

DECOULOS & COMPANY

ENVIRONMENTAL ENGINEERING & LAND PLANNING

VIA U.S. POSTAL SERVICE PRIORITY MAIL
DELIVERY CONFIRMATION #0306 3030 0001 7366 9267

Friday, July 22, 2011

Aquinnah Planning Board Plan Review Committee
65 State Road
Aquinnah, MA 02535

RE: *Special Permit Application for Assessor Map 12, Parcel 38; Set-Off Lot 232*
Owners: Maria A. Kitras and James J. Decoulos, Co-Trustees of Gorda Realty Trust

Dear Members of the Planning Board Plan Review Committee:

On behalf of Gorda Realty Trust, we respectfully request a Special Permit to construct a three bedroom house, driveway, bridge, septic system, underground utilities, wetland replication area and well for the above referenced lot (the "Gorda Project").

The Application has been prepared using the application and instructions I received from Town Hall earlier this year. I have been unable to contact assistant Amanda Hutchinson by email or telephone over the last week to confirm that this application and instructions are current.

Enclosed herewith are the following:

1. Signed Special Permit Application dated July 22, 2011;
2. Instructions for Aquinnah Special Permit Application;
3. A copy of the certified list of abutters from the Board of Assessors dated November 15, 2010 (the original was provided with the variance application to the Board of Health);
4. Comment letter from State Archaeologist Brona Simon dated July 11, 2000;
5. Cover letter and application dated March 31, 2011 made by Holly Herbster of the Public Archaeology Laboratory (PAL) to the Massachusetts Historical Commission (MHC) to conduct an Intensive Archaeological Survey of the proposed project;
6. Permit to Conduct Archaeological Field Investigation from the MHC dated April 5, 2011;
7. Two stamped and signed Certified Plot Plans for the proposed project, dated July 22, 2011 printed at a scale of 1"= 40' on 24 inch by 36 inch sheets;
8. Check for \$500 made payable to the Town of Aquinnah.

PAL conducted their field investigation on May 11, 2011. We anticipate that their report will be completed within the next few weeks.

The driveway, bridge, house, wetland replication area and septic system have been staked in the field. Ridge poles for the house will be set the morning of your anticipated site visit. Please let me know at your earliest convenience when you expect the site visit to occur.

Feel free to contact attorney Peter J. Feuerbach or myself if you have any questions or concerns. Thank you.

Very truly yours,

/s/

James J. Decoulos, PE, LSP
Co-Trustee, Gorda Realty Trust
jamesj@decoulos.com

cc: Holly Herbster, Public Archaeology Laboratory
Peter J. Feuerbach, Rubin & Rudman LLP



TOWN OF AQUINNAH
65 STATE RD.
AQUINNAH, MASSACHUSETTS 02535

TEL. 508 645-2300
FAX 508 645-2310

TO THE PLANNING BOARD PLAN REVIEW COMMITTEE

Date July 22, 2011

SPECIAL PERMIT APPLICATION

The undersigned hereby petitions the PLANNING BOARD PLAN REVIEW COMMITTEE to vary the terms of the Zoning Bylaw of the Town of Aquinnah Acts of 1972 (as amended).

Location: off Moshup Trail; Assessor Map 12, Parcel 38 (Set-Off Lot 232)

In the following respect: To permit the construction of a three bedroom house, driveway, bridge, septic system, underground utilities, wetland replication area and well.

or any limitation, extension, change, alteration or modification of use, or method of use as may at the hearing appear as necessary or proper to the premises.

State briefly reasons for a Special Permit

To comply with Section 13 of the Aquinnah Zoning By-Law.

Petitioner Maria A. Kitras and James J. Decoulos, Trustees, Gorda Realty Trust
By James J. Decoulos, Decoulos & Company LLC
Address 185 Alewife Brook Parkway, Cambridge, MA 02138

