

January 7, 2026

Tisbury Conservation Commission  
PO Box 1239  
Vineyard Haven, MA 02568

**RE: Request for Certificate of Compliance**  
**DEP File #SE74-882 - Elevated Boardwalk**  
**Hines Point Realty LLC**  
**44 Hines Point Road, Assessor's Map 11-A, Parcel 11**  
**Tisbury, MA 02568**

Dear Commissioners,

Enclosed please find a Request for Certificate of Compliance for the above referenced project. Also attached is an As-built Site Plan dated October 3, 2025.

The construction of the elevated boardwalk was completed in general compliance with the Site Plan approved by the Conservation Commission, with the following exceptions:

- The seaward portion of the boardwalk located above the Salt Marsh was elevated, eliminating the one-step transition shown on the approved Site Plan\*
- The seasonal stairs were installed perpendicular to the boardwalk, instead of at the end\*
- The boardwalk extends approximately 1.7' further into Lagoon Pond than the boardwalk and stairs shown on the approved Site Plan\*

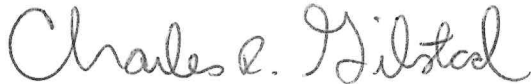
\*The above changes to the boardwalk were made in response to comments received during permitting of the project with the US Army Corps of Engineers.

Enclosed documents:

- WPA Form 8A – Request for Certificate of Compliance
- Filing Fee Check #22741 in the amount of \$100.00
- Photographs of the Boardwalk
- Order of Conditions SE74-882, Book 1513 Page 471
- Extension Permit for Order of Conditions SE74-882, Book 1645 Page 799
- As-Built Site Plan dated October 3, 2025, prepared by Sourati Engineering Group, LLC
- Conservation Commission Site Plan, revision date August 28, 2019, prepared by Sourati Engineering Group, LLC, (Con Com approved Site Plan)
- US Army Corps Plans dated November 10, 2022, prepared by Sourati Engineering Group, LLC (USACE approved Plans)

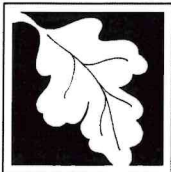
Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Charles R. Gilstad".

Charles R. Gilstad, P.L.S.

SEG #102046



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE74-882  
Provided by DEP

## 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.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Hines Point Realty LLC c/o Sourati Engineering Group, LLC

Name

PO Box 4458

Mailing Address

Vineyard Haven

MA

02568

City/Town

State

Zip Code

(508) 693-9933

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Hines Point Realty LLC

Applicant

November 10, 2019

SE74-882

Dated

DEP File Number

3. The project site is located at:

44 Hines Point

Tisbury

Street Address

City/Town

11-A

11

Assessors Map/Plat Number

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Dukes

1513

471

County

Book

Page

Certificate (if registered land)

5. This request is for certification that (check one):

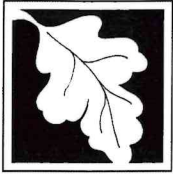
- ☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.  
☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

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- ☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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### **A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

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### **B. Submittal Requirements**

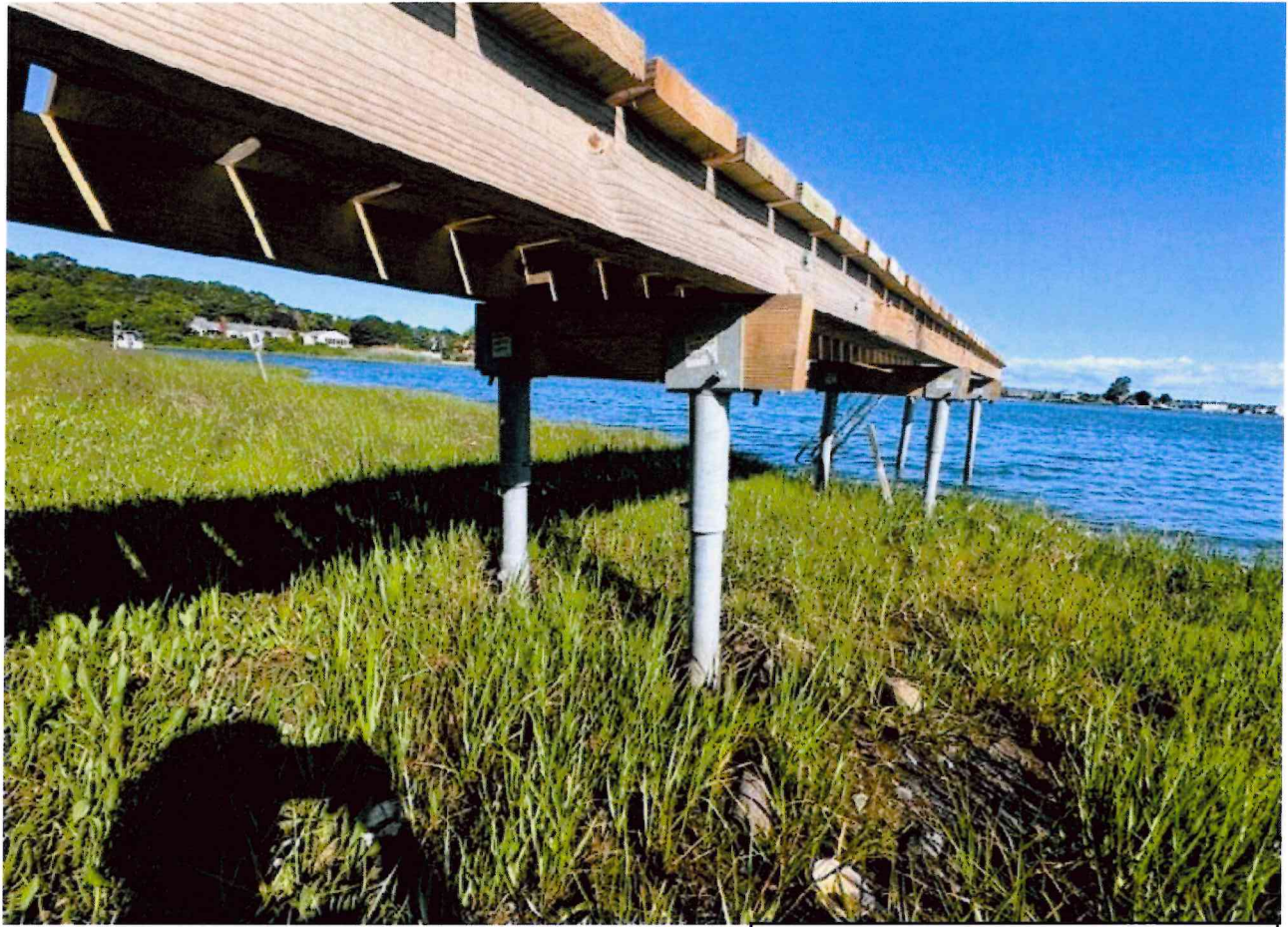
Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).





