

Overview

SITEC was contracted to perform an historical survey of the Town owned land to determine deeded boundaries, rights of ways and expressed public rights. Research was performed through the Registry of deeds, The Westport Historical Society and from local historians. There are several illustrative figures included showing the original properties, licenses and public access.

It should be mentioned here that Massachusetts has a unique set of laws giving coastal property owners more extensive private rights to beachfront area than other states. In most coastal states, there is unlimited public access to beachfront areas and you can walk unfettered along the beach. In Massachusetts, however, that is not the case. Here private coastal property owners own the beach area adjacent to their properties down to the mean low tide area, with some limited public access exceptions. This is how the concept of “private” beach areas have been established.

The origin of this law dates back to the Mayflower days. In order to facilitate coastal development, under the Colonial Ordinances of 1641-47, the Massachusetts Bay Colony conveyed most, but not all, rights of ownership to the area between the average or mean high water mark and the low water mark (up to 100 “rods,” or 1,650 feet, from the high water mark) to all private coastal landowners. The land—but not the water—between the two tide marks is known as “private tidelands.” This typically includes all of the wet sand area on beaches. Most people are familiar The Colonial Ordinance reserved three specific and important rights of public use within the private tidelands for “fishing, fowling and navigation.” Those permissible uses have been broadly interpreted by Massachusetts courts to include:

- (1) the right to fish or to collect shellfish on foot or from a vessel;
- (2) the right to navigate, including the right to float on a raft, windsurf, or sail; and
- (3) the right to hunt birds for sport or sustenance, on a boat or on foot.

Since 1866, waterfront development has been regulated by the Commonwealth for the purpose of protecting rights of both the landowner and the public in the “private tidelands.” This has been codified in Chapter 91 of the Massachusetts General laws. All activities within the public waters and “private tidelands” require extensive permit review from various state agencies. It is commonly accepted that tidelands that have been filled, either licensed or unlicensed, are land belonging to the Commonwealth, with public and private rights usually specified.

Prior to the acts of 1866, the filling of tidelands typically required an act of the legislature to obtain exclusive rights to the filled lands. It is our understanding that even with an act of the legislature ownership and rights may still be in question.

There are several other legal issues that were found that SITEC believes should be discussed with Town Counsel. This would include the use of a “Public Landing”, title to filled lands, the “discontinuance “ of the bridge, and longtime prescriptive uses. These issues would affect the current and future uses of properties, and the ability of the Town to permit or prohibit uses.

A plan suitable for recording has been produced by SITEC, showing Town owned land including the ancient landing and public use of Main Road. It is believed that this plan will be useful to set up parking and use restrictions for the Point area.

Town Owned Land

The Town of Westport acquired the landing at "Paquachuck Point" by transfer from Dartmouth upon incorporation in 1787. The landing was laid out in 1717 by the Proprietors/Selectman of Dartmouth with an accurate survey. It is interesting to note in this description that there is only water to the south of the Landing, indicating there was some land to the east and west of the Landing. Unfortunately, the original monuments called for in the description were obliterated. In 1847 the commission formed to reconstruct the boundaries set new monuments to delineate the landing. The corners were marked with four stone posts, two of which remain. One is located at the Southwest corner of the porch of the Paquachuck Inn, the other stands about 5 feet tall and is located in the center of the turnaround. There are several historical photos which show this stone.

There was also a four rod (66') wide way laid out running northerly from the landing. I have shown what this would look like on Figure 1. Currently Main Road, as actually occupied by pavement and sidewalks, runs between 32-38' of width from the Inn to the post office. This causes somewhat of a conflict with the original way. SITEC held existing occupation and deeds to establish the width.

The Point Bridge which was constructed in 1893, was paid for by the Town. Some filling to the southeast of the landing was required to create a "ramp" for the bridge entrance. The bridge was "discontinued" in 1962, and dismantled shortly thereafter. As this came from the Town owned landing land, and is filled Commonwealth Tidelands, I believe that the Town controls the rights to this land.

Fill has been placed southerly from the historic landing description to what is known as the "Mud Dock".

This area is also believed to be under the Town control.

Additionally the "Central" wharf which was purchased by the Town in 1934, also filled tideland, is currently under Town control. Interestingly, the Town allowed this wharf to be built by a vote of Town Meeting, in 1805 by petition of Peter Macomber and others, but did not follow through with an act by the State legislature.

The other issue interesting is the Town has taken over control of the west wharf, although they were never "deeded" the wharf. This wharf appears in older descriptions to Isaac palmer, Isaac Cory, but the description as a "parcel" does not continue forward to the present day.

There are also believed to be prescriptive easements across the original landing for the benefit of Lees Wharf and Properties now owned by Robert Haines Realty Trust. While it appears there is no specific grant of easement, these have been historically exercised over the centuries.

Public “Rights” at the Point

The historic filling of the two wharves were done with approval votes from Town Meeting. The Wharf construction was allowed with certain provisions. The vote for the Mayhew (Lees) petition was conditioned on “more convenient for vessels and more advantageous to the Public.” The central wharf was allowed under the provision to allow “suitable and convenient passages or passways from the Town Landing.”

Waterways permits allow for Public access along the shorelines. If the Public access to and along the shore is made difficult due to filling, or construction of piers and docks, then easements are created for the public access. This requirement under the Waterways program is congruent with the Colonial ordinances. Robert Haines, Lees Wharf, and Leach and Sons marina all have current valid waterway licenses that include these type of easements. (Appendix B)

The decision as to rights on the “public Landing” should be established. It has been enacted that the Town, through its’ Landing Commission has all rights to oversee activities within the landings. There are questions as to whether the landings are established exclusively for water dependent activities.

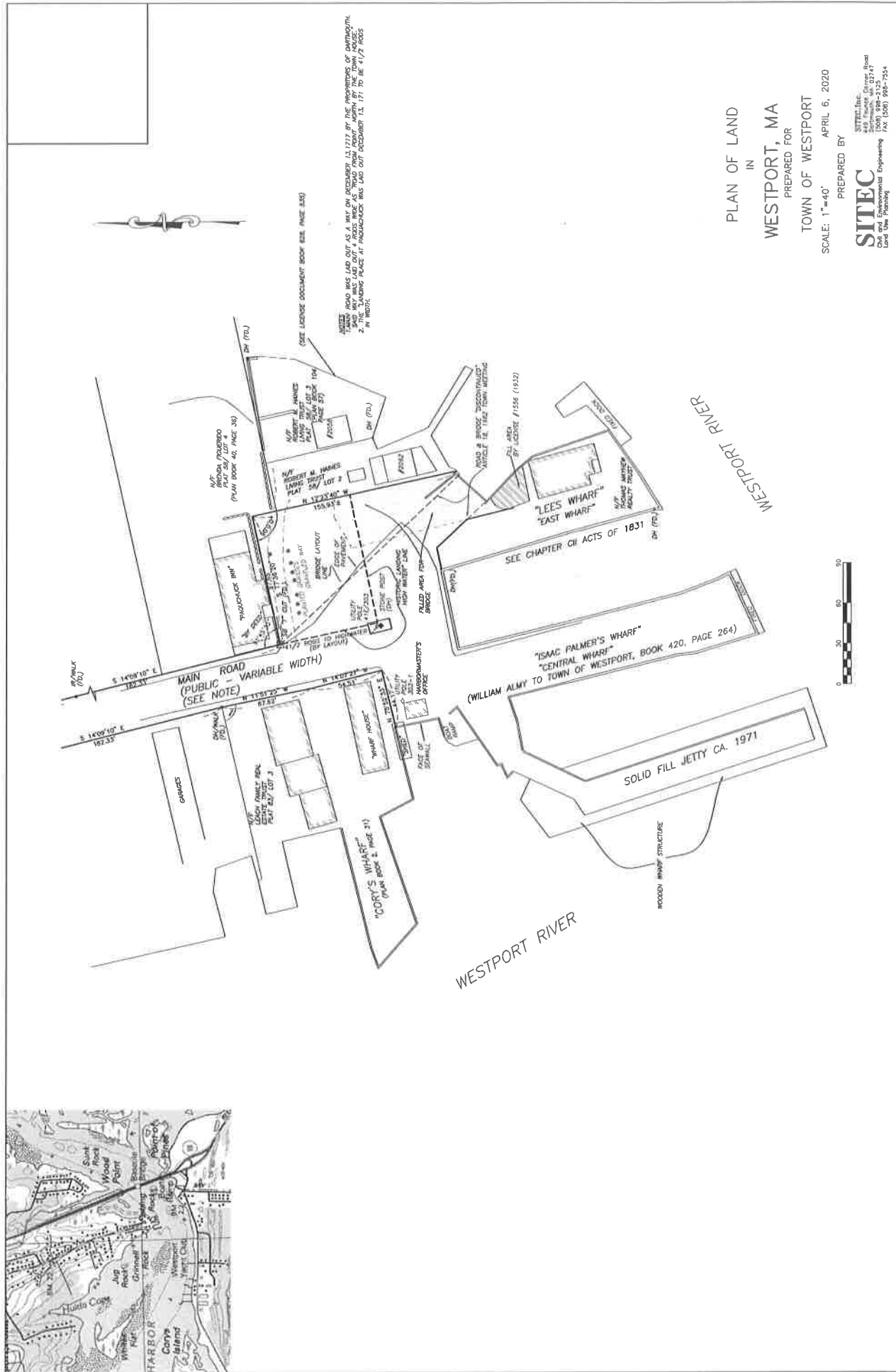
Westport Point Timeline Document

- 1700 - Christopher Gifford buys "60 Acres at Paquachuck Point" From David Wilcox of the "Colony of Road Island & Providence Plantations" for the sum of fifty pounds (Taunton Registry Book 3, Page 103, and Figure 1, Appendix B)
- 1717 December 13, 1717 selectman of Dartmouth lay out a "landing place only" at the end of Paquachuck Point (Appendix D, page D1)
- 1717 Selectman of Dartmouth lay out a "4 rod way" (66') leading from the northwesterly corner of the landing northerly to "William Woods Land". (Figure 2, Appendix B see also Appendix D, page D2)
- 1717-1790 Christopher Gifford deeds out several parcels to family members and others including The Davis Family and Nathan Brownell who start commercial development of point Oldest known building a "fish" house built around 1740. (possibly later the "Salt House")
- 1787 Town of Westport is incorporated, Act of legislature gives Westport "all lands and rights" Town of Dartmouth had within the incorporated borders
- Ca. 1790 Easterly end of Wharf House is built on Cory's Wharf
- 1790 Town of Westport voted three overseers for town landings, Stephen Peckham, Jonathan Gifford and Benjamin Davis were chosen on said committee.
- 1794 Isaac Cory purchases the "Salt House Wharf" from Christopher Gifford extending easterly from the Town Landing (Now owned By Haines)
- 1805 Town meeting allows upon the report of a committee appointed by the Town meeting of 1803, to allow "Peter Macomber, and a number of inhabitants to build a wharf in the river opposite the town's landing at the point." The wharf to be "25 feet wide and fifty five feet on the channel." (There is no action by the state legislature to allow this construction that was found during the research. This is the "central" wharf.) (Appendix D, page D3)
- 1806 Isaac Cory purchases several lots from Davis et al, including wharves and houses at point and land where Paquachuck Inn stands. It also includes the central wharf, the westerly wharf, and the lot containing a store, now the harbormasters office. Oversees filling of wharf now Leach and Sons Marina, and the westerly end of Wharf Housie ca 1824 (Taunton Book 88, pages 18 & 19)

- ca. 1827 Paquachuck Inn is constructed, as General store and residence.
- 1829 Isaac Palmer purchases the store and wharves known as the central and westerly wharves. The central wharf is commonly called the Palmer Wharf, and is referred to in the acts of the legislature creating "Lees" wharf.
- 1830 Chapter 102 of 1831, Act of state legislature grants Thomas Mayhew and others permission to construct a wharf "provided the erection and improvements of said wharf shall in no wise affect the legal rights of any other persons or persons whatsoever." (Figure 3, Appendix B see also Appendix D, page D5)
- 1841 Alexander Cory and Gideon Davis purchase lots Around Paquachuck Inn expanding Inn lot.
- 1847 Commission formed to ascertain layouts and limits of town landings. The landing commission could not find original monuments from 1717, and established new monuments. (Two of these monuments still exist. Appendix D, page D7)
- 1871 Town considers petition to state legislature to construct bridge from Westport point to Horseneck
- 1877 Town petition to renew authorization for the bridge from Westport point
- 1885 Town votes to postpone funding (\$10,000) of bridge
- 1893 Plans of proposed Bridge are drawn and approved by Harbor Commission September 26, 1893 (Appendix C, page C49-50)
- 1904 Bridge is reconstructed to allow for bridge opening
- 1925 Town votes to purchase the William Almy (Aka Palmer wharf) wharf. Purchased finalized in 1934.
- 1925 Adelard Menard is given a license under Waterways permit (Lic # 616) to fill in the area east of the Town Bridge and Build a seawall. (Appendix C, page C14)
- 1930 Albert Lees is deeded the eastern wharf from the heirs of William Howland. This is the "first" deed for this property.
- 1932 Albert Lees Receives a license to fill between the East Wharf and the Bridge. (Appendix C, page C2)

- 1934 Town of Westport receives permission to construct 48" culverts under the East and Central docks, and dredge between the two (Appendix C, page C2)
- 1938 Hurricane damages Docks, wharves and buildings
- 1939 Town votes to fill in dock. Place concrete cap on dock
- 1954 Hurricane damage again. More fill placed on westerly end of wharf house. Concrete seawall and caps installed.
- 1962 Town votes to discontinue the Westport Point Bridge
- Ca 1974 Town constructs bridge connecting central and western wharves

APPENDIX A
SITEC PLAN



TOWN OF WESTPORT

SCALE: 1"=40'

PREPARED BY

STEC

SITEC
Civil and Environmental Engineering
Land Use Planning

SITEC, Inc.
449 Francis Carner Road
Bartlett, IL 60133
(508) 998-2125
FAX (508) 998-7554

