

DH

LICENSE APPLICATION STATUS SHEET

(06) 10 YEAR _____ (01) 30 YEAR _____ (02A) 99 YEAR _____ (02) INTERIM 30YR _____
 DISP NONE _____ \$2CY (between) ML-MH \$2CY. _____ NONE _____
 OCC \$1 SQ.YD x TERM \$1 SY _____ \$2 SF. _____ NONE _____

APPLICATION NO. W02-0551 REVIEWER DH

TRANSMITTAL NO. W019496 DATE ASSIGNED 7-18-02

RECEIVED 6/20/02 APPL. FEES 250 ^{PAYD} 6/20/02 CERTIFICATE OF COMPLIANCE _____ LIC# 12105

APPLICATION PROCESSING

1. NOTICE MAILED 7-17-02
SE42-854/SE42-1560
2. CONS. COMMISSION 10-16-04
1-22-07
3. CLERK CERTIFICATION 9-11-01 5-10-07
4. PLAN BOARD NOTIF. 4-24-07
5. NEWS AD 7-24-02
6. WATER QUAL. CERT. 12-6-07
7. MEPA COMPLETE #12361 1/8/01
8. PROOF OF EXISTANCE PRIOR TO 1/1/84 _____
9. LATERAL ACCESS Y/N
10. ACEC Y/N
11. OCEAN SANCT. Y/N
12. ABUTTER APPROV. Y/N
13. EPA Y/N
14. HARBOR LINE Y/N
15. GREAT POND Y/N
16. RIVER/STREAM Y/N
17. WETLAND RESTRICTION Y/N
18. AMNESTEY Y/N
19. MYLARS Y/N

LICENSING:

1. TO PROG. MGR. 4/7/05
2. GOV. Y/N 4/8/08
3. NOTIFY FEE 4/7/08
4. FEE REC'D _____
5. BACK FROM GOV. OFF. _____

LICENSE ISSUED 5-5-08

COMMENTS:

- ~~Combine with old Amnesty Application # 92-1674 96-5735~~
- Include hydraulic & mechanical dredge options
- Amnesty not applicable, revised plan 2/07 shows structures in new location.
- Reference # 6303 for existing pier



Enter Your Transmittal Number → W 019496

Your unique Transmittal Number can be accessed through DEP's web site or by calling the DEP I. last page of this document

Massachusetts Department of Environmental Protection Transmittal Form for Permit Application and Payment

Instructions

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Your check should be made payable to the Commonwealth of Massachusetts. Please mail your check along with a copy of this form to: DEP, P.O. Box 4062, Boston, MA 02211.

3. Three (3) copies of this form will be needed.

Copy 1 (the original) must accompany your permit application. Copy 2 must accompany your fee payment. Copy 3 should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to DEP, P.O. Box 4062, Boston, MA 02211

For DEP Use Only Permit No. Rec'd Date Reviewer

A. Application Information

DEP Permit Code (the 7 or 8 character code from first page of permit application instructions): BRP WW 1b Name of Permit Category: Waterways Permit Application - Water-dependent (general) Type of Project or Activity: Dredging and facilities maintenance

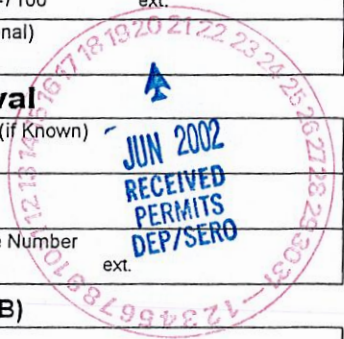
B. Applicant Information (Firm or Individual)

Name of Firm: Green Harbor Yacht Club, Inc. Or, if party needing this approval is clearly an individual: Individual's Last Name: First Name MI

Street Address: 257 Dike Road City/Town: Green Harbor State: MA Zip Code: 02050 Telephone Number: (781) 837-7100 ext. Contact: Daniel Welch e-mail address (optional)

C. Facility, Site or Individual Requiring Approval

Name of Facility, Site or Individual: DEP Facility Number (if Known) Street Address: e-mail address (optional) City/Town: State: Zip Code: Telephone Number: () ext.



D. Application Prepared by (if different from Section B)

Name of Individual or Firm: KEY Environmental Services, Inc. Address: 379 Liberty Street City/Town: Rockland State: MA Zip Code: 02370 Telephone Number: (781) 871-8552 ext. Contact: Marta J. Nover, L.S.P. LSP Number (21E only)

E. Permit - Project Coordination

Is this project subject to MEPA review? [x] yes [] no If yes, indicate the project's EOE file number (assigned when an Environmental Notification Form is submitted to the MEPA unit) EOE # 12381 Is an Environmental Impact Report Required? [] yes [x] no Is this application part of a larger project for which two or more DEP permits are being or will be sought? [x] yes [] no List any other DEP permits that apply to this project:

Table with 3 columns: Permit Category, Date of Submission (tentative or actual), Transmittal Number (if application already submitted)

F. Amount Due

Special Provisions: [] Fee Exempt* (city, town or municipal housing authority)(state agency if fee is \$100 or less) [] Hardship Request [payment extensions according to 310 CMR 4.04(3)(c)] [] Alternative Schedule Project (according to 310 CMR 4.05 and 4.10)

*There are no fee exemptions for 21E, regardless of applicant status

Check #: 2494 Dollar Amount: \$ 250.00 Date: 6/10/02



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Waterways Regulation Program
Chapter 91 Waterways License Application - 310 CMR 9.00
 SIMPLIFIED, WATER-DEPENDENT, NONWATER-DEPENDENT, AMENDMENT

B. Applicant Information Proposed Project/Use Information

Note: Please refer to the Waterways Application How to Apply Guide before completing sections A-H of this form.

1. Applicant:

Green Harbor Yacht Club, Inc. _____ E-mail Address
 Name
P.O. Box 209 _____
 Mailing Address
Green Harbor _____ MA _____ 02050
 City/Town State Zip Code
781-837-7100 _____
 Telephone Number Fax Number

2. Authorized Agent (if any):

KEY Environmental Services, Inc. _____ keyenvserv@earthlink.com
 Name E-mail Address
379 Liberty Street _____
 Mailing Address
Rockland _____ MA _____ 02370
 City/Town State Zip Code
781-871-8552 _____
 Telephone Number Fax Number

C. Proposed Project/Use Information

1. Property Information (all information must be provided):

Same _____
 Owner Name (if different from applicant)
Map M6, Block 8, Lot 4A _____ 42.084 N _____ 70.651 W
 Tax Assessor's Map and Parcel Numbers Latitude
257 Dike Road _____ MA _____ 02050
 Street Address State Zip Code

2. Name of the water body where the project site is located:

Green Harbor River

3. Description of the water body in which the project site is located (check all that apply):

Type	Nature	Designation
<input type="checkbox"/> Nontidal river/stream	<input checked="" type="checkbox"/> Natural	<input type="checkbox"/> Area of Critical Environmental Concern
<input checked="" type="checkbox"/> Flowed tidelands	<input type="checkbox"/> Enlarged/dammed	<input type="checkbox"/> Designated Port Area
<input type="checkbox"/> Filled tidelands	<input type="checkbox"/> Uncertain	<input type="checkbox"/> Ocean Sanctuary
<input type="checkbox"/> Great Pond		<input type="checkbox"/> Uncertain
<input type="checkbox"/> Uncertain		



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Waterways Regulation Program
Chapter 91 Waterways License Application - 310 CM.
 SIMPLIFIED, WATER-DEPENDENT, NONWATER-DEPENDENT, AMENDMENT

C. Proposed Project/Use Information (cont.)

Select use(s) from
 pg. 4 of the **How
 to Apply
 Guide**

4. Proposed Use/Activity description

Facilities maintenance to the Green Harbor Yacht Club, including the replacement of
 accessories, the construction of a ramp with pile-held float and finger floats, and main-
 dredging.

5. Is the project a pre-1984 existing structure AND less than 600 square feet?

Yes No

6. Is the project a post-1984 existing or new structure, less than 300 square feet AND water dependent?

Yes No

7. What is the estimated total cost of proposed work (including materials & labor)?

\$150,000.00

8. List the name & complete mailing address of each abutter (attach additional sheets, if necessary). An
 abutter is defined as the owner of land that shares a common boundary with the project site, as well
 as the owner of land that lies within 50' across a waterbody from the project.

See Appendix A

Name Address

Name Address

Name Address

D. Project Plans

1. I have attached plans for my project in accordance with the instructions contained in (check one):

Appendix A (License plan) Appendix B (Simplified License plan) Appendix C (Permit plan)

2. Other State and Local Approvals/Certifications

401 Water Quality Certificate

Wetlands

Jurisdictional Determination

MEPA

EOEPA Secretary Certificate

21E Waste Site Cleanup

Date of Issuance

SE 42-1560

File Number

JD-

File Number

12381

File Number

01/08/01

Date

RTN Number



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Waterways Regulation Program
Chapter 91 Waterways License Application - 310 CMR 9.00
 SIMPLIFIED, WATER-DEPENDENT, NONWATER-DEPENDENT, AMENDMENT

E. Certification

All applicants, property owners and authorized agents must sign this page. All future application correspondence may be signed by the authorized agent alone.

I hereby make application for a permit or license to authorize the activities I have described here. By my signature, I agree to allow the duly authorized representatives of the Massachusetts Department of Environmental Protection and the Massachusetts Coastal Zone Management Program to enter upon premises of the project site at reasonable times for the purpose of inspection.

"I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge.

Marta Phore for: Daniel Welch, 6HYC
 Applicant's signature Date

Same
 Property Owner's signature (if different than applicant) Date
Marta Phore, L.S.P. 6/10/02
 Agent's signature (if applicable) Date

Key Environmental Svs, Inc.

APPLICANTS FILING A SIMPLIFIED APPLICATION STOP HERE

F. Waterways Dredging Addendum

02-0551

1. Provide a description of the dredging project
 Maintenance Dredging (include last dredge date & permit no.) Improvement Dredging
To improve existing conditions and provide additional boat slips at the existing Green Harbor Yacht Club
2. What is the volume (cubic yards) of material to be dredged?
2,750 cy to -5 MLW, -6 MLW
(1' Overdredge), 3,565 cy
3. What method will be used to dredge?
 Hydraulic Mechanical Other
4. Describe disposal method and provide disposal location (include separate disposal site location map)
If dredged mechanically, disposal will be at the Cape Cod Disposal Site. If dredged hydraulically, disposal will be at the Town of Marshfield's upland disposal site off of Town Pier Road
5. Provide copy of grain size analysis. If grain size is compatible for beach nourishment purposes, the Department recommends that the dredged material be used as beach nourishment for public beaches. **Note:** In the event beach nourishment is proposed for private property, pursuant to 310 CMR 9.40(4)(a)1, public access easements below the existing high water mark shall be secured by applicant and submitted to the Department.



G. Municipal Zoning Certificate

Green Harbor Yacht Club, Inc.

Name of Applicant

257 Dike Road P.O. Box 209

Project street address

Green Harbor River

Waterway

Green Harbor,

02041

Description of use or change in use:

To reconfigure the existing pile supported pier and floats and to add additional pile supported floats and to maintain the existing riprap, wall and boat ramp and to dredge, in the Green Harbor River at the Green Harbor Yacht Club, for its continued marine use.

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans is not in violation of local zoning ordinances and bylaws."

Michael J Clancy

Printed Name of Municipal Official

Michael J Clancy

Signature of Municipal Official

Building Commissioner

Title

5/10/07

Date

Marshfield

City/Town

H. Municipal Planning Board Notification

Notice to Applicant:

Section H should be completed and submitted along with the original application material.

Green Harbor Yacht Club, Inc.
Name of Applicant
257 Dike Road P.O. Box 209
Project street address
Green Harbor River
Waterway
Green Harbor
02041
City/Town

Description of use or change in use:

To reconfigure the existing pile supported pier and floats and to add additional pile supported floats and to maintain the existing riprap, wall and boat ramp and to dredge, in the Green Harbor River at the Green Harbor Yacht Club, for its continued marine use.

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans have been submitted by the applicant to the municipal planning board."

Paul Halkiotis

Printed Name of Municipal Official

Paul Halkiotis

Signature of Municipal Official

4/24/07

Date

Town Planner

Title

Marshfield

City/Town

Note: Any comments, including but not limited to written comments, by the general public, applicant, municipality, and/or an interested party submitted after the close of the public comment period pertaining to this Application shall not be considered, and shall not constitute a basis for standing in any further appeal pursuant to 310 CMR 9.13(4) and/or 310 CMR 9.17.

DEP File Number



WPA Form 5 Order of Conditions

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

SE42-1560 - AMENDED	
Watershed	SOUTH COASTAL
Town	MARSHFIELD
Applicant	GREEN HARBOR YC

A Applicant Information

From: **Marshfield Conservation Commission**

To Green Harbor Yacht Club, Inc. Same
Applicant Name Property Owner Name

Address: P.O. Box 209, Green Harbor, MA 02041 Address: Same

This Order is issued to the applicant or representative as follows:

- by hand delivery to applicant or representative on January 22, 2007 (date)
- by certified mail, return receipt requested _____ (date)

The project site is located at: 257 Dyke Road, Marshfield, MA 02050 Assessors #M6-8-4A

and the property is recorded at the Registry of Deeds: Plymouth County, Book 2861 Page 346

or if registered land as Land Court Certificate # _____

The Notice of Intent for this project was filed on December 19, 2006 (date)

The public hearing was closed on January 3, 2007 (date)

This Order expires on January 22, 2010 (date). (Extension must be requested 30 days prior.)

B Findings Findings pursuant to the Massachusetts Wetlands Protection Act:

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

- | | | |
|--|---|--|
| <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Flood Control | <input type="checkbox"/> Storm Damage Prevention |
| <input checked="" type="checkbox"/> Private Water Supply | <input checked="" type="checkbox"/> Land Containing Shellfish | <input checked="" type="checkbox"/> Prevention of Pollution |
| <input checked="" type="checkbox"/> Groundwater Supply | <input checked="" type="checkbox"/> Fisheries | <input checked="" type="checkbox"/> Protection of Wildlife Habitat |

Furthermore, the Marshfield Conservation Commission hereby finds that the project, as proposed, is **Approved** subject to the following conditions which are necessary, in accordance with the performance standards set forth in the wetlands regulations, to protect those interests checked above. This Commission orders that all the work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.



WPA Form 5 Order of Conditions

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

DEP File Number

SE42-1560 AMENDED

B Findings (cont.)

4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:

(a) the work is a maintenance dredging project as provided for in the Act; or

(b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance, if this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.

5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.

6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.

7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.

8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to commencement of the work.

9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Protection", [or, "MA DEP"]
"File Number SE 42-1560 - Amended."

10. Where the Department of Environmental Protection is requested to make a determination and to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.

11. Upon completion of the work described herein, the applicant shall forthwith request in writing in the form of a Request for Certificate of Compliance (WPA 8A) submitted to the Conservation Commission that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.

12. The work shall conform to the following plans and special conditions:

Final Approved Plans:

Title Dated Signed and Stamped by:

Proposed Marina Plan in Green Harbor River at Green Harbor Yacht Club County of Plymouth, MA, Application by Green Harbor Yacht Club Dated June 2006, Sheets 1 through 5, Signed & stamped by John A. Capocceffalo, RPE. and Site Plan A, showing proposed pier & float reconfiguration layouts and proposed dredging, & boat ramp repairs at Green Harbor Yacht Club, Dike Road, Marshfield, MA. Dated December 2006. Signed & Stamped by John A. Capocceffalo, RPE.

On File with:

Marshfield Conservation Commission

SPECIAL CONDITIONS:

13. Any changes to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.

14. The Agent or members of the Conservation Commission and Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



WPA Form 5 Order of Conditions

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

B Findings (cont.)

SPECIAL CONDITIONS:

In this amended order, the Commission approves: the reduction in volume of material to be dredged; the increase in the number of slips to 39; and the reconfiguration of the piers and floats as shown in the approved plans and detailed in the "Summary of Proposed Changes".

- a. All work shall be done in accordance with approved plans dated June, 2006 sheets 1 through 5 and Site Plan A. There shall be no deviation from these plans unless written approval from the Commission is obtained prior to implementing any changes.
- b. The Conservation Administrator will be the overseer of all work on this project for the Conservation Commission.
- c. The applicant shall be responsible for informing the contractor of the conditions of this Order and ensuring compliance.
- d. Dredging operations shall occur only during the period between October 15 through March 15 of any year. Dredging may be done by hydraulic dredge or mechanical dredge.
- e. Dredged material may be disposed of in the Town of Marshfield's upland disposal site on Joseph Driebeck Way, in any other approved upland disposal site, or offshore at the Cape Cod Disposal site. Suitable material may also be used for properly permitted beach nourishment provided that particle size analysis and chemical analysis proves that the material is clean and free of contaminants or high levels of toxic substances and is compatible in grain size with the receiving beach.
- f. No dredging or work in the salt marsh is permitted. Any damage to the salt marsh shall be restored by any necessary means subject to the approval of the Commission.
- g. Written notice shall be given to the Conservation Commission and the Harbormaster a minimum of 2 weeks prior to the commencement of dredging operations.
- h. All the above conditions must be met for the Commission to issue approval in the form of a Certificate of Compliance as is required in General Conditions.

SE42-1560 - AMENDED



WPA Form 5 Order of Conditions

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

B Findings (cont.) This Order is issued by the Marshfield Conservation Commission.

Signatures _____ Amy Kwesell, Chairman
 _____ Jean C. Stewart _____ John M. Zimmer
 _____ Claire Massimo _____ Walter Greaney

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

On this 17th day of January 2007 before me personally appeared the above-named persons known to me to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public: Kathleen D. Ramsey Kathleen D. Ramsey My Commission Expires 09/15/2011
 KATHLEEN D. RAMSEY
 Notary Public
 Commonwealth of Massachusetts
 My Commission Expires September 15, 2011

C Appeals

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

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, §40 and is inconsistent with the wetlands regulations (310 CMR 10.00).

D Recording Information

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

Detach on dotted line and submit to the Marshfield Conservation Commission

To: Marshfield Conservation Commission

Please be advised that the Order of Conditions for the project at: 257 DYKE ROAD, Marshfield, MA (location)

DEP File Number SE42-1560 Amended has been recorded at the Plymouth Registry of Deeds

And has been noted in the chain of title of the affected property in Book _____ Page _____

In accordance with the Order of Conditions issued on _____ (date)

If recorded land, the instrument number which identifies this transaction is _____ (Instrument #)

If registered land, the document number which identifies this transaction is _____ (Document #)

Signature of Applicant _____



TOWN OF MARSHFIELD

COMMONWEALTH OF MASSACHUSETTS

Order of Conditions

Marshfield Wetlands Protection By-law, General By-law, Art. 37

Approved Attorney General July, 1988

SE42-1560 AMENDED

B Findings (cont.)

Therefore, the Marshfield Conservation Commission hereby finds that following conditions are necessary, in accordance with the performance standards set forth in the regulations, to protect those interests checked above. This Commission orders that all the work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the By-law; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Court have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Commission on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Protection", [or, "MA DEP"]
"File Number SE 42-1560 AMENDED".
10. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.