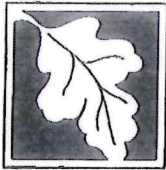
102046 Photographs (Page 1 of 2)  
Hines Point Realty LLC  
44 Hines Point, Map 11-A, Parcel 11  
Tisbury, MA 02568





102046 Photographs (Page 2 of 2)  
Hines Point Realty LLC  
44 Hines Point, Map 11-A, Parcel 11  
Tisbury, MA 02568

2019 00007018  
 Blk: 1513 Pg: 471 Doc: ORD  
 Page: 1 of 13 11/26/2019 02:53 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

Provided by MassDEP:  
 74-882  
 MassDEP File #  
 eDEP Transaction #  
 Tisbury  
 City/Town

### A. General Information

Please note:  
 this form has  
 been modified  
 with added  
 space to  
 accommodate  
 the Registry  
 of Deeds  
 Requirements

1. From: Tisbury  
 Conservation Commission
2. This issuance is for  
 (check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions
3. To: Applicant:

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



a. First Name Hines Point Realty LLC b. Last Name \_\_\_\_\_  
 c. Organization \_\_\_\_\_  
 452 Wilbur Avenue  
 d. Mailing Address \_\_\_\_\_  
 Swansea MA 02777  
 e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_

4. Property Owner (if different from applicant):

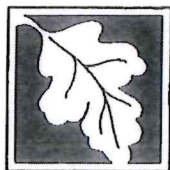
a. First Name \_\_\_\_\_ b. Last Name \_\_\_\_\_  
 c. Organization \_\_\_\_\_  
 d. Mailing Address \_\_\_\_\_  
 e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_

5. Project Location:

44 Hines Point Road Tisbury  
 a. Street Address \_\_\_\_\_ b. City/Town \_\_\_\_\_  
 11-A 11  
 c. Assessors Map/Plat Number \_\_\_\_\_ d. Parcel/Lot Number \_\_\_\_\_

Latitude and Longitude, if known: \_\_\_\_\_  
 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

Provided by MassDEP:  
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Tisbury

City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):  
Dukes  
 a. County 1478 b. Certificate Number (If registered land) 529  
 c. Book 11/10/19 d. Page
7. Dates: 7/29/19 9/17/19  
 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  
 a. Plan Title  
Sourati Engineering Group Charles Gilstad, PLS  
 b. Prepared By c. Signed and Stamped by  
8/28/19  
 d. Final Revision Date e. Scale  
USGS Locus  
 f. Additional Plan or Document Title g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

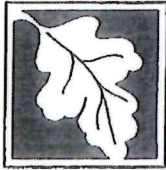
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act).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

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.



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

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## B. Findings (cont.)

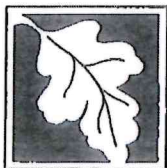
Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a)                      a. linear feet

**Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u>                    </u> a. linear feet	<u>                    </u> b. linear feet	<u>                    </u> c. linear feet	<u>                    </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	<u>                    </u> a. square feet <u>                    </u> e. c/y dredged	<u>                    </u> b. square feet <u>                    </u> f. c/y dredged	<u>                    </u> c. square feet	<u>                    </u> d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
Cubic Feet Flood Storage	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet	<u>                    </u> g. cubic feet	<u>                    </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
Cubic Feet Flood Storage	<u>                    </u> c. cubic feet	<u>                    </u> d. cubic feet	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u>                    </u> a. total sq. feet	<u>                    </u> b. total sq. feet		
Sq ft within 100 ft	<u>                    </u> c. square feet	<u>                    </u> d. square feet	<u>                    </u> e. square feet	<u>                    </u> f. square feet
Sq ft between 100-200 ft	<u>                    </u> g. square feet	<u>                    </u> h. square feet	<u>                    </u> i. square feet	<u>                    </u> j. square feet





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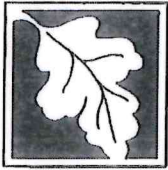
Provided by MassDEP:  
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Tisbury  
City/Town

## B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <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			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		



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

Provided by MassDEP:  
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## B. Findings (cont.)

\* #22. 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.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement \*:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

a. number of new stream crossings

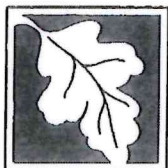
b. number of replacement stream crossings

## C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. the work is a maintenance dredging project as provided for in the Act; or
  - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on \_\_\_\_\_ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.





**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

Provided by MassDEP:

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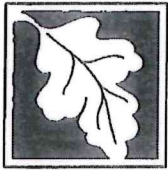
Tisbury

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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,  

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number            74-882 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



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 74-882

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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

**NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**

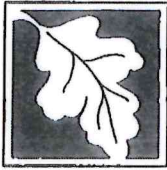
19. The work associated with this Order (the "Project") is (1) ☐ Is not (2) ☒ subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.





**Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands**

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

Provided by MassDEP:

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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

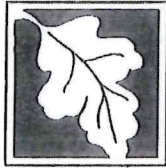
c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.)* the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.)* the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.