James J. Decoulos
7/22/11

TOWN CLERK
and
ASSESSORS
645 6300

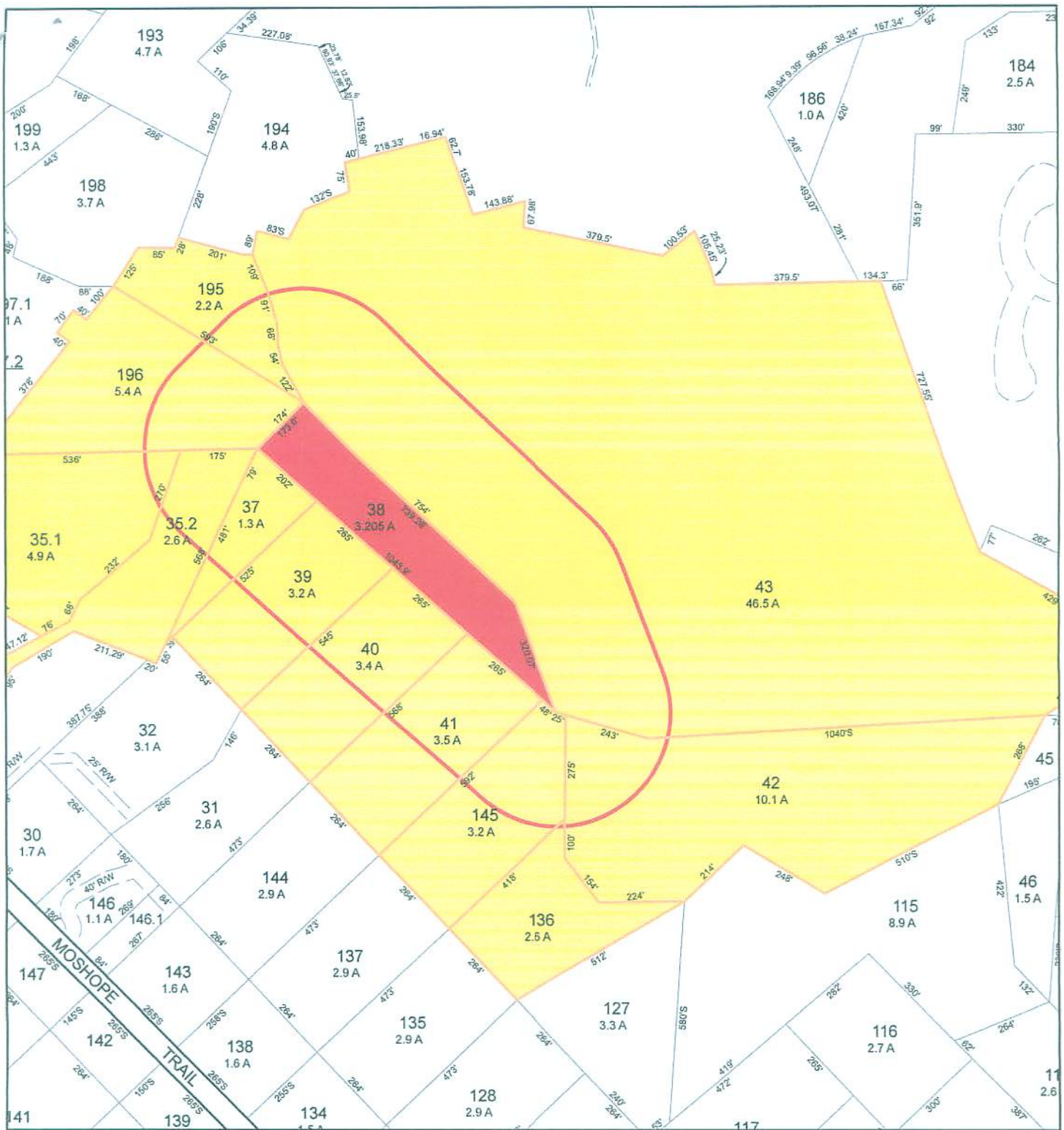
ACCOUNTANT
645-2305
BUILDING INSPECTOR
645 6307

TAX COLLECTOR
and
TREASURER
645 6302

INSTRUCTIONS FOR AQUINNAH SPECIAL PERMIT APPLICATION

All applications to the Aquinnah Planning Board Plan Review Committee must include the following:

1. All applicants must provide the name and address of all owners before this application will be considered complete.
2. A formal letter of application, indicating the map and lot number, the name of the project and
3. reason why a Special Permit is needed.
4. A certified list of abutters from the Board of Assessors.
5. The application must be accompanied by a certified plot plan detailing the proposed development or project, its exact location, dimensions and elevations.
6. Where the land is subject to erosion, the certified plot plan must be no more than 12 months old.
7. If the proposed structure or septic system is suspected to be within 500 ft. of mean high water, then the actual distance must be surveyed and certified by a registered land surveyor and recorded on the plot plan.
8. Applications for additions to existing homes are not required to submit certified plot plans, unless the additions would come close to a bluff, wetlands or lot line. Instead preliminary drawing of the addition is required.
9. Ridge poles must be placed in the exact location of the proposed building showing the height and all four sides.
10. A check for \$500.00 for new homes, \$300.00 for rebuilds and additions, and \$100.00 for all other construction made payable to the Town of Aquinnah must be included with the application.