APPENDIX B

Figures 1-3

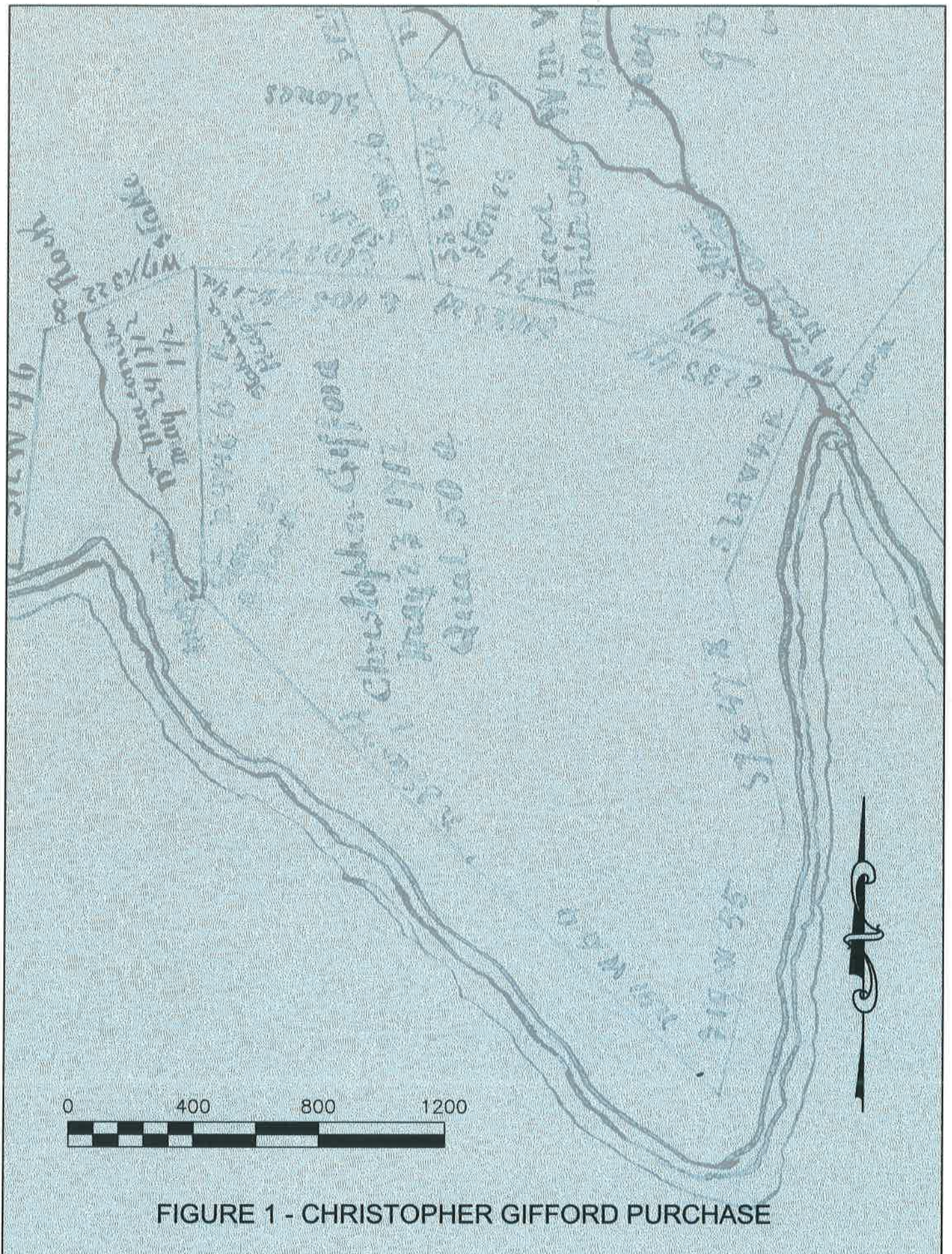




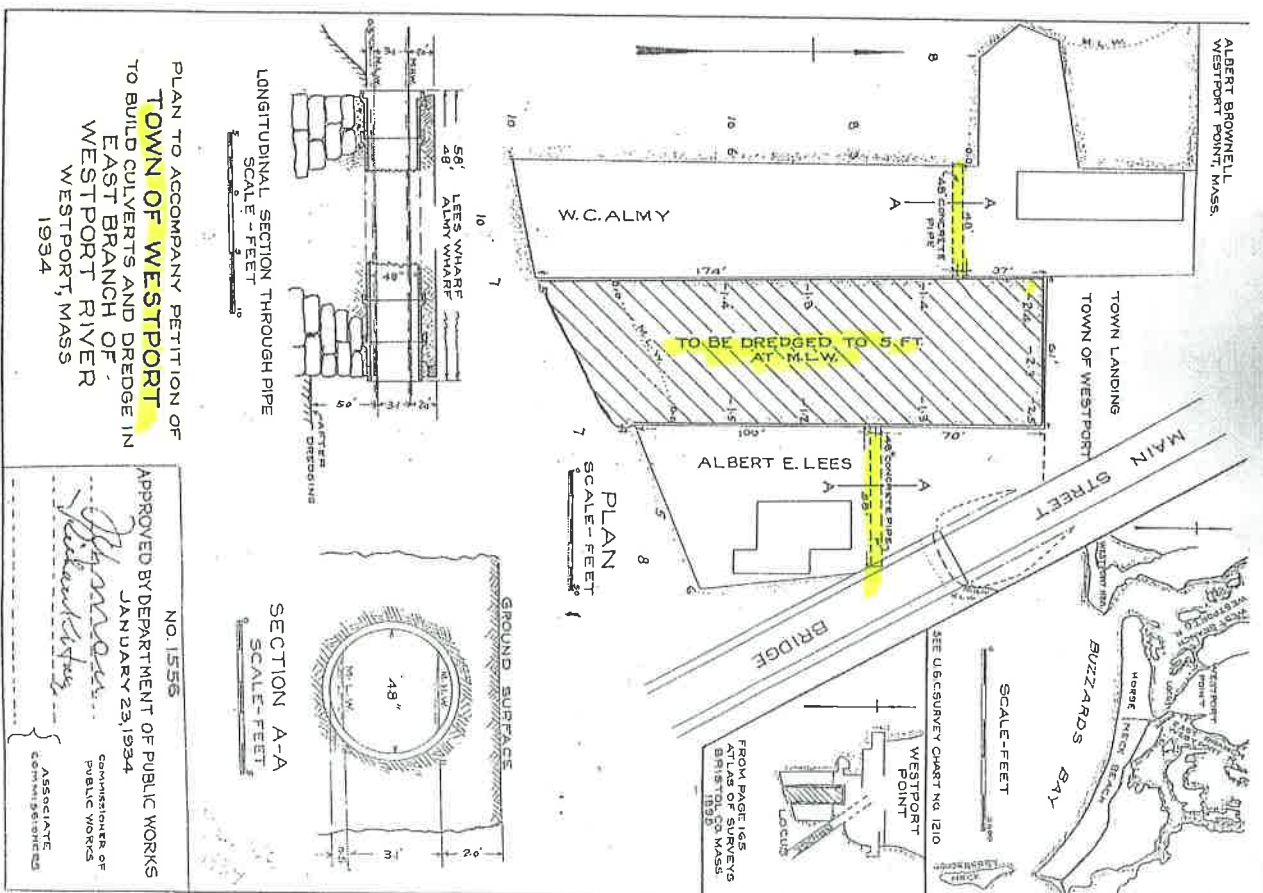
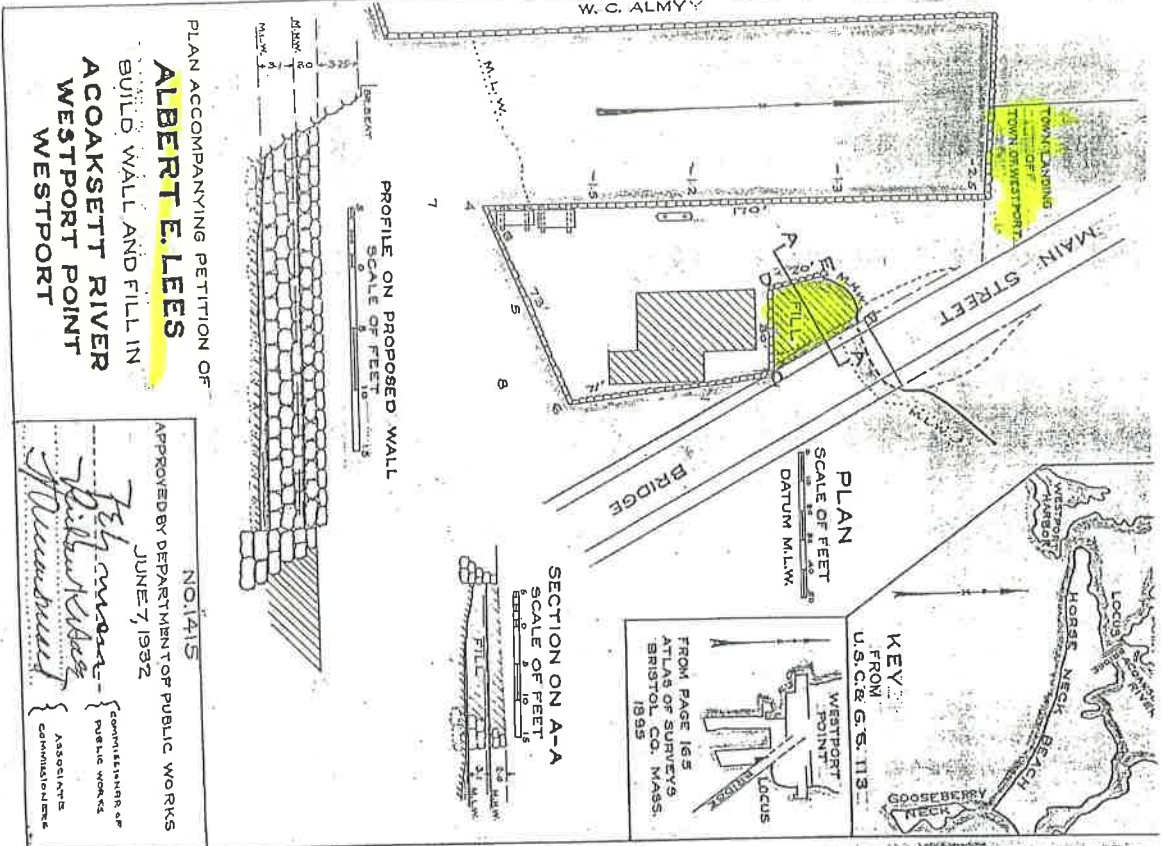
FIGURE 1 - CHRISTOPHER GIFFORD PURCHASE





APPENDIX C
LICENSE DOCUMENTS & BRIDGE PLANS

Lees Wharf



PB 137
PG 100

BK 3898 PG 317
06/26/97 02:01 DOC. 14248
Bristol Co. S.D.

The Commonwealth of Massachusetts

No. 6197



Whereas, Lees Realty Trust

of -- Westport --, in the County of -- Bristol -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- maintain an existing pile supported pier, buttress piles pump house, water tanks, cooler, dolphins, mooring piles, and fill -----

and has 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 Westport; -----

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

-- Lees Realty Trust --, 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 -- maintain an existing a pile supported pier, buttress piles, pump house, water tanks, cooler, dolphins, mooring piles, and fill -----

in and over the waters of -- Westport River -- in the -- Town -- of -- Westport -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 6197, (6 sheets).

PRINTED ON RECYCLED PAPER

License No. 6197

Page 2

The structures hereby authorized shall be limited to the following uses: to provide commercial fishing, and processing facilities, and shoreline stabilization for the protection of a water dependent use.

Fill and structures previously authorized by the following Acts and licenses shall be maintained in conformance with the terms and conditions of said authorizations: Chapter 102 Acts of 1830, Chapter 125 Acts of 1893, Department of Public Works License Nos. 1415, and 1556. Under Chapter 125 Acts of 1893 the Licensee shall maintain the existing fill. The bridge authorized under said Act has been removed and the road discontinued under Article 18 of the Town of Westport.

This license will expire ninety-nine (99) years from the date of issuance.

SPECIAL WATERWAYS LICENSE SPECIAL CONDITIONS

1. Accordingly, the Licensee shall place and maintain, in good repair, a public access sign on the westerly side of the wharf authorized herein and at each property line, adjacent to the mean high water shoreline. Said signs, provided by the Department, shall be posted immediately upon receipt. 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 the private use of structures and fill on Commonwealth tidelands, the Licensee shall allow the public to pass on foot, for any purpose and from dawn to dusk, within the public accessway delineated on the license plan. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activity by users of the area(s) intended for public passage, including but not limited to trespassing on 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 shall apply.
 3. The steel bents used to support the previously removed bridge authorized under the Acts of 1893 shall be removed within two (2) years of License issuance. The bents shall be cut at or below the mud line, removed and properly disposed of.
- The project authorized herein has been completed in conformance with the accompanying License Plan. The issuance of this License, therefore, fulfills the Licensee's obligation to obtain a Certificate of Compliance pursuant to 310 CMR 9.19.
- Please see page 3 for additional conditions to this license.

Duplicate of said plan, number 6197 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 DRP, Division of Water Pollution Control.

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.

☐ a 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.

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. 6197

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 -- Lees Realty Trust -- 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 (5.0 cu. yds. = \$10.00).

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 -- Bristol.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this sixth day of June in the year nineteen hundred and ninety-seven.

Commissioner
Program Chief

David B. Smith
Elizabeth A. R. Johnson

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 -- Lees Realty Trust --

the further sum of -- two thousand three hundred thirty-six dollars and zero cents (\$2336.00)

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.

William F. Weld
Governor

201-661

REC'D & RECORDED
1997 JUN 26 PM 2:00

REGISTRY OF DEEDS
BRISTOL COUNTY
SOUTHERN DISTRICT

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin 3/15/96
REGISTERED PROFESSIONAL ENGINEER DATE

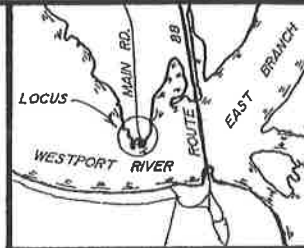
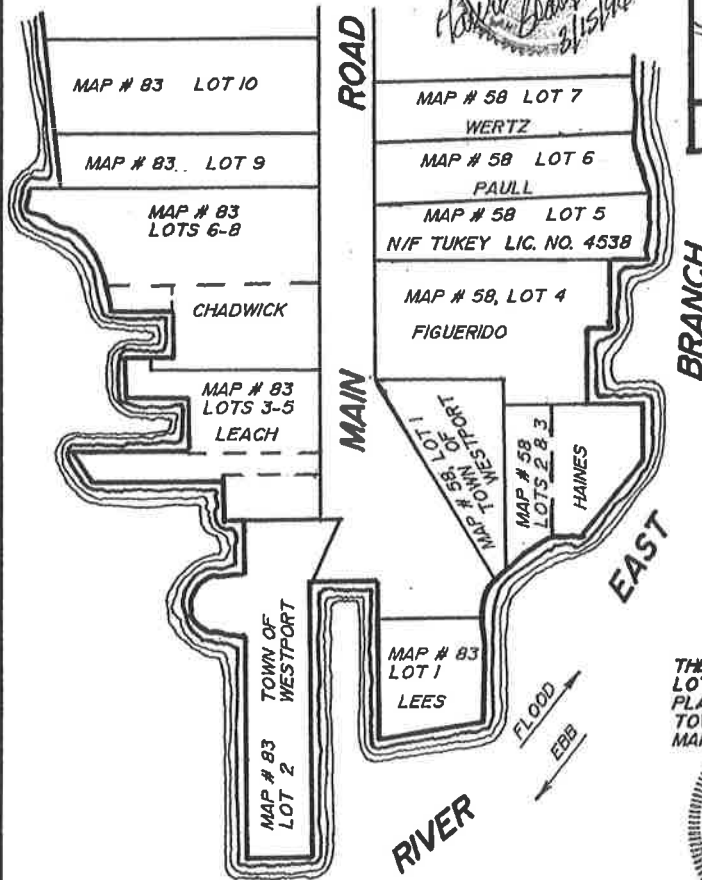
I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC AND PRIVATE STREETS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

Maurice Beaudoin 3/15/96
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

PROPERTY MAP

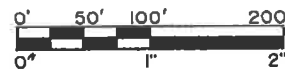
SCALE: 1" = 100'

15 MARCH 1996



LOCUS MAP

SHEET NO. 1 OF 5



THE CONFIGURATION, SHAPE AND LOT NUMBERS SHOWN ON THIS PLAN ARE TAKEN FROM THE TOWN OF WESTPORT ASSESSORS MAPS.



BANNISTER CONSULTANTS, INC.
CIVIL & CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MA 02779

PLANS ACCOMPANYING THE PETITION OF LEES REALTY TRUST TO LICENSE AND MAINTAIN A WHARF, TIMBER PIER AND PILES IN THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASSACHUSETTS

LICENSE PLAN NO. 6197
Approved by Department of Environmental Protection of Massachusetts
David R. ... COMMISSIONER
E.A. ... PROGRAM CHIEF
JUN 06 1997 DATE

137-100

137-100

201-681

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin 3/15/96

REGISTERED PROFESSIONAL ENGINEER DATE

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Maurice Beaudoin 3/15/96

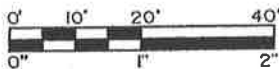
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

FOR REGISTRY USE ONLY

137-100

EXISTING SITE CONDITIONS

15 MARCH 1996



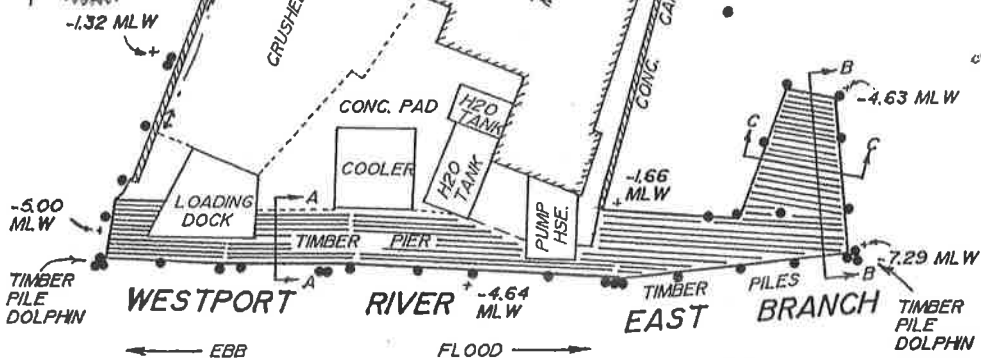
SCALE: 1" = 20'

LICENSE PLAN NO. 6197

Approved by Department of Environmental Protection
Date: JUN 06 1997

SEE LICENSE NO. 1556 GRANTED TO THE TOWN OF WESTPORT TO CONSTRUCT CULVERTS AND DREDGE.

THE ENTIRE SITE SHOWN ON THIS PLAN LIES WITHIN ZONE AII FIRM COMMUNITY NO. 255224, PANEL 004C, JULY 15, 1992.



PLANS ACCOMPANYING THE PETITION OF LEES REALTY TRUST TO LICENSE AND MAINTAIN A WHARF, TIMBER PIER AND PILES IN THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

BANNISTER CONSULTANTS, INC.
CIVIL & CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MA 02779

137-100

137-100

Machine Scanline 3/15/96
REGISTERED PROFESSIONAL LAND SURVEYOR DATE


SHEET NO. 3 OF 6

SCALE: 1" = 30'

-
- SHEET NO. 3 OF 6**
- MASSACHUSETTS COMMONWEALTH OF MASSACHUSETTS**
MAURICE BEAUDOIN
 No. 15374
 CIVIL ENGINEER
 STATE SURVEYOR
- LIMITS OF FILLED TIDELAND FOR 1893 WESTPORT POINT BRIDGE.**
- LIMITS OF FILLED TIDELAND AUTHORIZED 7 JUNE 1932. WATERWAYS LICENSE NO. 1415.**
- OLD BRIDGE SEAT**
- STRUCTURES, FILLS AND PILES UNDER THIS AMNESTY LICENSE. SEE SHEET NO. 2 FOR DETAILED LOCATION PLAN.**
- LOCATION LINE OF 1893 WESTPORT POINT BRIDGE**
- WOODFRAME BUILDING**
- BENT**
- PIER**
- TIMBER**
- BRIDGE**
- EAST BRANCH**
- WESTPORT RIVER**
- LIMITS OF WHARF AUTHORIZED BY THE STATE LEGISLATURE 17 MARCH 1893.**
- PILES UNDER THIS AMNESTY LICENSE SEE SHEET NO. 2 FOR DETAILED LOCATION PLAN.**
- 48" R.C.P.**
- LINE OF**
- POINT**
- UNDER THIS AMNESTY LICENSE SEE SHEET NO. 2 FOR DETAILED LOCATION PLAN.**
- UNDER THIS AMNESTY LICENSE SEE SHEET NO. 2 FOR DETAILED LOCATION PLAN.**
- LICENSE PLAN NO. 6197**
- Approved by Department of Environmental Control**

WESTPORT RIVER
LICEN

LICENSE PLAN NO. 6197
Approved by Department of Environmental Protection
Date JUN 06 1997

 **BANNISTER CONSULTANTS, INC.**
CIVIL & CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MA 02779

137-100

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin 3/15/96
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

137-100

FOR REGISTRY USE ONLY

DETAIL SHEET

GRAPHIC SCALE

3/8" = 1'-0"

TIMBER PIER - EXISTING CONDITIONS

SECTION A-A

15 MARCH 1996

LICENSE PLAN NO. 6197

Approved by Department of Environmental Protection
Date: JUN 06 1997



FENDER & SUPPORT PILE
(TYPICAL)

3 x 12 TIMBER DECK

CONCRETE DECK / CAP

(EXISTING FRAMING)

FEDERAL HIGH TIDE LINE

4 x 12 FRAMING
EACH SIDE OF PILES

MEAN LOW WATER = -1.6 MSL

EXISTING STONE / GRAVEL
CLEAN FILL

GRANITE FACED PIER

12" x 12" TIMBER (OAK) PILE

12" x 12" TIMBER (OAK) PILE



SHEET NO. 4 OF 6

PLANS ACCOMPANYING THE
PETITION OF LEES REALTY TRUST
TO LICENSE AND MAINTAIN A WHARF,
TIMBER PIER AND PILES IN THE EAST
BRANCH OF THE WESTPORT RIVER,
WESTPORT, BRISTOL COUNTY, MASS.