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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
  - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

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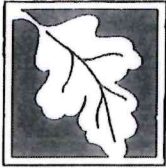
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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
74-882

MassDEP File #

eDEP Transaction #

Tisbury

City/Town

### D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Tisbury Conservation Commission hereby finds (check one that applies):

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☐ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

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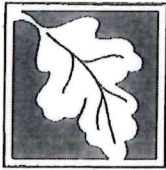
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**ATTACHMENT FOR ORDER OF CONDITIONS FOR  
HINES PONT REALTY LLC  
DEP #74-882**

18. Prior to any work on the applicants agent and the person (s) performing the work and the Commission's Agent shall hold an on site meeting to review the project.
19. The stairs may not have solid wood risers.
20. The stairs on the water end of the pier shall be removed off season. The stairs may not touch the bottom of the pond except for in extreme tides in the Lagoon.
21. Lighting and utilities have not been applied for and therefore, may not be installed without approval from the Commission.



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

Provided by MassDEP:  
74-885 882  
MassDEP File #

eDEP Transaction #  
Tisbury  
City/Town

### E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

*[Handwritten signatures of three individuals]*

*[Handwritten signature]*

☒ by hand delivery on

11/10/19

Date

☐ by certified mail, return receipt requested, on

Date

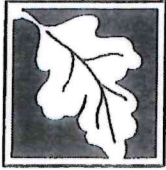
### F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.





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

Provided by MassDEP:  
74-882

MassDEP File #

eDEP Transaction #

Tisbury

City/Town

## G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

### TISBURY

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

### TISBURY

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

44 HINES POINT ROAD

Project Location

SE# 74-0882

MassDEP File Number

Has been recorded at the Registry of Deeds of:

COUNTY OF DUKES COUNTY

County

1513

Book

417

Page

HINES POINT REALTY LLC

for:

Property Owner

and has been noted in the chain of title of the affected property in:

1478

Book

529

Page

In accordance with the Order of Conditions issued on:

10 NOVEMBER 2019

Date

If recorded land, the instrument number identifying this transaction is:

2019 00007018

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

SOURATI ENGINEERING GROUP, LLC

Signature of Applicant

ATTEST: Paulo C. DeOliveira, Register

Dukes County Registry of Deeds





2023 00000075

Bk: 1845 Pg: 799 Doc: EXT  
 Page: 1 of 3 01/05/2023 03:22 PM  
 DEP File Number:



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**

**WPA Form 7 – Extension Permit for Orders of Conditions** SE74-882

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

Provided by DEP

**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:**

Hines Point Realty LLC c/o Sourati Engineering Group LLC

Name

PO Box 4458

Mailing Address

Vineyard Haven

City/Town

MA

State

02568

Zip Code

**2. Property Owner (if different):**

Name

Mailing Address

City/Town

State

Zip Code

**B. Authorization**

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

11-10-2019

Date

Issued by:

Tisbury

Conservation Commission

for work at:

44 Hines Point Road

Street Address

11-A

Assessor's Map/Plat Number

11

Parcel/Lot Number

recorded at the Registry of Deeds for:

1513

471

Dukes

County

1478

Book

529

Page

Certificate (if registered land)

is hereby extended until:

Date

11/10/25

Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<https://www.mass.gov/service-details/massdep-regional-offices-by-community>).



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 7 – Extension Permit for Orders of Conditions**

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

DEP File Number:

SE74-882

Provided by DEP

**B. Authorization (cont.)**

Issue Date (mm/dd/yyyy)

Signatures:

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Form 7 – Extension Permit for Orders of Conditions**

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

DEP File Number:

SE74-882

Provided by DEP

**C. Recording Confirmation**

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Project Location

DEP File Number

has been recorded at the Registry of Deeds of:

County

for:

Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

Date

Book

Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

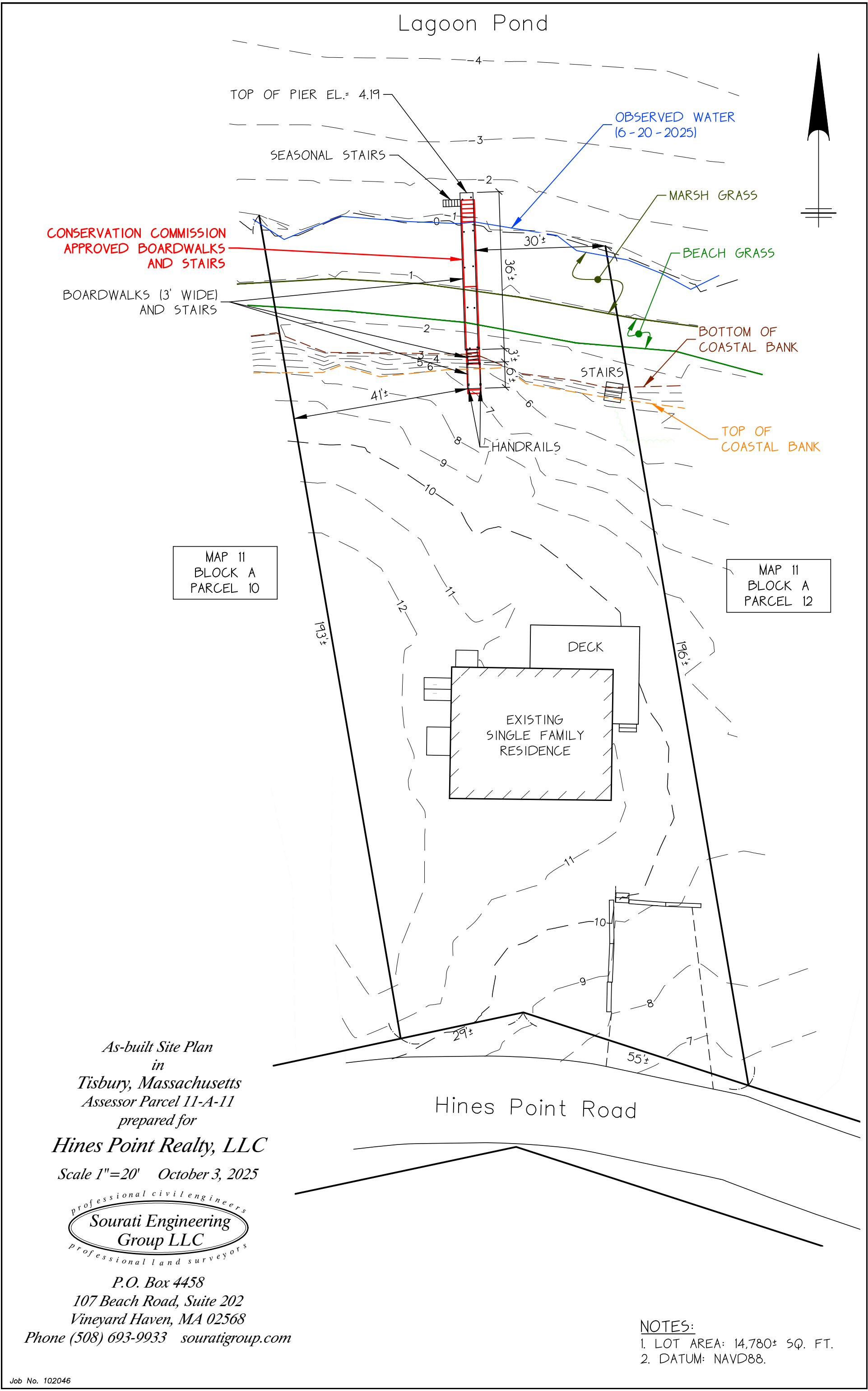
If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