12-38
Aquinnah, MA

0 369 738
Feet

11/15/2010



Abutters List Report

✓ Town of Aquinnah, MA
November 15, 2010

Subject Properties:

12-38

12-38
MOSHUP TR

GORDA REALTY TRUST
DECOULOS & KITRAS TRUSTEES
38 BOW ROAD
BELMONT, MA 02478

Parcel Number: 12-136

Cama Number: 12-136

Property Address: MOSHUP TR

Mailing Address: GOSSAMER WING REALTY TRUST
B HALL TRUSTEE
BOX 5039
EDGARTOWN, MA 02539

Parcel Number: 12-145

Cama Number: 12-145

Property Address: MOSHUP TR

Mailing Address: WAMSLEY HEBRON ETAL
REAR MOSHUP TR
AQUINNAH, MA 02535

Parcel Number: 12-35.1

Cama Number: 12-35.1

Property Address: 5 SEA MIST LN

Mailing Address: VERDICK WALTER
PO BOX 458
MAMARONECK, NY 10543

Parcel Number: 12-35.2

Cama Number: 12-35.2

Property Address: 3 SEA MIST LN

Mailing Address: EISENBERG DAVID
EISENBERG PAULA
28 LINDEN AVE
LARCHMONT, NY 10538

Parcel Number: 12-37

Cama Number: 12-37

Property Address: MOSHUP TR

Mailing Address: JARDIN TAMARA TR
YOUNG ABIGAIL TR
PO BOX 2833
VINEYARD HAVEN, MA 02568

Parcel Number: 12-39

Cama Number: 12-39

Property Address: MOSHUP TR

Mailing Address: KENNEDY CAROLINE B
C/O ESI DESIGN E SCHLOSSBERG
111 FIFTH AVE 12TH FL
NEW YORK, NY 10003

Parcel Number: 12-40

Cama Number: 12-40

Property Address: MOSHUP TR

Mailing Address: HALL BENJAMIN L & BRIAN M TRS
GOSSAMER WING REALTY TRUST
PO BOX 5039
EDGARTOWN, MA 02539

Parcel Number: 12-41

Cama Number: 12-41

Property Address: 39 MOSHUP TR

Mailing Address: MILLER JANE B
MILLER MARK J
32 W 4TH ST
NEW CASTLE, DE 19720

Parcel Number: 12-42

Cama Number: 12-42

Property Address: MOSHUP TR

Mailing Address: BARONS LAND TRUST
HOWASSWEE ESTHER
BOX 5039
EDGARTOWN, MA 02539

Parcel Number: 12-43

Cama Number: 12-43

Property Address: MOSHUP TR

Mailing Address: VANDERHOOP LEONARD JR EST OF
VANDERHOOP BARBARA J EXEC
3906 CORBIN AVE
TARZANA, CA 91356-6153

Subject Properties:

12-38

12-38

MOSHUP TR

GORDA REALTY TRUST
DECOULOS & KITRAS TRUSTEES
38 BOW ROAD
BELMONT, MA 02478

Parcel Number: 9-195
Cama Number: 9-195
Property Address: MAPLE HILL DR

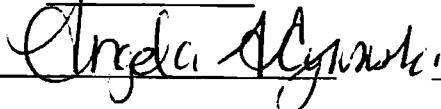
Mailing Address: YAFFEE STEVE
P.O. BOX 382
CHILMARK, MA 02535

Parcel Number: 9-196
Cama Number: 9-196
Property Address: 6 MAPLE HILL DR

Mailing Address: YAFFEE STEVEN
P.O. BOX 382
CHILMARK, MA 02535

Aquinnah Board of Assessors Certification, (C. 40A, S. 11, MGL)

DATE: 11-15-10





AP

July 11, 2000

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

Massachusetts Historical Commission

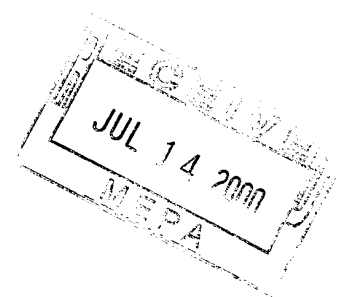
Secretary Bob Durand

Attn.: MEPA Office

Executive Office of Environmental Affairs

251 Causeway Street, 9th Floor

Boston, MA 02114-2150



RE: Private Residence on Moshup Trail, Aquinnah, EOEA #12248, MHC #RC.26581

Dear Secretary Durand:

Staff of the Massachusetts Historical Commission have reviewed the Environmental Notification Form (ENF) for the proposed project referenced above and have the following comments.

