

The Commonwealth of Massachusetts



No. 15466

Whereas, John & Virginia^{S.} Wieland

of -- Cohasset -- in the County of -- Norfolk -- and Commonwealth aforesaid, -- have applied to the Department of Environmental Protection for a license to -- construct and maintain a pier, ramp and float --

and have submitted plans of the same; and whereas due notice of said application, ~~and of the time and place fixed for a hearing thereon,~~ has been given, as required by law, to the -- Board of Selectmen -- of the Town of -- Cohasset. --

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, ~~subject to the approval of the Governor,~~ authorizes and licenses the said --

John & Virginia^{S.} Wieland --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- construct and maintain a pier, ramp and float --

in and over the waters of -- Little Harbor -- at 51 Gammons Road --, in the -- Town of Cohasset -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No.15466 (3 sheets).

Reference Certificate #: 155028

The structures hereby authorized shall be limited to the following uses: noncommercial docking and boating access to navigable waters.

This license will expire thirty (30) years from the date of License issuance. By written request of the licensee for an amendment, the Department may grant a renewal for the term of years not to exceed that authorized in the original license.

SPECIAL WATERWAYS CONDITIONS:

1. In accordance with any license condition, easement, or other public right of lateral passage that exists on the subject property lying between the high and low watermarks, the Licensee shall allow the public in the exercise of such rights to pass freely under all structures within such intertidal area. Accordingly, the Licensee shall place and maintain, in good repair, a public access sign on both the easterly and westerly sides of the pier authorized herein, adjacent to the mean high water shoreline. Said signs shall be designed in accordance with the signage specifications provided by the Department, attached hereto, and be posted **immediately upon completion of construction**. Nothing in this condition shall be construed as preventing the Licensee from excluding the public from portions of said structure(s) or property not intended for lateral passage.

2. In partial compensation for private use of structures on tidelands, which interferes with the rights of the public to use such lands, the Licensee shall allow the public to pass on foot, for any purpose and from dawn to dusk, within the area of the subject property lying seaward of the high water mark. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activities by users of the area(s) intended for public passage, including but not limited to trespassing on the adjacent private areas and deposit of refuse of any kind or nature in the water or on the shore. Further, the exercise by the public of free on-foot passage in accordance with this condition shall be considered a permitted use to which the limited liability provisions of M.G.L. c.21, s.17c apply.

3. All seasonal structures when removed from the water shall be stored landward of the mean high water shoreline and outside of wetland resource areas. Said storage shall be in conformance with any applicable local, state or federal requirements.

4. No dredging (including, but not limited to effects of prop wash) is permitted herein.

5. All work authorized herein shall be completed within five (5) years of the date of license issuance. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Applicant submits to the Department, thirty (30) days prior to the expiration of said construction period, a written request to extend the period and provides an adequate justification for said extension.

6. Within sixty (60) days of completion of the licensed project, the Licensee shall request in writing that the Department issue a Certificate of Compliance in accordance with 310 CMR 9.19. The request shall be accompanied by a certification by a registered professional engineer licensed in the Commonwealth that the project was completed in accordance with the License.

Duplicate of said plan, number 15466 is on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.
2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.
6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.
7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.
8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Wetlands and Waterways.
9. This License authorizes structure(s) and/or fill on:

Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.

Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.

Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.

Navigable River and Streams. The Licensee shall not restrict the public's right to use and pass freely, for any lawful purpose, in the Waterways.

No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.

10. Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

License No. 15466

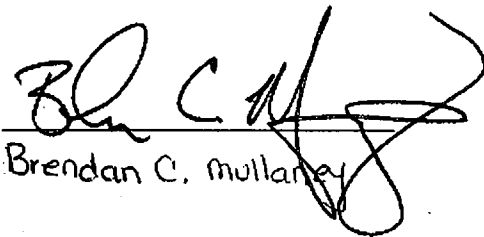
Page 4

The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- John & Virginia^JWieland -- by paying into the treasury of the Commonwealth -- two dollars and zero cents (\$2.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department (0 cubic yard(s) = \$0.00).

Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of Norfolk.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 11th day of January in the year two thousand twenty-two.

for Program Chief 
Brendan C. Mullane

Department
of Environmental
Protection

THE COMMONWEALTH OF MASSACHUSETTS

~~This license is approved in consideration of the payment into the treasury of the Commonwealth by the said -- --~~

~~of the further sum of -- --~~

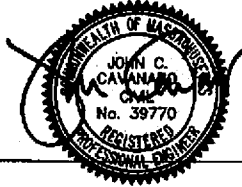
~~the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.~~

BOSTON,

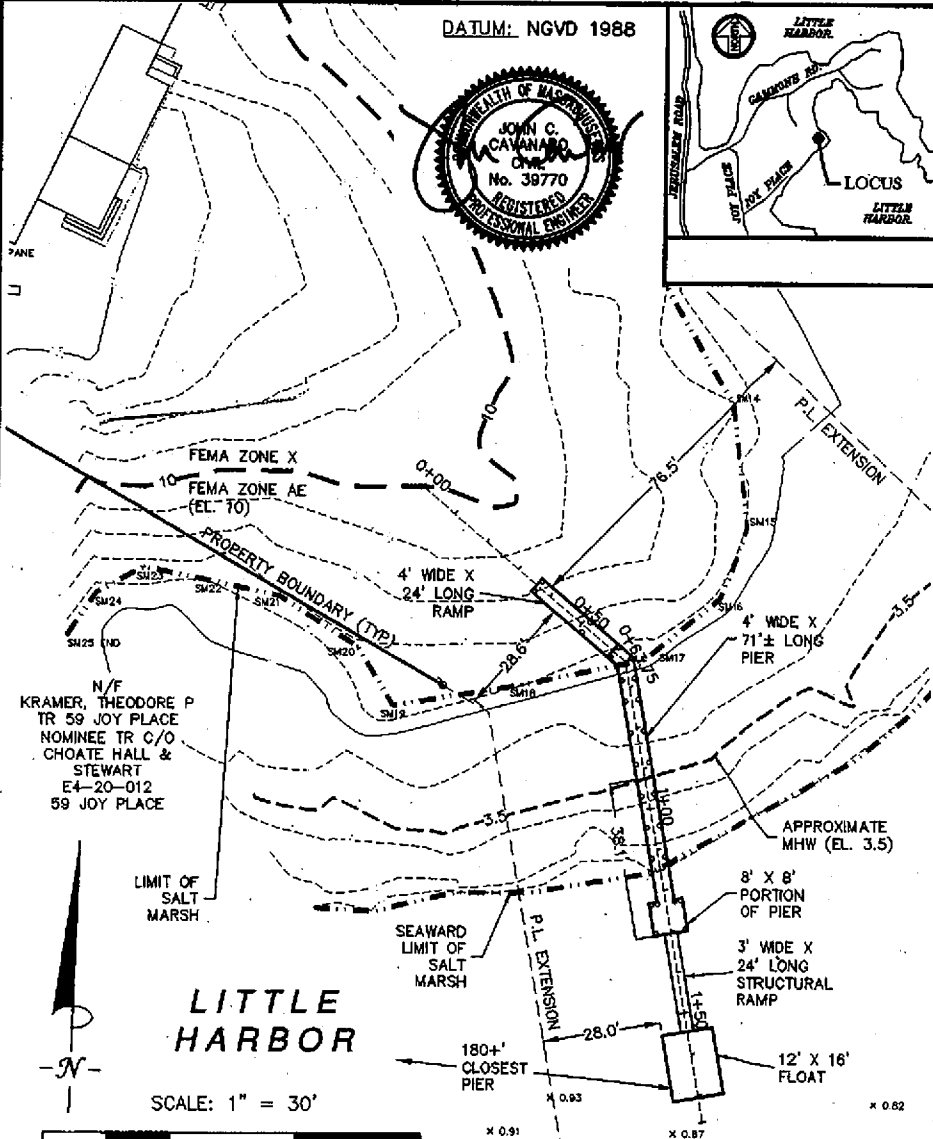
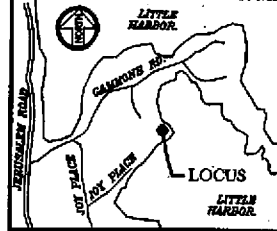
~~Approved by the Governor.~~

~~_____
Governor~~

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.