ATTEST: Paulo C. DeOliveira, Register

Dukes County Registry of Deeds



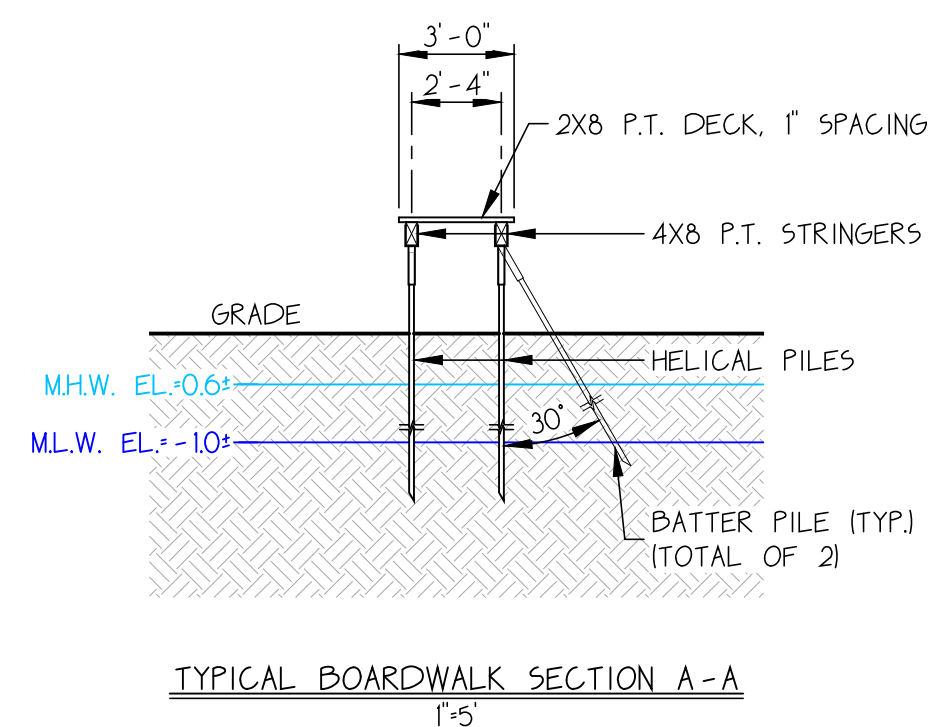
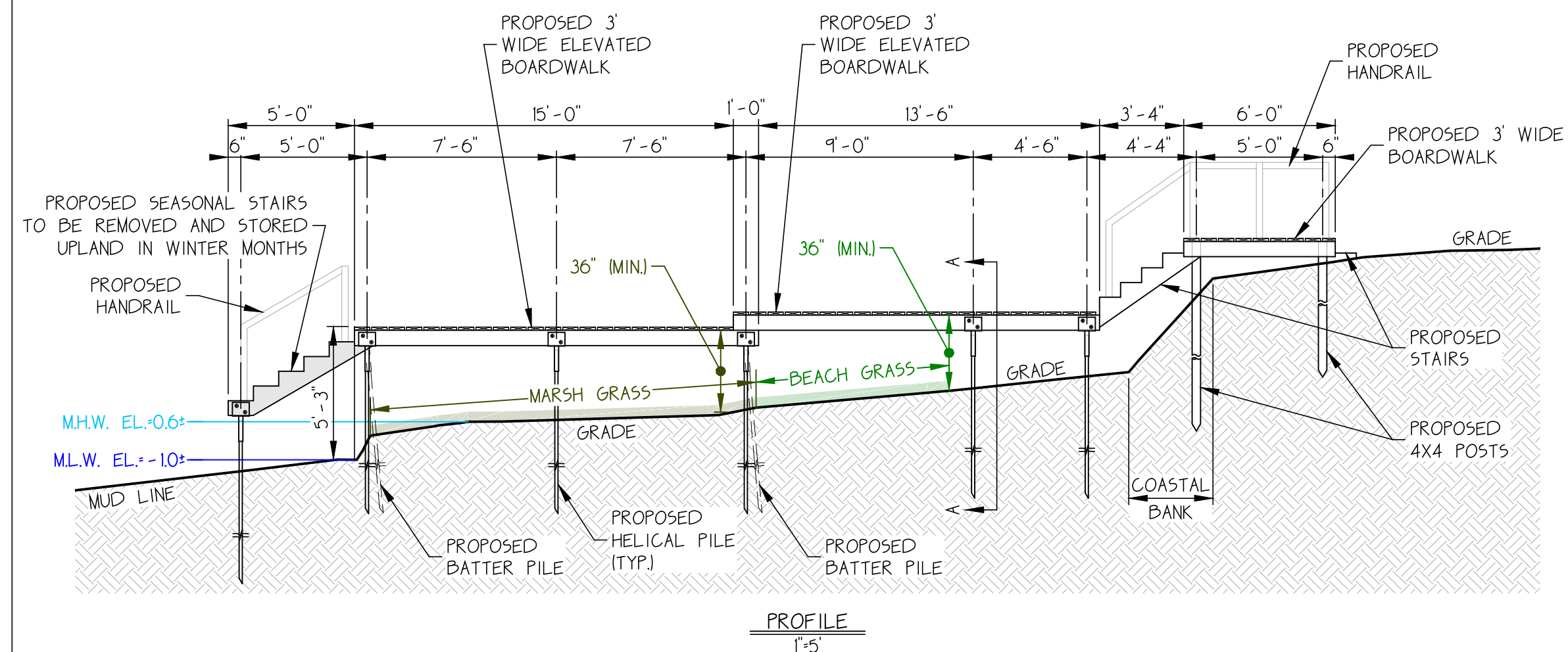
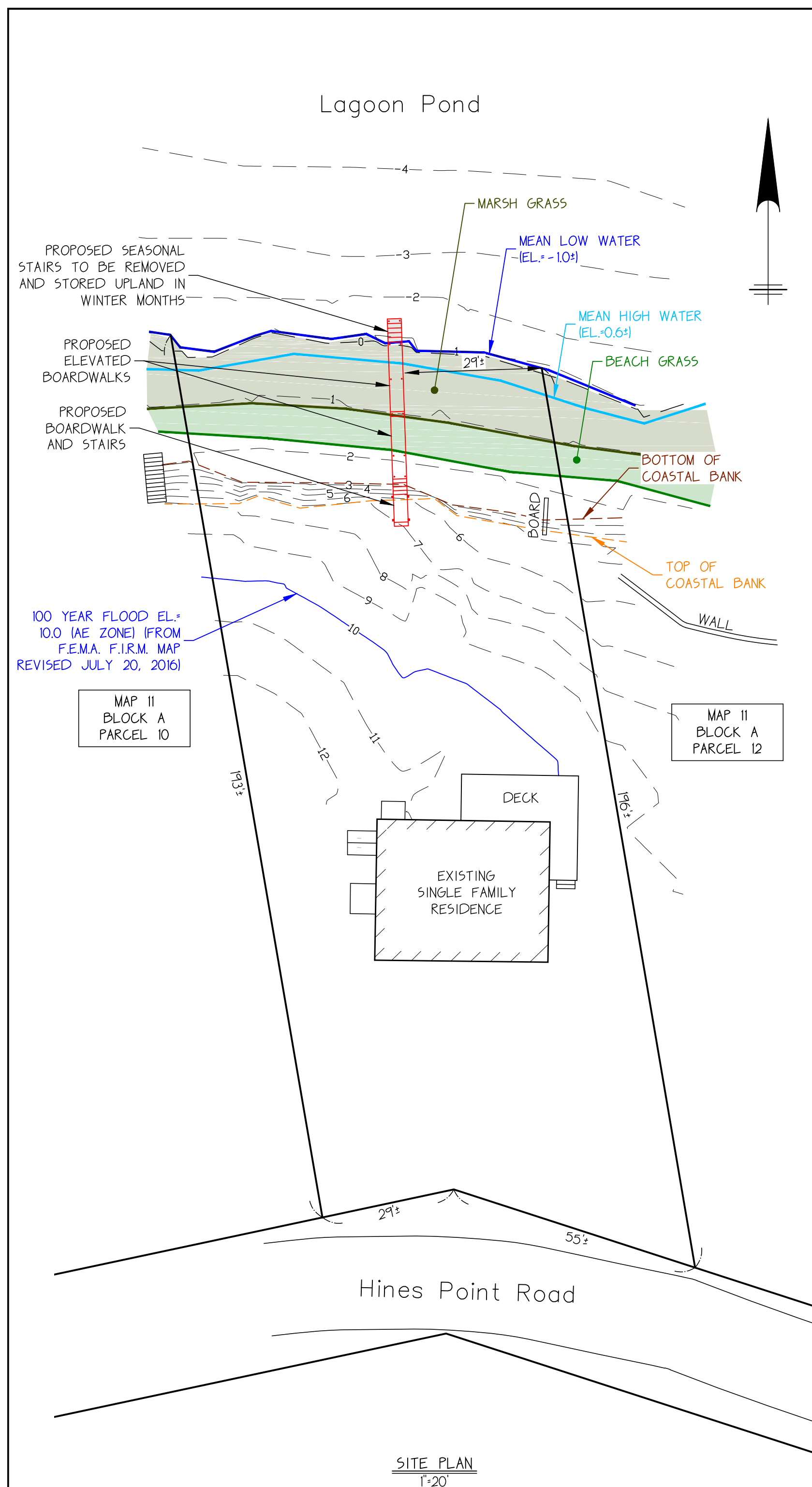
As-built Site Plan  
in  
Tisbury, Massachusetts  
Assessor Parcel 11-A-11  
prepared for  
**Hines Point Realty, LLC**  
Scale 1"=20'    October 3, 2025



P.O. Box 4458  
107 Beach Road, Suite 202  
Vineyard Haven, MA 02568  
Phone (508) 693-9933    [souratigroup.com](http://souratigroup.com)

NOTES:  
1. LOT AREA: 14,780± SQ. FT.  
2. DATUM: NAVD88.