TOWN OF MARSHFIELD

COMMONWEALTH OF MASSACHUSETTS

Order of Conditions

SE42-1560 AMENDED	
Watershed	SOUTH COASTAL
Town	MARSHFIELD
Applicant	GREEN HARBOR YC

Marshfield Wetlands Protection By-law, General By-law, Art. 37
Approved Attorney General July, 1988

A Applicant Information

From: Marshfield Conservation Commission

To: Green Harbor Yacht Club, Inc. Same
Applicant Name Property Owner Name

Address: P.O. Box 209, Green Harbor, MA 02041 Address: Same

This Order is issued to the applicant or representative as follows:

- by hand delivery to applicant or representative on January 22, 2007 (date)
- by certified mail, return receipt requested _____ (date)

The project site is located at: (Address) 257 Dyke Road, Marshfield, MA, Assessors # M6-8-4A

and the property is recorded at the Registry of Deeds: Plymouth County, Book 2861 Page 346

or if registered land as Land Court Certificate # _____

The Notice of Intent for this project was filed on: December 19, 2006 (date)

The public hearing was closed on: January 3, 2007 (date)

This Order expires on: January 22, 2010 (date). (Extension must be requested 30 days prior.)

B Findings

Findings pursuant to the Marshfield Wetlands Protection By-law:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the area in which work is proposed is significant to the following interests of the Marshfield Wetlands Protection By-law:

- | | | |
|--|---|--|
| <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Flood Control | <input type="checkbox"/> Shellfish |
| <input checked="" type="checkbox"/> Private Water Supply | <input type="checkbox"/> Storm Damage Prevention | <input type="checkbox"/> Fish |
| <input checked="" type="checkbox"/> Groundwater | <input checked="" type="checkbox"/> Prevention of Pollution | <input type="checkbox"/> Wildlife |
| <input type="checkbox"/> Erosion Control | <input type="checkbox"/> Recreation | <input type="checkbox"/> Sedimentation Control |
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Agriculture |
| <input checked="" type="checkbox"/> Fish Habitat | <input checked="" type="checkbox"/> Shellfish Habitat | <input checked="" type="checkbox"/> Wildlife Habitat |



TOWN OF MARSHFIELD
COMMONWEALTH OF MASSACHUSETTS
Order of Conditions

SE42-1560 AMENDED

Marshfield Wetlands Protection By-law, General By-law, Art. 37
Approved Attorney General July, 1988

B Findings (cont.)

11. The work shall conform to the following plans and special conditions:

Plans:

Title Dated Signed and Stamped by:

Proposed Marina Plan in Green Harbor River at Green Harbor Yacht Club County of Plymouth, MA, Application by Green Harbor Yacht Club Dated June 2006, Sheets 1 through 5, Signed & stamped by John A. Capoccefalo, RPE. and Site Plan A, showing proposed pier & float reconfiguration layouts and proposed dredging, & boat ramp repairs at Green Harbor Yacht Club, Dike Road, Marshfield, MA. Dated December 2006. Signed & Stamped by John A. Capoccefalo, RPE.

On File with:

Marshfield Conservation
Commission

SPECIAL CONDITIONS:

In this amended order, the Commission approves: the reduction in volume of material to be dredged; the increase in the number of slips to 39; and the reconfiguration of the piers and floats as shown in the approved plans and detailed in the "Summary of Proposed Changes".

- a. All work shall be done in accordance with approved plans dated June, 2006 sheets 1 through 5 and Site Plan A. There shall be no deviation from these plans unless written approval from the Commission is obtained prior to implementing any changes.
- b. The Conservation Administrator will be the overseer of all work on this project for the Conservation Commission.
- c. The applicant shall be responsible for informing the contractor of the conditions of this Order and ensuring compliance.
- d. Dredging operations shall occur only during the period between October 15 through March 15 of any year. Dredging may be done by hydraulic dredge or mechanical dredge.
- e. Dredged material may be disposed of in the Town of Marshfield's upland disposal site on Joseph Driebeck Way, in any other approved upland disposal site, or offshore at the Cape Cod Disposal site. Suitable material may also be used for properly permitted beach nourishment provided that particle size analysis and chemical analysis proves that the material is clean and free of contaminants or high levels of toxic substances and is compatible in grain size with the receiving beach.
- f. No dredging or work in the salt marsh is permitted. Any damage to the salt marsh shall be restored by any necessary means subject to the approval of the Commission.
- g. Written notice shall be given to the Conservation Commission and the Harbormaster a minimum of 2 weeks prior to the commencement of dredging operations.
- h. All the above conditions must be met for the Commission to issue approval in the form of a Certificate of Compliance as is required in General Conditions.

TOWN OF MARSHFIELD
COMMONWEALTH OF MASSACHUSETTS
Order of Conditions

DEP File Number

SE42-1560 AMENDED



Marshfield Wetlands Protection By-law, General By-law, Art. 37
Approved Attorney General July, 1988

B Findings (cont.)

This Order is issued by the Marshfield Conservation Commission.

Signatures: *[Signature]* Amy E. Kwesell, Chairman
[Signature] John M. Zimmer *[Signature]* Jean C. Stewart
[Signature] Walter Greaney *[Signature]* Claire Massimo

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

On this 17th day of January 2007 before me personally appeared the above persons to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public: *[Signature]*
Kathleen D. Ramsey

My Commission expires: 9/15/2011



KATHLEEN D. RAMSEY
Notary Public
Commonwealth of Massachusetts
My Commission Expires September 15, 2011

C Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the Town are hereby notified of their right to appeal to Superior Court within sixty days from the date of issuance of this Order. A copy of the appeal shall at the same time be sent by certified mail or hand delivered to the Conservation Commission and to the applicant.

Detach on dotted line and submit to the Marshfield Conservation Commission

To: Marshfield Conservation Commission

Please be advised that the Order of Conditions for the project at: 275 Dyke Road, Marshfield, MA (location)

DEP File Number SE42-1560 Amended has been recorded at the Plymouth Registry of Deeds

And has been noted in the chain of title of the affected property in Book _____ Page _____

In accordance with the Order of Conditions issued on _____ (date)

If recorded land, the instrument number which identifies this transaction is _____ (Instrument #)

If registered land, the document number which identifies this transaction is _____ (Document #)

Signature of Applicant _____ (T)



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

December 6, 2007

Marybeth Corbett
Green Harbor Yacht Club
Dike Road
Marshfield, MA 02041

Re: **401 WATER QUALITY CERTIFICATION**
Application for BRP WW 08, Minor project dredging

At: Green Harbor River, MARSHFIELD

401 WQC Transmittal No: W018319
Wetlands File No: SE42-1560
ACoE Application No: NAE-2005-382

Dear Ms. Corbett:

The Department has reviewed your application for Water Quality Certification (WQC), as referenced above. In accordance with the provisions of Section 401 of the Federal Clean Water Act as amended (33 U.S.C. §1251 *et seq.*), MGL c.21, §§ 26-53, and 314 CMR 9.00, it has been determined there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law.

The waters of Green Harbor River are designated in the Massachusetts Surface Water Quality Standards as Class SA. Such waters are intended "as excellent habitat for fish, other aquatic life and wildlife and for primary and secondary contact recreation." Anti-degradation provisions of these Standards require that "existing uses and the level of water quality necessary to protect the existing uses shall be maintained and protected."

Background: On January 19, 1994, Division of Water Pollution Control of the Department of Environmental Protection (DEP) issued a Water Quality Certification (WQC) to the Green Harbor Yacht Club to dredge approximately 3,700 cubic yards of sediment at the inner and outer boat basin. Other work included stabilization of the sloughing salt marsh along both sides

of the inner basin, rebuilding an existing riprap at the head of the inner basin, building a new wall along the south side of the boat ramp and the north side. However, the applicant, Green Harbor Yacht Club did not undertake the work.

Proposed project: The applicant has substantially reduced the scope of work from the work authorized under the January 19, 1994 Certification. The dredge footprint is limited to the outer basin, approximately 34,900 ft², to a depth of -5 MLW with an allowance of one-foot overdredge to -6 MLW. The dredge volume is approximately 2,750 cubic yards and increases to 3,565 cubic yards with the full one-foot overdredge. The sediment will be mechanically removed and placed on a scow to be transported to the Cape Cod Bay Disposal Site (CCBDS).

Sediment dewatering: Because the unconfined ocean disposal at CCBD has been approved by the Army Corps of Engineer (ACoE), sediment dewatering is not anticipated.

Sediment sampling data: Six samples were collected for gradation analysis and the results showed that the percent passing the No. 200 U.S. Standard Series Testing Sieve ranging from 10 percent (one sample) to over 90 percent (three samples). Results of the chemical analysis were submitted to the ACoE for suitability determination for disposal at the CCBDS.

The Department received no comment during the 21-day public comment period for this application, which began on October 19, 2007

Section 61 Findings: Pursuant to M.G.L. Chapter 30, Sections 61 to 62H including (M.E.P.A.) this project was reviewed as EOEA No. 12381 and the Secretary's Certificate, issued on January 8, 2001 that an Environmental Impact Report (EIR) would not be required.

Therefore, based on information currently in the record, the Department grants a 401 Water Quality Certification for this project subject to the following conditions to maintain water quality, to minimize impact on waters and wetlands, and to ensure compliance with appropriate state law. The Department further certifies in accordance with 314 CMR 9.00 that there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law. Finally, the Department has determined that upon satisfying the conditions and mitigation requirements of this approval, the project provides a level of water quality necessary to protect existing uses and accordingly finds that the project as implemented satisfies the Surface Water Quality Standards at 314 CMR 4.00.

1. The Contractor shall take all steps necessary to assure that the proposed activities will be conducted in a manner that will avoid violations of the anti-degradation provisions of Massachusetts Surface Water Quality Standards that protect all waters, including wetlands.
2. Prior to the start of work, the Department shall be notified of any change(s) in the proposed project or plans that may affect waters or wetlands. The Department will determine whether the change(s) require a revision to this Certification.
3. Dredging in accord with this Certification may begin following the 21-day appeal period and once all other permits have been received.

4. Work in waters and wetlands shall conform substantially to the Site Plan A submitted in application to this Department, unsigned and unstamped, dated December 2006. The Department shall be notified if there are modifications and or deletions of work as specified in the plans. Depending on the nature of the scope change, approval by the Department may be required.
5. The Department shall be notified, attention Ken Chin 617-292-5893, one week prior to the start of in-water work so that Department staff may inspect the work for compliance with the terms and conditions of this Certification.
6. The Certification remains in effect for the same duration of the federal permit that required it.
7. Future maintenance dredging may be conducted as necessary for the duration of this Certification, provided that:
 - a. the initial project and any subsequent dredging has been conducted satisfactorily with no violations of the terms and conditions of this Certification,
 - b. Suitability Determination of future dredged sediment by ACoE for disposal at the CCBDS, and
 - c. a due-diligent evaluation to determine that no known spills of oil or other toxic substances have occurred which could have contaminated the sediment in the dredge area.
8. Within 30 days of the completion of the initial dredging, a bathymetric survey of the channel, depicting post-dredge conditions, shall be sent to the Department.
9. To minimize turbidity, silt curtain shall be used to surround the dredging barge and dredging shall be carried out using a closed, environmental bucket.
10. Scow overflow is prohibited, and no sediment dewatering at the dredging work zone.
11. Disposal of any volume of dredged material at any location in tidal waters is subject to approval by this Department and the Massachusetts Coastal Zone Management office.
12. In order to protect spawning, larval and juvenile development of winter flounder, anadromous fish migration, and shellfish spawning, no dredging shall occur between February 1st and October 30th of any year.
13. The applicant, or their contractor, shall make every feasible effort to complete the project within the permitted timeframe. Should the applicant, or their contractor, fail to complete the project and wish to request an amendment to the Certification for incursion into the no-dredge period, the written request shall be received by the Department by January 15th. The following information shall be included in the request:
 - a. project location and transmittal number,
 - b. the date on which dredging started,
 - c. the number of days and hours per day the dredge operated,
 - d. expected daily average production rate and the actual daily average production rate,
 - e. an explanation of why the project failed to remain on schedule,

- f. an account of efforts made to get the project back on schedule,
- g. a plan depicting the areas that remain to be dredged,
- h. the number of cubic yards that remain to be dredged,
- i. an accurate estimate of the number of days required to complete the project,
- j. an evaluation of the impact of continued dredging on the species of concern,
- k. a description of any efforts that will be made to minimize the impacts of the project on the species of concern, and a realistic assessment of any societal/financial effects of a denial of permission to continue dredging.

The Department will share the information with other resource agencies and a decision to grant or deny the amendment shall be made by February 1st. Requests for amendment received after January 15th will be considered at the Department's discretion.

This certification does not relieve the applicant of the obligation to comply with other applicable state or federal statutes or regulations. Any changes made to the project as described in the previously submitted Notice of Intent, 401 Water Quality Certification application, or supplemental documents will require further notification to the Department.

Certain persons shall have a right to request an adjudicatory hearing concerning certifications by the Department when an application is required:

- a. the applicant or property owner;
- b. any person aggrieved by the decision who has submitted written comments during the public comment period;
- c. any ten (10) persons of the Commonwealth pursuant to M.G.L. c.30A where a group member has submitted written comments during the public comment period; or
- d. any governmental body or private organization with a mandate to protect the environment, which has submitted written comments during the public comment period.

Any person aggrieved, any ten (10) persons of the Commonwealth, or a governmental body or private organization with a mandate to protect the environment may appeal without having submitted written comments during the public comment period only when the claim is based on new substantive issues arising from material changes to the scope or impact of the activity and not apparent at the time of public notice. To request an adjudicatory hearing pursuant to M.G.L. c.30A, § 10, a Notice of Claim must be made in writing, provided that the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee specified within 310 CMR 4.10 along with a DEP Fee Transmittal Form within twenty-one (21) days from the date of issuance of this Certificate, and addressed to:

Case Administrator
Department of Environmental Protection
One Winter Street, 2nd Floor
Boston, MA 02108.

A copy of the request shall at the same time be sent by certified mail or hand delivery to the issuing office of the Wetlands and Waterways Program at:

Department of Environmental Protection
One Winter Street, 5th Floor
Boston, MA 02108.

A Notice of Claim for Adjudicatory Hearing shall comply with the Department's Rules for Adjudicatory Proceedings, 310 CMR 1.01(6), and shall contain the following information pursuant to 314 CMR 9.10(3):

- a. the 401 Certification Transmittal Number and DEP Wetlands Protection Act File Number;
- b. the complete name of the applicant and address of the project;
- c. the complete name, address, and fax and telephone numbers of the party filing the request, and, if represented by counsel or other representative, the name, fax and telephone numbers, and address of the attorney;
- d. if claiming to be a party aggrieved, the specific facts that demonstrate that the party satisfies the definition of "aggrieved person" found at 314 CMR 9.02;
- e. a clear and concise statement that an adjudicatory hearing is being requested;
- f. a clear and concise statement of (1) the facts which are grounds for the proceedings, (2) the objections to this Certificate, including specifically the manner in which it is alleged to be inconsistent with the Department's Water Quality Regulations, 314 CMR 9.00, and (3) the relief sought through the adjudicatory hearing, including specifically the changes desired in the final written Certification; and
- g. a statement that a copy of the request has been sent by certified mail or hand delivery to the applicant, the owner (if different from the applicant), the conservation commission of the city or town where the activity will occur, the Department of Environmental Management (when the certificate concerns projects in Areas of Critical Environmental Concern), the public or private water supplier where the project is located (when the certificate concerns projects in Outstanding Resource Waters), and any other entity with responsibility for the resource where the project is located.

The hearing request along with a DEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
Commonwealth Master Lockbox
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory-hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

Failure to comply with this certification is grounds for enforcement, including civil and criminal penalties, under MGL c.21 §42, 314 CMR 9.00, MGL c. 21A §16, 310 CMR 5.00, or other possible actions/penalties as authorized by the General Laws of the Commonwealth.

If you have questions on this decision, please contact Ken Chin at 617-292-5893.

Sincerely,

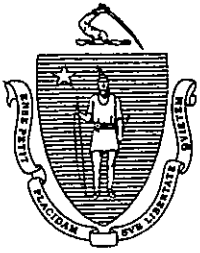
Glenn Haas
Director
Division of Watershed Management

enclosure: Departmental Action Fee Transmittal Form

cc:

Karen Adams, Regulatory/Enforcement Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751
Robert Boeri , CZM, 251 Causeway Street, Suite 900, Boston, MA 02114
Frank Germano, DMF, 838 South Rodney French Blvd., New Bedford, MA 02744
Mitch Ziencina, Liz Kouloheras, DEP SERO
Marshfield Conservation Commission, 870 Moraine Street, Marshfield, MA 02050

KC/W018319



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

251 Causeway Street, Suite 900

Boston, MA 02114-2119

ARGEO PAUL CELLUCCI
GOVERNOR

JANE SWIFT
LIEUTENANT GOVERNOR

BOB DURAND
SECRETARY

Tel. (617) 626-1000

Fax (617) 626-1181

<http://www.magnet.state.ma.us/envir>

January 8, 2001

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Dredging and Facilities Improvements
PROJECT MUNICIPALITY : Marshfield
PROJECT WATERSHED : North and South Rivers
EOEA NUMBER : 12381
PROJECT PROPONENT : Green Harbor Yacht Club
DATE NOTICED IN MONITOR : December 9, 2000

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report.

This project involves dredging of approximately 4,000 cubic yards of sediment, replacing existing dock accessories, construction of a new ramp and 5' x 60' pile-held float with finger piers, the addition of six additional finger piers to the main dock system. The project also includes stabilizing an eroding bank along the south side of the inner harbor. The dredging is expected to be done by the contractor hired by the U.S. Army Corps of Engineers (COE) to dredge the federal channel.

The project is subject to review pursuant to Section 11.03(3)(b)1a and 1f since it is expected to alter coastal bank and will likely alter one half acre of land under the ocean. The project will require a Waterways license and Water Quality Certification from the Department of Environmental Protection





KEY Environmental Service

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX

DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
WATERWAYS REGULATION
PROGRAM

Notice of License Application
pursuant to M.G.L. Chapter 91
Waterways License Application
Number

W 02-0551/TN#W019496
Green Harbor Yacht Club, Inc.

NOTIFICATION DATE: JULY 24,
2002

Public notice is hereby given of the Waterways application by Green Harbors Yacht Club, Inc. to replace existing dock accessories, the construction of a ramp with pile-held float and finger floats and maintenance dredging, at 257 Dike Road, in the municipality of Mansfield, and over flowed tidelands of Green Harbor River. The proposed project has been determined to be water-dependent. The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2734. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Dave Hill, Environmental Engineer, DEP Wetlands and Waterways Program, 20 Riverside Drive, Lakeville, MA 02347.

July 24, 2002

October 12, 2011



Mr. David Hill
Commonwealth of Massachusetts
Department of Environmental Protection
Wetlands and Waterways Section
20 Riverside Drive
Lakeville, Massachusetts 02347

Re: License No. 12105
Green Harbor Yacht Club
257 Dike Road, Green Harbor
Minor Project Modification

Dear Mr. Hill:

Please consider this as a follow up to your E-mail response to Kevin Maguire, dated September 23, 2011, regarding a Minor Project Modification for the float system approved under the above reference License.

Therefore, the Green Harbor Yacht Club, Inc., respectfully requests a Minor Project Modification, under the provisions of 310 CMR 9.22 (3), for the addition of a 6.3+/-'x20+/-' Support Float, which is attached to the main 10+/-'x20+/-' float at the bottom of the ramp and also, for the reconfiguration of the finger floats by the loss of one 3+/-'x20+/-' Finger Float, along the northerly side of Tree Float System A.

As outlined in the Engineer's Report that accompanying our request for a Certificate of Compliance sent to your Department in December 2010, we needed to install the support float to help support the heavier and longer ramp purchased by the Yacht Club. The ramp length also resulted in the loss of the one finger float because of the setback requirements from the Channel.

We are enclosing a copy of the As-built plan, one Sheet, dated December, 2010, that also accompanied our request for the Certificate of Compliance.

It is our understanding once we receive the Minor Project Modification, the Certificate of Compliance can be issued.

Thank you for your continued assistance.