The project area is archaeologically sensitive and is likely to contain archaeological sites associated with the Native American occupation of the Aquinnah area. The area's archaeological sensitivity is determined by its favorable environmental characteristics including areas of well-drained soils and relatively level terrain, proximity to natural features such as wetlands, and cultural features such as known archaeological sites. A cluster of several known archaeological sites associated with the Native American settlement of Aquinnah from ancient times into the nineteenth century is located a short distance to the north of the project area. Review of MHC's inventory indicates that Native American archaeological sites are often found in similar environmental settings, and that proximity to known archaeological sites is a strong indication that an area is likely to contain archaeological resources. Since the project area has not been systematically surveyed by professional archaeologists, the nature and range of archaeological resources it contains are not yet known.

MHC requests that an intensive (locational) archaeological survey (950 CMR 70) be conducted for the project area, and included in the scope of an Environmental Impact Report (EIR) if an EIR is required for this project. The purpose of the intensive survey, which must be conducted under a permit from the State Archaeologist, is to locate and identify any historic or archaeological resources that may be affected by the proposed construction of the proposed dwelling, access road, septic system, well, and wetland replication areas. MHC staff are willing to assist project proponents in developing a scope of work for an intensive archaeological survey.

These comments are offered to assist in compliance with Massachusetts General Laws, Chapter 9, Sections 26-27C (950 CMR 71) and MEPA. If you have any questions concerning this review, please feel free to contact Eric Johnson at this office.

Sincerely,

Brana Simon

State Archaeologist

Deputy State Historic Preservation Officer

Massachusetts Historical Commission

xc: James Decoulis, Decoulis & Company
DEP, Southeast Regional Office
Aquinnah Planning Board Review Committee
Matthew Vanderhoop, THPO, WTGHA

220 Morrissey Boulevard, Boston, Massachusetts 02125 · (617) 727-8470

www.state.ma.us/sec/mhc



March 31, 2011

Brona Simon
State Archaeologist
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

Re: Set-Off Lot 232, Moshop Trail, Aquinnah, Massachusetts
Intensive (Locational) Archaeological Survey
MHC #RC.26581; PAL #2561

Dear Ms. Simon:

Enclosed please find an application for a permit to conduct an Intensive (locational) Archaeological survey. This application concerns the proposed Set-Off Lot 232 (Assessor's Parcel 12 Lot 38) off Moshop Trail in Aquinnah, Massachusetts. The project area is located on the Squibnocket, Massachusetts topographic quadrangle. We would like to begin investigations as soon as possible. Thank you in advance for your time and attention to this matter.

If you have any questions or concerns, please do not hesitate to contact Holly Herbster, Principal Investigator, or me, at your convenience.

Sincerely,


for Deborah C. Cox, RPA
President

/bb

Enclosure

cc: James Decoulos (via email w/encl.)

950 CMR: DEPARTMENT OF THE STATE SECRETARY

**APPENDIX B
COMMONWEALTH OF MASSACHUSETTS**

SECRETARY OF STATE: MASSACHUSETTS HISTORICAL COMMISSION

PERMIT APPLICATION: ARCHAEOLOGICAL FIELD INVESTIGATION

A. General Information

Pursuant to Section 27C of Chapter 9 of the General Laws and according to the regulations outlined in 950 CMR 70.00, a permit to conduct a field investigation is hereby requested.