BANNISTER CONSULTANTS, INC.
CIVIL & CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MASS.

137-100

201-481

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin 3/15/96
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

137-100

FOR REGISTRY USE ONLY

DETAIL SHEET

TIMBER PIER - EXISTING CONDITIONS

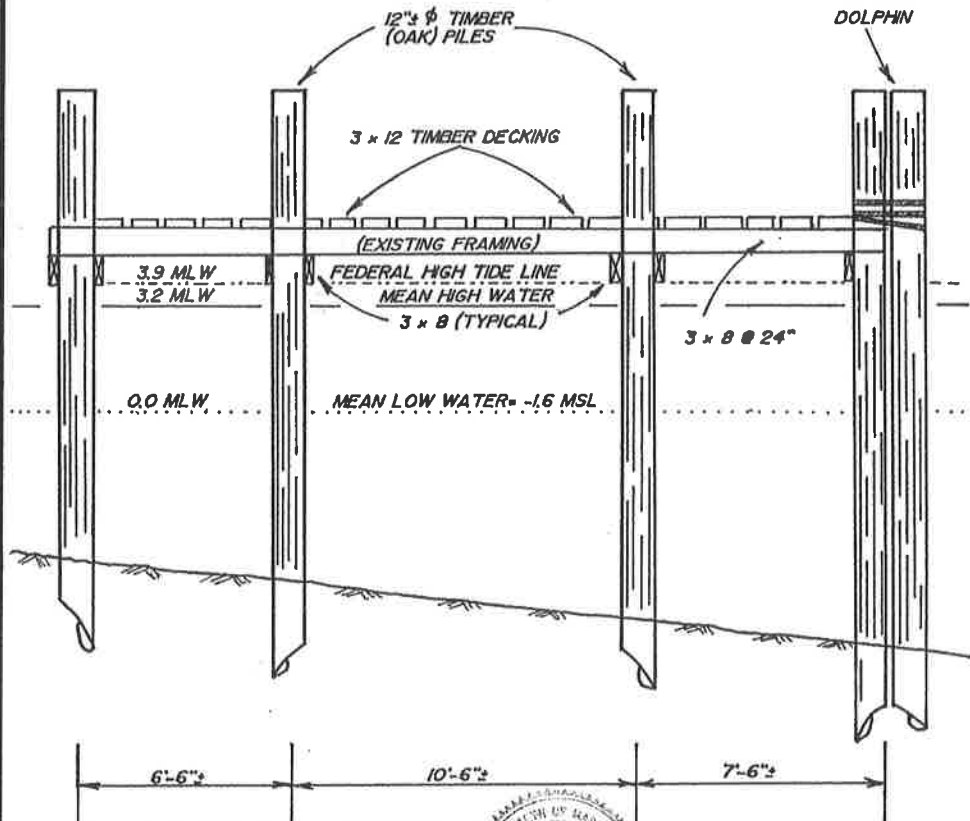
SECTION B-B

15 MARCH 1996

GRAPHIC SCALE



1/4" = 1'-0"



LICENSE PLAN NO. 6197

Approved by Department of Environmental Protection
Date:



SHEET NO. 5 OF 6

PLANS ACCOMPANYING THE PETITION OF LEES REALTY TRUST TO LICENSE AND MAINTAIN A WHARF, TIMBER PIER AND PILES IN THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

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137-100

001-681

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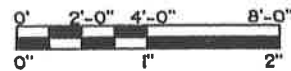
DETAIL SHEET

TIMBER PIER - EXISTING CONDITIONS

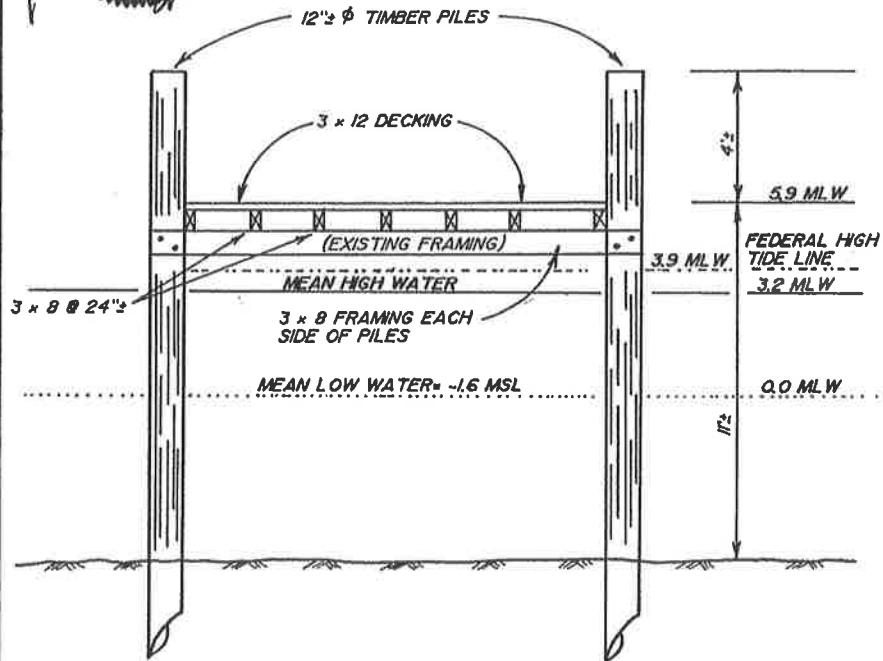
SECTION C-C

15 MARCH 1996

GRAPHIC SCALE



1/4" = 1'-0"



LICENSE PLAN NO. 6197

Approved by Department of Environmental Protection
 Date JUN 06 1997

SHEET NO. 6 OF 6

PLANS ACCOMPANYING THE PETITION OF LEES REALTY TRUST TO LICENSE AND MAINTAIN A WHARF, TIMBER PIER AND PILES IN THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

BANNISTER CONSULTANTS, INC.
 CIVIL & CONSTRUCTION ENGINEERS
 LAND SURVEYORS
 19 SEYMOUR STREET
 BERKLEY, MASS.

137-100

137-100

Haines Living Trust

8

14

20

24

28

The Commonwealth of Massachusetts
 No. 616. (STATE SEAL)

1499
 Comm. of Mass.

Whereas Adelard Menard of Fall River in the County of Bristol and Commonwealth aforesaid has applied to the Department of Public Works Division of Waterways and Public Lands for license to build and maintain a sea wall and fill solid in Westport in the town of Westport and has 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 Selectmen of the town of Westport

to
 Menard

Now said Department, Division of Waterways and Public Lands having heard all parties desiring to be heard and having fully considered said application hereby authorizes and licenses the said Adelard Menard 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 build and maintain a sea wall and fill solid in Westport River at his property in the town of Westport in conformity with the accompanying plan No. 616.

The area within the following described lines may be filled solid; Beginning at a point marked B on said plan in the mean high water line and in the southerly boundary line of property of the licensee and running southeasterly 10 feet to a point marked C. in the line marked "Line Limiting structures Approved by the Department of Public Works September 1925" shown on said plan; thence running northeasterly in said last named line 90 feet more or less to a point marked D at a corner of the piazza of a building shown on said plan; thence running westerly in the present structure 41 feet more or less to a point marked E in the mean highwater line; thence running in the mean high water line to B. the point of beginning.

Said sea wall shall be built on said lines B-C-D-E before the filling is commenced.

The amount of tide water which will be displaced by the work authorized as aforesaid is estimated to be 115 cubic yards.

The recording of this license shall constitute an admission by the licensee that the foregoing estimate of displacement is correct. This license is granted subject to the laws of the United States. The plan of said work numbered 616 is on file in the office of said Department Division of Waterways and Public Lands and a duplicate of said plan accompanies this License and is to be referred to as a part hereof.

Compensation for the amount of tide-water displaced by the work hereby authorized shall be made by the said Adelard Menard his heirs, successors and assigns by paying into the treasury of the Commonwealth ten (10) cents for each cubic yard so displaced being the amount hereby assessed by said Department Division of Waterways and Public Lands.

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 one year from the date hereof in the Registry of Deeds for



29 of 1

140-602

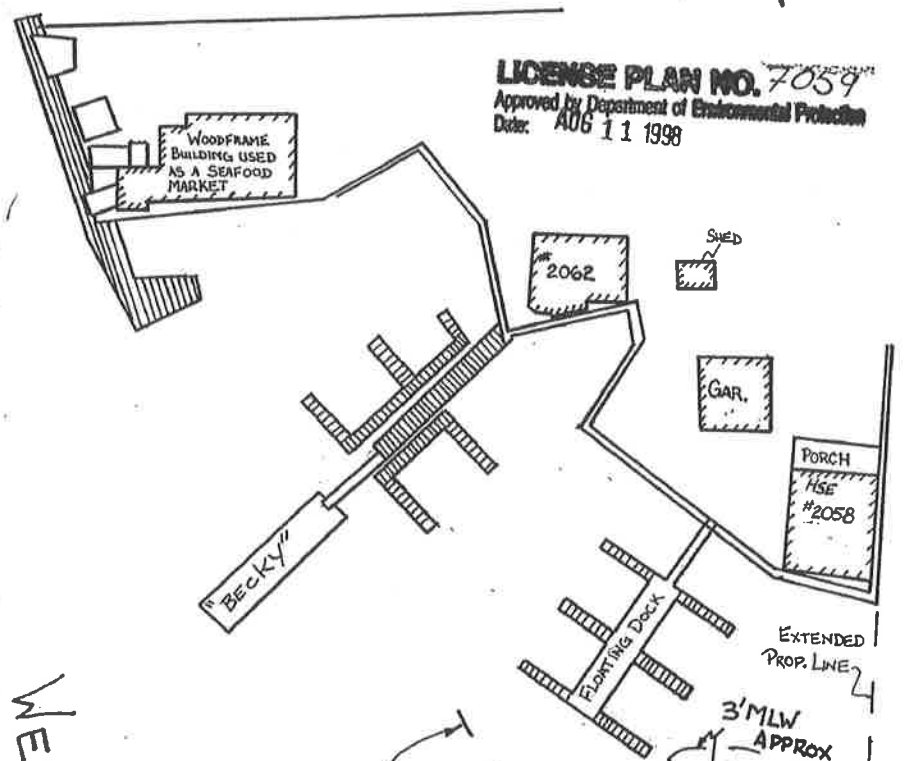
ADDENDUM TO W 95-4849 MAINTENANCE DREDGING

FOR REGISTRY USE ONLY

LOCATION OF SHORELINE &
STRUCTURES BASED ON
INSTRUMENT SURVEY OF APRIL 4, 1997



LICENSE PLAN NO. 7059
Approved by Department of Environmental Protection
Date: AUG 11 1998

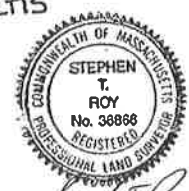


WESTPORT

EAST

AFTER DREDGE
INFO:
CONTRACT # 2794
EAST BRANCH WESTPORT RIVER
WESTPORT POINT
COMMONWEALTH OF MASSACHUSETTS
D.E.G.E.
DIVISION OF WATERWAYS
DATE: JULY 1978

BRANCH RIVER



Stephen T. Roy
10/21/93

SHEET 6 OF 6

140-602

140-602

e9-071

140-62

REC'D & RECORDED
1998 AUG 18 PM 1:10

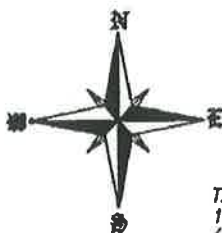
REGISTRY OF DEEDS
BRISTOL COUNTY
SOUTHERN DISTRICT

"I HEREBY CERTIFY THAT THIS PLAN
WAS PREPARED IN CONFORMANCE
WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF
THE COMMONWEALTH OF
MASSACHUSETTS."

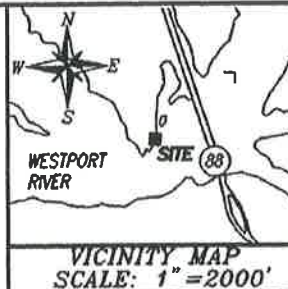
Paul W. Melançon
PAUL W. MELANÇON

Dec 2, 1997
DATE

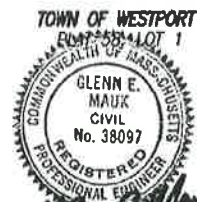
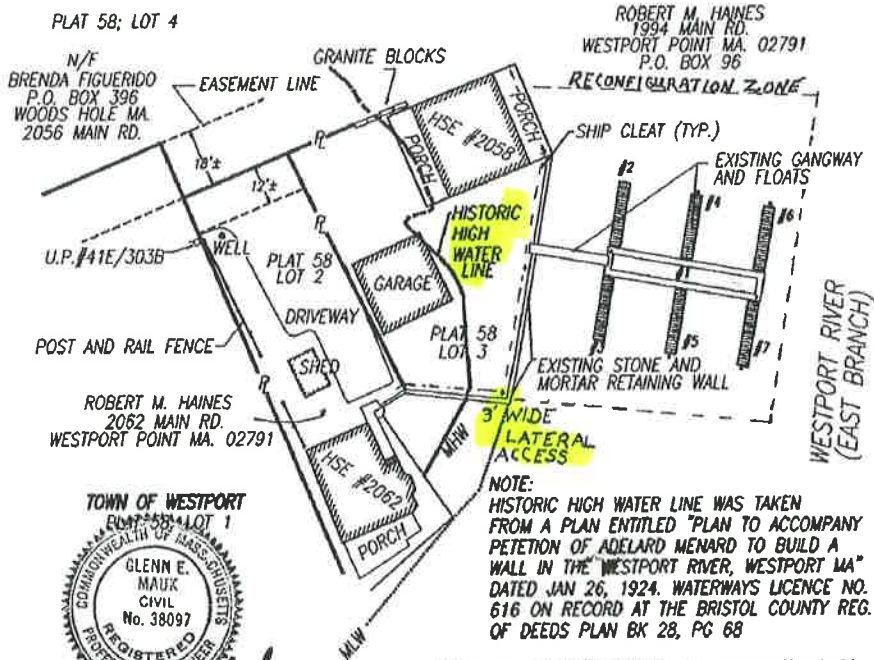
- LEGEND -



- P — Property Line
- 2 --- Existing Contour
- MLW Mean Low Water
- MHW — Mean High Water



THE SITE IS CONTAINED IN THE
100-YEAR FLOOD ZONE A11
(ELEVATION 13 NGVD) AS SHOWN
ON THE NFIP/FIRM COMMUNITY
PANEL NUMBER 255224 0014 C
DATED: JULY 15, 1992



40 0 40
SCALE IN FEET

PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA.

JULY 27, 1995

CLIENT # 336-01

SHEET 1 OF 6

NOTE:
HISTORIC HIGH WATER LINE WAS TAKEN
FROM A PLAN ENTITLED "PLAN TO ACCOMPANY
PETITION OF ADELARD MENARD TO BUILD A
WALL IN THE WESTPORT RIVER, WESTPORT MA"
DATED JAN 26, 1924. WATERWAYS LICENCE NO.
616 ON RECORD AT THE BRISTOL COUNTY REG.
OF DEEDS PLAN BK 28, PG 68

MAUK, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477
DATUM: MEAN LOW WATER ELEVATION = 0.0

LICENSE PLAN NO. 7059

Approved by Department of Environmental Protection
of Massachusetts

Elizabeth J. Koudoukian
Dec 2, 1997

140-62

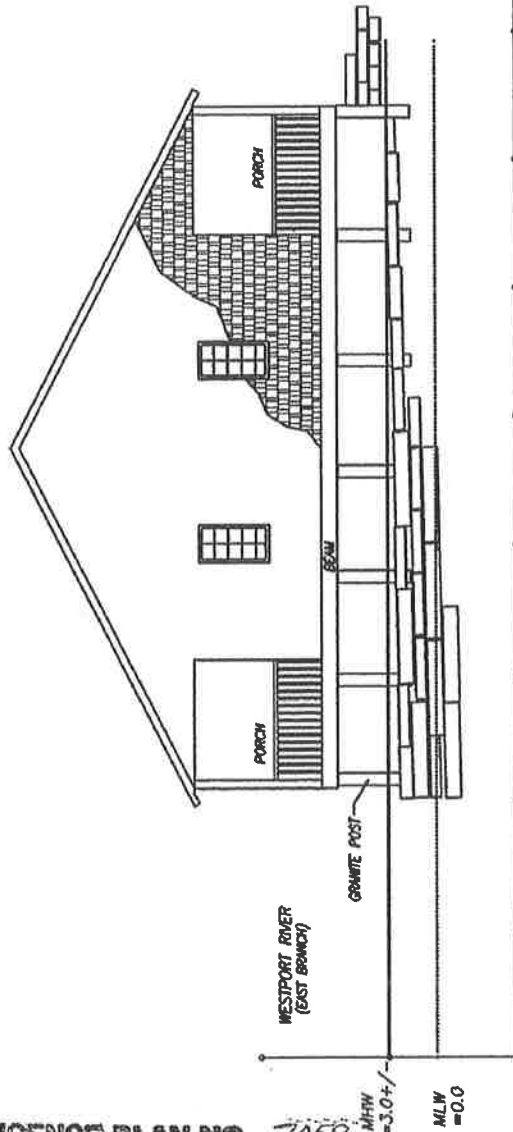
89-041

140-62

"I HEREBY CERTIFY THAT THIS PLAN
WAS PREPARED IN CONFORMANCE
WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF
THE COMMONWEALTH OF
MASSACHUSETTS."