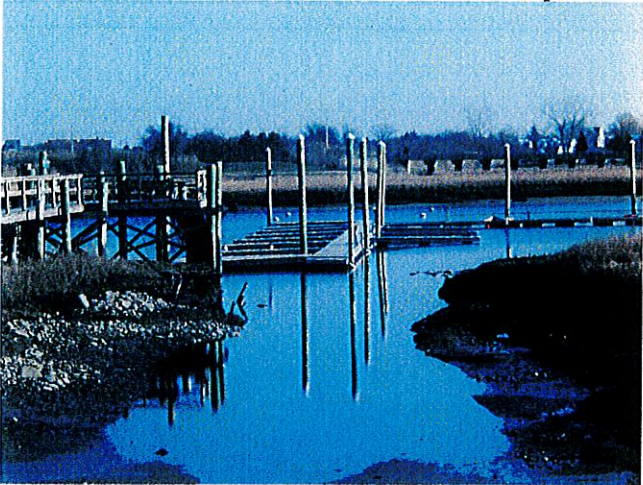
Very truly yours,

Jeff Fletcher, Commodore
Green Harbor Yacht Club, Inc.
Dike Road P.O. Box 209
Green Harbor, MA 02041
(781) 706-7189

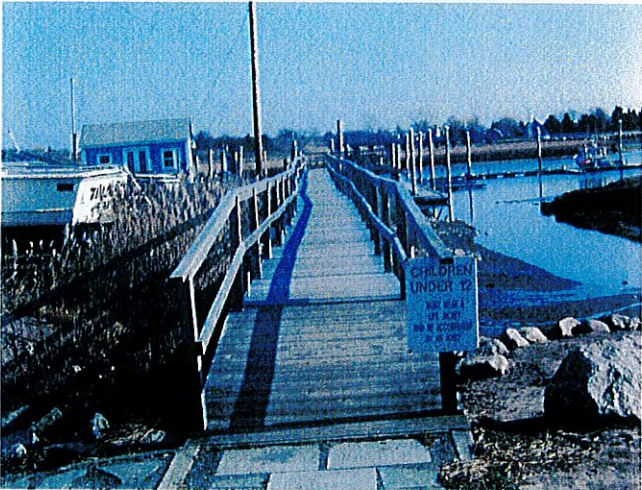
Enclos

A yellow rectangular sticky note with the handwritten text "OK to issue" in black ink.

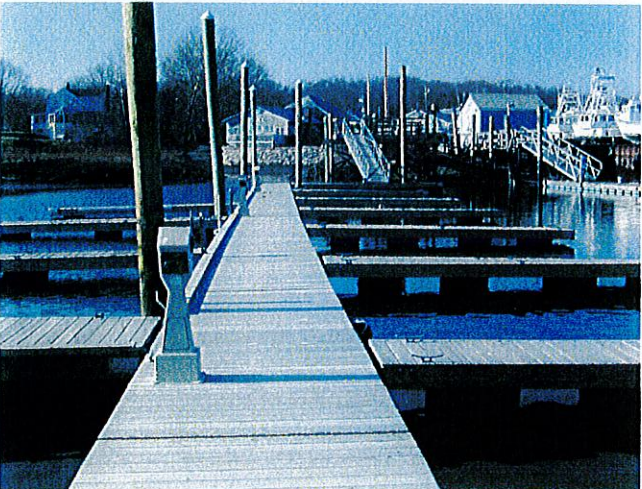
See As-built Plan dated 12/2010 for direction of photos



(1) From land looking NE along Main Tree Float A, 12/11/10

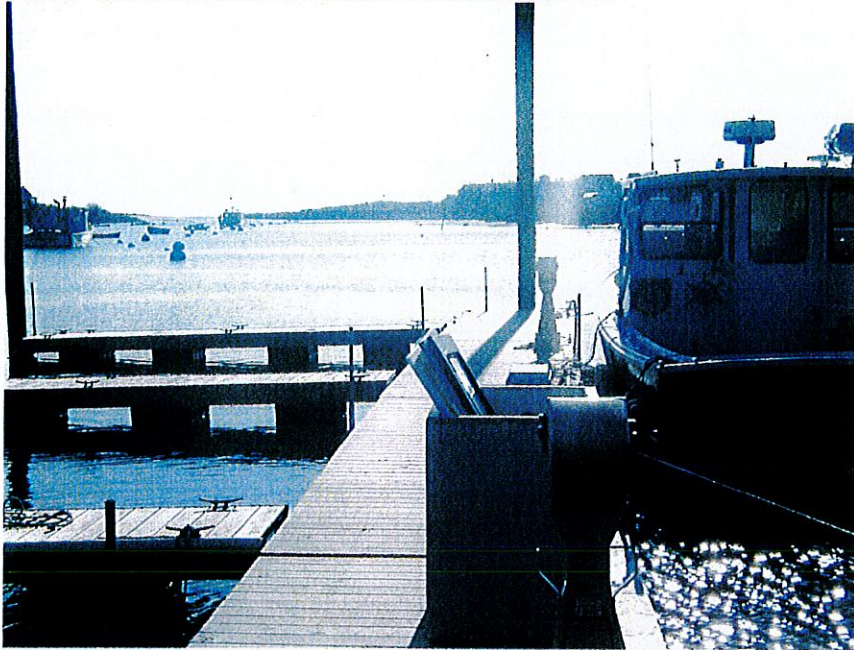


(2) From land looking NE along refurbished/new Pier, 12/11/10



(3) From junction of Main Tree Floats A & B, looking landward, NW, 12/11/10

See As-built Plan dated 12/2010 for direction of Photos



(4) Looking S from the junction of Main Tree Floats 2 & 3, 12/11/10



(5) Looking N from the end of Main Tree Float C, 12/11/10



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

DEP File Number:

SE42-1560
Provided by DEP

A. Project Information

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



1. This Certificate of Compliance is issued to:

Marybeth Corbett, Commodore

Name

P. O. Box 209

Mailing Address

Green Harbor

City/Town

MA

State

02041

Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

Green Harbor Yacht Club

Name

January 17, 2007

Dated

SE42-1560 (amended)

DEP File Number

3. The project site is located at:

Dike Road, Green Harbor River

Street Address

M06

Assessors Map/Plat Number

Green Harbor

City/Town

08

Parcel/Lot Number

the final Order of Condition was recorded at the Registry of Deeds for:

Same

Property Owner (if different)

Plymouth

County

36054

Book

238-241 &

242-245

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

January 4, 2011

Date

B. Certification

Check all that apply:

Complete Certification: It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

Partial Certification: It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:



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

DEP File Number:

SE42-1560
 Provided by DEP

B. Certification (cont.)

- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.
- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

C. Authorization

Issued by:

Marshfield
 Conservation Commission

January 5, 2011
 Date of Issuance

This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <http://www.mass.gov/dep/about/region/findyour.htm>).

Signatures:

Amy E. Kwesell, Chairman

Jean C. Stewart

Walter Gréaney

 Susan Caron

Mark Stevenson

 Ann Marie Sacchetti

Jim O'Connell



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

DEP File Number:

SE42-1560
 Provided by DEP

C. Authorization (cont.)

Notary Acknowledgement

Commonwealth of Massachusetts County of Plymouth

On this 4th Day January Of 2011 Month Year

before me, the undersigned Notary Public, personally appeared

the above-named persons,
 Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

known to me
 Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of Marshfield City/Town Conservation Commission

Lois E. Keenlside
 Signature of Notary Public
 Lois E. Keenlside
 Printed Name of Notary Public

February 6, 2015
 My Commission Expires (Date)
Lois E. Keenlside
 Signature of Notary Public

Place notary seal and/or any stamp above



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

DEP File Number:

SE42-1560
 Provided by DEP

D. Recording Confirmation

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Conservation Commission.

To:

Marshfield
 Conservation Commission

Please be advised that the Certificate of Compliance for the project at:

<u>Dike Road, Green Harbor River</u>	<u>SE42-1560</u>
Project Location	DEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth
 County

for:

Marybeth Corbett, Commodore, Green Harbor Yacht Club
 Property Owner

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

Date	Book	Page

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

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

Document Number

Signature of Applicant

The Commonwealth of Massachusetts

No. 12105



Whereas, Green Harbor Yacht Club, Inc.

of -- Marshfield -- in the County of -- Plymouth -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- maintain an existing ramp and pile supported pier, relocate and maintain existing floats and piles and to construct and maintain a pier, floats, ramp and piles and to reconstruct and maintain a boat ramp, riprap, retaining wall and to dredge --

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 -- Marshfield --.

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

-- Green Harbor Yacht Club, Inc. --, 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 ramp and pile supported pier, relocate and maintain existing floats and piles and to construct and maintain a pier, floats, ramp and piles and to reconstruct and maintain a boat ramp, riprap, retaining wall and to dredge --

in and over the waters of the -- Green Harbor River -- in the -- Town -- of -- Marshfield -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 12105 (3 sheets).

The structures hereby authorized shall be limited to the following use(s): to provide a public recreational boating facility as defined by 310 CMR 9.02 and shoreline stabilization for the protection of existing structures.

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

Maintenance dredging may be performed for a period of ten (10) years subsequent to the date of issuance of this license.

Existing structures previously authorized under Department of Public Works License No. 6303, shall be maintained in accordance with the conditions and terms of said license and plan.

Special Waterways 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, the Licensee shall allow the public in the exercise of such rights to pass freely over, under or 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 and at the facility entrance at Dike Road for public access to and along the waters edge. 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 tidelands of the Commonwealth, which interferes with the rights of the public to use such lands, the Licensee shall allow the public to pass on foot, for any purpose and from dawn to dusk, within the area of the subject property lying seaward of the high water mark. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activities by users of the area(s) intended for public passage, including but not limited to trespassing on the adjacent private areas and deposit of refuse of any kind or nature in the water or on the shore. Further, the exercise by the public of free on-foot passage in accordance with this condition shall be considered a permitted use to which the limited liability provisions of M.G.L. c.21, s.17c apply.
3. Any berth authorized herein shall be assigned in a fair and equitable manner, via waiting list or other appropriate, unbiased means. The Licensee may assign any berth authorized herein based upon vessel characteristics. Any contract or other agreement for exclusive use of any berthing area authorized herein shall have a maximum term of one (1) calendar year and may be renewable upon expiration on an annual basis.
4. Any berth authorized herein shall be made available for transient use during periods of vacancy in excess of 24 hours.

Special Waterways Conditions (Continued):

5. The Licensee shall impose no limitations on the hours or availability of the public access provisions described in Special Waterways License Conditions 1 and 2, except as indicated therein.
6. All exterior pedestrian facilities on the project site shall be open to the general public, except where access restriction are necessary in order to avoid significant interference with the operation of the facility or to maintain security at the pier, ramps, floats and other docking facilities.
7. The Licensee may adopt reasonable rules governing the publicly accessible areas of the site, subject to review and written approval by the Department; as are necessary for the protection of public health and safety and private property, and to ensure public use and enjoyment.
8. All work authorized herein shall be completed within five (5) years of the date of license issuance. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Applicant submits to the Department, thirty (30) days prior to the expiration of said construction period, a written request to extend the period and provides an adequate justification for said extension.
9. Within sixty (60) days of completion of the structures authorized in the licensed project, the Licensee shall request in writing that the Department issue a Certificate of Compliance in accordance with 310 CMR 9.19. The request shall be accompanied by a certification by a registered professional engineer licensed in the Commonwealth that the project was completed in accordance with the License.
10. When removed, all seasonal structures shall be stored landward of the mean high water shoreline and outside of any wetland resource areas. Said storage shall be in conformance with any applicable local, state or federal requirements.

Special Waterways Dredge Conditions:

1. Dredging may be performed by mechanical or hydraulic methods.
2. Dredging shall be to a maximum of 5.0 feet below the mean low water (MLW) datum with an allowable one-foot overdredge.
3. If dredging is performed by mechanical methods, sediments shall be placed on a scow and transported to the Cape Cod Bay Disposal Site. To minimize turbidity caused by mechanical dredging, a silt curtain shall be deployed to surround the dredge barge and immediate work area. If dredged hydraulically, sediments shall be disposed at the Town of Marshfield upland disposal site off Town Pier Road.
4. No dredging shall be performed from February 1st to October 30th of any year.
5. Maintenance dredging may be performed for a period of ten (10) years subsequent to the date of issuance of this license.
6. Within 30 days of completion of the initial dredging authorized herein, the Licensee shall furnish to the Department a suitable plan showing the depths at MLW over the area dredged.

Duplicate of said plan, number 12105 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:
 - x. 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.
 - x. 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 Department.
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. Whosoever 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.

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 -- Green Harbor Yacht Club, Inc. -- 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 cy = \$0.00)

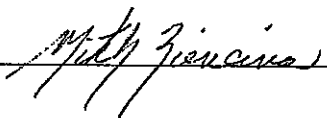
Nothing in this License shall be so construed as to impair the legal rights of any person.

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 Plymouth.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 2nd day of May in the year two thousand eight.

Commissioner 

Department of Environmental Protection

Program Chief 

THE COMMONWEALTH OF MASSACHUSETTS


This license is approved in consideration of the payment into the treasury of the Commonwealth by the said -- Green Harbor Yacht Club, Inc. --

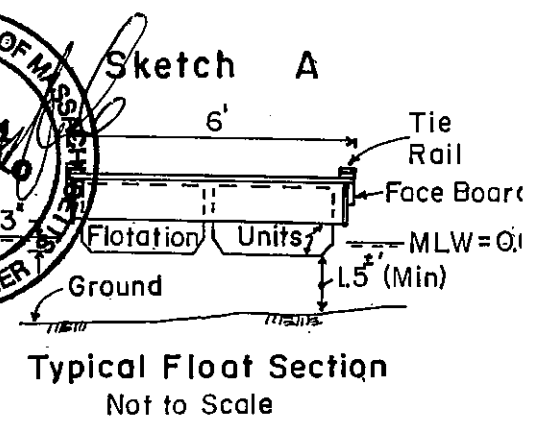
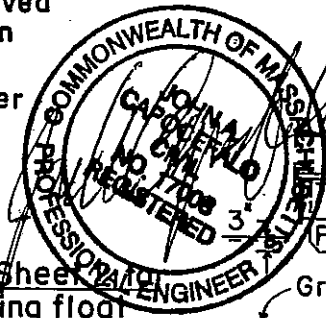
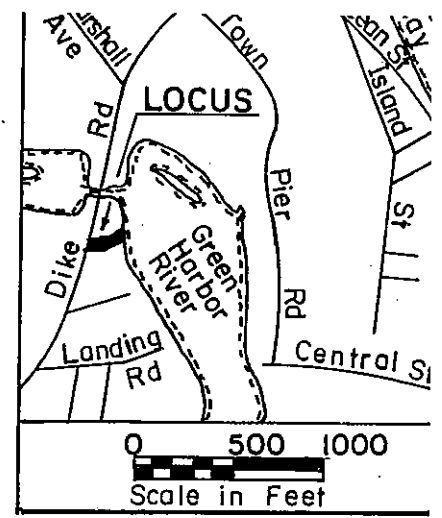
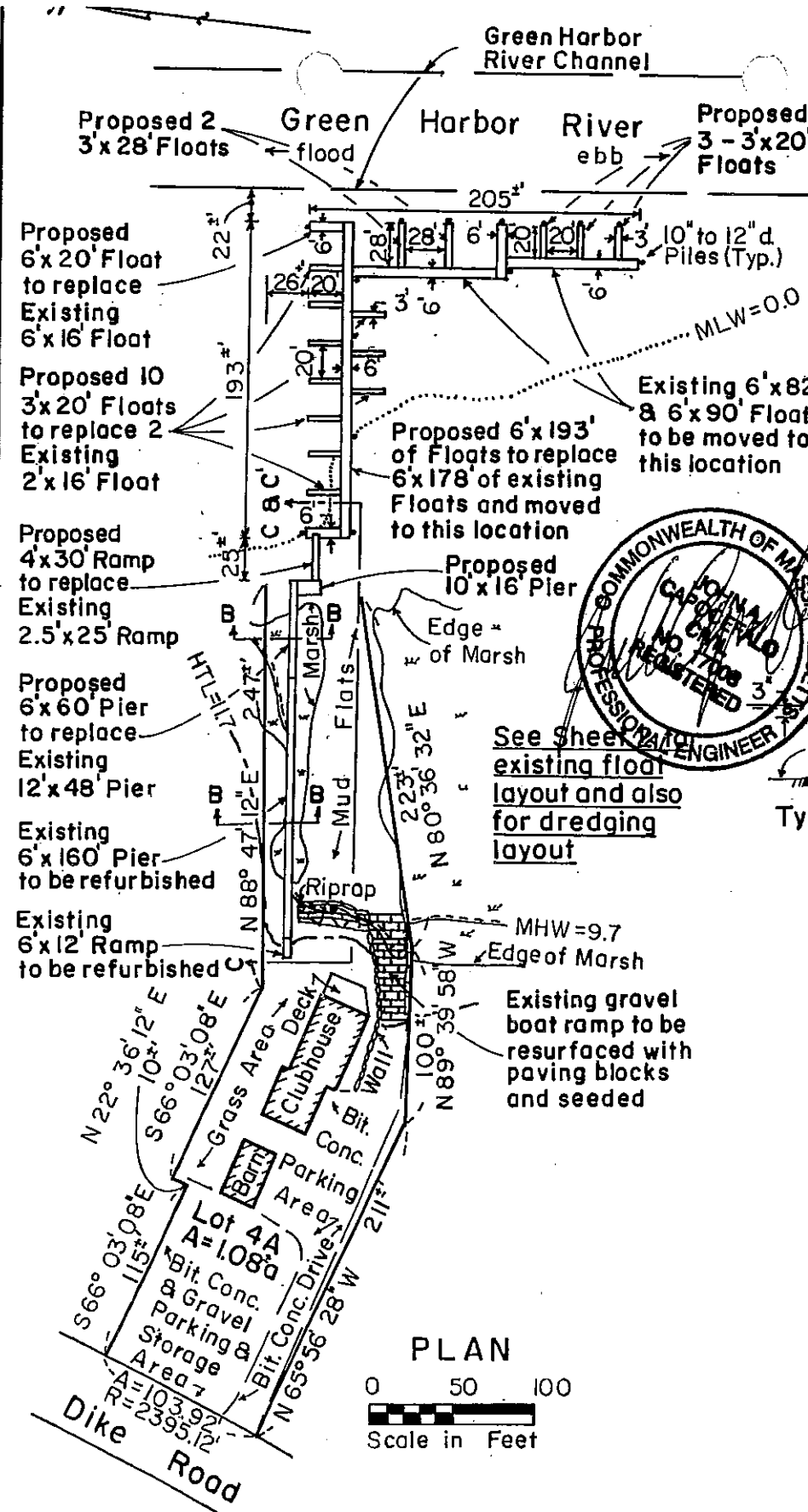
of the further sum of -- nine thousand two hundred ten dollars and zero cents (\$9,210.00) --

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

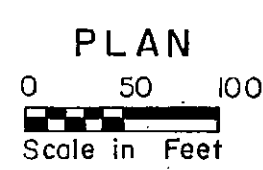
BOSTON,

Approved by the Governor.