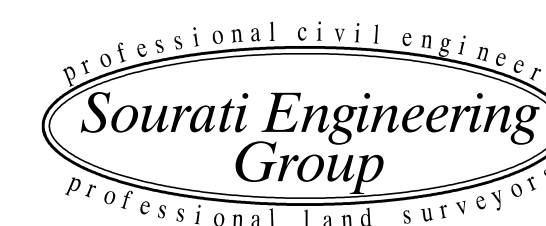




*Conservation Commission Site Plan  
in  
Tisbury, Massachusetts  
Assessor Parcel 11-A-11  
prepared for*

**Hines Point Realty, LLC**

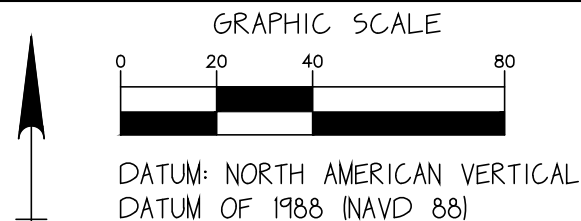
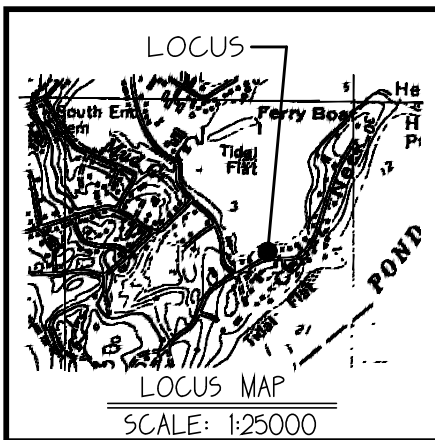
*Scale: As Shown July 11, 2019  
Revision Date August 28, 2019*



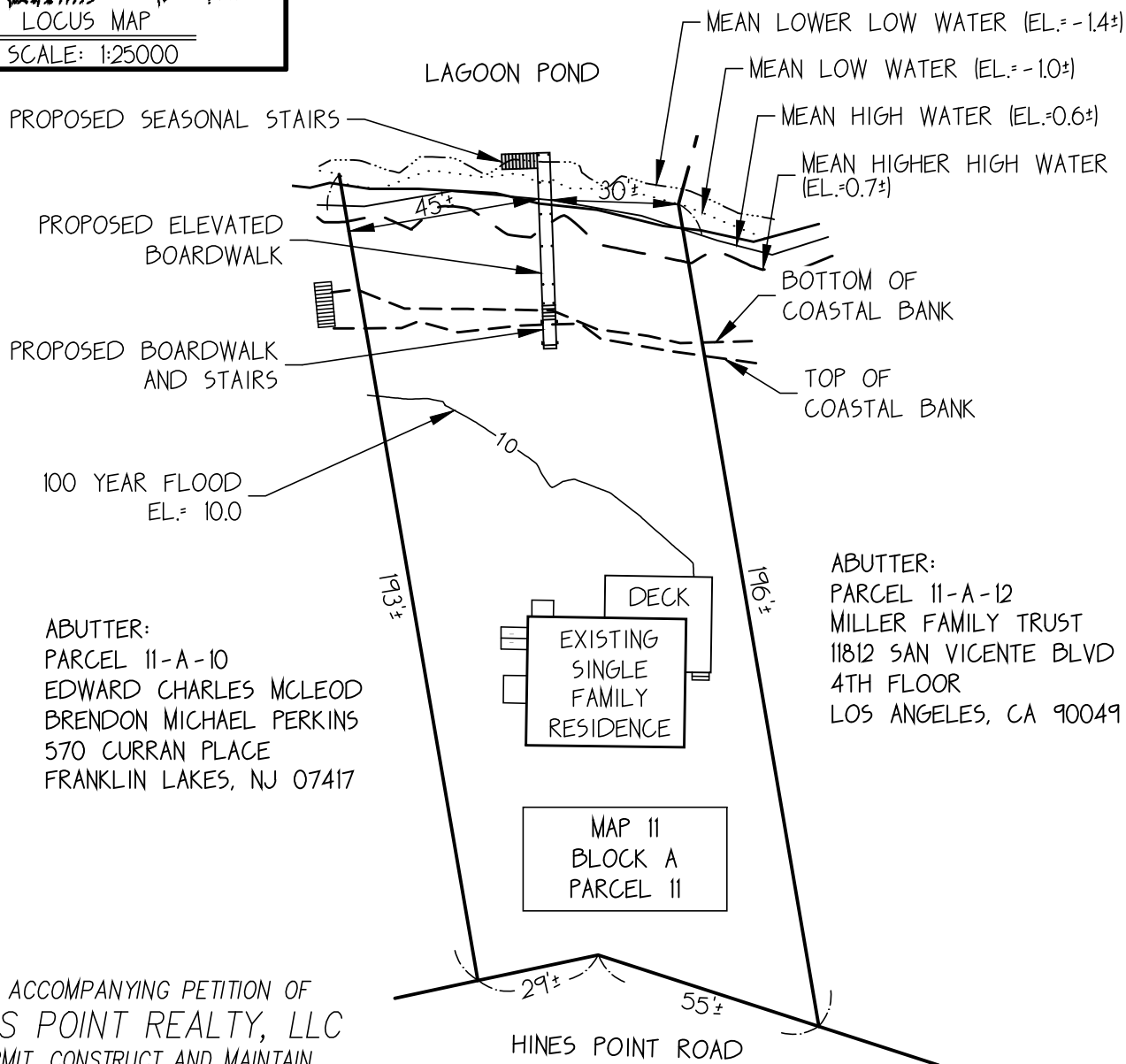
*P.O. Box 4458  
107 Beach Road, Suite 202  
Vineyard Haven, MA 02568  
Phone (508) 693-9933 Fax (508) 693-4933*

**NOTES:**  
1. LOT AREA: 14,780± SQ. FT.  
2. DATUM: NAVD88.





PROJECT COORDINATES  
41° 26' 53.00" N  
70° 35' 42.10" W



PLANS ACCOMPANYING PETITION OF  
HINES POINT REALTY, LLC  
TO PERMIT, CONSTRUCT AND MAINTAIN  
BOARDWALKS AND STAIRS ON LAGOON POND  
44 HINES POINT, ASSESSOR PARCEL 11-A-11  
TISBURY, MASSACHUSETTS