Paul W. Melançon
PAUL W. MELANÇON

Dec. 2, 1997
DATE



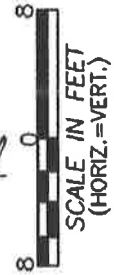
**PROFILE VIEW
EXISTING HOUSE (NORTH SIDE)
(LOOKING SOUTH)**

MAUK, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477

PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA.
CLIENT #336-01 7/27/95 SHEET 2 OF 6



Glenn E. Mauk
Dec. 2, 1997



LICENSE PLAN NO. 7059
Approved by Department of Environmental Protection
Date: AUG 11 1998

89-041

140-62

140-62

140-62

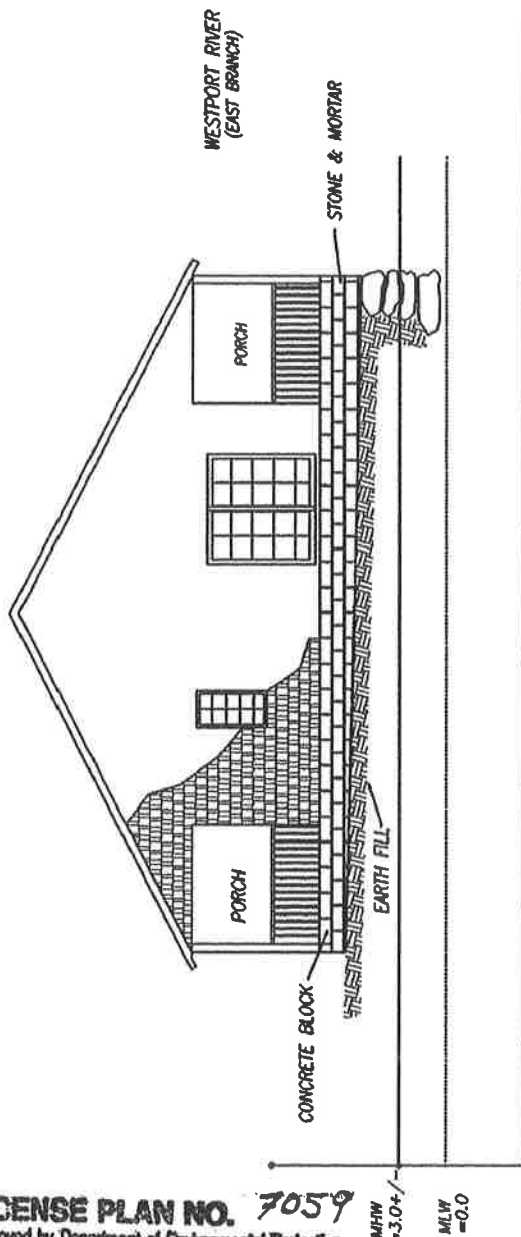
140-62

"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Paul W. Melançon
PAUL W. MELANÇON

DEC 2, 1997
DATE

LICENSE PLAN NO. 7059
Approved by Department of Environmental Protection
Order: AUG 11 1998



**PROFILE VIEW
EXISTING HOUSE (SOUTH SIDE)**
(LOOKING NORTH)



Glenn E. Maux
Dec. 21 1997



PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAYES TO LICENSE AND
MAINTAIN AN EXISTING FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA.

7/27/95

CLIENT #336-01 SHEET 3 OF 6

MAUX, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477

140-62

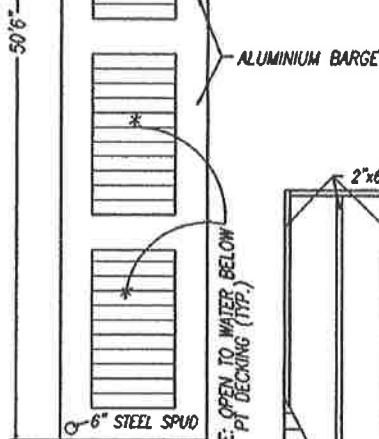
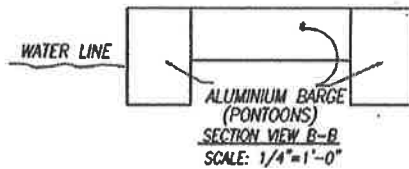
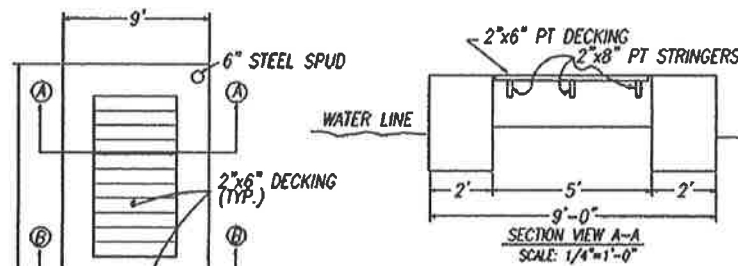
140-62

140-62

"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Paul W. Melançon
PAUL W. MELANÇON

Dec 2, 1997
DATE

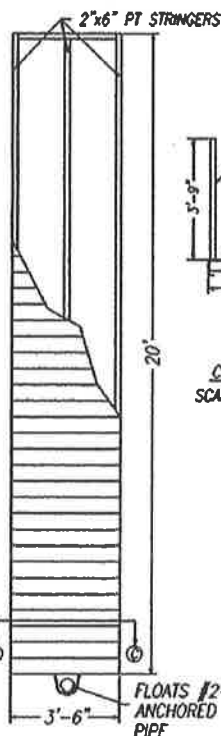


ALUMINIUM BARGE DETAIL
SCALE: 1/8"=1'-0"

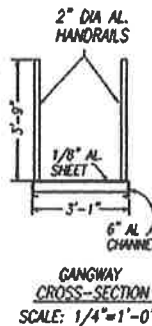


FOLLANSBEE TYPE
FLOATS @ OUTWARD
END OF TIMBER FLOAT

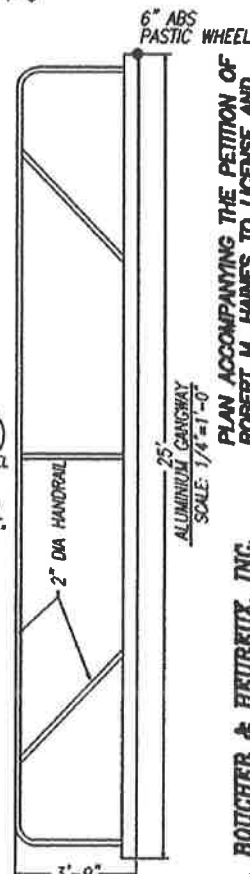
SECTION VIEW C-C
SCALE: 1/4"=1'-0"



TIMBER FLOAT (TYP.)
SCALE: 1/4"=1'-0"



GANGWAY
CROSS-SECTION
SCALE: 1/4"=1'-0"



ALUMINIUM GANGWAY
SCALE: 1/4"=1'-0"

LICENSE PLAN NO. 7059
Approved by Department of Environmental Protection
Date: AUG 11 1998

CLIENT # 336-01 7/27/95

PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HANES TO LICENSE AND
MAINTAIN AN EXISTING FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA

MAUK, BOUCHER & HEUREUX, INC.
CML ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477

140-62

140-62

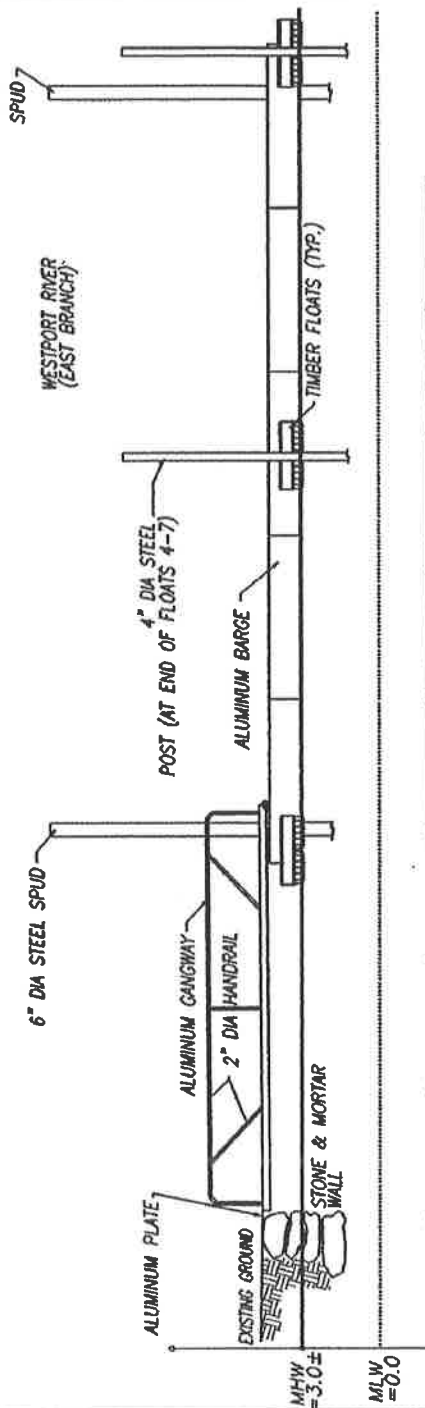
140-62

"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Paul W. Melançon
PAUL W. MELANÇON

DEC. 2, 1997
DATE

140-62



PROFILE VIEW
EXISTING GANGWAY, BARGE & FLOATS

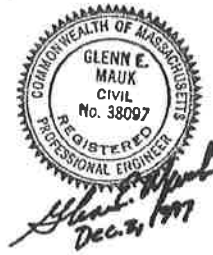
LICENSE PLAN NO. 7059
Approved by Department of Environmental Protection
Date: AUG 11 1998

MAUK, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
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PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA.

7/27/95

CLIENT #336-01 SHEET 5 OF 6



140-62

PB 140
pg 62

The Commonwealth of Massachusetts

No. 7059



~~Robert M. Haines~~

Robert M. Haines

of -- Westport --, in the County of -- Bristol -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- maintenance dredge approximately 98 cubic yards, maintain a gangway, float system and marina office and delineate a reconfiguration zone --

and has 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 Westport; -----

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

-- Robert M. Haines --, 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 -- maintenance dredge approximately 98 cubic yards, maintain a gangway, float system and marina office and delineate a reconfiguration zone --

in and over the waters of -- Westport River -- in the -- Town -- of -- Westport -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 7059, (6 sheets).

PRINTED ON RECYCLED PAPER

License No. 7059

Page 2

The structures hereby authorized shall be limited to the following uses: to provide a public recreational boating facility as defined by 310 CMR 9.02.

Fill and structures previously authorized by Department of Public Works License Number 616 shall be maintained in conformance with the terms and conditions of said authorizations.

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

SPECIAL WATERWAY LICENSE CONDITIONS

1. In accordance with any license condition, easement, or other public right of lateral passage that exists in the area of the subject property lying between the high and low water marks mark, the Licensee shall allow the public in the exercise of such rights to pass freely around all structures within such intertidal area.

Accordingly, the Licensee shall place and maintain, in good repair, a public access sign at each property line, adjacent to the mean high water shoreline. Said signs, provided by the Department, shall be posted immediately upon receipt. 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 Commonwealth 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, within the public accessway along or to the water's edge that has been delineated on sheet 1 of 6 of the license plan. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activity by users of the area(s) intended for public passage, including but not limited to trespassing on 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 shall apply.

3. Any berth authorized herein shall be assigned in a fair and equitable manner, via waiting list or other appropriate, unbiased means. Any contract or other agreement for the exclusive use of berths authorized herein shall have a maximum term of one year and may be renewable upon expiration on an annual basis.

4. Any berth authorized herein shall be made available for transient use during any period of vacancy in excess of 24 hours.

5. Any reconfiguration authorized under this license may proceed upon written approval by the Department, but without further licensing action if:

a. the Licensee submits to the Department a written request and plan for reconfiguration which does not extend beyond the delineation zone and which does not result in an increase in the area of waterway occupied from that which was originally licensed;

b. the Licensee submits to the Department a statement affirming that the material submitted to the Department has, at the time of such submittal, also been sent to the Zoning Board, Conservation Commission and the Harbormaster of the affected municipality, and that said Zoning Board, Conservation Commission and Harbormaster has been informed that they have 30 days to register, with the Department, any objections to the proposed reconfiguration plan;

c. all other applicable permits have been obtained, including any required approval under the Wetlands Protection Act.

License 7059

Page 3

At the expiration of this license, the marina shall be maintained in the last approved configuration.

6. In accordance with the Town of Westport's Board of Appeals decision, dated June 8, 1995, the Licensee shall restrict the number of vessels moored at the docking facilities authorized herein and in License No. 7060 to a total not to exceed twenty-five (25) berths. The docking facilities are further located and described on Sheet 1 of License No. 7059 and Sheet 1 of License No. 7060.

7. In accordance with the Town of Westport's Board of Appeals decision referenced in Special Condition Number 6, a parking plan shall be reviewed the Board of Appeals and sanitary facilities acceptable to the Board of Health shall be provided.

8. The Licensee shall not provide potable water to the marina without prior review and approval by the Department as a public water supplier.

9. The Department may make a determination at any time during the term of this license, that the dredge area shown on sheet 6 of 6, dated 10/21/97, has shoaled thereby creating a need for future maintenance dredging. Maintenance dredging is defined for the purposes of this Special Condition as when the sediments are above the elevation of minus 2.0 feet below the mean low water datum due to natural processes, the structures or any ongoing activities at the subject marina. If such a determination is made, the Department hereby reserves the right to require that the Licensee perform, or cause to have perform, such dredging at his or her own expense. Said dredging shall take place at the direction of the Department. The Licensee shall apply for and obtain all applicable local, state and/or federal permits, prior to the performance of any dredging activity, including a M.G.L. Chapter 91 dredge permit if a valid permit does not exist.

SPECIAL DREDGING CONDITIONS

1. Dredging shall be performed by mechanical methods.
2. Dredging shall be to a maximum depth of 4.0 feet below mean low water (MLW) datum.
3. No dredging shall take place from March 15 to June 15 unless written advice to the contrary is received by this office from the Division of Marine Fisheries
4. Maintenance dredging shall be performed when the sediments of any portion of the area authorized to be dredged are above minus 2.0 feet below the MLW datum as specified in Special Condition #9.
5. Maintenance dredging may be performed for a period of ten (10) years subsequent to the date of issuance of this license.

Please see pages 4 and 5 for additional conditions to this license.

Duplicate of said plan, number 7059 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.
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.
 - ☐ a 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.
- 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.

STANDARD WATERWAYS DREDGING CONDITIONS

1. This Waterways License is issued subject to all applicable federal, state, county, and municipal laws, ordinances, by-laws, and regulations, including but not limited to, a valid Order of Conditions issued pursuant to the Wetlands Protection Act, M.G.L. Chapter 131, s.40. In particular, this issuance is subject to the provisions of Sections 52 to 56, inclusive of Chapter 91 of the General Law and its Regulations 310 CMR 9.40(5), which provides, in part, that the transportation and dumping of dredge material shall be done under the supervision of the Department, and, when required, the Licensee shall provide at his/her expense a dredge inspector approved by the Department.
2. This Waterways License is issued upon the express condition that the dredging, transport and/or disposal of dredged material shall be in strict conformance with the Water Quality Certificate issued by the DEP, Waterways Regulation Program.
3. All subsequent maintenance dredging, and transport and disposal of dredged material during the term of this License shall conform to the standards and conditions applied to the original dredging operation performed under this License.
4. After completion of the work hereby authorized, the Licensee shall furnish to the Department a suitable plan showing the depths at mean low water over the area dredged. Dredging under this License shall be conducted so as to cause no unnecessary obstruction of the free passage of vessels, and care shall be taken to cause no shoaling. If, however, any shoaling is caused, the Licensee shall, at his/her expense, remove the shoal areas. The Licensee shall pay all costs associated with such work. Nothing in this License shall be construed to impair the legal rights of any person, or to authorize dredging on land not owned by the Licensee without consent of the owner(s) of such property.
5. The Licensee shall assume and pay all claims and demands arising in any manner from the work authorized herein, and shall save harmless and indemnify the Commonwealth of Massachusetts, its officers, employees, and agents from all claims, suits, damages, costs and expenses incurred by reason thereof.
6. The Licensee shall, at least three days prior to the commencement of any dredging in tide water, give written notice to the Department of the location and amount of the proposed work, and or the time at which work is expected to begin.
7. Whoever violates any provision of this License shall be subject to a fine of \$25,000 per day for each day such violation occurs or continues, or by imprisonment for not more than one year, or both such fine and imprisonment; or shall be subject to civil penalty not to exceed \$25,000 per day for each day such violation occurs or continues.

License No. 7059

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 -- Robert M. Haines -- 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 (0.0 cu. yd. = \$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 -- Bristol.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this eleventh day of August in the year nineteen hundred and ninety-eight.

Commissioner
Program Chief

Rob W. [unclear]
Elizabeth A. [unclear]

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 -- Robert M. Haines --

the further sum of -- three thousand one hundred fifty-one dollars and zero cents (\$3151.00)

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.

Angelo Paul Celli
Acting Governor

44-241

142-44

REC'D & RECORDED

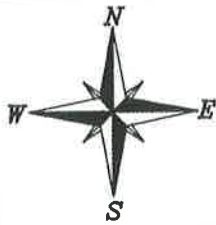
1993 APR 29 AM 9:56

REGISTRY OF DEEDS
BRISTOL COUNTY
SOUTHERN DISTRICT

"I HEREBY CERTIFY THAT THIS PLAN
WAS PREPARED IN CONFORMANCE
WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF
THE COMMONWEALTH OF
MASSACHUSETTS."