Governor



See Sheet 12105 for existing float layout and also for dredging layout



All elevations are based on Mean Low Water
Sheet 1 of 3 Sheets

Plan accompanying petition of Green Harbor Yacht Club, Inc. to maintain an existing ramp and pile supported pier, relocate and maintain existing floats and piles and to construct and maintain a pier, floats ramp and piles and to reconstruct and maintain a boat ramp, riprap, retaining wall and to dredge in the Green Harbor River, Marshfield February, 2007

LICENSE PLAN NO. **12105**
Approved by Department of Environmental Protection of Massachusetts MAY 02 2008
Mitch Francina

Existing 6x16 Float
& 2-2x16' Floats
(Not Licensed)

Existing 6 x 82 Float
& 6 x 90 Float
(Not Licensed)

Green Harbor
River Channel

← flood Green Harbor River ebb →

Green Harbor River
Channel to be dredged
to -6 MMLW by C of I

Marina Harbor II
Corporation to
be dredged to
-5 MLW by
others under
Permit No.
11441

License
No. 11408

Existing Floats
& Piles
License
No. 6303

Existing Ramps
& Pile Supported
Pier, License No.
6303

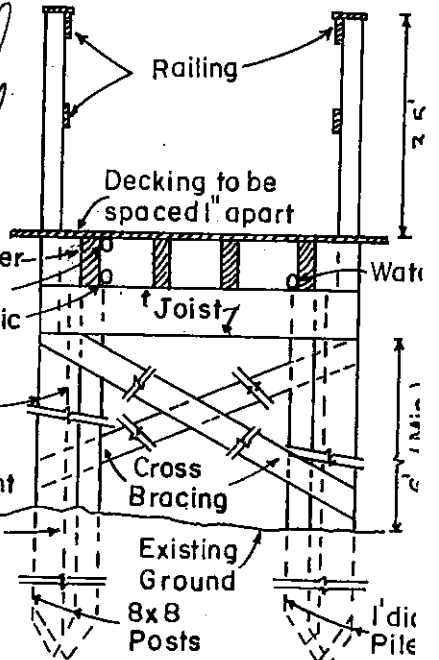
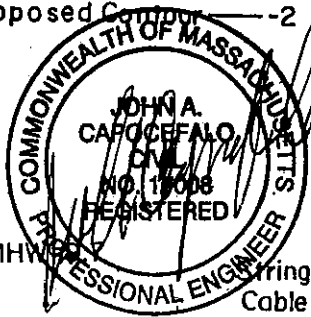
Dredging Envelope to -6 ML
and to blend into abutting
dredging projects

0.0 MLW Contour
-2 MLW Contour
-4 MLW Contour
-5 MLW Contour

Dredging area to -5MLW is 31,200
sq. ft. and the volume is 2,750 cu.
yd. Dredging area to -6 MLW is
41,300 sq. ft. (1' overdredge) and
the volume is 3,565 cu. yd.

Existing Contour --- -8
Proposed Contour - - - - -2

PIER
(Typical)
6'



New and replacement
piles to be driven
to 2/3 thier length
or as conditions
may require

SECTION B-B

0 .51 2 3

Scale in Feet

All elevations are base
on Mean Low Water

Sheet 2 of 3 Sheet

The property lines shown
on these plans are not the
results of an actual on the
ground survey. The lines
of ownership have been
compiled from plans and
deeds of records

PLAN

0 50 100

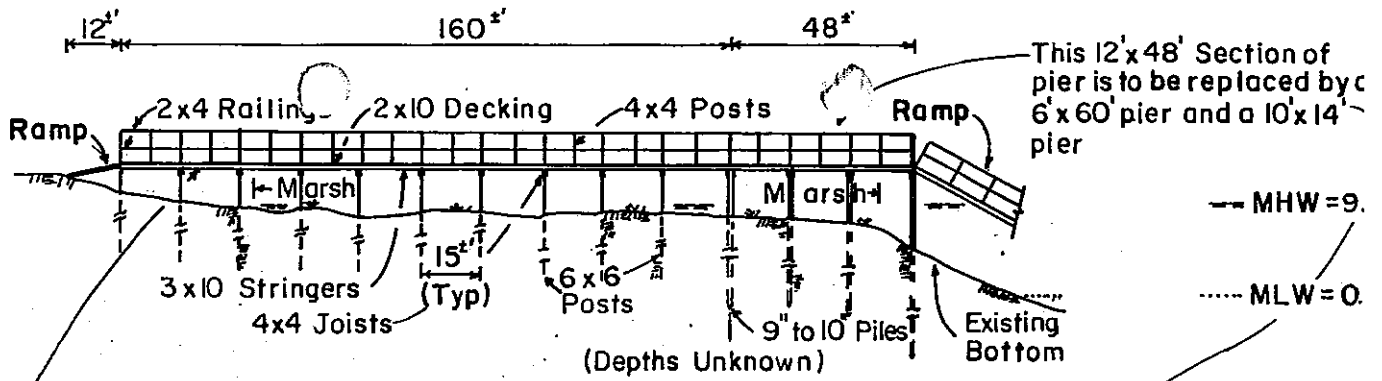
Scale in Feet

LICENSE PLAN NO. 12105

Approved by Department of Environmental Protection

Date:

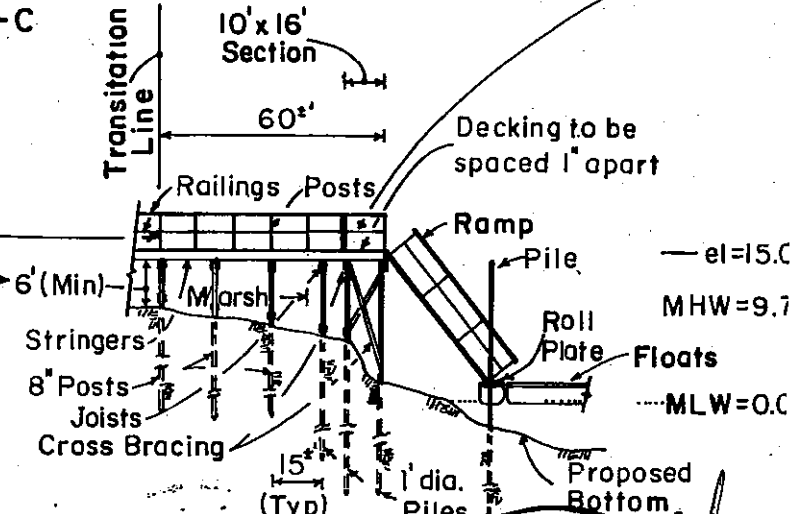
MAY 02 2008



Existing Pier Section C-C

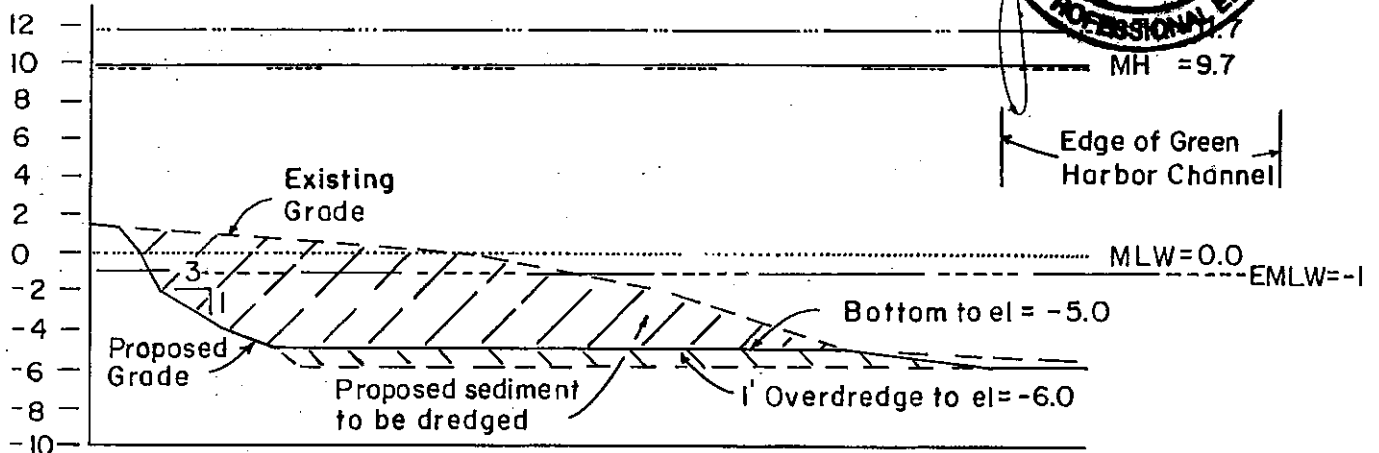
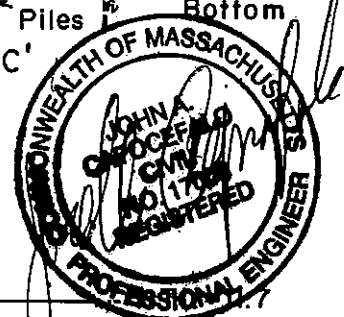
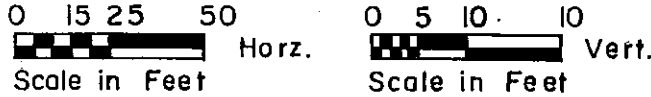
This 6' x 160' section of pier is to be rebuilt in place with 1" space between decking planks and maintaining a 6' high above the marsh from the bottom of the stringers

Sketch A and Sections B and C are to be considered conceptual in nature. All further details requested for approval will be submitted upon request

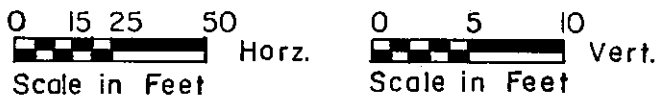


Proposed Pier Section C'-C'

SECTION C-C & C'-C'



SECTION A-A



All elevations are based on Mean Low Water

Sheet 3 of 3 Sheets

These plans have been prepared for obtaining environmental permits for the dredging and the existing pier, retaining wall boat ramp and riprap improvements and the proposed pier, floats and piles

LICENSE PLAN NO. 12105

Approved by Department of Environmental Protection
Date:

MAY 02 2008

Lisa Ramos
Department of Environmental Protection
Waterways Regulation Program
20 Riverside Drive
Lakeville, MA 02347

RE: Waterways Application No. W02-0551, License No. 12105, Transmittal #W019496
Green Harbor River, Marshfield, Plymouth County

Dear Ms. Ramos:

This is to notify you that the above referenced license was recorded on _____,
book number _____, page number(s) _____.

We will notify your office in writing of the date the authorized work or change in use is completed.

Sincerely,

**LICENSE VOID
IF NOT RECORDED
WITHIN 60 DAYS
OF ISSUANCE**



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

Green Harbor Yacht Club, Inc.
Attn: Marybeth Corbett, Commodore
P.O. Box 209
Green Harbor, MA 02041

RE: Waterways Application No. W02-0551 / License No. 12105
Green Harbor River, Marshfield, Plymouth County

MAY 02 2008

Dear Sir or Madam:

Following an in-depth review of the above referenced file, the Department of Environmental Protection has approved the enclosed license authorizing you to perform certain activities pursuant to M.G.L. Chapter 91 and Regulations 310 CMR 9.00. It is the Department's opinion that, as conditioned herein, the authorized structures and uses adequately protect the public rights in trustlands.

This license decision may be appealed by the Licensee within twenty-one (21) days of the date of license issuance, pursuant to 310 CMR 9.17(1)(a) and 9.17(2).

Notice of Appeal Rights:

A) Appeal Rights and Time Limits

The following persons shall have the right to an adjudicatory hearing concerning this decision by the Department to grant or deny a license or permit: (a) an applicant who has demonstrated property rights in the lands in question, or which is a public agency; (b) any person aggrieved by the decision of the Department to grant a license or permit who has submitted written comments within the public comment period; (c) ten (10) residents of the Commonwealth, pursuant to M.G.L. c.30A, §10A, who have submitted written comments within the public comment period; (d) the municipal official in the affected municipality who has submitted written comments within the public comment period; (e) CZM, for any project in the coastal zone, if it has filed a notice of participation within the public comment period; and (f) DCR, for any project in an Ocean Sanctuary, if it has filed a notice of participation within the public comment period. To request an adjudicatory hearing, a Notice of Claim must be made in writing and sent by certified mail or hand delivery to the Department with the appropriate filing fee specified within 310 CMR 4.10 along with a DEP Fee Transmittal Form, within twenty-one (21) days of the date of issuance of this decision and addressed to:

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

DEP on the World Wide Web: <http://www.mass.gov/dep>

Printed on Recycled Paper

Case Administrator
 Department of Environmental Protection
 One Winter Street, 2nd Floor
 Boston, MA 02108

A copy of the Notice of Claim must be sent at the same time by certified mail or hand delivery to the applicant, the municipal official of the city or town where the project is located, and the issuing office of the DEP at:

Department of Environmental Protection
 Wetlands and Waterways Program
 20 Riverside Drive
 Lakeville, MA 02347

B) Contents of Hearing Request

Under 310 CMR 1.01(6)(b), the Notice of Claim must state clearly and concisely the facts that are the grounds for the request and the relief sought. Additionally, the request must state why the decision is not consistent with applicable laws and regulations.

Pursuant to 310 CMR 9.17(3), any Notice of Claim for an adjudicatory hearing must include the following information:

- (a) the DEP Waterways Application File Number;
- (b) the complete name, address, fax number and telephone number of the applicant;
- (c) the address of the project;
- (d) the complete name, address, fax number, and telephone number of the party filing the request and, if represented by counsel, the name, address, fax number, and phone number of the attorney;
- (e) if claiming to be a person aggrieved, the specific facts that demonstrate that the party satisfies the definition of "person aggrieved" found in 310 CMR 9.02;
- (f) a clear statement that a formal adjudicatory hearing is being requested;
- (g) a clear statement of the facts which are the grounds for the proceedings, the specific objections to the DEP's written decision, and the relief sought through the adjudicatory hearing, including specifically the changes desired in the final written decision; and
- (h) a statement that a copy of the request has been sent to: the applicant and the municipal official of the city or town where the project is located.

C) Filing Fee and Address

A copy of the Notice of Claim along with a DEP Fee Transmittal Form and a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100) must be mailed to:

Commonwealth of Massachusetts
 Department of Environmental Protection
 Commonwealth Master Lockbox
 P.O. Box 4062
 Boston, Massachusetts 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or is granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may

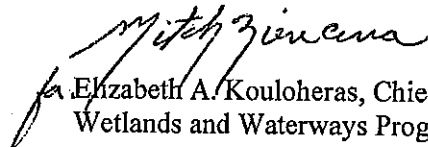
waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

This license must be recorded at the referenced Registry of Deeds within 60 days from the date of issuance or it will be rendered VOID. To document this recording, please complete and submit the enclosed Notification Form to the Department prior to commencing with any work or change in use authorized herein. In addition, the work or change in use authorized by this license can not commence if the Department receives a request for an adjudicatory hearing. Also, upon completion of the licensed project, you are required to submit a written request to the Department for a Certificate of Compliance in accordance with 310 CMR 9.19.

Please note that any unauthorized substantial change in use or substantial structural alteration of any structures or fill authorized by this license shall render it void. Therefore, it is recommended that you contact the Department prior to performing any alterations or use modifications for review and, if necessary, approval pursuant to M.G.L c. 91.

If you have any questions concerning this license, please contact Lisa Ramos at (508) 946-2748.

Very truly yours,


Elizabeth A. Kouloheras, Chief
Wetlands and Waterways Program

Enclosure

cc: w/enc. Ben Lynch, Waterways Section Chief, DEP-Boston
Office of Coastal Zone Management
Marshfield Harbormaster
Kevin Maguire



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

12105
IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

April 14, 2008

Daniel Vigneau
Green Harbor Marina
239 Dike Road, P.O. Box 338
Green Harbor, MA 02041

Re: 401 Water Quality Certification Amendment #1
BRP WW07 - Major Project Dredging, Certificate Extension

At: Green Harbor Marina, Green Harbor River, MARSHFIELD

401 WQC Transmittal No: W04437
Amendment Transmittal No: W216394
ACoE Application No: 2004-970
Wetlands File No: dredging SB42-1813

Dear Mr. Vigneau:

The Massachusetts DEP is in receipt of your March 18, 2008 Amendment request (BRP WW 09), Transmittal No. W216394, to extend the 401 Water Quality Certification (Transmittal No. W04437) for one year to April 20, 2009 for the purpose of conducting maintenance dredging at Green Harbor Marina. The WQC was issued on April 20, 2005 and will expire on April 20, 2008. It is the Department's understanding that you will solicit proposals from dredging contractors to perform the dredging tentatively scheduled in the Fall 2008 instead of "piggy-backing" with ACoE as planned per the April 20, 2005 WQC.

In accordance with 314 CMR 9.09(3), the Department has reviewed your request and determined that the proposed change would not cause any additional water quality impact and hereby grants your request providing the following conditions will be met:

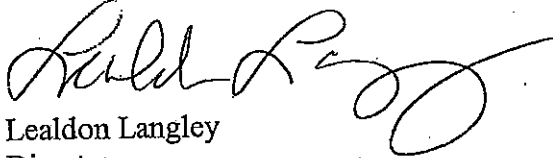
1. A valid Order of Conditions from the Marshfield Conservation Commission.

2. The April 20, 2005 WQC shall be incorporated as part of the Request for Proposal to ensure that the selected contractor will comply with all the conditions specified in the WQC.

In accordance with the provisions of Section 401 of the Federal Clean Water Act as amended (33 U.S.C. § 1215 *et seq.*), MG c.21, §§ 26-53, and 314 CMR 9.00, it has been determined there is a reasonable assurance for the activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00). This letter serves as an amendment of 401 Water Qualification, DEP Transmittal No. W044372, ACOE Application No: 2004-970. All other conditions of the license and Water Quality Certification remain in effect. Failure to comply with the Project's certification is grounds for enforcement, including civil and criminal penalties, under MGL c21 §42, 314 CMR 9.00, MGL c.21A §16, 310 CMR 5.00, or other possible actions/penalties as authorized by the General Laws of the Commonwealth.

If you have any questions, or need additional information, please contact Ken Chin at (617) 292-5893.

Very truly yours,



Lealdon Langley
Director
Wetlands and Waterways Program

Cc: Karen Adams, Regulatory/Enforcement Division, U.S. Army Corps of Engineers
696 Virginia Road, Concord, MA 01742-2751
Truman Henson, CZM, 251 Causeway Street, Suite 900, Boston, MA 02114
Eileen Feeney, Division of Marine Fisheries, 838 South Rodney French Blvd,
New Bedford, MA 02559
Liz Kouloheras, David Hill, SERO
Marshfield Conservation Commission, 870 Moraine Street, Marshfield, MA 02050
Kevin Maguire, 86 Belmont Street, Rockland, MA 02370



COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SOUTHEAST REGIONAL OFFICE
 20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

DEVAL L. PATRICK
 Governor

IAN A. BOWLES
 Secretary

TIMOTHY P. MURRAY
 Lieutenant Governor

LAURIE BURT
 Commissioner

APR 07 2008

Green Harbor Yacht Club, Inc.
 Attn: Marybeth Corbett, Commodore
 P.O. Box 209
 Green Harbor, MA 02041

RE: Waterways Application W02-0551 / License No. 12105
 Green Harbor River, Marshfield, Plymouth County

FOPI

Dear Sir or Madam:

The Department of Environmental Protection has approved the above referenced license. Upon receipt of a check in the amount of \$ 9,210.00 made payable to the Department of Environmental Protection, we will continue to process your license application. The check should be mailed to Commonwealth of Massachusetts, DEP, P.O. Box 4062, Boston, MA 02211. Please attach the enclosed fee payment form letter to your check. Failure to do so will result in a delay processing your license.