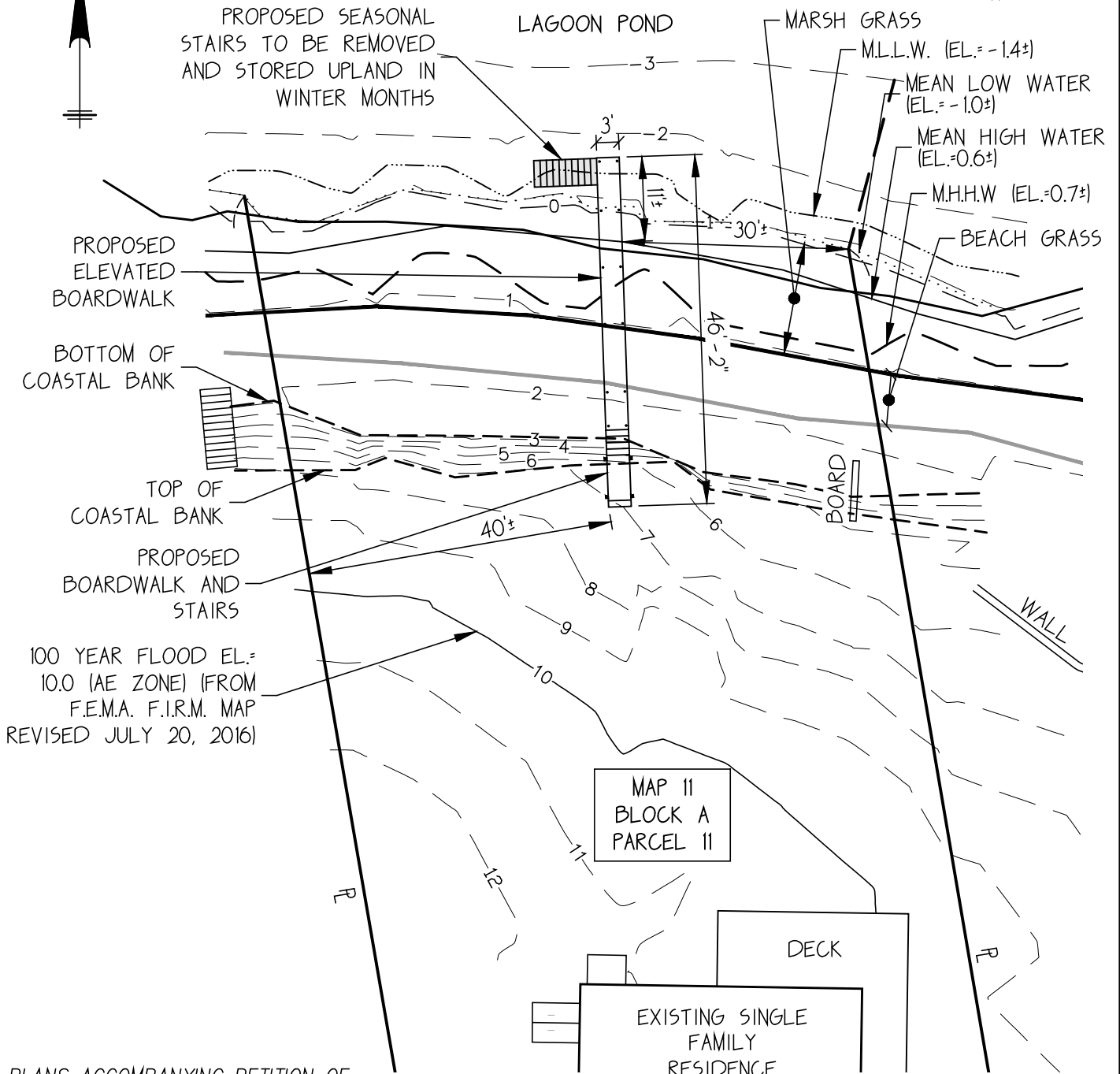
SCALE: 1"=40' DATE: November 10, 2022

SOURATI ENGINEERING GROUP, LLC  
P.O. BOX 4458, VINEYARD HAVEN, MA 02568  
(508) 693-9933

#### NOTES:

1. OPPOSITE SHORELINE OF LAGOON POND IS GREATER THAN 1,400 FEET AWAY.
2. 100 YEAR FLOOD EL.= 10 (AE ZONE).

PROJECT COORDINATES  
 41° 26' 53.00" N  
 70° 35' 42.10" W

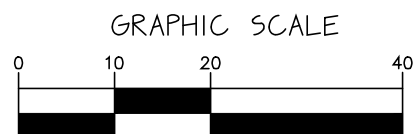


PLANS ACCOMPANYING PETITION OF  
 HINES POINT REALTY, LLC  
 TO PERMIT, CONSTRUCT AND MAINTAIN  
 BOARDWALKS AND STAIRS ON LAGOON POND  
 44 HINES POINT, ASSESSOR PARCEL 11-A-11  
 TISBURY, MASSACHUSETTS