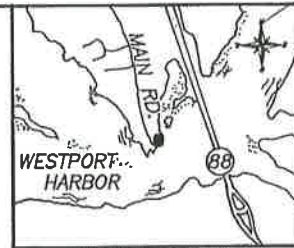
Paul W. Melancon
PAUL W. MELANCON

12/16/93
DATE



— LEGEND —

- P — Property Line
- Existing Contour
- MLW · Mean Low Water
- MHW — Mean High Water



VICINITY MAP
SCALE: 1"=2000'

BRENDA FIGUERIDO
P.O. BOX 396
WOODS HOLE MA.
2056 MAIN RD.

ROBERT M. HAINES
2062 MAIN RD.
WESTPORT POINT MA. 02791

ROBERT M. HAINES
1994 MAIN RD.
WESTPORT POINT MA. 02791
P.O. BOX 96

THE SITE IS CONTAINED IN THE
ZONE A11 FLOOD PLAIN AS
SHOWN ON THE NFIP/FIRM
COMMUNITY PANEL NUMBER
255244 0014 C
DATED: JULY 15, 1992

TOWN OF
WESTPORT

NOTE:
FLOATS #6-#10 ARE 16'x4' +/-
FLOATS #1, #2, #4, #5 ARE
20'x4' +/-
FLOAT #3 IS 9'x4' +/-

3' WIDE
LATERAL ACCESS

1.5' +/- WIDE
STONE & MORTAR
WALL

FLOW
EBB

12" PILES
(TYP.)

RECONFIGURATION ZONE

GANGWAY

BECKY
MV-949709

BARGE

6" DIA. STEEL PILES AT
END OF EACH FLOAT (TYP.)

WESTPORT RIVER

Albert Henriquez

40 0 40
SCALE IN FEET

MAUK, BOUCHER & HEUREUX, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790

(508) 636-5905 FAX: (508) 636-2477

DATUM: MEAN LOW WATER ELEVATION = 0.00

PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING DOCK, FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA. DECEMBER 16, 1993

SHEET 1 OF 5

CLIENT# 336-0201

DWG# 336-0201

LICENSE PLAN NO. 7060

Approved by Department of Environmental Protection
of Massachusetts

Elizabeth A. Kukulski
Paul W. Melancon

44-241

142-44

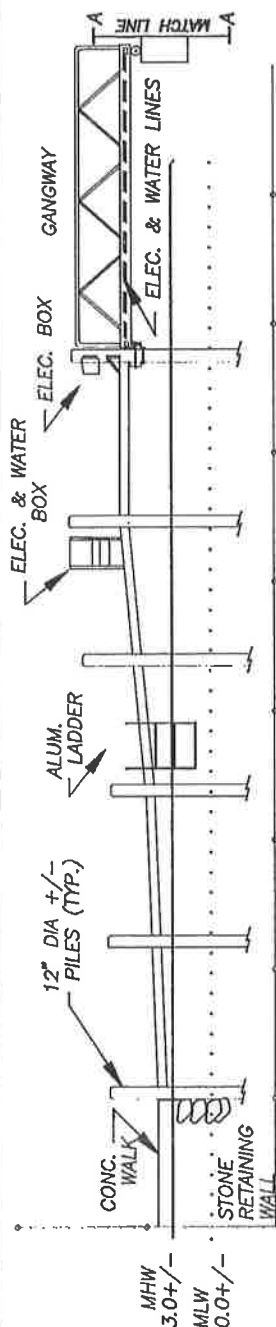
142-44

"I HEREBY CERTIFY THAT THIS PLAN
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WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF
THE COMMONWEALTH OF
MASSACHUSETTS."

Paul W. Melancon
PAUL W. MELANCON

12/14/93
DATE

142-44

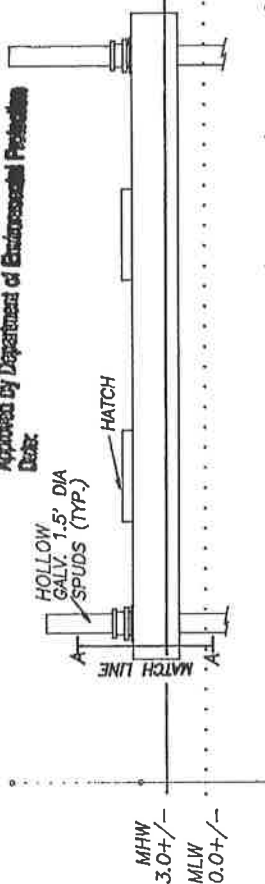


LICENSE PLAN NO. 7060
Approved by Department of Environmental Protection
Date:

DISPLACEMENT VOLUME:

12" PILES (18) = 1.57cy
6" PILES (5) = .10cy

BARGE: 1'x50'x12' = 22.2 CY



B-B CROSS SECTION OF EXISTING DOCK, GANGWAY & BARGE

DATUM: MEAN LOW WATER
ELEVATION = 0.00



CLIENT #336-0201 SHEET 2 OF 5

PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING DOCK, FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA. DECEMBER 16, 1993

MAUK, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477

DWG #336-0201

142-44

142-44

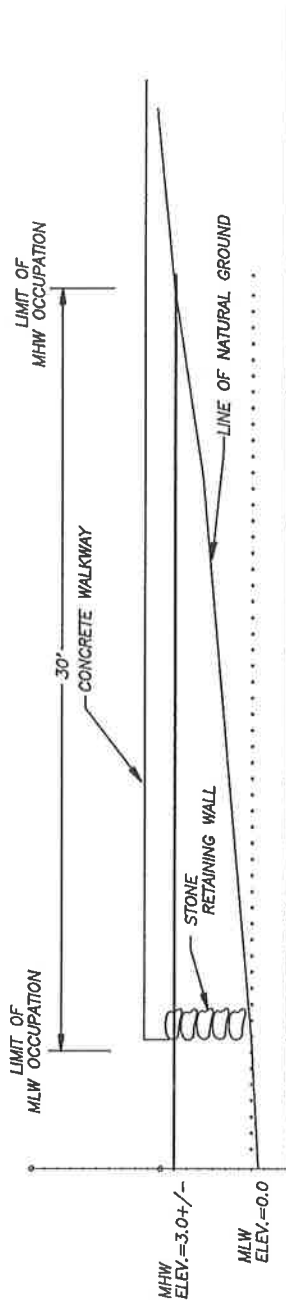
142-44

DISPLACEMENT AND OCCUPATION CALCULATIONS

VOLUME: $\frac{1/2 \times 30' \times 35' \times 3'}{27} = 58 \text{ CY}$

AREA: $\frac{30' \times 35'}{9} = 117 \text{ SY}$

LICENSE PLAN NO. 7060
Approved by Department of Environmental Protection
Date:



CROSS SECTION A-A
(CONCRETE WALKWAY)

DATUM: MEAN LOW WATER
ELEVATION = 0.00



CLIENT #336-0201 DWG #336-0203 SHEET 3 OF 5

MAUK, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477



PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING DOCK, FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA DECEMBER 16, 1993

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MASSACHUSETTS."

Paul W. Melancon
PAUL W. MELANCON

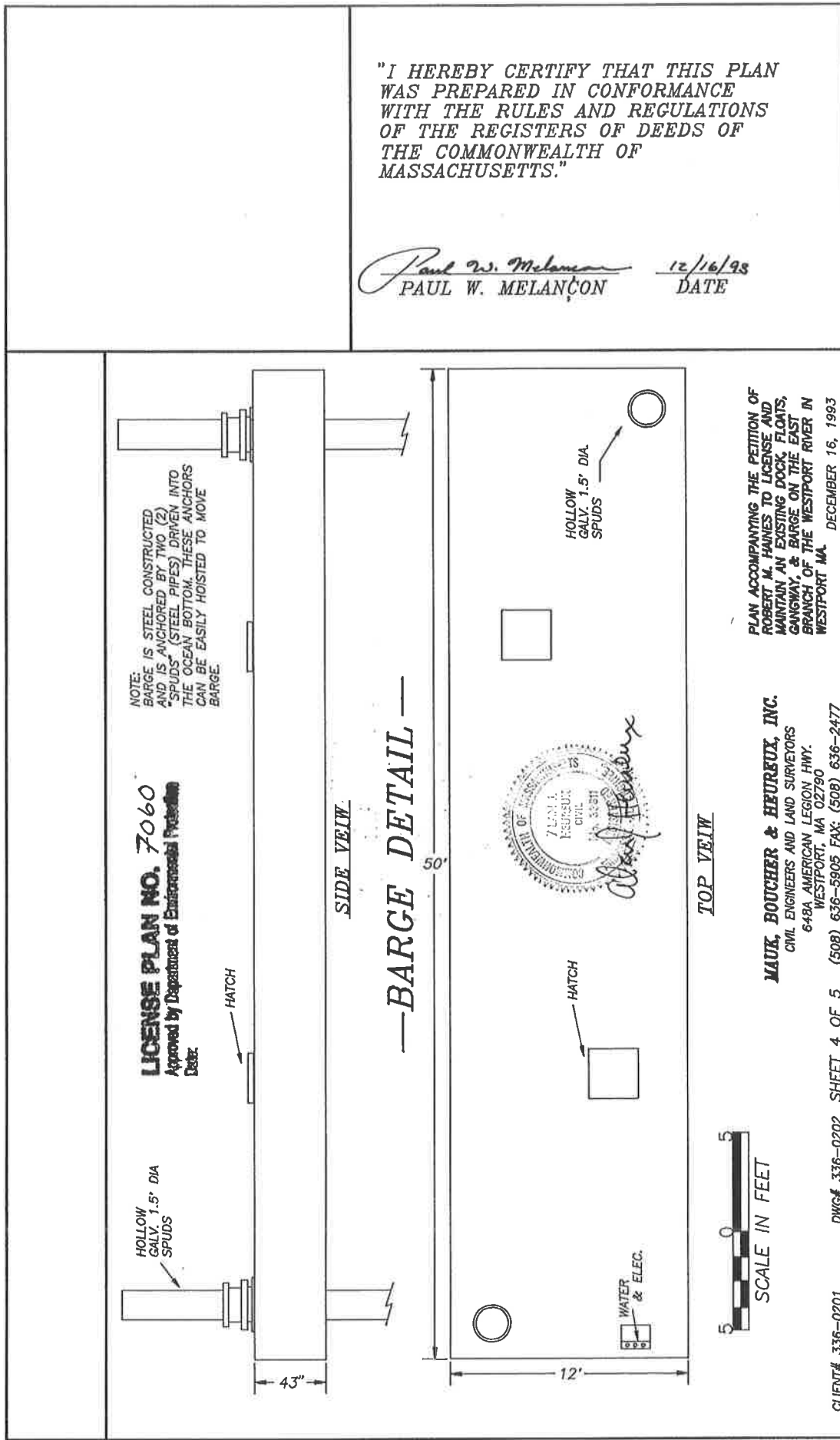
12/16/93
DATE

142-44

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MASSACHUSETTS."

Paul W. Melancon
PAUL W. MELANCON
12/16/93
DATE

PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING DOCK, FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA. DECEMBER 16, 1993

MAK, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790

CLIENT# 336-0201 DWG# 336-0202 SHEET 4 OF 5 (508) 636-5805 FAX: (508) 636-2477

142-44

142-44

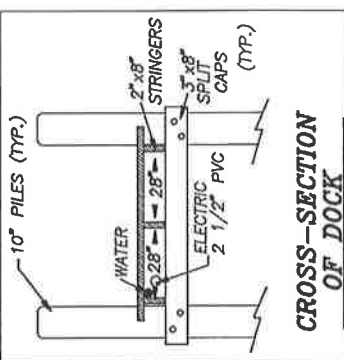
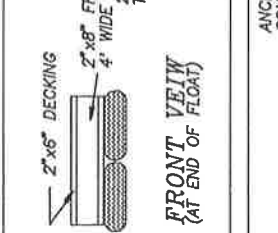
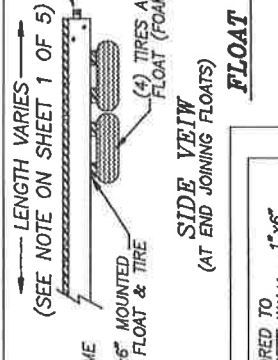
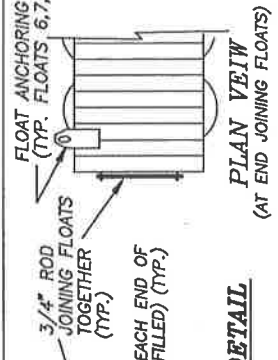
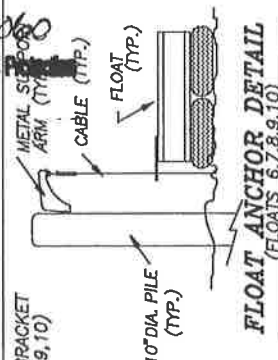
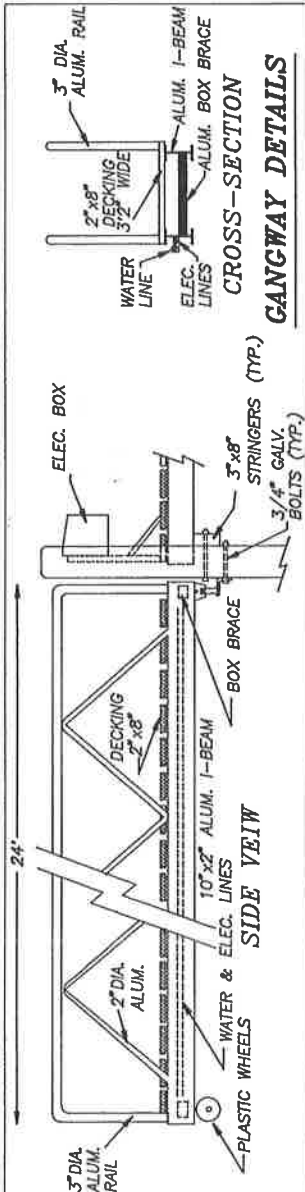
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THE COMMONWEALTH OF
MASSACHUSETTS."

Paul W. Melançon
PAUL W. MELANÇON

12/19/93
DATE

142-44

LICENSE PLAN NO. 7060
Approved by Department of Environmental Protection
Date:

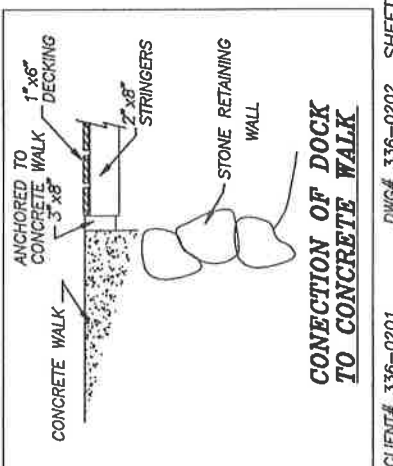


PLAN ACCOMPANYING THE PETITION OF
ROBERT M. HAINES TO LICENSE AND
MAINTAIN AN EXISTING DOCK, FLOATS,
GANGWAY, & BARGE ON THE EAST
BRANCH OF THE WESTPORT RIVER IN
WESTPORT MA.
DECEMBER 16, 1993

Robert M. Haines

MAUX, BOUCHER & HEUREUX, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
648A AMERICAN LEGION HWY.
WESTPORT, MA 02790
(508) 636-5905 FAX: (508) 636-2477

SCALE IN FEET
0 4



142-44

142-44

P.B. 142
P. 44

The Commonwealth of Massachusetts

No. 7060



Whereas,

Robert M. Haines

of -- Westport --, in the County of -- Bristol -- and Commonwealth
aforesaid, has applied to the Department of Environmental Protection for
license to -- maintain a dock, gangway, float system, mooring piles,
pile held barge and delineate a reconfiguration zone --

and has 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 Westport;

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

-- Robert M. Haines --, 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 -- maintain a dock, gangway, float system,
mooring piles, pile held barge and delineate a reconfiguration zone --

in and over the waters of -- Westport River -- in the -- Town -- of --
Westport -- and in accordance with the locations shown and details
indicated on the accompanying DEP License Plan No. 7060, (5 sheets).

PRINTED ON RECYCLED PAPER

License No. 7060

Page 2

The structures hereby authorized shall be limited to the following uses: to provide a public recreational boating facility as defined by 310 CMR 9.02.

Fill and structures previously authorized by Department of Public Works License Number 616 shall be maintained in conformance with the terms and conditions of said authorizations.

This license will expire ninety-nine (99) years from the date of issuance for the existing dock authorized herein.

This license will expire thirty (30) years from the date of issuance for the gangway, float system, mooring piles and the barge. By written request of the Licensee for an amendment, the Department may grant a renewal for a term of years not to exceed that which was originally authorized.

SPECIAL WATERWAYS LICENSE CONDITIONS

1. In accordance with any license condition, easement, or other public right of lateral passage that exists in the area of the subject property lying between the high and low water marks mark, the Licensee shall allow the public in the exercise of such rights to pass freely around all structures within such intertidal area.

Accordingly, the Licensee shall place and maintain, in good repair, a public access sign at each property line, adjacent to the mean high water shoreline. Said signs, provided by the Department, shall be posted immediately upon receipt. 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 Commonwealth 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, within the public accessway along the water's edge that has been delineated on sheet 1 of 5 of the license plan. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activity by users of the area(s) intended for public passage, including but not limited to trespassing on 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 shall apply.

3. Any berth authorized herein shall be assigned in a fair and equitable manner, via waiting list or other appropriate, unbiased means. Any contract or other agreement for the exclusive use of berths authorized herein shall have a maximum term of one year and may be renewable upon expiration on an annual basis.

4. Any berth authorized herein shall be made available for transient use during any period of vacancy in excess of 24 hours.