1. Name(s): Holly Herbster
2. Institution: The Public Archaeology Laboratory, Inc.
Address: 210 Lonsdale Avenue
Pawtucket, Rhode Island 02860
3. Project Location: Set-Off Lot 232
see attached proposal
4. Town(s): Aquinnah
5. Attach a copy of a USGS quadrangle with the project area clearly marked.
see attached
6. Property Owner(s): Gorda Realty Trust
7. The applicant affirms that the owner has been notified and has agreed that the applicant may perform the proposed field investigation.
8. The proposed field investigation is for a(n):
 - a. Reconnaissance Survey
 - b. Intensive Survey**
 - c. Site Examination
 - d. Data Recovery

B. Professional Qualifications

1. Attach a personnel chart and project schedule as described in 950 CMR 70.11 (b).

a. Personnel

Principal Investigator(s):	Holly Herbster
Project Archaeologist:	Kirk Van Dyke
Field Crew:	Kristen Jeremiah

b. Schedule

Fieldwork:	April 2011
Laboratory:	May 2011
Report:	June 2011


2. Include copies of curriculum vitae of key personnel (unless already on file with the State Archaeologist).

C. Research Design

1. Attach a narrative description of the proposed Research Design according to the requirements of 950 CMR 70.11.
2. The Applicant agrees to perform the field investigations according to the standards outlined in 950 CMR 70.13.
3. The Applicant agrees to submit a Summary Report, prepared according to the standards outlined in 950 CMR 70.14 by: September 30, 2011
4. The specimens recovered during performance of the proposed field investigation will be curated at:

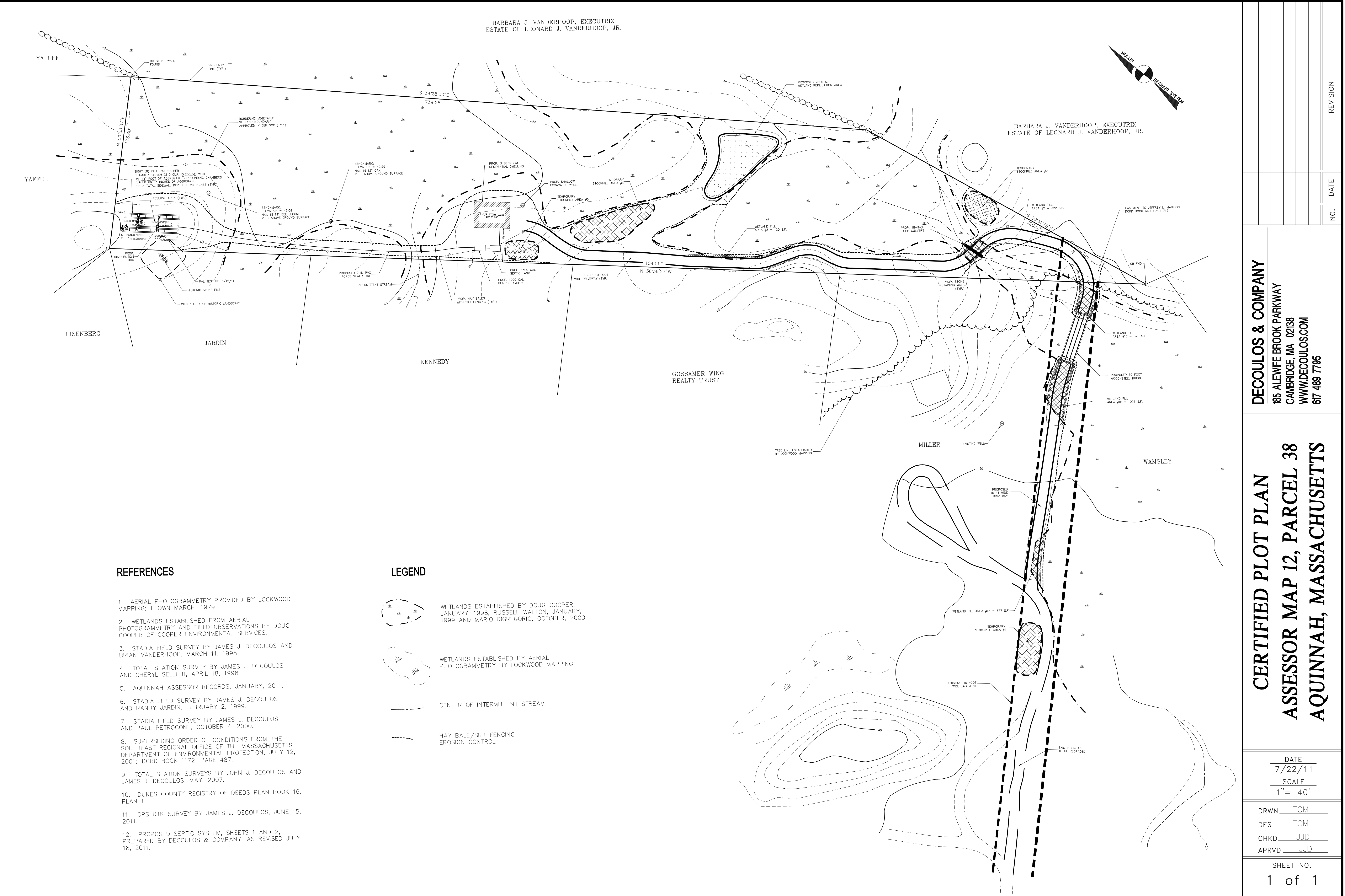
The Public Archaeology Laboratory, Inc.
210 Lonsdale Avenue
Pawtucket, Rhode Island 02860

