

**From:** [Jacob Murray](#)  
**To:** [Tim Wong](#)  
**Subject:** RE: W-1567 Oak Bluffs Chapter 91 Permitting  
**Date:** Monday, April 25, 2022 3:56:32 PM

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Tim,

Carlos says that he spoke with others in his department familiar with the other sites like this and the modification is too minor to require are filing.

He said since there is no major grading changes proposed it is basically a repaving job with some landscaping changes.

Therefore, no Chapter 91 is needed.

Thanks.

-Jacob

**Jacob R. Murray, PE, LEED AP** / Vice President / Senior Civil Engineer

**WDG** | Waterfield Design Group  
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----- Original message -----

From: "Fragata, Carlos (DEP)" <[carlos.fragata@state.ma.us](mailto:carlos.fragata@state.ma.us)>  
Date: 4/21/22 2:53 PM (GMT-05:00)  
To: Jacob Murray <[jmurray@wdgrp.com](mailto:jmurray@wdgrp.com)>  
Subject: RE: W-1567 Oak Bluffs Chapter 91 Permitting

Hi Jacob: Based on the plans submitted in an earlier email and other information researched, I think the work proposed will not require any Chapter 91 authorization.  
Thanks, Carlos

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Carlos T. B. Fragata, Environmental Analyst  
MassDEP, Wetlands & Waterways Program  
20 Riverside Drive, Lakeville, MA 02347  
Tel. # (508) 946 - 2873; Mobile # (617) 413 - 3768; Fax # (508) 947 - 6557  
EMail: [Carlos.Fragata@mass.gov](mailto:Carlos.Fragata@mass.gov)  
Web (Chapter 91): <http://www.mass.gov/waterways-program-chapter-91>

Please note that I am out of the office on Fridays.

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**From:** Jacob Murray <[jmurray@wdgrp.com](mailto:jmurray@wdgrp.com)>  
**Sent:** Friday, April 15, 2022 9:54 AM  
**To:** Fragata, Carlos (DEP) <[carlos.fragata@mass.gov](mailto:carlos.fragata@mass.gov)>  
**Subject:** RE: W-1567 Oak Bluffs Chapter 91 Permitting

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Hi Carlos,

I know it has been a year, now, but I am following up on the emails below and the items attached to confirm that this project would require filing a Chapter 91.

Can you let me know what that will entail? I also left you a voice message.

Thanks.

-Jacob

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**From:** Jacob Murray  
**Sent:** Tuesday, March 16, 2021 5:39 PM  
**To:** [carlos.fragata@mass.gov](mailto:carlos.fragata@mass.gov)  
**Subject:** RE: W-1567 Oak Bluffs Chapter 91 Permitting

Hi Carlos,

Just following up on this. Based on the conceptual work proposed how long do you anticipate the review and permitting to take once submitted?

Thanks.

-Jacob

**Jacob R. Murray, PE, LEED AP** \ Senior Civil Engineer

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**From:** Jacob Murray  
**Sent:** Friday, March 5, 2021 10:41 AM  
**To:** [carlos.fragata@mass.gov](mailto:carlos.fragata@mass.gov)  
**Subject:** RE: W-1567 Oak Bluffs Chapter 91 Permitting

Hi Carlos,

Thanks for taking my call this morning.

Attached are a google earth view and a Oliver MA GIS showing the orange Chapter 91 High Water Mark.

Also attached are some photos of existing conditions and a Google earth Streetview.

Let me know if this helps and if this is in a jurisdictional area and if yes if there is a license and if there is a license if our propose work looks to be a minor modification or an Amendment.

Address is: 21 Seaview Ave Extension and 30 Circuit Ave Extension, Oak Bluffs, MA

Lat and Long. Are: 41-27-36 & 70-33-27

Thanks.

-Jacob

**Jacob R. Murray, PE, LEED AP** \ Senior Civil Engineer

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**From:** Jacob Murray  
**Sent:** Thursday, February 25, 2021 7:45 AM  
**To:** [carlos.fragata@mass.gov](mailto:carlos.fragata@mass.gov)  
**Subject:** W-1567 Oak Bluffs Chapter 91 Permitting

Hi Carlos,

I received your voice mail. Below is a detailed explanation of our project.

I will also send you a voice mail.

We are working for the Town of Oak Bluffs on Martha Vineyard on a streetscape and road improvement project.

Part of that project includes the renovation of the "North Bluff" ferry access and parking area. Our conceptual design sketch for that part of the overall project is attached here.

Where this part of the project directly abuts the harbor and then the open ocean on the other side of the point, will the project need to pursue and receive any permits from the MA DEP and Cons Com other than the typical buffer zone filing during our final design phase? Particularly will a Chapter 91 filing be needed? We are merely modifying existing disturbed areas and not modifying any navigable waters, and we are likely decreasing impervious surfaces thereby improving runoff. Of course runoff and impervious are local Conservation Commission jurisdictions, which we know we will need to submit on.

Since we are not altering or even touching any aspect of the sea walls, so I don't think we have Chapter 91 or other MA DEP permits here, beyond the Cons Com filing, but we wanted to review this with the MA DEP to confirm.

We are thinking through what our final design effort and schedule looks like and I need to incorporate any permit efforts that might be needed into our work plans.

We are going to check for the same for the North Bluff with the Martha Vineyard Commission. Let me know if you have any questions and who it might be best to speak with about this matter.

Thanks

- Jacob

**Jacob R. Murray, PE, LEED AP** \ Senior Civil Engineer

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