5. Any reconfiguration authorized under this license may proceed upon written approval by the Department, but without further licensing action if:

- a. the Licensee submits to the Department a written request and plan for reconfiguration which does not extend beyond the delineation zone and which does not result in an increase in the area of waterway occupied from that which was originally licensed;

License 7060

Page 3

- b. the Licensee submits to the Department a statement affirming that the material submitted to the Department has, at the time of such submittal, also been sent to the Zoning Board, Conservation Commission and the Harbormaster of the affected municipality, and that said Zoning Board, Conservation Commission and Harbormaster has been informed that they have 30 days to register, with the Department, any objections to the proposed reconfiguration plan;
- c. all other applicable permits have been obtained, including any required approval under the Wetlands Protection Act.

At the expiration of this license, the marina shall be maintained in the last approved configuration.

6. In Accordance with the Town of Westport's Board of Appeals decision, dated June 8, 1995, the Licensee shall restrict the number of vessels moored at the docking facilities authorized herein and in License No. 7059 to a total not to exceed twenty-five (25) berths. The docking facilities are further located and described on Sheet 1 of License No. 7059 and Sheet 1 of License No. 7060.

7. In Accordance with the Town of Westport's Board of Appeals decision referenced in Special Condition Number 6, a parking plan shall be reviewed and approved by the Board of Appeals and sanitary facilities acceptable to the Board of Health shall be provided.

8. The Licensee shall not provide potable water to the marina without prior review and approval by the Department as a public water supplier.

9. The Department may make a determination at any time during the term of this license, that the dredge area shown on sheet 6 of 6, dated 10/21/97, of License No. 7059, has shoaled thereby creating a need for future maintenance dredging. Maintenance dredging is defined for the purposes of this Special Condition as when the sediments are above the elevation of minus 2.0 feet below the mean low water datum due to natural processes, the structures or any ongoing activities at the subject marina. If such a determination is made, the Department hereby reserves the right to require that the Licensee perform, or cause to have performed, such dredging at his or her own expense. Said dredging shall take place at the direction of the Department. The Licensee shall apply for and obtain all applicable local, state and/or federal permits prior to the performance of any dredging activity, including a M.G.L. Chapter 91 dredge permit if a valid permit does not exist.

Please see page 4 for additional conditions to this license.

Duplicate of said plan, number 7060 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.
 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.
 - ☐ a 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.
- 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. 7060

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 -- Robert M. Haines -- 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 (3.0 cu. yd. = \$6.00).

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 -- Bristol.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this thirteenth day of April in the year nineteen hundred and ninety-nine.

Commissioner
Program Chief

Elizabeth D. Paulsen

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 -- Robert M. Haines --

the further sum of -- four thousand four hundred eighty-five dollars and zero cents (\$4485.00)

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.

Angelo Paul Celli
Acting Governor

Leach Family Trust

150-83

REC'D & RECORDED
2002 NOV 15 AM 10:22
REGISTRY OF DEEDS
BRISTOL COUNTY
SOUTHERN DISTRICT

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Yvonne Bannister 01 OCT. 1998
REGISTERED PROFESSIONAL ENGINEER DATE

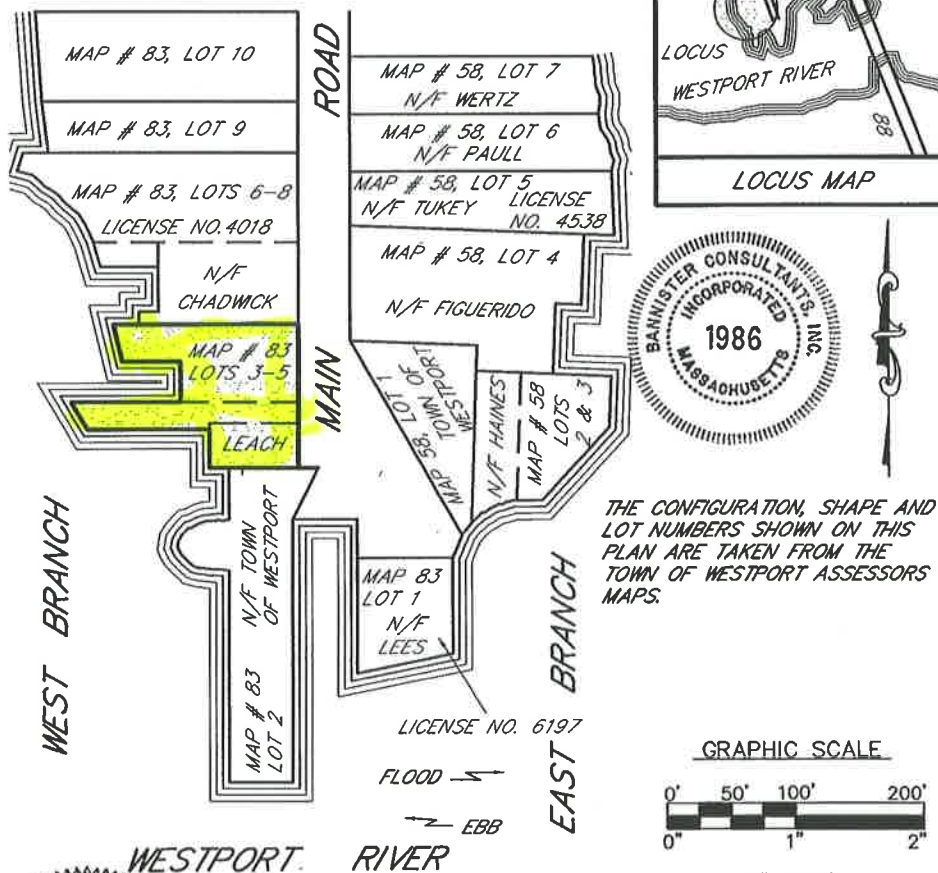
I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC AND PRIVATE STREETS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

Yvonne Bannister 01 OCT. 1998
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

FOR REGISTRY USE ONLY

GENERAL PLAN
01 OCTOBER 1998

Sheet No. 1 of 4



THE CONFIGURATION, SHAPE AND LOT NUMBERS SHOWN ON THIS PLAN ARE TAKEN FROM THE TOWN OF WESTPORT ASSESSORS MAPS.



BANNISTER CONSULTANTS, INC.
CIVIL AND CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MA 02779

PLANS ACCOMPANYING THE PETITION OF THE LEACH FAMILY REAL ESTATE TRUST TO LICENSE AND MAINTAIN WHARF, PILES AND ASSOCIATED STRUCTURES IN THE WEST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

LICENSE PLAN NO. 8516
Approved by Department of Environmental Protection
of Massachusetts NOV 5 2002
Sharon G. Lins
Sharon H. Del.

150-83

LEACH FAMILY REAL ESTATE TRUST
WESTPORT

90-6-3-2

150-83

P.B. 150
P. 83

The Commonwealth of Massachusetts



No. 8516

Whereas, Eve M. Leach, Trustee,
Leach Family Real Estate Trust

of -- Westport -- in the county of -- Bristol -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- maintain two (2) existing stone wharves, a timber pier, bait house, floats, and a residential structure; and to construct and maintain six (6) dolphins-----

and has 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 -- Westport. -----

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 -----

Eve M. Leach, Trustee, Leach Family Real Estate Trust --, 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 -- maintain two (2) existing stone wharves, a timber pier, bait house, floats, and a residential structure; and to construct and maintain six (6) dolphins -----

in and over the waters of the -- Westport Harbor -- in the -- Town -- of -- Westport -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 8516 (4 sheets).

The structures hereby authorized shall be limited to the following uses: public recreational boating facility for approximately twelve (12) vessels, a dedicated work space area for commercial fishing or water dependent use, public pedestrian access, and private residential use.

This license will expire ninety-nine (99) years from the date of license issuance for existing wharves, pier, floats, and bait house. The license for the residential structure, and for the new dolphins 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 a term of years not to exceed that which was originally authorized.

The existing structures authorized herein have been completed in conformance with the accompanying License Plans. The issuance of this License, therefore, fulfills the Licensee's obligation to obtain a Certificate of Compliance pursuant to 310 CMR 9.19.

This License is subject to the following Special Conditions and Standard Conditions:

Special Waterways Conditions:

Special Condition 1: The Licensee shall allow the general public to pass on foot for any lawful purpose within the area of the subject property lying between mean high and mean low water, and outside the footprint of existing piers, wharves, floats and other structures as shown on the final license plan. Such passage shall be permitted free of charge, twenty-four (24) hours a day, commencing upon the date of license issuance. The intent of this condition is to provide public access in and across any unobstructed flowed private tidelands on the project site, for activities such as strolling and viewing enjoyment of the harbor, in addition to the public rights of fishing, fowling and navigation which already exist in said tidelands.

Special Condition 2: As mitigation for the existing obstructions to continuous lateral passage in the intertidal zone, the Licensee shall allow public passage from dawn to dusk on the ladders on the north and south side of the wharf for access to and from the intertidal zone as shown on Sheet 2 of the License Plan. Passage over the wharf shall be used in conjunction with the access way described in Condition 3 to provide an upland detour along the project shoreline, returning to the intertidal zone by the south set of ladders adjacent to the bait house.

Special Condition 3: In partial compensation for private use of structures on Commonwealth tidelands, which interferes with the rights of the public use of such lands, the Licensee shall allow the public to pass on foot, for any lawful purpose and from dawn to dusk, within the four (4) foot wide accessway along the perimeter of Cory's Wharf as delineated on Sheet 2 of the License Plan. The Licensee shall provide a public viewing area as shown on Sheet 2 of the License Plan. The Licensee also shall allow public pedestrian access to the wharf from Main Road as shown on Sheet 2 of the License Plan.

Special Condition 4: The Licensee shall dedicate the farthest seaward portion of the wharf for commercial fishing or other water dependent use as shown on Sheet 2 of the License Plan. This area shall have limited public access to prevent undue conflict between marine and pedestrian use of the wharf. The Licensee shall allow for continuous public access on the entire seaward

License No. 8516

perimeter of the wharf at such time as the commercial fishing or other water dependent use is no longer in use onsite.

Special Condition 5: The Licensee shall place and maintain Department approved public access signs in good repair indicating "Public Access to Wharf" at the Marina Store on Main Road. Also, the Licensee shall place signs at the ladders on Cory's Wharf "Public Access to Tidal Flats." Said signs shall be posted immediately upon issuance of license. All signs shall include any statement and/or logo specified by the Department and shall otherwise conform to the Signage Specifications of the Waterways Regulation Program, as may be amended hereafter.

Special Condition 6: No gates, fences, or other structures, temporary or permanent, and no motor vehicles, may be placed on the public access area described in Special Conditions #1-#4. The exercise by the public of free on-foot passage in accordance with Special Condition #1-#4 shall be considered a permitted use to which the limited liability provisions of M.G.L. Chapter 21, § 17c shall apply.

Special Condition 7: Special Conditions #1-#4 shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activity by users of the areas intended for public passage, including but not limited to trespassing on adjacent private areas and depositing refuse of any kind or nature in the water and shore. Nor shall said Special Conditions be construed as preventing the Licensee from excluding the public from portions of the property not intended for public passage. Further, the Licensee may adopt rules governing the publicly accessible areas of the site, as may be necessary for the protection of public health and safety and private property, and to ensure public use and enjoyment by minimizing conflicts between user groups. Said rules shall be subject to the prior review and written approval of the Department, and no amendment thereto shall be made without prior written approval by the Department.

Special Condition 8: The construction of the dolphins authorized herein shall be completed within (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.

Special Condition 9: This License will be subject to an annual compliance fee for nonwater-dependent uses pursuant to 310 CMR 4.00.

Please see page 4 for additional conditions to this license.



Duplicate of said plan, number 8516 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 Water Pollution Control.
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.
 - ☐ a 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.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.

The amount of tide-water displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said – Eve M. Leach, Trustee, Leach Family Real Estate Trust – 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. (\$243.20)

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 Bristol.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this fifth day of November in the year two thousand and two.

Commissioner  Department of
Program Chief  Environmental Protection

THE COMMONWEALTH OF MASSACHUSETTS

This license is approved in consideration of the payment into the treasury of the Commonwealth by the said – Eve M. Leach, Trustee, Leach Family Real Estate Trust – of the further sum of – (\$146.00) – 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.


Acting Governor

ES-29/

150-83

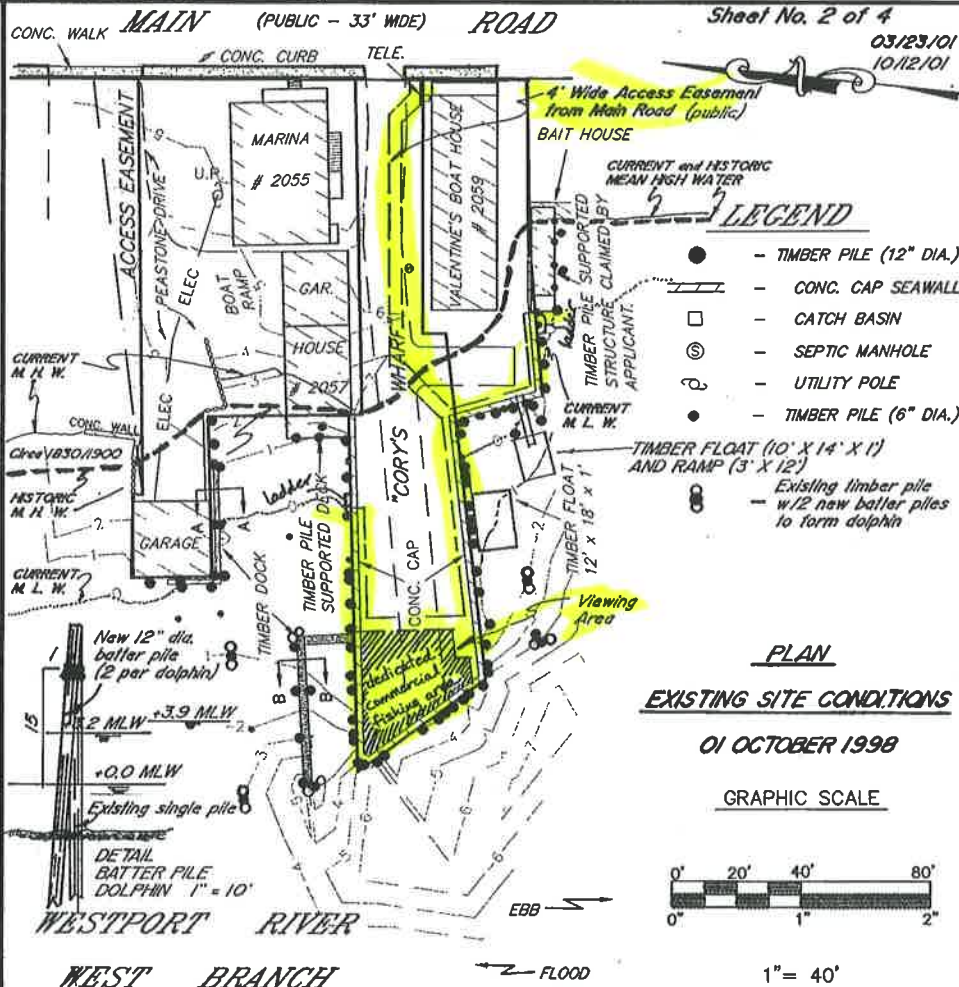
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin 01 Oct. 1998
REGISTERED PROFESSIONAL ENGINEER DATE

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC AND PRIVATE STREETS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

Maurice Beaudoin 01 Oct. 1998
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

FOR REGISTRY USE ONLY



PLANS ACCOMPANYING THE PETITION OF THE LEACH FAMILY REAL ESTATE TRUST TO LICENSE AND MAINTAIN WHARF, PILES AND ASSOCIATED STRUCTURES IN THE WEST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

LICENSE PLAN NO. 8516
Approved by Department of Environmental Protection
Date: NOV 5 2002

150-83

150-83

28-151

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin
REGISTERED PROFESSIONAL ENGINEER

01 OCT 1998
DATE

150-83

FOR REGISTRY USE ONLY

01 October 1998

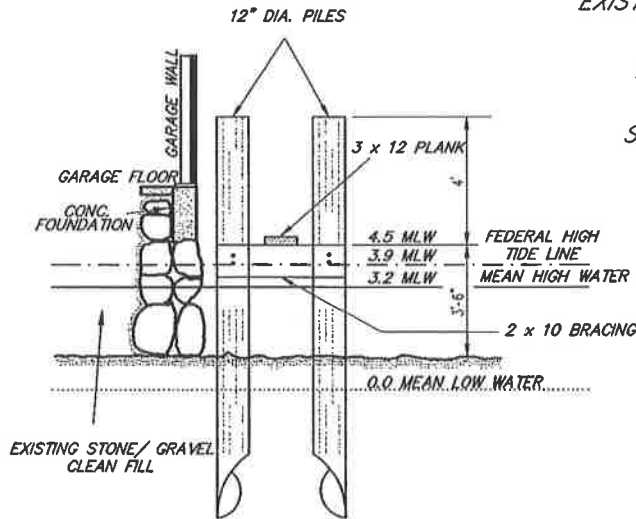
Sheet No. 3 of 4

DETAIL SHEET

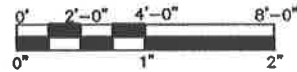
EXISTING CONDITIONS

TIMBER PIER

SECTION A-A



GRAPHIC SCALE



1/4" = 1'-0"



BANNISTER CONSULTANTS, INC.
CIVIL AND CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MA 02779

PLANS ACCOMPANYING THE PETITION OF THE LEACH FAMILY REAL ESTATE TRUST TO LICENSE AND MAINTAIN WHARF, PILES AND ASSOCIATED STRUCTURES IN THE WEST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

LICENSE PLAN NO. 851.6
Approved by Department of Environmental Protection
Date:

