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Request for Determination of Applicability

filed in accordance with the

the Mass. Wetlands Protection Act & the Tisbury Wetlands By-Law for 339 Lake Street LLC

Property located at 339 Lake Street
Tisbury Assessor's Parcel 37-A-6

November 24, 2025



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

Tisbury

Municipality

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

A. General Information

Important:

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



1. Applicant:

339 Lake Street LLC

First Name

Last Name

339 Lake Street

Address

Tisbury

City/Town

MA

State

02568

Zip Code

917.359.1014

Phone Number

todd@maclinmgt.com

Email Address

2. Property Owner (if different from Applicant):

same as applicant

First Name

Last Name

Address

City/Town

State

Zip Code

Phone Number

Email Address (if known)

3. Representative (if any)

Tracey

First Name

Smith

Last Name

Company Name

Schofield, Barbini & Hoehn Inc.

p.o. box 339

Tisbury

City/Town

MA

State

02568

Zip Code

508.693.2781

Phone Number

traceyd@sbhinc.net

Email Address (if known)

B. Project Description

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

339 Lake Street

Street Address

Tisbury

City/Town

41.45642

Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)

-70.62035

Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)

37

Assessors' Map Number

A-6

Assessors' Lot/Parcel Number

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

Septic system upgrade for existing single family dwelling

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Proposed sewage disposal system

Title

November 24, 2025

Date

Title

Date

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



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

B. Project Description (cont.)

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

NitROE Retro fit of existng septic system within 100' from top of coastal bank

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

existng septic system already on site. This will make the situation better.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)
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Municipality

C. Determinations

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

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- ☒ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- ☐ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Name of Municipality

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

D. Signatures and Submittal Requirements

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

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

[Handwritten Signature]

Signature of Representative (if any)

Date

November 24, 2025

Date