SIGNATURE


APPLICANT (S)

DATE

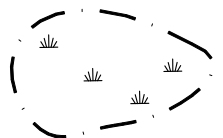
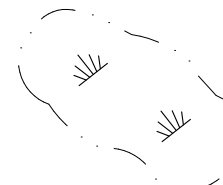
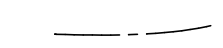
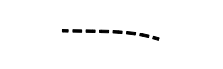
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REFERENCES

1. AERIAL PHOTOGRAMMETRY PROVIDED BY LOCKWOOD MAPPING; FLOWN MARCH, 1979
2. WETLANDS ESTABLISHED FROM AERIAL PHOTOGRAMMETRY AND FIELD OBSERVATIONS BY DOUG COOPER OF COOPER ENVIRONMENTAL SERVICES.
3. STADIA FIELD SURVEY BY JAMES J. DECOULOS AND BRIAN VANDERHOOP, MARCH 11, 1998
4. TOTAL STATION SURVEY BY JAMES J. DECOULOS AND CHERYL SELLITTI, APRIL 18, 1998
5. AQUINNAH ASSESSOR RECORDS, JANUARY, 2011.
6. STADIA FIELD SURVEY BY JAMES J. DECOULOS AND RANDY JARDIN, FEBRUARY 2, 1999.
7. STADIA FIELD SURVEY BY JAMES J. DECOULOS AND PAUL PETROCONE, OCTOBER 4, 2000.
8. SUPERSEDING ORDER OF CONDITIONS FROM THE SOUTHEAST REGIONAL OFFICE OF THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION, JULY 12, 2001; DCRD BOOK 1172, PAGE 487.
9. TOTAL STATION SURVEYS BY JOHN J. DECOULOS AND JAMES J. DECOULOS, MAY, 2007.
10. DUKES COUNTY REGISTRY OF DEEDS PLAN BOOK 16, PLAN 1.
11. GPS RTK SURVEY BY JAMES J. DECOULOS, JUNE 15, 2011.
12. PROPOSED SEPTIC SYSTEM, SHEETS 1 AND 2, PREPARED BY DECOULOS & COMPANY, AS REVISED JULY 18, 2011.

LEGEND

-  WETLANDS ESTABLISHED BY DOUG COOPER, JANUARY, 1998, RUSSELL WALTON, JANUARY, 1999 AND MARIO DIGREGORIO, OCTOBER, 2000.
-  WETLANDS ESTABLISHED BY AERIAL PHOTOGRAMMETRY BY LOCKWOOD MAPPING
-  CENTER OF INTERMITTENT STREAM
-  HAY BALE/SILT FENCING EROSION CONTROL

DECOULOS & COMPANY

185 ALEWIFE BROOK PARKWAY
CAMBRIDGE, MA 02138
WWW.DECOULOS.COM
617 489 7795

CERTIFIED PLOT PLAN
ASSESSOR MAP 12, PARCEL 38
AQUINNAH, MASSACHUSETTS

DATE
7/22/11
SCALE
1" = 40'

DRWN TCM
DES TCM
CHKD JJD
APRVD JJD

SHEET NO.
1 of 1

REVISION

DATE

NO.

DECOULOS & COMPANY LLC
185 ALEWIFE BROOK PARKWAY
CAMBRIDGE, MA 02138

TD BANK, N.A.
53-7054/2113

0220

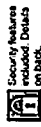
7/22/2011

PAY TO THE
ORDER OF Town Of Aquinnah

\$ **500.00

Five Hundred Only*****

DOLLARS



MEMO Special Permit Application for Gorda RT; Lot 232

⑈000220⑈ ⑈222370545⑈ 8247100360⑈

AUTHORIZED SIGNATURE

MP