NOV 5 2002

150-83

150-83

150-83

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Maurice Beaudoin

01 OCT. 1998

REGISTERED PROFESSIONAL ENGINEER

DATE

150-83

FOR REGISTRY USE ONLY

01 October 1998

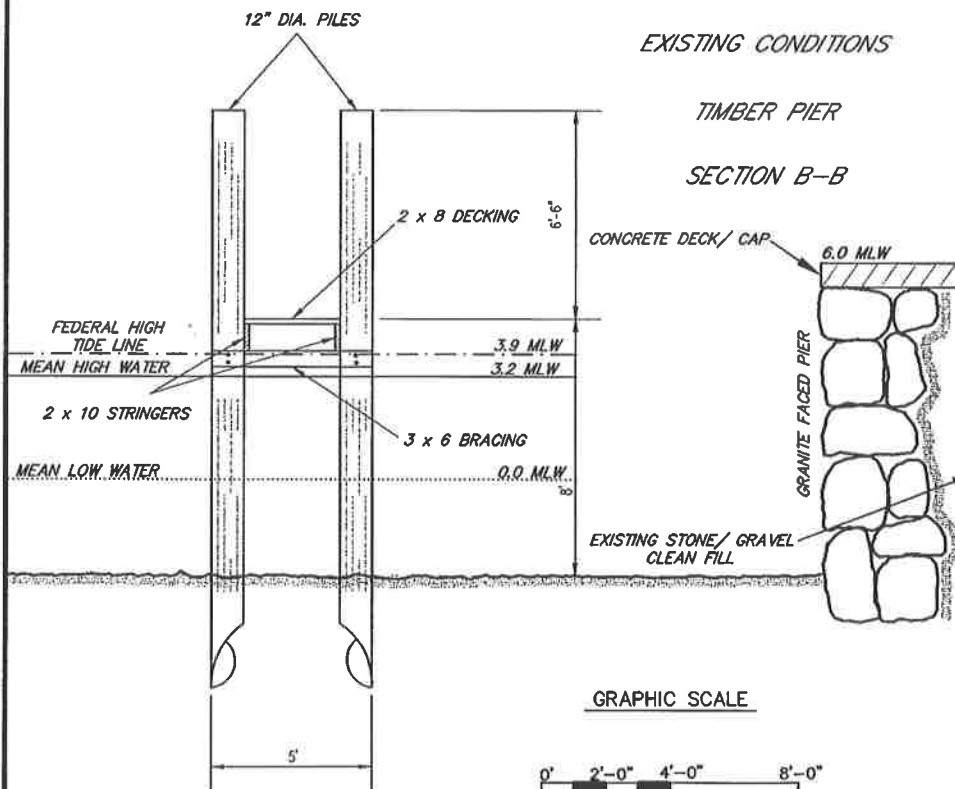
Sheet No. 4 of 4

DETAIL SHEET

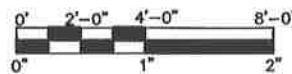
EXISTING CONDITIONS

TIMBER PIER

SECTION B-B



GRAPHIC SCALE



1/4" = 1'-0"



BANNISTER CONSULTANTS, INC.
CIVIL AND CONSTRUCTION ENGINEERS
LAND SURVEYORS
19 SEYMOUR STREET
BERKLEY, MA 02779

PLANS ACCOMPANYING THE PETITION OF THE LEACH FAMILY REAL ESTATE TRUST TO LICENSE AND MAINTAIN WHARF, PILES AND ASSOCIATED STRUCTURES IN THE WEST BRANCH OF THE WESTPORT RIVER, WESTPORT, BRISTOL COUNTY, MASS.

LICENSE PLAN NO. 8516

Approved by Department of Environmental Protection

Date:

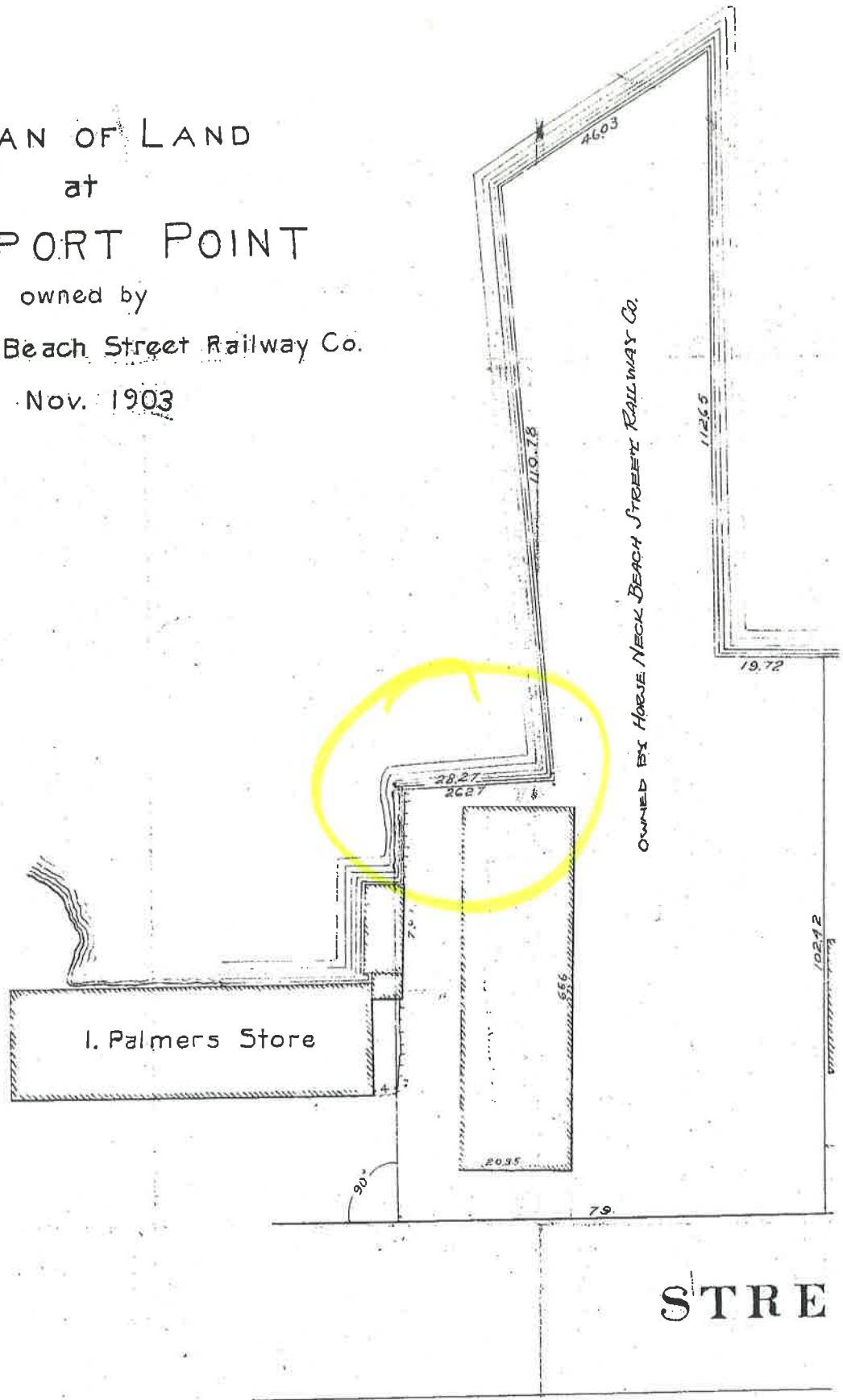
NOV 5 2002

96.6825

150-83

PLAN OF LAND
at
WESTPORT POINT

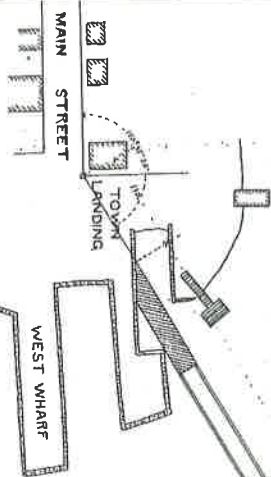
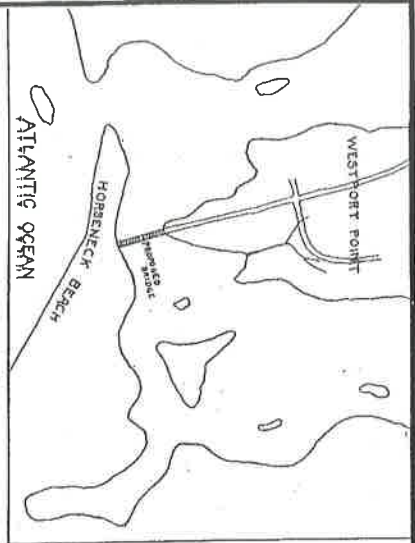
owned by
Horse Neck Beach Street Railway Co.
Nov. 1903



Surveyed and
Map Made by
New Bedford, Dec. 9, 1903
S. J. ...
A. M. ...
Registered

Scale twenty feet to an inch

C48



**PLAN OF PROPOSED BRIDGE AT
WESTPORT POINT
BRISTOL COUNTY MASS.**

FRANCIS S. BABBITT } COUNTY
FRANKLIN L. GRAY } COMMISSIONERS.
WILLIAM SANDERS }

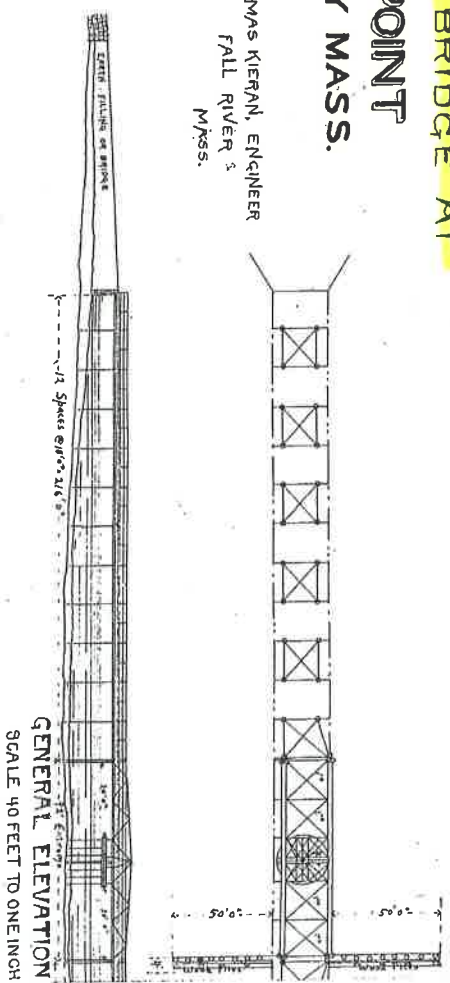
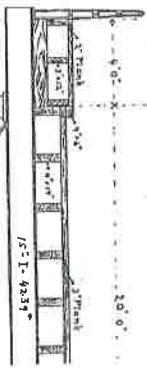
AUG. 1893

THOMAS KIERAN, ENGINEER
FALL RIVER'S
M.S.S.

Commonwealth of Massachusetts.
Registry of Deeds.
Bristol County Southern District.
New Bedford, Mass.
Attest:
Recorded and
Book
Filed
Sept 10 1893
Notary Public
Wm. C. Williams

*Deposited at Westport and Bristol County
Sept 26, 1893.
Henry W. Swift
Wm. W. Baker
Admrs. H. B. Bortland*

CROSS SECTION OF T
SCALE 1/4 OF ONE INCH=ONE

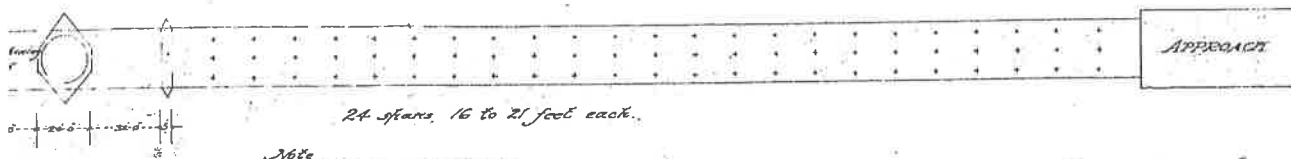


GENERAL ELEVATION
SCALE 1/4 OF ONE INCH=40 FEET

RIVER
SS.
SS.

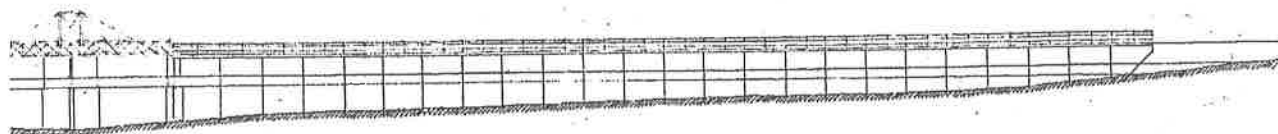
RECONSTRUCTION
BRIDGE ACROSS THE AGOAK BETT RIVER
AT
WESTPORT POINT MASS.
Z.B. DAVIS ENGINEER NEW BEDFORD MASS.

PLAN 1C
BOOK NO. 5 PAGE 58

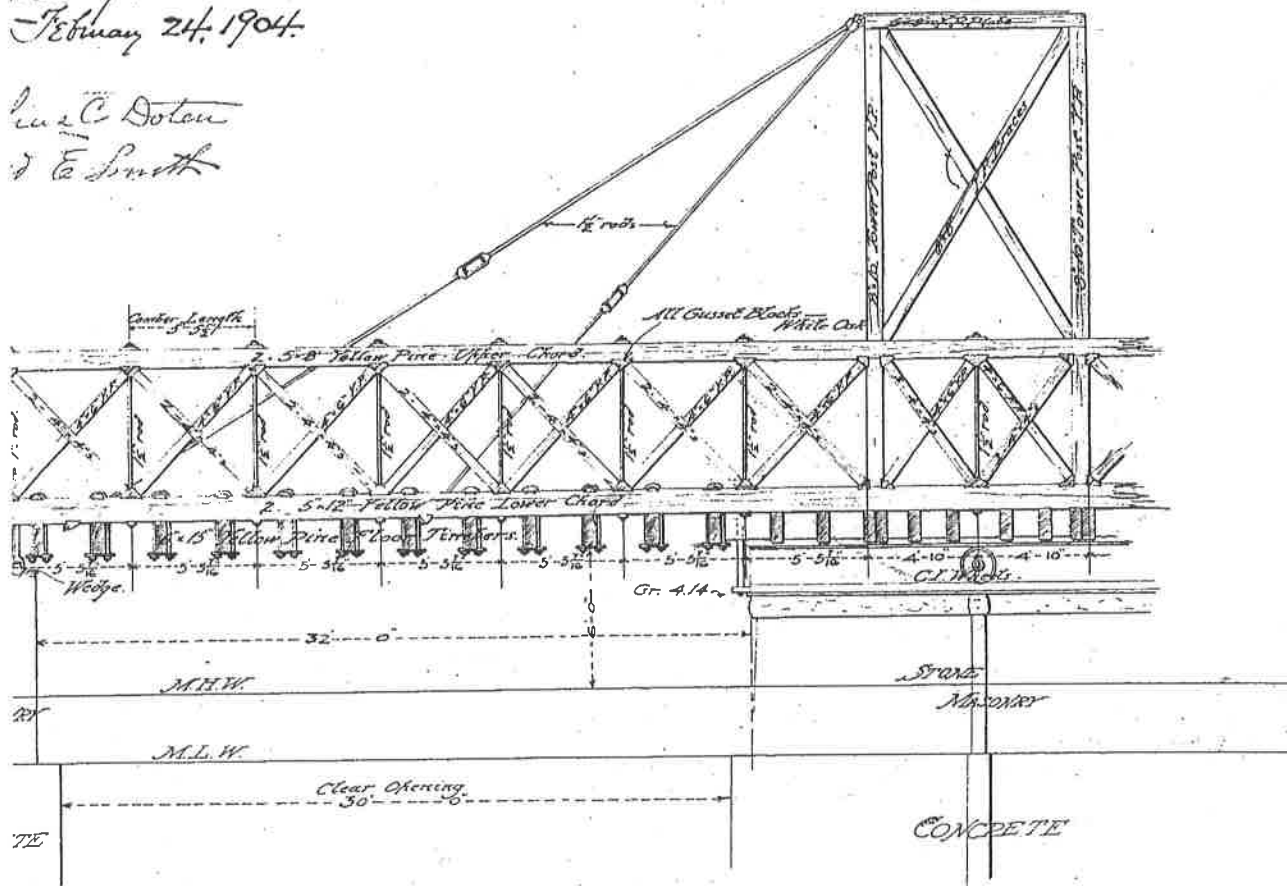


Note: There are two (2) spans over 21 feet, which will require rear bents of piles and caps.

PLAN AND ELEVATION
1" = 40 feet = 1 inch.



No. 2818.
Designed by Kaiton and Chad Comin.
February 24, 1904.
Care of Dotson
& Co. Smith



HALF ELEVATION OF DRAW
Scale 1/4 inch = 1 foot.

PLAN IB
BOOK NO. 5 PAGE 58

Wm. P. Carey



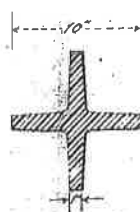
GENERAL PLAN AND ELEVATION
Scale 40 feet = 1 inch.

No. 2818.

Approved by Harbor and
L. F. Homan 24 1904.