The charges assessed for this license are as follows:

Tidewater Displacement (at the rate of \$2.00 per cubic yard)

0.0 cubic yard(s) = \$ 0.00

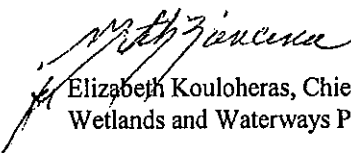
Commonwealth Tidelands Occupied (at the rate of \$1.00/sq.yd x years of term of license)

307.0 square yards x 30 years = \$ 9,210.00

Total \$ 9,210.00

This charge is assessed under the provisions of Sections 21 and 22 of Chapter 91 of the Massachusetts General Laws. If you have any questions please contact Lisa Ramos at (508) 946-2748.


Sincerely,


 Elizabeth Kouloheras, Chief
 Wetlands and Waterways Program

cc: Kevin Maguire

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

DEP on the World Wide Web: <http://www.mass.gov/dep>

 Printed on Recycled Paper

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

RE: Payment of fees for Waterways License No. 12105
Application No. W02-0551, Transmittal # W019496

Dear Sir or Madam:

Enclosed is the required fee for the above referenced license.

Sincerely,

* please send payment to the above address

SUBJECT: Recommendation of Charges Pursuant to M.G.L. Chapter 91, Sections 21 & 22

LICENSE: 12105 FILE: W 02-0551

The following charges, with calculations, are hereby recommended for the reference Waterways License.

1. Tidewater Displacement--Rounded to the nearest cubic yard (cy)

A. Piles: $V = \text{No. Piles ()} \times L \text{ in Tidal Range ()} \times \text{Unit Volume ()} = \text{Proposed piles in dredge footprint}$

B. Fill:

Total Volume(A+B) = 0 cy

Displacement Fees = 0 cy (x) \$2.00/cy = \$0.00

2. Commonwealth Tideland Occupied--Rounded to nearest tenth of square yard (sqyd)

A. Piles: $A = \text{No. Piles (11)} \times C-S \text{ Area (0.79)} = 8.69$

B. Floats, Ramps, Etc.: Area = Length x Width

Main Floats	107 x 6 = 642	Finger Floats	10(20 x 3) = 600
	90 x 6 = 540		20 x 6 = 120
	82 x 6 = 492		2(28 x 3) = 168
	32 x 6 = 192		

Total Area(A+B) = 2762.69 sqft/9 sqft per sqyd = 307.0 sqyd

Occupation Fees = 307.0 sqyd x \$1.00 per sqyd x 30 years of term = \$9,210.00

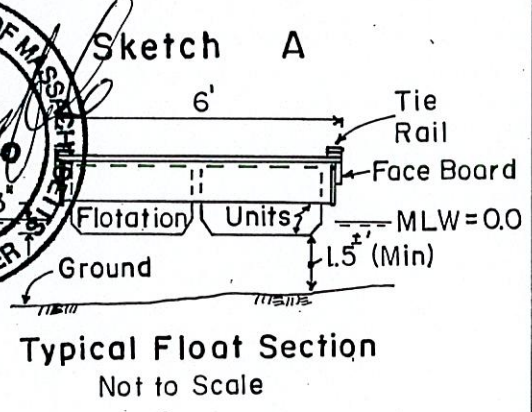
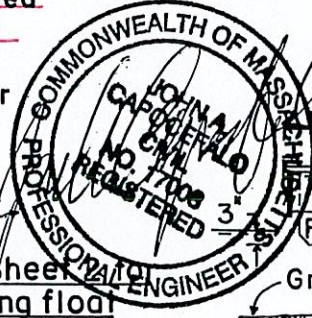
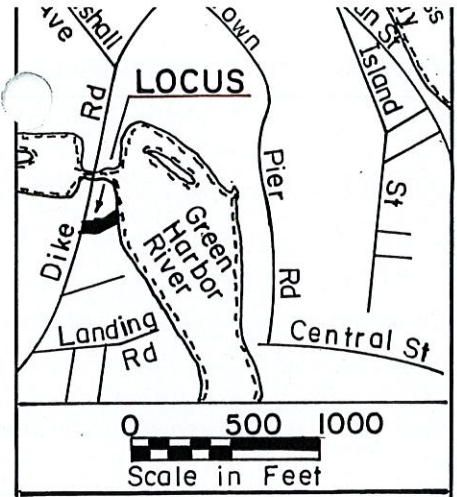
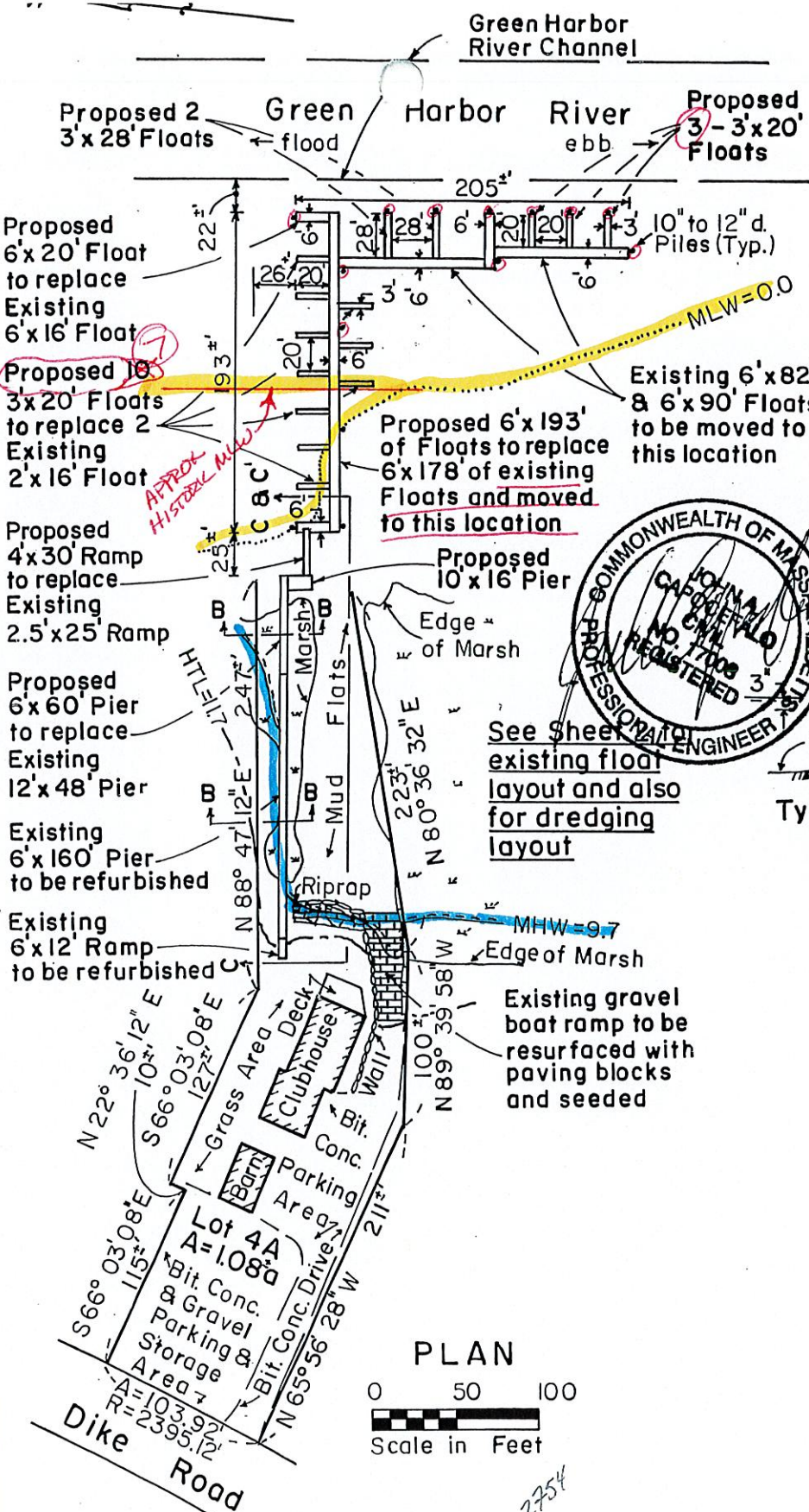
COMMENTS: See attached pages for derivation of figures above.

TOTAL FEES \$9,210.00

Respectfully submitted,

David Hill
David Hill
Waterways Licensing
Reviewer

[Signature]
Checked by



12105

All elevations are based on Mean Low Water
Sheet 1 of 3 Sheets

Plan accompanying petition of Green Harbor Yacht Club, Inc.

to maintain an existing ramp and pile supported pier, relocate and maintain existing floats and piles and to construct and maintain a pier, floats ramp and piles and to reconstruct and maintain a boat ramp, riprap, retaining wall and to dredge in the Green Harbor River, Marshfield
February 2007

D. No Displacement Fees - Proposed structures in Dredge Footprint

Floats (Main)	107x6 = 642	(FINGER)	10(20x3) = 600
	90x6 = 540		20x6 = 120
	82x6 = 492		2(28x3) = 168
	32x6 = 192		888
Piles 11x0.79	= 8.69	1866	

271.2 1.01 = 272.21 20 = \$9110.00

00-0501

Existing Flats
& 2-2x16' Floats
(Not Licensed)

Green Harbor
River Channel

8 6x90' Float
(Not Licensed)

← flood Green Harbor River ebb →

Green Harbor River
Channel to be dredged
to -6 MMLW by C of E.

Marina Harbor II
Corporation to
be dredged to
-5 MLW by
others under
Permit No.
11441

License
No. 11408

Existing Floats
& Piles
License
No. 6303

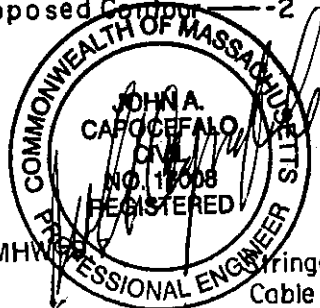
Existing Ramps
& Pile Supported
Pier, License No.
6303

Dredging Envelope to -6 MLW
and to blend into abutting
dredging projects

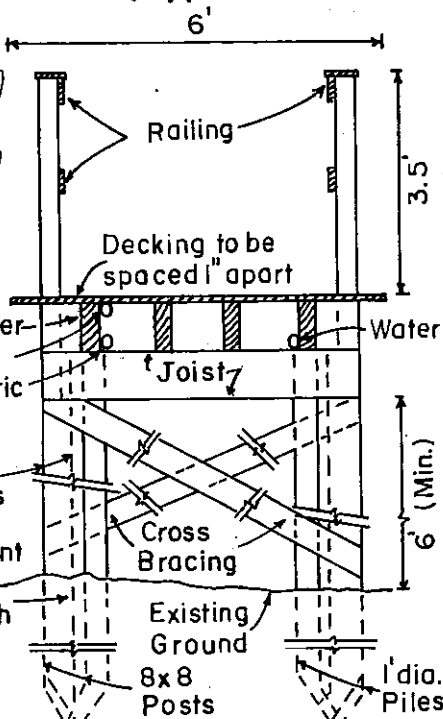
0.0 MLW Contour
-2 MLW Contour
-4 MLW Contour
-5 MLW Contour

Dredging area to -5 MLW is 31,200
sq. ft. and the volume is 2,750 cu.
yd. Dredging area to -6 MLW is
41,300 sq. ft. (1' overdredge) and
the volume is 3,565 cu. yd.

Existing Contour --- -8
Proposed Contour --- -2



PIER
(Typical)



New and replacement
piles to be driven
to 2/3 thier length
or as conditions
may require

The property lines shown
on these plans are not the
results of an actual on the
ground survey. The lines
of ownership have been
compiled from plans and
deeds of records

SECTION B-B
0 5 1 2 3

Scale in Feet

All elevations are based
on Mean Low Water

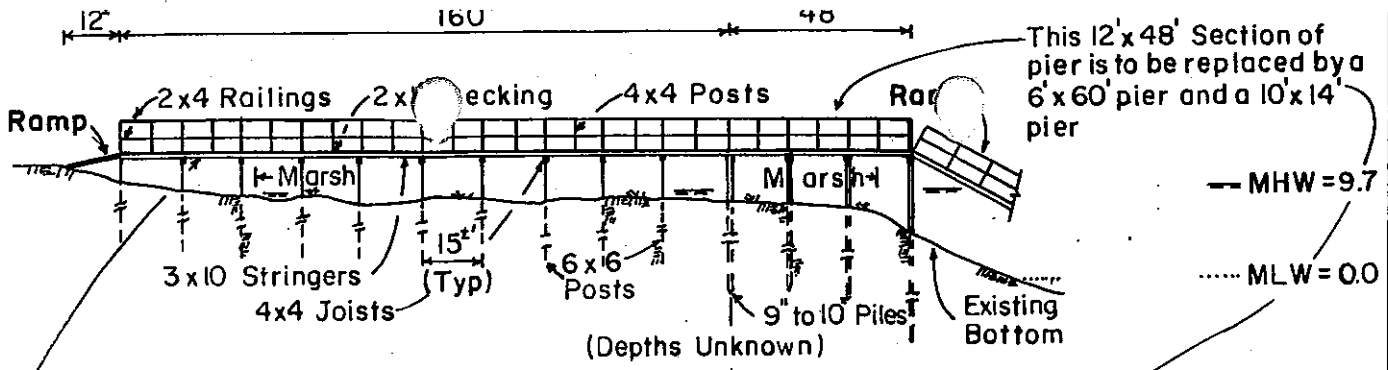
Sheet 2 of 3 Sheets

PLAN

0 50 100

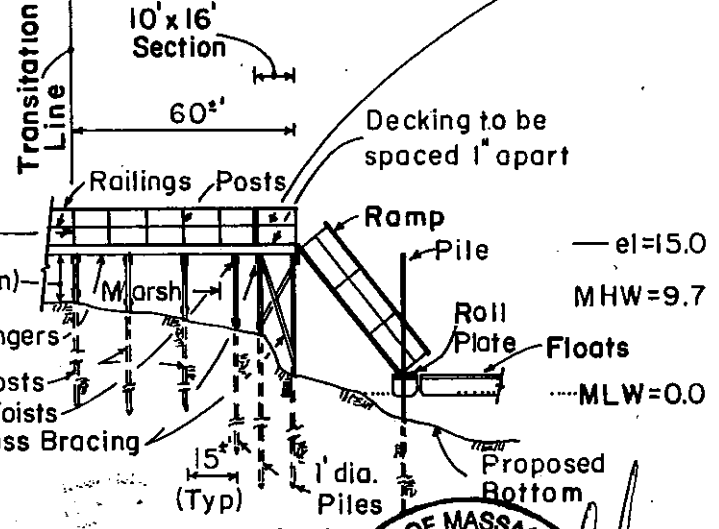


Scale in Feet

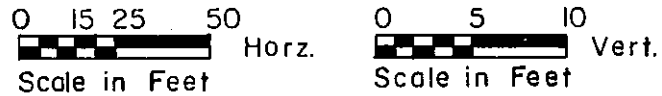
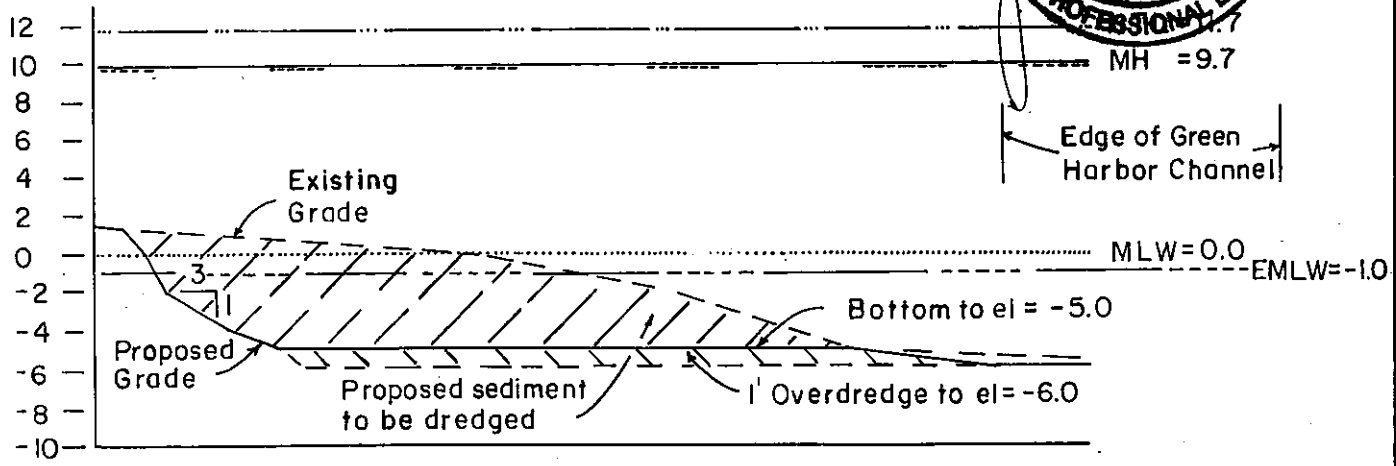
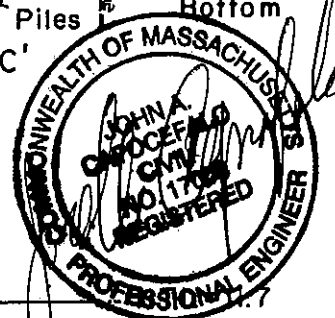
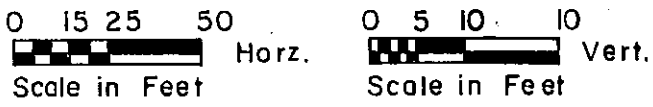


This 6' x 160' section of pier is to be rebuilt in place with 1" space between decking planks and maintaining a 6' high above the marsh from the bottom of the stringers

Sketch A and Sections B and C are to be considered conceptual in nature. All further details requested for approval will be submitted upon request