DATUM: NGVD 1988



N/F
KRAMER, THEODORE P
TR 59 JOY PLACE
NOMINEE TR C/O
CHOATE HALL &
STEWART
E4-20-012
59 JOY PLACE

LIMIT OF SALT MARSH

SEAWARD LIMIT OF SALT MARSH

LITTLE HARBOR

SCALE: 1" = 30'



PLAN ACCOMPANYING PETITION OF JOHN AND VIRGINIA WIELAND TO CONSTRUCT AND MAINTAIN A PIER, GANGWAY AND FLOAT IN LITTLE HARBOR, TOWN OF COHASSET, COUNTY OF NORFOLK LAST REV. 11/22/2021

SHEET 1 OF 3

LICENSE PLAN NO. 15466
Approved by Department of Environmental Protection of Massachusetts
BRCW 2 JAN 11 2022
Brendan C. Mullaney

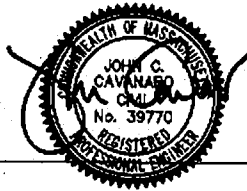
W 21 - 6045

PROJECT DESCRIPTION:
 PROPOSED PIER, GANGWAY AND FLOAT

IN: LITTLE HARBOR
 AT: COHASSET, MA, COUNTY OF NORFOLK
 APP: JOHN AND VIRGINIA WIELAND
 LAST REVISION DATE: 9/27/2021

ADJACENT PROPERTY OWNERS:
 1. THEODORE P. KRAMER TRUST,
 59 JOY PLACE
 2. PAUL V. AND DEMETRA A. FARREN
 21 GAMMONS ROAD
 3. THE MICHELLE A. BOURNAY-BOWER
 TRUST, 61 JOY PLACE

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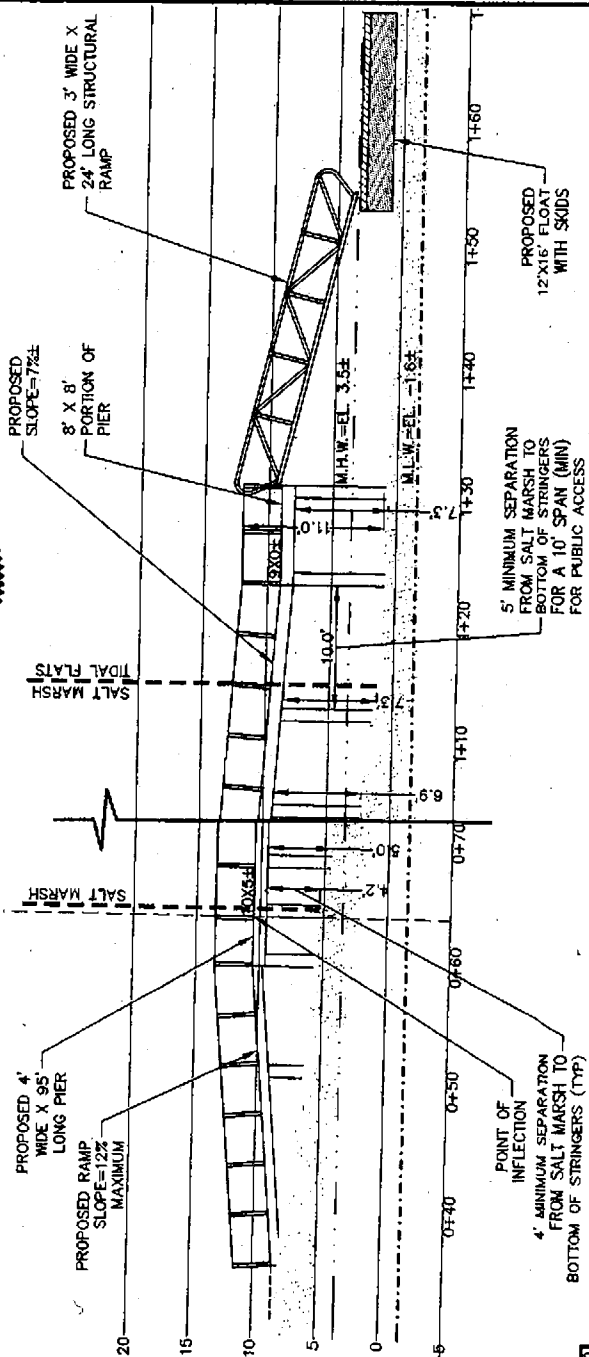