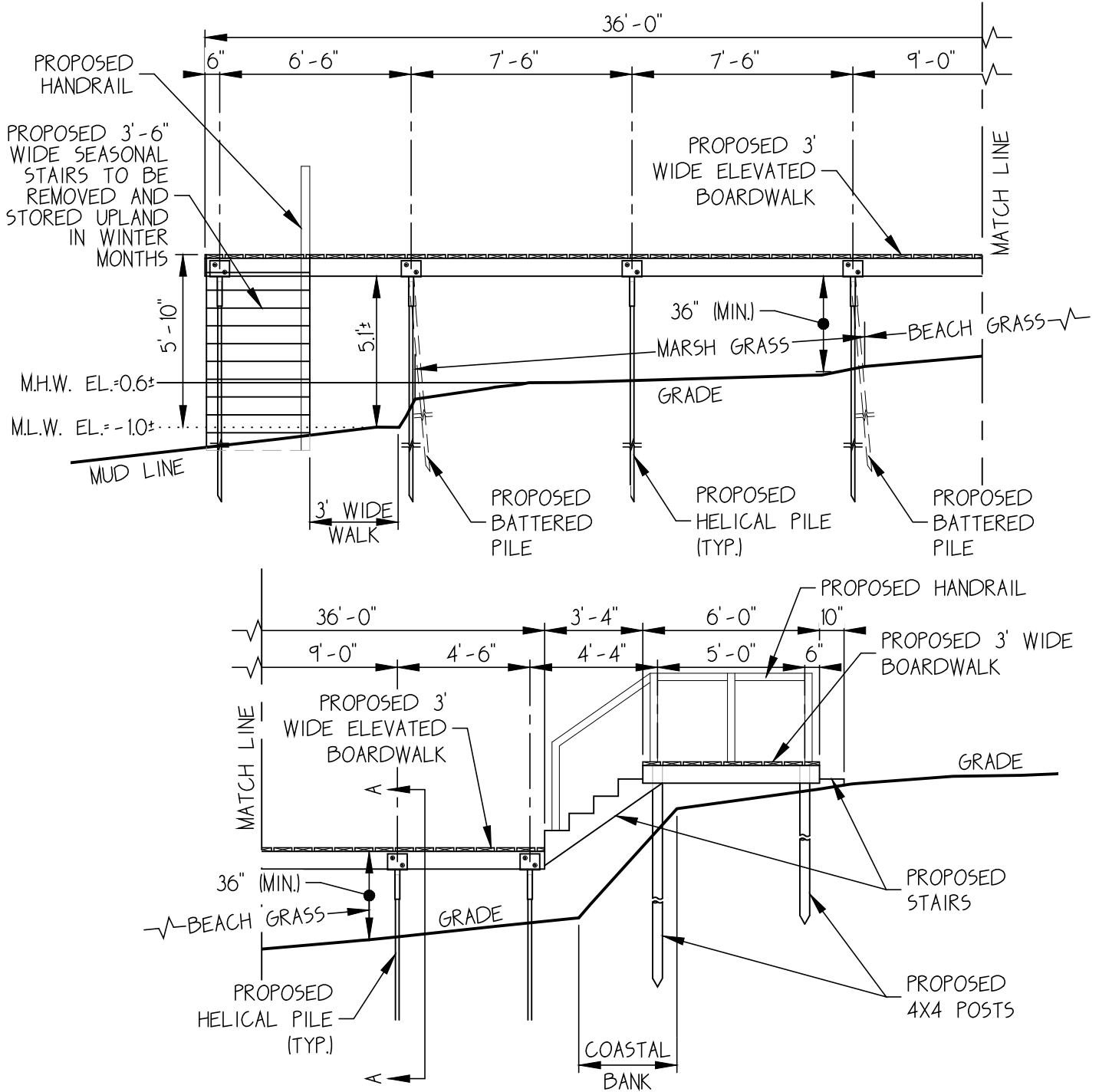
SCALE: 1"=20'

DATE: November 10, 2022

SOURATI ENGINEERING GROUP, LLC  
 P.O. BOX 4458, VINEYARD HAVEN, MA 02568  
 (508) 693-9933



DATUM: NORTH AMERICAN VERTICAL  
 DATUM OF 1988 (NAVD 88)



PLANS ACCOMPANYING PETITION OF  
HINES POINT REALTY, LLC  
TO PERMIT, CONSTRUCT AND MAINTAIN  
BOARDWALKS AND STAIRS ON LAGOON POND  
44 HINES POINT, ASSESSOR PARCEL 11-A-11  
TISBURY, MASSACHUSETTS

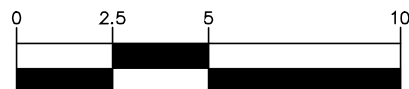
SCALE: 1"=5'

DATE: November 10, 2022

SOURATI ENGINEERING GROUP, LLC  
P.O. BOX 4458, VINEYARD HAVEN, MA 02568  
(508) 693-9933

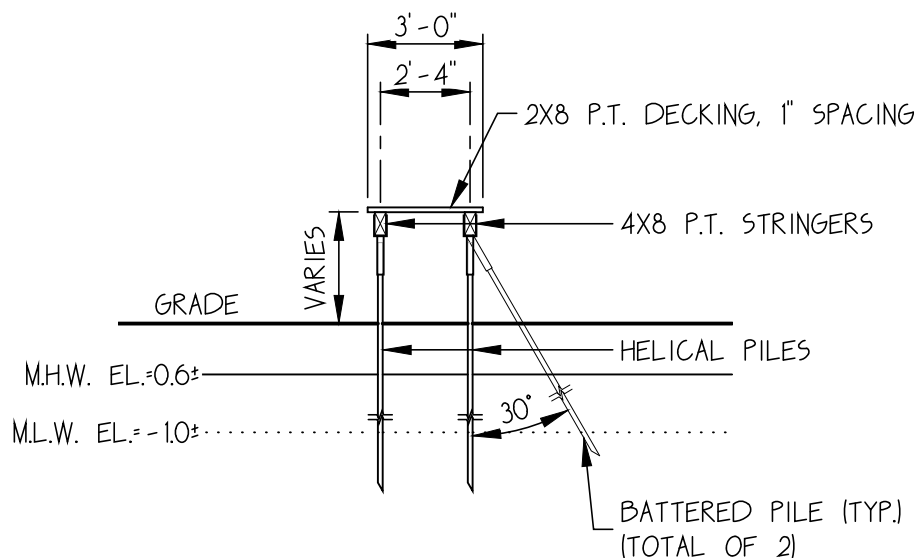
PROFILE  
1"=5'

GRAPHIC SCALE



DATUM: NORTH AMERICAN VERTICAL  
DATUM OF 1988 (NAVD 88)





TYPICAL BOARDWALK SECTION A-A  
1"=5'

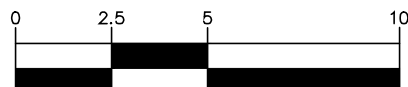
PLANS ACCOMPANYING PETITION OF  
HINES POINT REALTY, LLC  
TO PERMIT, CONSTRUCT AND MAINTAIN  
BOARDWALKS AND STAIRS ON LAGOON POND  
44 HINES POINT, ASSESSOR PARCEL 11-A-11  
TISBURY, MASSACHUSETTS

SCALE: 1"=5'

DATE: November 10, 2022

SOURATI ENGINEERING GROUP, LLC  
P.O. BOX 4458, VINEYARD HAVEN, MA 02568  
(508) 693-9933

GRAPHIC SCALE



DATUM: NORTH AMERICAN VERTICAL  
DATUM OF 1988 (NAVD 88)