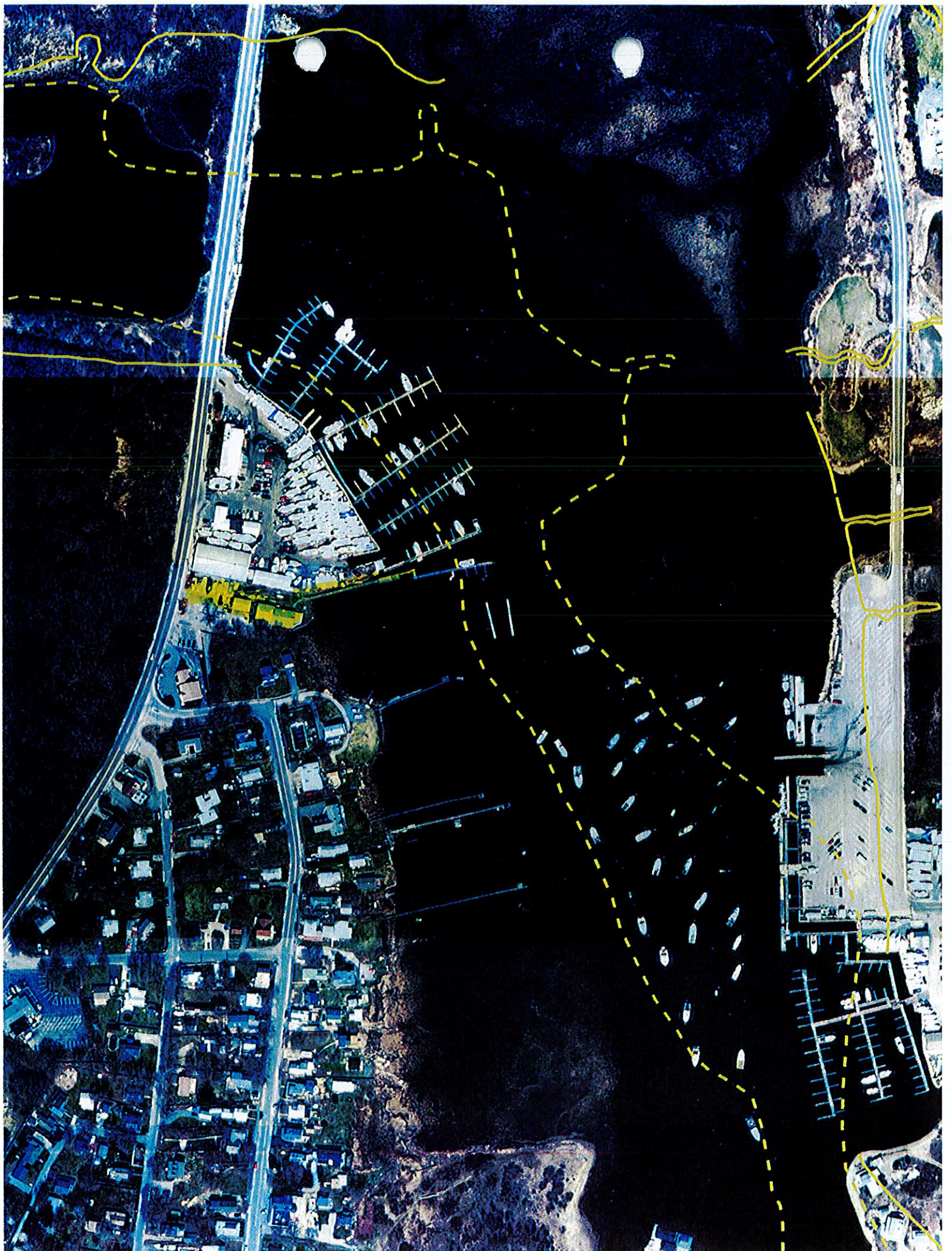


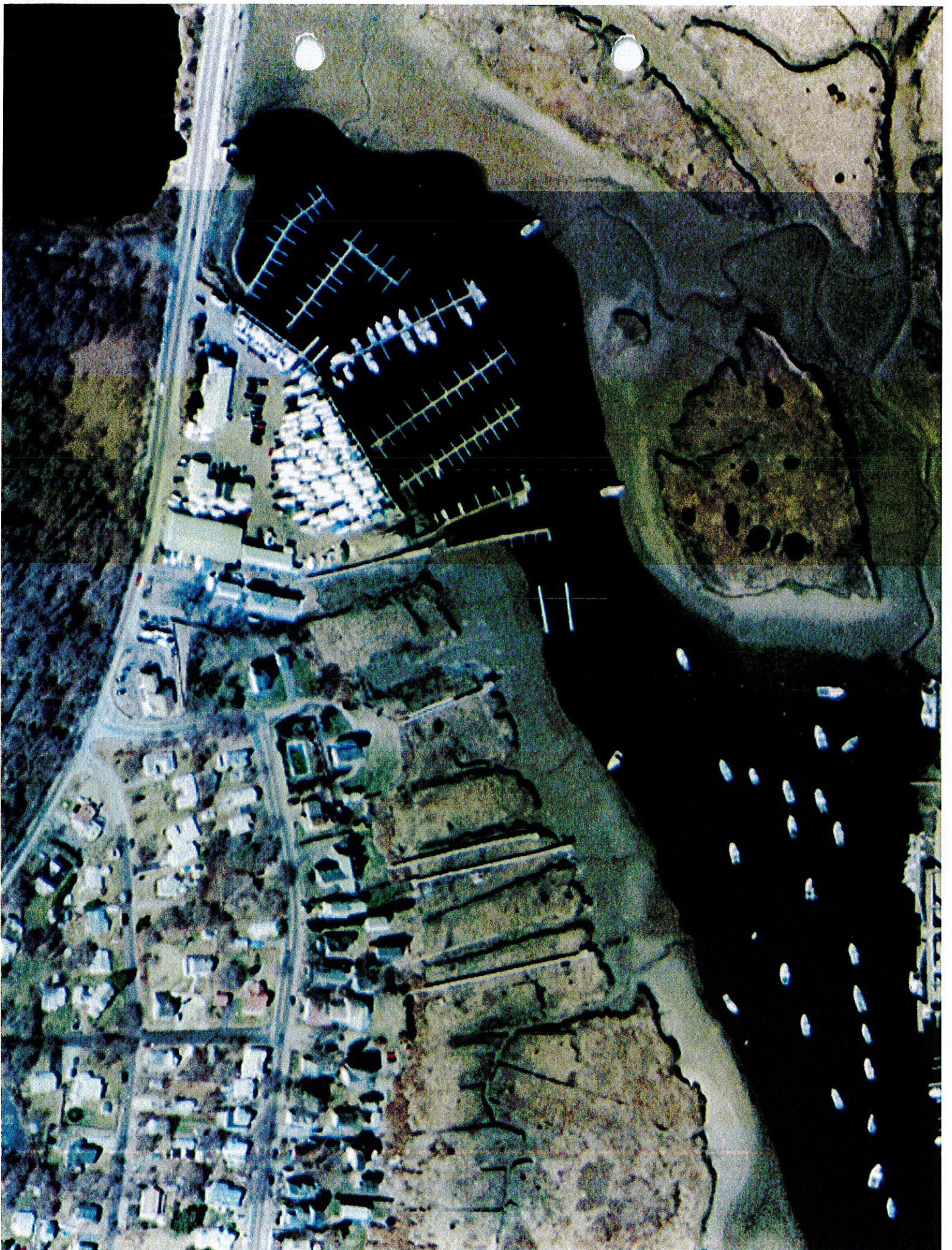
SECTION C-C & C'-C'

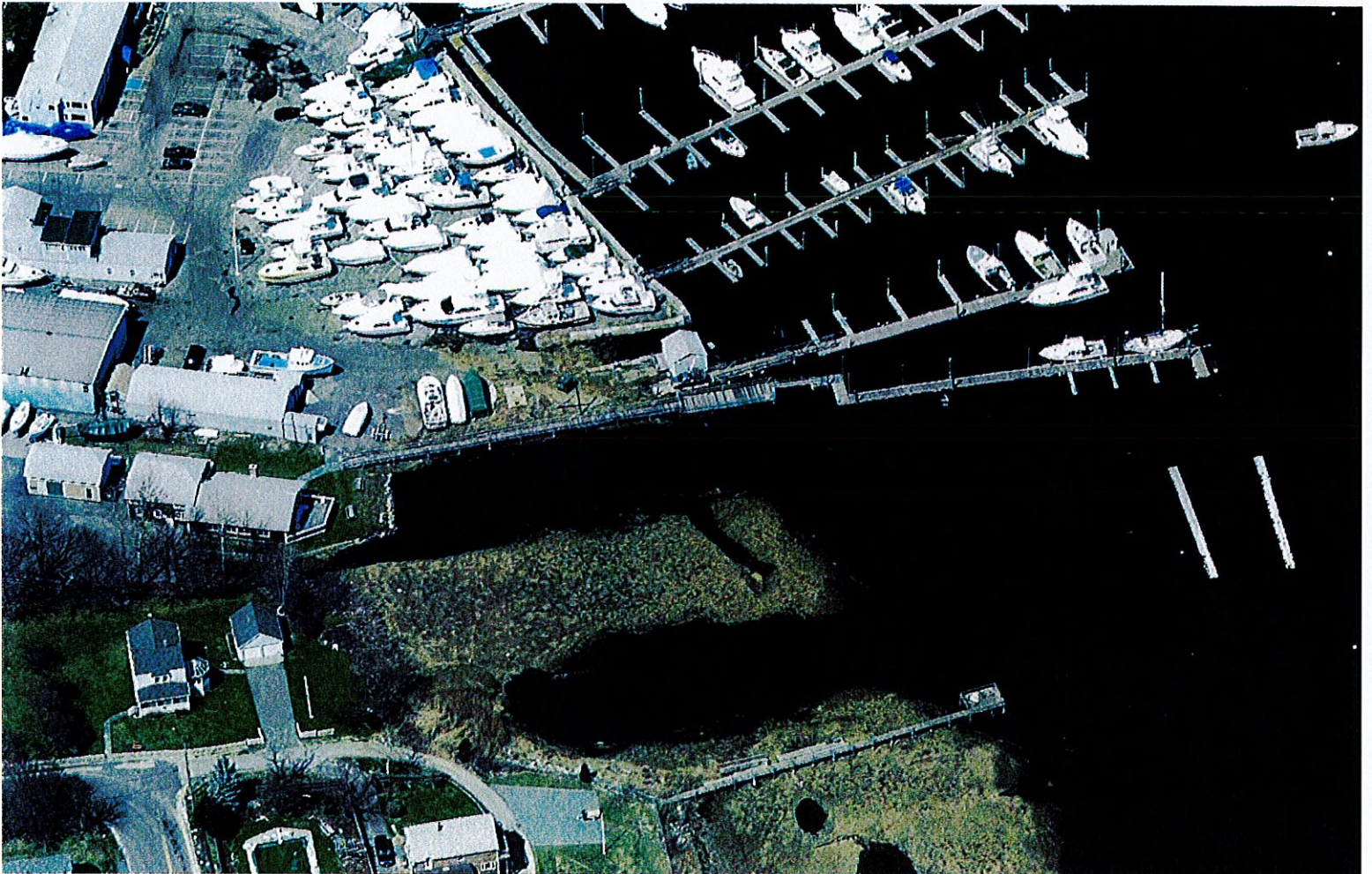
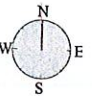


All elevations are based on Mean Low Water
Sheet 3 of 3 Sheets

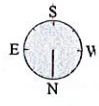
These plans have been prepared for obtaining environmental permits for the dredging and the existing pier, retaining wall boat ramp and riprap improvements and the proposed pier, floats and piles







(c) Copyright 2003, Pictometry International



(c) Copyright 2003, Pictometry International

The Commonwealth of Massachusetts

No. 6303.



Whereas Green Harbor Yacht Club, Inc.-----

of Marshfield-----, in the County of Plymouth----- and Commonwealth
aforesaid, has applied to the Department of Public Works for license to construct 208
feet of floating docks with finger piers in Green Harbor River
in the town of Marshfield,-----

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 Marshfield-----;

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 Green Harbor Yacht Club, Inc.-----

-----, 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 drive piles, place pile held floats, maintain existing
walkway, and maintain retaining wall and existing fill in Green
Harbor, at its property in the town of Marshfield, in conformity
with the accompanying plan No. 6303.

A pile and timber pier walkway having a width of 6 feet may be
maintained extending 140 feet from mean high water from the north
end of a lagoon, and extending along the east bank of said lagoon.
Said walkway may be extended further by a pile and timber pier,
12 feet wide by 48 feet long.

Green Harbor

A series of pile held floats 6 feet wide, may be extended for a distance of 190 feet located approximately in the center of the licensee's property, and may be reached by a 20 foot ramp extending from the pile and timber pier. Said floats shall not extend closer than 25 feet from the 100 foot channel, or within 50 feet of the outboard end of pier authorized by Department of Public Works License No. 5552, in the location shown on plan number 6303, and in accordance with the details there indicated.

This license is granted upon the express condition that no vessel or float shall be moored on the east side of floats authorized by this license. This license is granted upon the further express condition that the marine railway shall be eliminated and said adjacent retaining wall and fill may be maintained.

Nothing in this license shall be construed as authorizing encroachment on property not owned or controlled by the licensee, except with the consent of the owner or owners thereof.

Acceptance of this license shall constitute an agreement by the licensee to conform to all terms and conditions herein stated.

This license is granted subject to all applicable Federal, State, County and Municipal laws, ordinances and regulations, and upon the further express condition that use by boats or otherwise of the structures hereby licensed shall involve no discharge of sewage or other polluting matter into the adjacent tidewaters except in strict conformity with the requirements of the local and State health Departments and the Division of Water Pollution Control, and upon the further express condition that any other authorizations necessitated due to the provisions hereof shall be secured prior to the commencement of any work under this license.

Acceptance of this license by the licensee, either by filing this license in the appropriate Registry of Deeds as required by law or construction of the facility in part or in total for which this license is issued, shall be prima facie evidence that the licensee, accepts the condition imposed by the Division of Environmental Health and the Division of Water Pollution Control as stated in letters to the licensee from the aforementioned agencies, copies of which are on file in the Department of Public Works and are hereby made a part of this license. Should any pollution condition arise as determined by the Division of Environmental Health and/or the Division of Water Pollution Control through or because of the operation of the facility constructed under this license, the Division of Environmental Health and/or the Division of Water Pollution Control shall direct that the condition be corrected. Non-compliance on the part of the licensee with the directive of the Division of Environmental Health and/or the Division of Water Pollution Control shall be cause for the Department of Public Works to revoke the license for the facility upon recommendation by either agency that such action is justified.

~~and assigns, by paying into the treasury of the Commonwealth~~

~~cents for each cubic yard so displaced, being the amount hereby assessed by~~

~~said Department.~~

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 the-----
~~District of the County of Plymouth.~~

In Witness Whereof, said Department of Public Works have hereunto set their hands, this -----twenty-fifth-----day of -----September,----- in the year nineteen hundred and seventy-four.

Bruce Campbell

Malcolm E. Graf

Peter E. Donadio

John G. Wofford

Department of
Public Works

N.L.D.

THE COMMONWEALTH OF MASSACHUSETTS

This license is approved in consideration of the payment by the
Commonwealth by the said
of the further sum of

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

~~BOSTON,~~

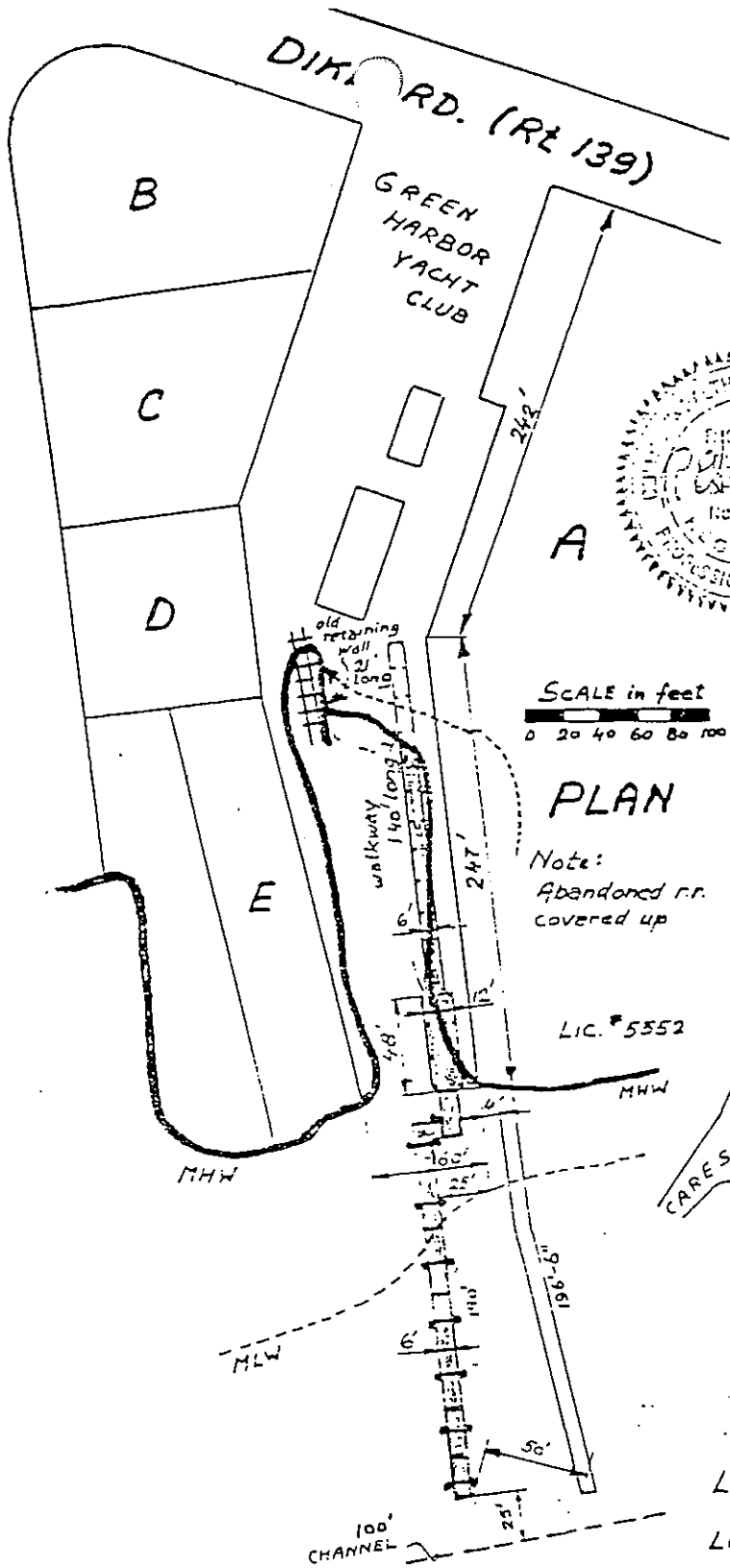
~~Approved by the Governor~~

A true copy. Attest: _____ Acting Secretary.

This license is granted upon the further express condition that the authorization contained herein may be modified or may be revoked in whole or in part in the event of the licensee, its successors and assigns, failing to comply with said authorization or any provisions of the license or failing to maintain all authorized structures and installations in good condition, to the satisfaction of the Department of Public Works, or its successors. This condition permitting modification or revocation of the license shall also apply in the event of failure of the licensee, its successors and assigns, to secure approval under all other applicable laws, ordinances or regulations or failure to adhere to the conditions of such approvals upon receipt of evidence of such failure provided by an agency having jurisdiction. Revocation or modification of this license as provided herein shall be without liability to the Commonwealth or claim for compensation by the licensee, its successors and assigns.-----

The plan of said work, numbered -----6 3 0 3----- is on file in the office of said Department, and duplicate of said plan accompanies this License, and is to be referred to as a part hereof.