DATUM: NGVD 1988



PROFILE

PLAN ACCOMPANYING PETITION OF
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 TO CONSTRUCT AND MAINTAIN A PIER, GANGWAY AND
 FLOAT IN LITTLE HARBOR, TOWN OF COHASSET,
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LICENSE PLAN NO. 15466
 Approved by Department of Environmental Protection
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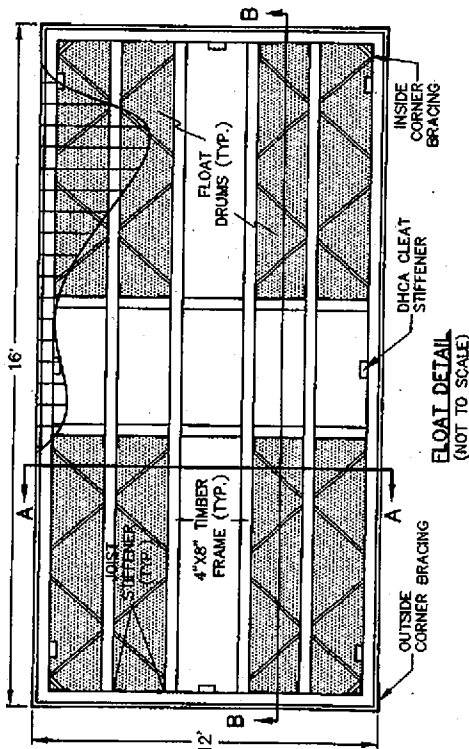
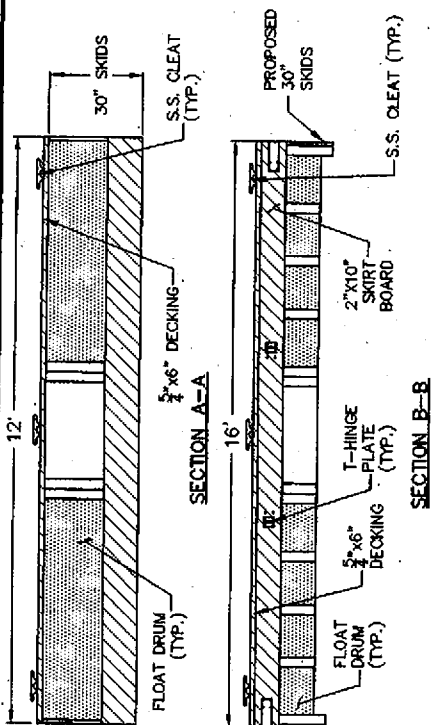
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DETAILS

PLAN ACCOMPANYING PETITION OF
JOHN AND VIRGINIA WIELAND
TO CONSTRUCT AND MAINTAIN A PIER, GANGWAY AND
FLOAT IN LITTLE HARBOR, TOWN OF COHASSET, COUNTY
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LAST REV. 11/22/2021



LICENSE PLAN NO. 15466
Approved by Department of Environmental Protection
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