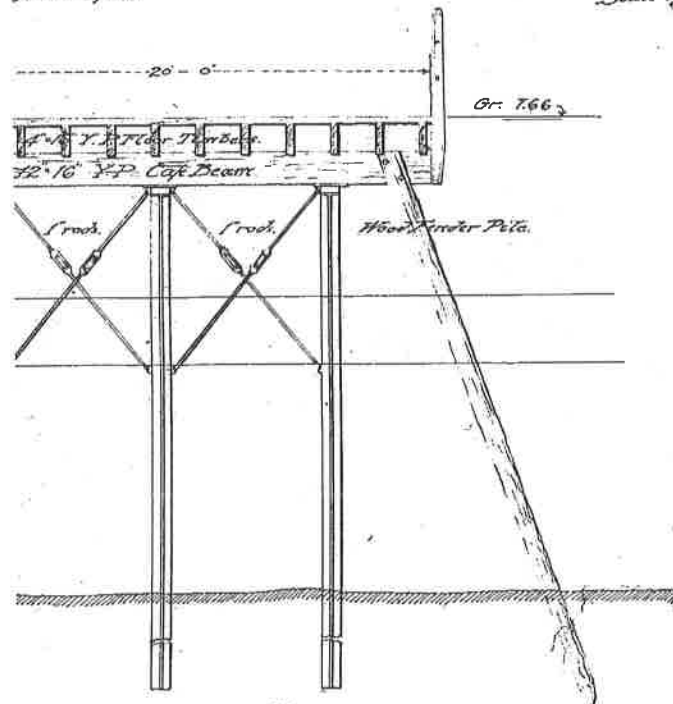
No. 2818.
Approved by Hutton and Co
February 24, 1904.

Chas C Dotson
Geo E Smith

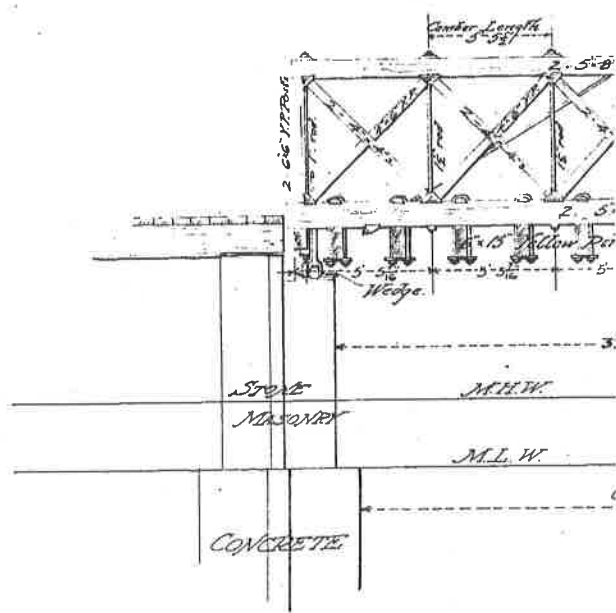


SECTION THRO' CAST IRON PILES.
Scale $\frac{1}{2}$ " = 1'-0"

DRAW ABUTMENT PIER
Length = 1 foot.



255 SECTION OF TRESSLE
Scale $\frac{1}{4}$ inch = 1 foot.



Appendix D
Historic Documents

Dec. 13-1717 Laid out a landing place at Sagadahock. Begun at Rock
 with stones on its a bound of the way that goes from said Point up the
 west side of Aconet river and Measured S. $12\frac{1}{2}$ deg. E. $2\frac{1}{2}$ Rod to the water
 & from said Rock with the stones on its N. $12\frac{1}{2}$ deg. W. 2 rods to a heap
 of stones the north westerly corner bound of said landing place thence
 Easterly $12\frac{1}{2}$ degs. Northerly $\frac{1}{4}$ rod to a heap of stones & from thence south
 $12\frac{1}{2}$ degs Easterly to the water & thence is along by the water till it meets
 with the first line this to be improved for a landing place only, laid
 out by our order

(Page 14 paper Covered Book)

John Tripp & Selection of
 Nathaniel Soble) witnessed
 Dartmouth

Wentworth Point

The way from the Point up north
by the Town House

December 13. 1717 Laid out a way from Paguc-
huck Point through Christopher Gifford's Land
to be by convenient Gates for Cart & horse. Begun
at the northwesterly Corner Bound of the Landing
place and measured South $12\frac{1}{2}$ degrees Easterly $4\frac{1}{2}$
Rods to the water & from said Bound of the Landing
place north $12\frac{1}{2}$ degrees Westerly 15 $\frac{1}{2}$ Rod to a Black
Oak Bush thence ^{North} degrees westerly 6 Rod to
the southwesterly Corner Bound of William Wood's
Land this way is laid out 4 Rod wide and the
bounds and Ranges are all on the Easterly
side of the way

The Committee appointed by the Town at their meeting on the first day of April last past to view the Towns landing at the Pointe. upon the Petition of Peter Macomber and others, Inhabitants of the Town of Westport, made a report in writing. That they had viewed the premises at the Pointe and report as follows - That it is expedient in our opinion that the said petitioners have liberty to build a wharf opposite the Towns landing in said Westport. beginning at the South-west corner of the the most southermost part of the old wharf on said landing. from thence South about seven degrees East - to a flat rock by the edge of the Channel - said wharf to be built twenty six feet in width on the East side of said line. and liberty to build a pier on the East side of said wharf. adjoining the same to make said wharf fifty five feet upon the Channel upon the following conditions. That said Petitioners or owners of said wharf shall at all times move or cause to be moved, all vessels or Incumbrances of any kind to or about said wharf That vessels and other crafts shall have suitable and convenient passages or pass ways to and from said Towns landing in every direction

Signed the 13th day of May A. D. 1805 -

Robert Earl
Barney Smith
Humphrey Macomber } Committee

Voted. to accept the Report and that the same be recorded.

At a meeting of the Delegates of the Town of
Westport held on the first day of May A.D. 1830
Resolved In grant the sum of the East wharf to
the said or each the privilege of extending the
same so as to make it more convenient for vessels
and more advantageous to the public.

Attest I certify 23 November 21. 1830

BANK OF GEN. INTEREST. March 17, 1831.

per printed in the town of Salem ten days at least before said meeting.

[Approved by the Governor, March 17, 1831.]

CHAP. CL.

An Act to incorporate the President, Directors and Company of the Bank of General Interest.

*Persons incorpo-
rated.*

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Thorndike De-land, Robert Brookhouse, Jeremiah Briggs, Nathan Endicott, Michael Shepard, Thomas Saunders, their associates, successors and assigns, shall be, and they hereby are created a corporation, by the name of the President, Directors and Company of the Bank of General Interest, and shall so continue until the first day of October, which shall be in the year of our Lord, one thousand eight hundred and fifty one. And said corporation shall be entitled to all the powers and privileges, and subject to all the duties, liabilities and requirements, contained in an act passed on the twenty eighth day of February, in the year of our Lord one thousand eight hundred and twenty nine, entitled "An Act to regulate banks and banking," and the provisions of an act passed on the twenty eighth day of February, in the year of our Lord one thousand eight hundred and thirty one, entitled "An Act to continue the banking corporations therein named, and for other purposes."

Capital stock.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of the sum of two hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in such instalments, and at such times, as the stock

MAYHEW'S WHARF. March 17, 1831.

holders may direct, provided the whole be paid within one year from the passing of this act.

SEC. 3. *Be it further enacted*, That the said bank shall be established in the town of Salem, and that any one of the persons before named shall be authorized to call the first meeting of said corporation, by advertising the same in any newspaper printed in the town of Salem, ten days at least before said meeting.

[Approved by the Governor, March 17, 1831.]

CHAP. CII.

An Act authorizing Thomas W. Mayhew and others to build and maintain a wharf in Acowet River, in Westport, in the county of Bristol.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Thomas W.

Mayhew, and such other persons as now are, or hereafter may be associated with him, be, and they hereby are authorized to build and maintain a

wharf in Acowet River, in Westport, in the county of Bristol, at a place called the point, and easterly from Palmer's Wharf, so called, and to extend the same from the landing to where there may be a depth of water equal to that at said Palmer's wharf; and that they be allowed the exclusive use of the water for the use, accommodation, and occupation of said wharf:—*provided* the erection and improvement of said wharf shall in no wise affect the legal rights of any other person or persons whatsoever.

SEC. 2. *Be it further enacted*, That this act may be altered, or repealed, at the pleasure of the legislature.

[Approved by the Governor, March 17, 1831.]

ties, to be approved by the governor and council, in the sum of ten thousand dollars.

SECTION 2. This act shall take effect upon its passage.
Approved March 25, 1893.

Chap. 125

AN ACT TO AUTHORIZE THE CONSTRUCTION OF A BRIDGE OVER THE EAST BRANCH OF WESTPORT RIVER IN THE TOWN OF WESTPORT.

Be it enacted, etc., as follows:

Bridge over east branch of Westport river to be constructed, etc.

SECTION 1. The county commissioners of the county of Bristol are hereby authorized and required to construct, subject to the provisions of chapter nineteen of the Public Statutes and any amendment thereof, a suitable way and bridge, with suitable approaches thereto, a suitable branch of Westport river in the town of Westport, so as to connect Westport Point with Horse Neck beach, at an expense not exceeding twenty thousand dollars. Said bridge may be constructed with or without a draw therein, as the board of harbor and land commissioners shall approve.

County commissioners to borrow money for construction, etc.

SECTION 2. The expense of constructing said bridge and approaches shall in the first instance be borne by the county of Bristol, and the commissioners of said county are hereby authorized and directed to borrow on the credit of said county such sums of money as may from time to time be required for the expenses of such construction. The money so borrowed shall be deposited in the county treasury, and the county treasurer shall pay out the same as ordered by said county commissioners, and said county treasurer shall keep a separate and accurate account of all sums borrowed and expended under the provisions of this act, including interest paid on the money borrowed.

Town of Westport to pay expenses of construction, etc.

SECTION 3. Said town of Westport shall, upon the completion of said bridge and approaches, pay all expenses incurred under the provisions of this act and interest thereon, as shown by the account of said county treasurer, and if said town shall neglect or refuse to pay the same in accordance with any order of the county commissioners issued for that purpose, the said commissioners shall, after notice to said town, unless sufficient cause is shown to the contrary, issue a warrant against said town for the sum it was ordered to pay, and costs, and the same shall

be collected and paid into the county treasury of said county: *provided, however*, that if upon the completion of said bridge, approaches and way, said commissioners shall, after such notice and hearing as they may order, be of opinion that the whole of the expenses incurred under this act and interest thereon ought not to be borne by the said town of Westport, they may determine, award and name what portion of the same shall be borne by said county or by any of the cities or towns therein, and issue their order for such payment accordingly; and like proceedings shall be had to collect of any such city or town the portion of such expense which they may be so ordered to pay as hereinbefore provided for enforcing said payment against said town of Westport.

SECTION 4. The said bridge and approaches shall after their completion be kept in repair by said town of Westport.

SECTION 5. This act shall take effect upon its passage.
Approved March 25, 1893.

AN ACT IN RELATION TO RAISING THE GRADE AND CHANGING THE LOCATION OF THE PROVIDENCE DIVISION OF THE OLD COLONY RAILROAD IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, by its park commissioners, may lay out a park way, and the board of street commissioners of said city may lay out Mozart street and Williams street as highways, across the location of the Providence division of the Old Colony railroad, as provided by the report of the commissioners appointed by the superior court for the county of Suffolk to consider the abolition of the grade crossings of Tremont street and the Boston and Providence division of the Old Colony railroad in the city of Boston, acting under said appointment and under chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-two. The acceptance of the report of said commissioners by the superior court for the county of Suffolk, or any justice thereof, shall be a taking of the land therein required to be taken for railroad and highway purposes, as therein specified, and damages shall be assessed and recovered therefor as provided by chapter four hundred and twenty-eight of the acts of the year eighteen hundred and

The subscribers having been chosen a Committee to ascertain from the records if possible the Original laying out and limits of the several public or Town landings in Westport. to resurvey the same and set up suitable monuments at such places as they may deem necessary to designate the true boundaries thereof, and report their doings together with the names of the several trespassers and the nature of the trespasses upon said lands. to the annual Town Meeting having performed in part the duty assigned them now submit the following - Report

that we have carefully examined the records and papers in the office of the Town Clerk - and such others as were deemed necessary from which we have ascertained -

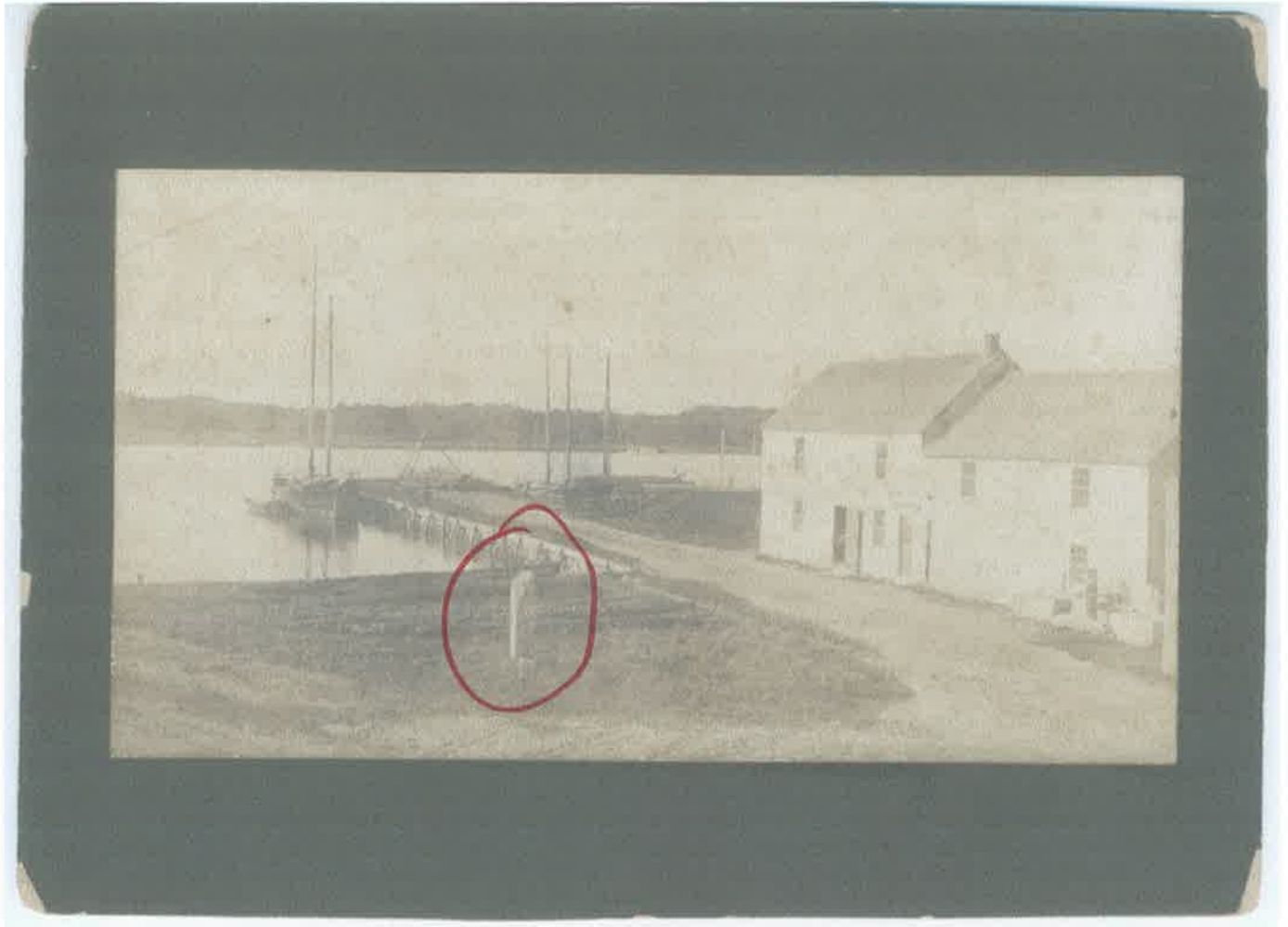
1st as to the landing near Kix's Bridge - formerly so called - that in the year 1717 a landing was laid out near the Ferry, afterwards Kix's Bridge, by the Selectmen of Portsmouth. the return of which was included in the return of a road laid out at the same time, from Cadman's South West corner to the Ferry, and the only certain monument now known, is said Cadman's - now Holder White's South West corner opposite the meeting House. - in the year 1798 the Selectmen resurveyed the Highway down to Kix's Bridge and also the landing - made no alterations - established no monuments -

For the purpose of designating the boundaries of the landing - we commenced at said Holder White's corner opposite the meeting House and run Easterly and Southerly by the former return 275 $\frac{3}{4}$ rods which allowing for variations, reached a point in the Highway as now travelled, which we suppose to be the South West corner -

of the landing, where we have directed a long stone to be set into the ground for a monument, and from said stone North 75° East six rods to a second stone, thence North $45\frac{1}{2}^{\circ}$ East to the river passing a third stone, set near the edge of the river - again commencing at said South West corner bound, thence South $64\frac{1}{2}^{\circ}$ East about 25 rods to the River, near to which we have directed a fourth stone to be set in the line - in regards to the parcels - it appears that a portion of said landing is enclosed with lands belonging to John Miltho - now occupied by Humphrey B. Allen - another part is occupied by Stephen Rowland with a dwelling house and garden -

2nd - A landing at Westport Point

→ in 1717 the Selectmen of Dartmouth laid out a landing place at Vaguachuck Point - which they describe as extending Easterly four rods from a four rods way, and about $4\frac{1}{2}$ rods - from the North line to the water - and mention a Rock as one of the bounds - but as that rock the only apparently permanent monument could not by us be found, - we commenced near the South West corner of Alexander H. Loory's Stone, where we directed a long stone to be set in the ground for the North West corner of the landing, on the East side of the road as now open for travel, thence North $86\frac{1}{2}^{\circ}$ East six rods to a second stone set in the ground to designate the North East corner - thence South $3\frac{1}{2}^{\circ}$ East to the water again commencing at said North West corner bound, and from thence southerly parallel with the East line to the water -



Description

Westport Point, wharves



Description

Westport Point, Mass. Also see #2005.081.201 and 2006.036.088.



Description

Lees Warf , Westport Point, MA. 1936