~~The amount of tide-water displaced by the work hereby authorized shall be ascertained by said Department, and compensation therefor shall be made by the said~~

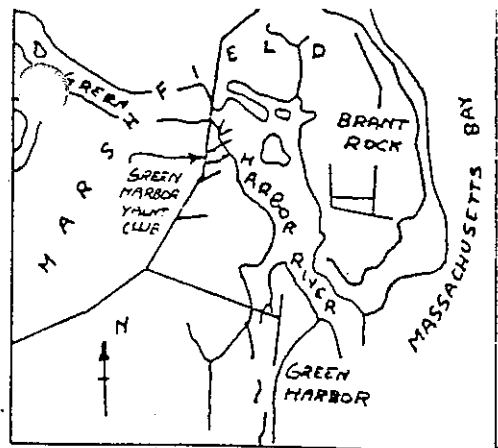


SCALE in feet
0 20 40 60 80 100

PLAN

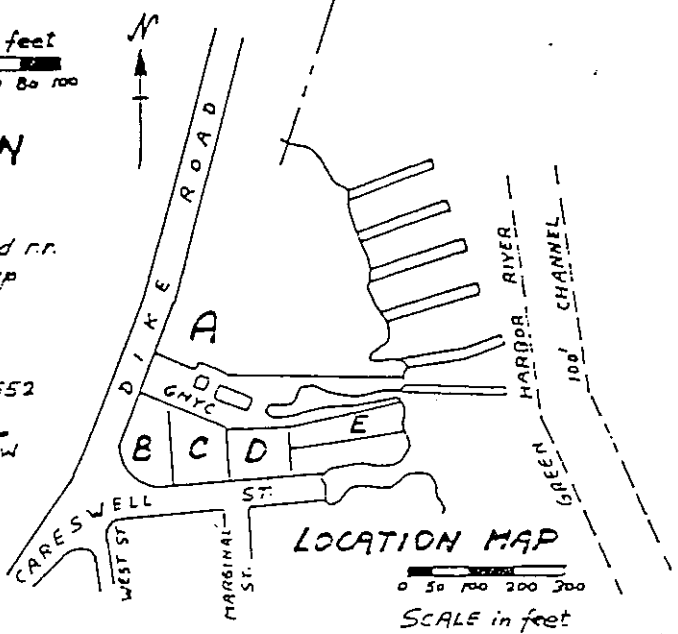
Note:
Abandoned r.r.
covered up

LIC. # 5552



KEY MAP

SCALE OF MILES
0 1/2 1
FROM STATE OF MASS. D.P.W. MAP
DUXBURY QUADRANGLE



LOCATION MAP

SCALE in feet
0 50 100 200 300

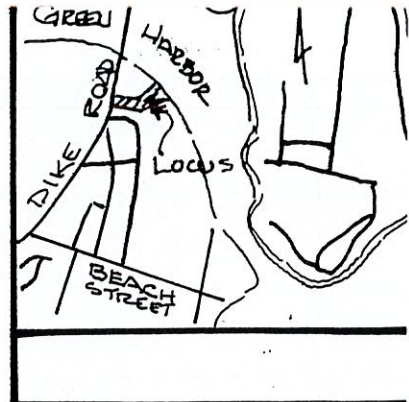
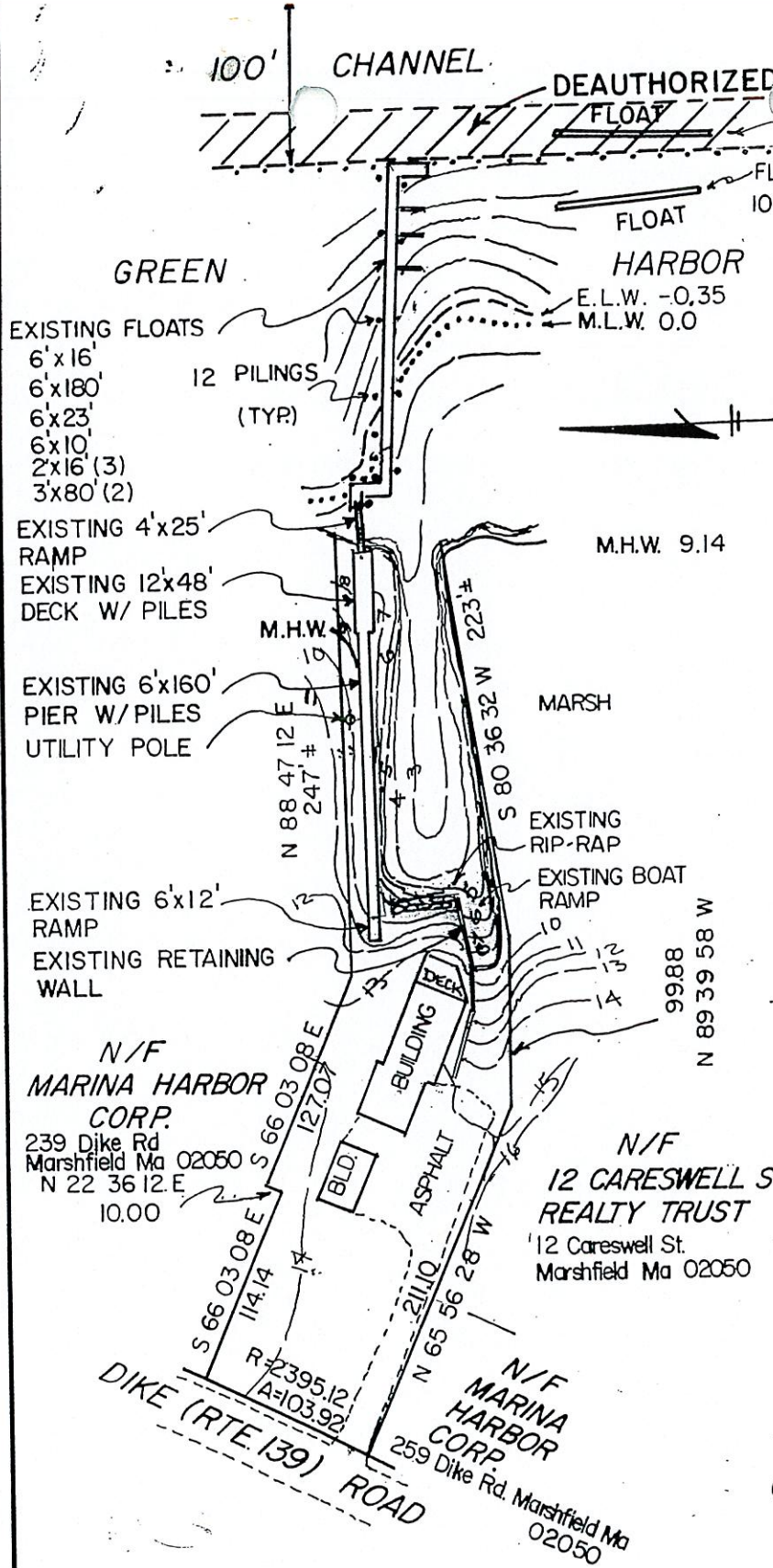
ABUTTORS

Lovell, Box 358, Green Harbor, Ma. 0204.
LOTS A, B: L. & W. Realty Trust, Dike Rd.
LOTS C, D, E: James H. & Virginia Gaffey,
230 Edge Hill Rd., Milton, Ma. 02186

PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB, INC.
TO DRIVE PILES, PLACE PILE HELD FLOATS
MAINTAINING EXISTING WALKWAY AND PIER
RETAINING WALL AND EXISTING FILL
IN
GREEN HARBOR RIVER, MARSHFIELD
PLYMOUTH COUNTY

LICENSED PLAN NO. 6303
OFFICE OF DEPARTMENT OF PUBLIC WORKS OF
COMMONWEALTH OF MASSACHUSETTS
SEPTEMBER 25, 1974
REGISTRAR - DEPT.
OF PUBLIC WORKS
James Campbell
Malcolm E. Trol
John G. Whitford

ASSOCIATE
CONSULTANT - ENR



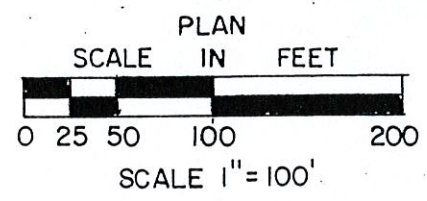
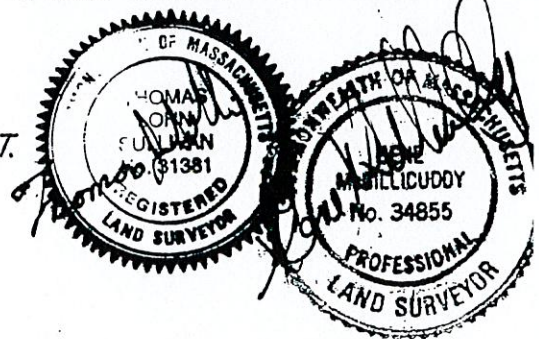
ALL ELEVATIONS ARE BASED UPON MEAN LOW WATER

MEAN HIGH WATER	9.14
MEAN SEA LEVEL	4.62
MEAN LOW WATER	0.00
EXTREME LOW WATER	-0.35

THIS PLAN HAS BEEN PREPARED FOR PERMITTING PURPOSES ONLY
REFER TO LICENSE NO. 6303
LOCUS FALLS WITHIN ZONE A2 (EL10)
F.E.M.A. F.I.R.M. 250273 0003 D

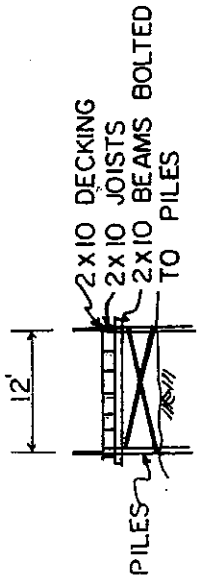
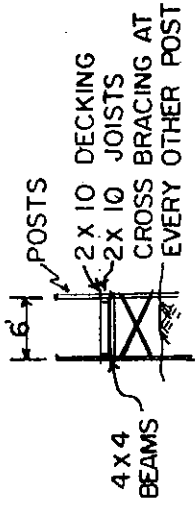
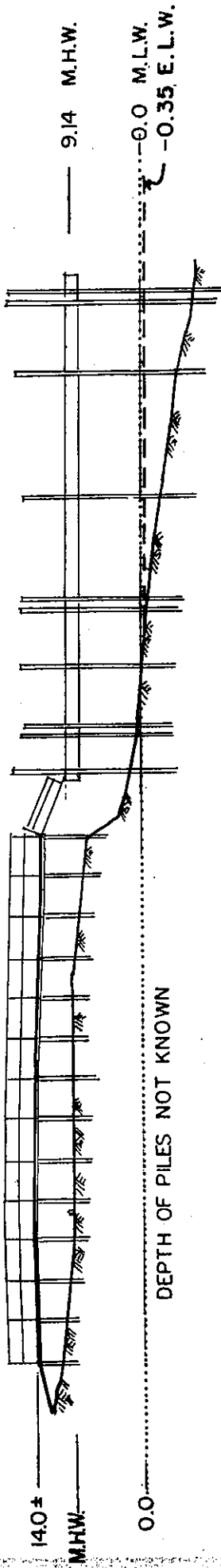
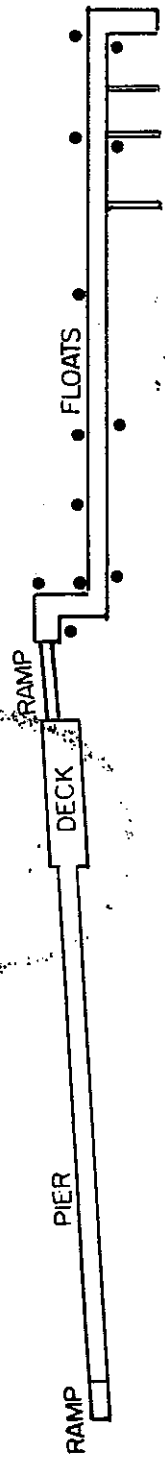
N/F MARINA HARBOR CORP.
239 Dike Rd
Marshfield Ma 02050
N 22 36 12 E
10.00

N/F 12 CARESWELL ST.
REALTY TRUST
12 Careswell St.
Marshfield Ma 02050



SHEET 1 OF 2

Plan Accompanying Petition of GREEN HARBOR YACHT CLUB INC. to maintain existing ramp, pier, deck, piles, floats, ramp, rip-rap, retaining wall, boat ramp, posts, utilities
GREEN HARBOR RIVER MARSHFIELD
July 1995



PIER

DECK

SCALE IN FEET
HORIZONTAL



SCALE IN FEET
VERTICAL





The 'Inner Basin' Green Harbor Yacht Club. Top Photo – at Low Tide
Bottom Photo – at near High Tide
March 2006

May 18, 2007

Mr. David Hill
Commonwealth of Massachusetts
Department of Environmental Protection
Wetlands and Waterways Section
20 Riverside Drive
Lakeville, Massachusetts 02347

Re: File No. W0194996
License No. 02-0551
Green Harbor Yacht Club
257 Dike Road, Green Harbor
Dredging, Pier & Float Realigningment

Dear Mr. Hill:

Please consider this a follow up to your telephone conversation with Kevin Maguire, regarding the above referred to work at the Yacht Club and our request for the Chapter 91 License.

Since our last communication with you, which would have been under cover from Nover-Armstrong Associates, Inc. (NAA), we have reduced the proposed scope of work at the Yacht Club.

The result of these revisions are shown on the enclosed plans entitled, 'Plans accompanying petition of **Green Harbor Yacht Club, Inc.** to maintain an existing ramp and pile supported pier, relocate and maintain existing floats and piles and to construct and maintain a pier, floats, ramp and piles and to reconstruct and maintain a boat ramp, riprap, retaining wall and to dredge in the Green Harbor River, Marshfield', dated February, 2007, three (3) sheets.

Listed below are those revisions:

All work in the Inner Basin, as shown on the plans previously submitted to DEP, the Town of Marshfield and the Corps, by NAA, has been eliminated. This will result in the following work not being done:

- 1) The proposed intertidal dredging of approximately 8,500 sf. and the removal of approximately 1,130 cy;
- 2) The proposed floats, and
- 3) The proposed steel sheeting and filter fabric armoring the Inner Basin bank.

The work proposed for the Outer Basin, as shown on the previously submitted NAA plans, was to dredge a 34,900+/- sf. area to a depth of - 5.5 MLW. This would have resulted in the removal of 4,060+/- cy. We are now proposing to dredge a 31,200+/- sf. area to - 5 MLW, with an allowed one foot overdredge to - 6 MLW. This will result in the removal of 2,750+/- cy. to - 5, with an additional 815+/- cy, if the entire overdredge is done. This is shown on the above mentioned enclosed Plans, dated February, 2007, three (3) Sheets.

Approval for this dredging was requested to be done hydraulically with dewatering and disposal at the Town of Marshfield's upland disposal site off of Town Pier Road. We wish to retain this requested authorization, but respectfully request DEP also include approval for the area to be dredged mechanically, with ocean disposal at the Cape Cod Disposal Site.

In addition to the dredging area changes mentioned above, we are proposing additional changes to the existing pier and float system. They are as follows:

The Existing Float System:

- A 6' wide x 12+/-' long timber and pile approach ramp,
- a 6' wide x 160+/-' long timber and pile pier,
- a continuing 12' wide x 48+/-' long timber and pile pier,
- a 2.5' wide x 24.5+/-' long aluminum ramp;
- two (2) - 6' wide x 16+/-' long wooden floats attached in a 'L' shape and held by 3 - wood piles;
- a series of 6' wide, totaling 178+/-' in length floats, held by 9 wooden piles;
- a 6' wide x 16+/-' long finger float;
- two (2) - 2' wide x 16+/-' finger floats and
- a 6' wide x 82+/-' long and a 6' wide x 90+/-' long bottom anchored floats that are not attached to the main float system.

We are proposing to modify the existing pier system as follows:

- Replace the continuing 12' wide by 48+/-' long timber and pile pier with a 6' wide x 60' long pier;
- add a 10' wide by 14' long timber and pile 'L shaped' pier;
- replace the 2.5' wide x 25' long aluminum ramp with a 4' wide x 30' long aluminum ramp;

The proposed float layout is as follow:

- Replace two (2) - 6' wide x 16+/-' long floats with a 6' wide x 20' long 'L shaped' float;
- replace the 6' long by 178+/-' long main float system with a 6' long x 193+/-' long float system.

This entire float system will be moved approximately 20' south of the common property line with Marina Harbor II Corporation, now or formerly.

Attached to the relocated float system will be the following:

Eight (8) new 3' wide by 20' long finger floats; replacing the 6' wide by 16+/-' long finger float with a 6' wide by 20' long finger float; replacing the two (2) - 2' wide x 16+/-' long finger floats with two (2) - 3' wide x 20' long finger floats and attaching the existing two (2) 6' wide x - one 90+/-' long and the other 82' long, bottom anchored floats to the main float system, again in a 'L shape', parallel to the River.

Attached to the 6' wide x 90' long float are two (2) 3' wide x 28' long finger floats and connecting the 6' wide x 90' long float to the 6' wide x 82' long float is a 6' wide x 34' long float, perpendicular to both and attached to the 6' wide x 82' long float are three (3) 3' wide x 20' long finger floats, held in place by 15 - 10" to 12" piles.

The proposed piles and float layout is shown on the above mentioned enclosed Plans, dated February, 2007, three (3) Sheets.

In addition to the above, on the southerly side of the property, adjacent to the Clubhouse's deck is a boat ramp. We wish to leave the boat ramp in its present location, perhaps 'chinking in' the side walls as necessary and setting several paving blocks that will provide traction for vehicles while allowing vegetation to grow through. This will reduce siltation when the boat ramp is in use. The ramp is also shown on the above mentioned enclosed Plans, dated February 2007, three (3) Sheets. The boat ramp has a limited use. It is used seasonally for our Community Sailing Program and during emergencies such as hurricanes.

We are also enclosing the following

- 1) Signed Municipal Zoning Certificate Form;
- 2) Signed Planning Board Notification Form;
- 3) Copy of the Amended Order of Conditions, and
- 4) Waterways Dredging Addendum, with grain size analysis.

Thank you for your continued assistance.

Very truly yours,

Marybeth Corbett, Commodore
Marybeth Corbett, Commodore
Green Harbor Yacht Club, Inc.
Dike Road P.O. Box 209
Green Harbor, MA 02041
(617) 526-6046

Enclosures:

5552
6303

January 25, 2007

Mr. Ken Chin
DEP, Division of Wetlands and Waterways
One Winter Street
Boston, Massachusetts 02108

Re: Water Quality Certificate
Green Harbor Yacht Club
Transmittal No. W018319

Dear Mr. Chin:

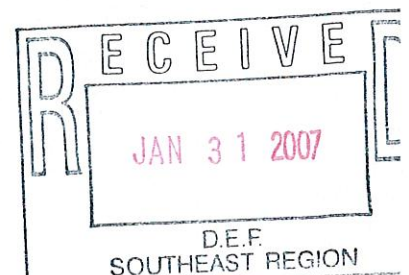
I am in receipt of your 'E'mail' dated January 19, 2007, in response to our letter to you dated December 12, 2006.

After reviewing your 'E-mail', it implies the Yacht Club will need to file a new Application for the Water Quality Certificate for our project, rather than continue with the Water Quality Certificate Application already on file with your Office.

As mentioned in the above referred to December 12, 2006 letter, the Club submitted an application for a Water Quality Certificate with your Department on January 31, 2001. Since that submittal, several letters have been exchanged between the Club or its Representative and your Department. The last correspondence we have is a letter sent to Ms. Yvonne Unger, dated October 4, 2004, from our representative Nover-Armstrong Associates, Inc., (NNA), copy enclosed. To date, we have not receive a response.

In reviewing the above mentioned NNA's response letter, it appears the work in the 'Inner Basin' was at issue. As you are aware, from the above mentioned December 12, 2006 letter to you, we are now proposing to eliminated all work in the 'Inner Basin'.

Therefor, we respectfully request the Water Quality Certificate Application submitted on January 31, 2001, be continued and considered under the DEP Regulations in effect at that time. We understand the testing and sampling standards now in effect will be adhered to.



For your review, I am enclosing a photo of the Inner Basin. As you can see, this area was dredged at one time. Since no work will be done in the 'Inner Basin' this area could be used as proposed mitigation for other proposed project works. The mitigation could be in the form of restoring the Inner Basin salt marsh or seeding the Inner Basin with appropriate grasses that would be beneficial to the fish and/or shellfish habitat within the River, or in the form of educational programs conducted by the Club.

Thank you for your consideration.

Very truly yours,

Marybeth Corbett (KBM)

Marybeth Corbett, Commodore
Green Harbor Yacht Club, Inc.
Dike Road P.O. Box 209
Green Harbor, MA 02041
(617) 526-6046

Enclosures

cc: David Hill, DEP, Lakevill
Certified Mail No. 7004 1350 0003 8473 5929

October 04, 2004

Ms. Yvonne Unger
Department of Environmental Protection
One Winter Street
Boston, Massachusetts 02108

RE: Maintenance Dredging
DEP Transmittal W018319
Green Harbor Yacht Club
Marshfield, Massachusetts
NAA File P 1033

Dear Ms. Unger:

On behalf of Green Harbor Yacht Club (the applicant), Nover-Armstrong Associates, Inc. (NAA) is providing you with an update on the status of the Green Harbor Yacht Club dredge project, DEP Transmittal number W018319. The project permitting has been delayed due to the necessity of receiving additional information from the Army Corp of Engineers. The Corp's Environmental Assessment has now been finalized and (NAA) is prepared to complete the Water Quality Certificate application as necessary. It is our understanding that your administrative review is complete. Furthermore, it appears from a review of our records that the only technical information you need is limited to the means for protecting the salt marsh.

