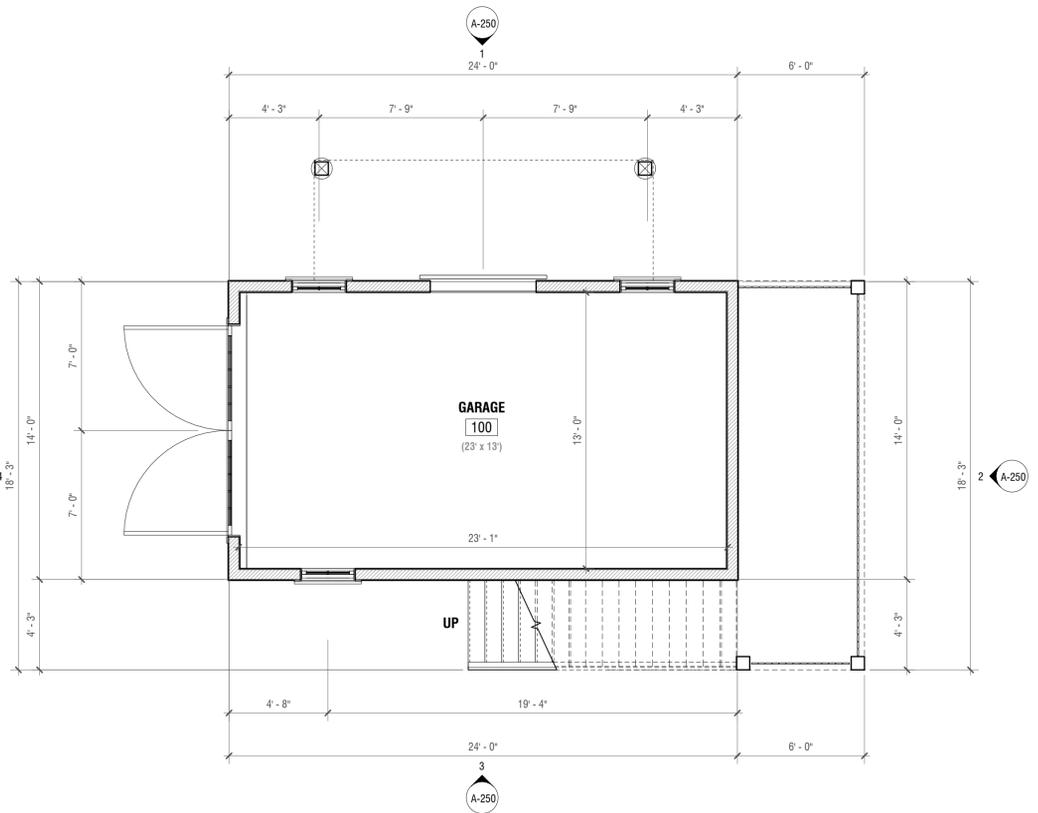
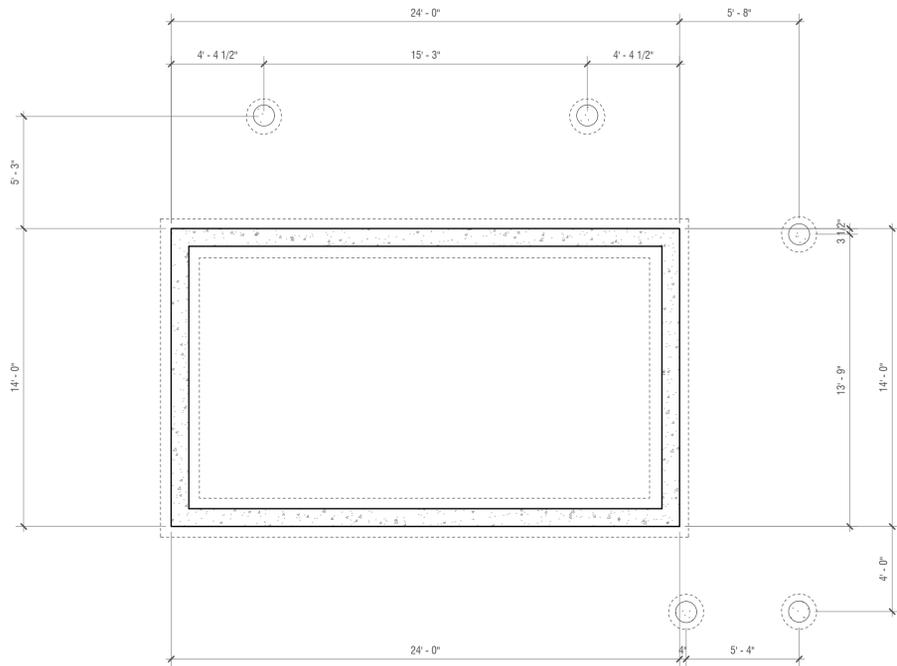
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**FLOOR PLANS**

**A-150**