As you may recall, this project will be done in concert with several other dredge projects in the Green Harbor area including the federal navigation channel dredge project, the town of Marshfield's dredge project, Taylor Marine's maintenance dredge project and the Green Harbor Marina dredge project. It is anticipated that the dredging for all projects will be conducted sequentially using the same equipment and disposal location, thereby significantly reducing the cost and impacts of repeatedly mobilizing the equipment. A hydraulic dredge will be used, which will pump the slurry via a pipeline into the disposal area on Town Pier Road. The disposal area is contained by earthen dikes and any effluent will be dewatered and passed thru a weir and sluice gate prior to discharge back into the water column. Dredging will be limited in any one year during the spawning season (March 15 to June 15, or as required) to prevent any adverse impacts to native shellfish or marine fisheries.

To complete the technical review, NAA is proposing the following measures to protect the integrity of the salt marsh during the actual dredging operation. Instead of installing any rip-rap to protect the marsh, NAA proposes to install sheet piling. The length and installation of the piles can be determined by the contractor, based on their experience. The top of the sheet piles will be at approximately elevation 5, which is consistent with the elevation of the seaward edge of the marsh. Any gaps behind (or landward) of the sheet pile will be filled with dredge spoils and vegetated with appropriate salt marsh vegetation. Marshfield Conservation Commission has issued their Order of Conditions for the project, approving the above noted approach.

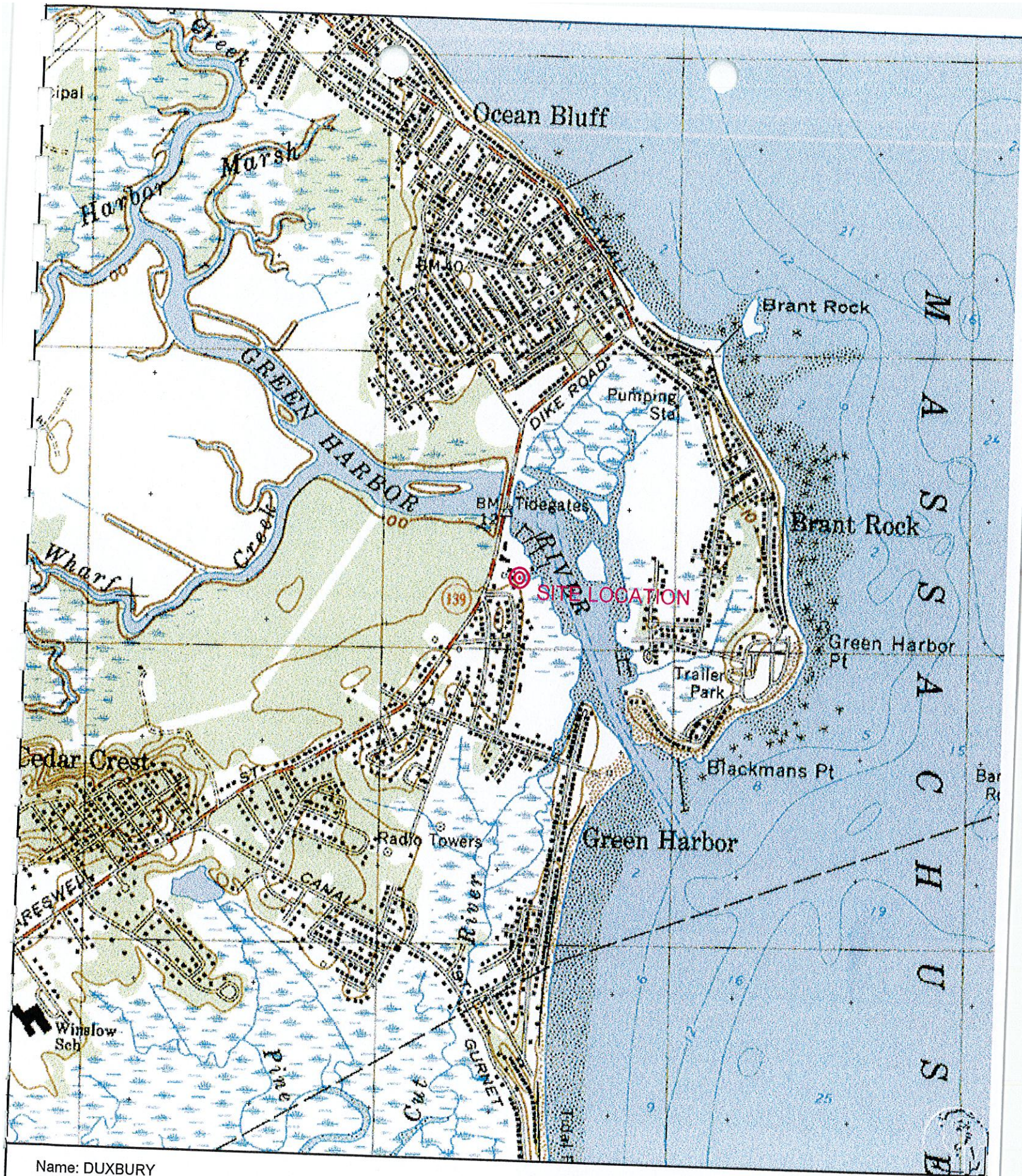
At this time, NAA is requesting you to proceed with the issuance of the Water Quality Certificate. Should any additional information be required, please do not hesitate to contact me. Thank-you for your prompt attention to this matter.

Sincerely,
Nover-Armstrong Associates, Inc.



Marta J. Nover, L.S.P.
Principal

cc: Dan Welch, Green Harbor Yacht Club



Name: DUXBURY
 Date: 3/28/101
 Scale: 1 inch equals 1333 feet

Location: 042° 05' 02.1" N 070° 39' 02.3" W
 Caption: FIGURE 1
 SITE LOCATION PLAN
 F1252



KEY Environmental Services, Inc.

DH

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

August 16, 2002

Re: Green Harbor Yacht Club
Green Harbor, Massachusetts



To Abutters and Regulatory Agencies:

Attached please find the most current plans for Green Harbor Yacht Club that has been submitted with the Chapter 91 Waterways Permit Application. The plans that were previously mailed out on July 24, 2002 were not the most recent.

Due to this, the comment period for Green Harbor Yacht Club has been extended 30 days from August 16, 2002, which is printed on the attached page, Notice of License Application pursuant to M.G.L. Chapter 91.

Thank you for you time.

Sincerely,

KEY Environmental Services, Inc.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W 02- 0551/TN#W019496
Green Harbor Yacht Club, Inc.**

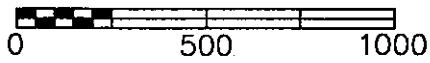
NOTIFICATION DATE: AUG 19, 2002

Public notice is hereby given of the Waterways application by Green Harbors Yacht Club, Inc. to replace existing dock accessories, the construction of a ramp with pile-held float and finger floats and maintenance dredging, at 257 Dike Road, in the municipality of Mansfield, in and over flowed tidelands of Green Harbor River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2734. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Dave Hill, Environmental Engineer, DEP Wetlands and Waterways Program, 20 Riverside Drive, Lakeville, MA 02347.



GREEN HARBOR
YACHT CLUB

DIKE
ROAD

EXISTING
RUNBACK
CHANNEL

EXISTING WEIR
(LIQUID RUNOFF TO RE-ENTER
GREEN HARBOR RIVER)

DREDGE MATERIAL
DISPOSAL AREA
(PROPERTY OF THE
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FEDERAL CHANNEL
& 6 FOOT ANCHORAGE

TOWN PIER
ROAD

TOWN
PIER

CENTRAL ST.

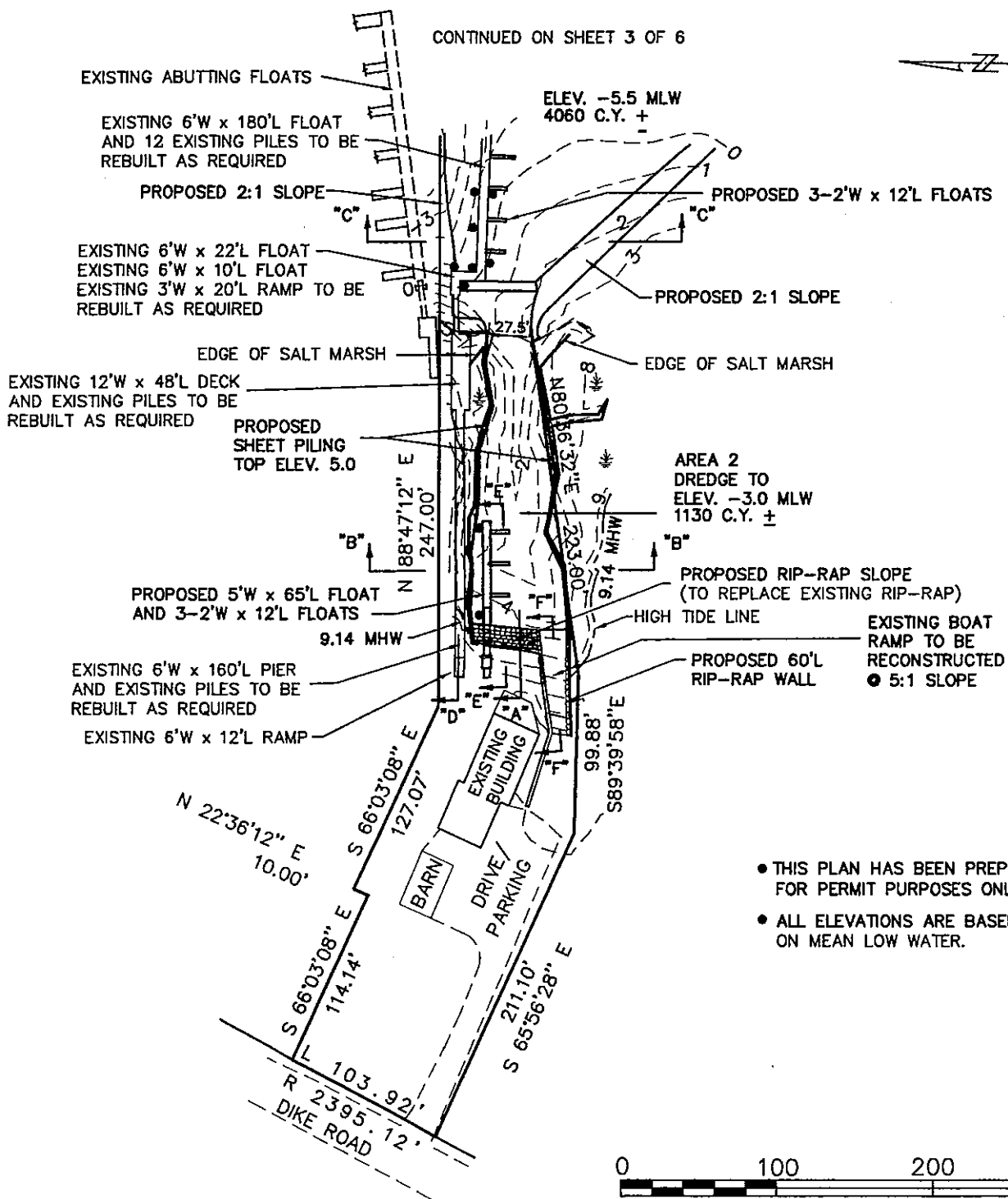
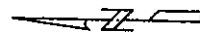
PLAN ACCOMPANYING PETITION OF
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CONFIGURATION AND TO DREDGE IN AND
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TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

LOCUS MAP

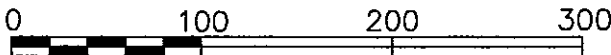
KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552

SHEET 1 OF 7

CONTINUED ON SHEET 3 OF 6



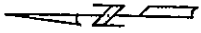
- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
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**PROPOSED
 SITE
 IMPROVEMENTS**

KEY ENVIRONMENTAL
 SERVICES, INC.
 379 LIBERTY STREET
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 781-871-8552



396344.12 N
830961.94 E

EXISTING 6'W x 16'L FLOAT
IN NEED OF AFTER-THE-FACT-PERMIT

FEDERAL CHANNEL

396262.64 N
830992.28 E

FLOOD GREEN HARBOR RIVER

EBB

EXISTING 6'W x 90'L FLOAT
IN NEED OF AFTER-THE-FACT-PERMIT

2-EXISTING 2'W x 16'L FLOATS
IN NEED OF AFTER-THE-FACT-PERMIT

PROPOSED 3-2'W x 16'L FLOATS

EXISTING ABUTTING FLOATS

EXISTING 6'W x 180'L FLOAT
AND 12 EXISTING PILES TO BE
REBUILT AS REQUIRED

PROPOSED 2:1 SLOPE

AREA 1
DREDGE TO
ELEV. -5.5 MLW
4060 C.Y. ±

EXISTING 6'W x 82'L FLOAT
IN NEED OF AFTER-THE-FACT-PERMIT

PROPOSED 3-2'W x 12'L FLOATS

EXISTING 6'W x 22'L FLOAT
EXISTING 6'W x 10'L FLOAT
EXISTING 3'W x 20'L RAMP TO BE
REBUILT AS REQUIRED

PROPOSED 2:1 SLOPE

EDGE OF SALT MARSH

EDGE OF SALT MARSH

EXISTING 12'W x 48'L DECK
AND EXISTING PILES TO BE
REBUILT AS REQUIRED

PROPOSED
SHEET PILING
TOP ELEV. 5.0

AREA 2
DREDGE TO
ELEV. -3.0 MLW
1130 C.Y. ±

"B"

"B"

PROPOSED 5'W x 65'L FLOAT
AND 3-2'W x 12'L FLOATS

PROPOSED RIP-RAP SLOPE
(TO REPLACE EXISTING RIP-RAP)

9.14 MHW

HIGH TIDE LINE

EXISTING BOAT
RAMP TO BE
RECONSTRUCTED
@ 5:1 SLOPE

EXISTING 6'W x 160'L PIER
AND EXISTING PILES TO BE
REBUILT AS REQUIRED

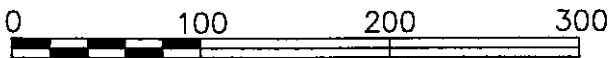
PROPOSED 60'L
RIP-RAP WALL

EXISTING 6'W x 12'L RAMP

CONTINUED ON SHEET 2 OF 6

● THIS PLAN HAS BEEN PREPARED
FOR PERMIT PURPOSES ONLY

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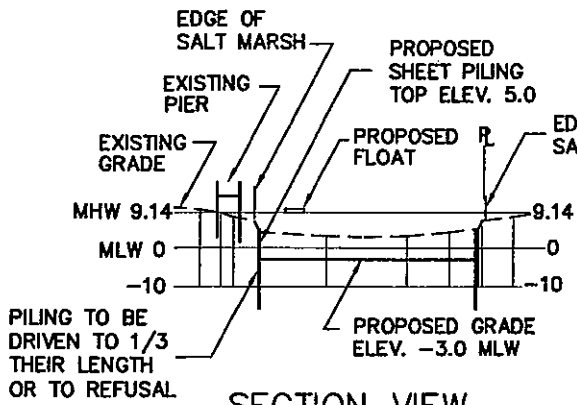


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TOWN OF MARSHFIELD, PLYMOUTH COUNTY
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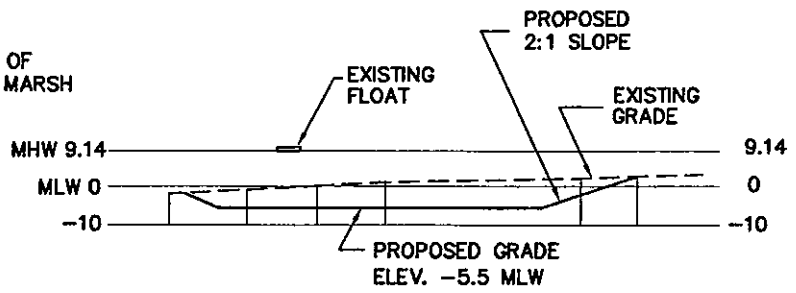
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379 LIBERTY STREET
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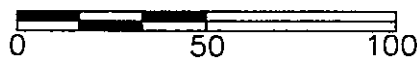
SHEET 3 OF 7



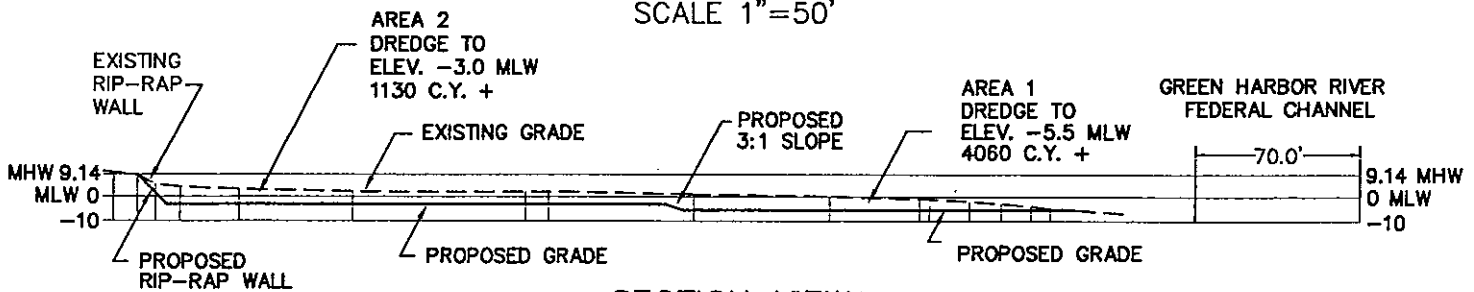
SECTION VIEW
B-B



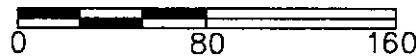
SECTION VIEW
C-C



SCALE 1"=50'



SECTION VIEW
A-A

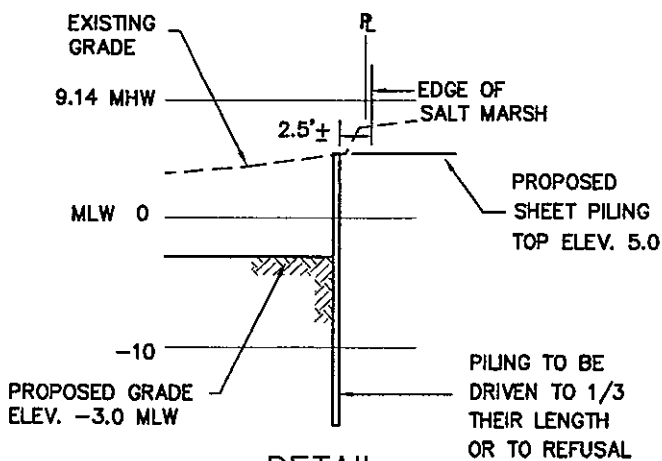


SCALE 1"=80'

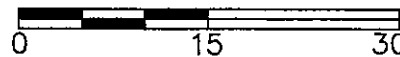
NOTE: ALL DREDGING TO BE CONDUCTED OUT OF ANADROMOUS FISH MIGRATION PERIOD (MARCH 15 - JUNE 15)

APPROXIMATELY 5190 CU. YDS. TOTAL MATERIAL TO BE DREDGED.

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DETAIL

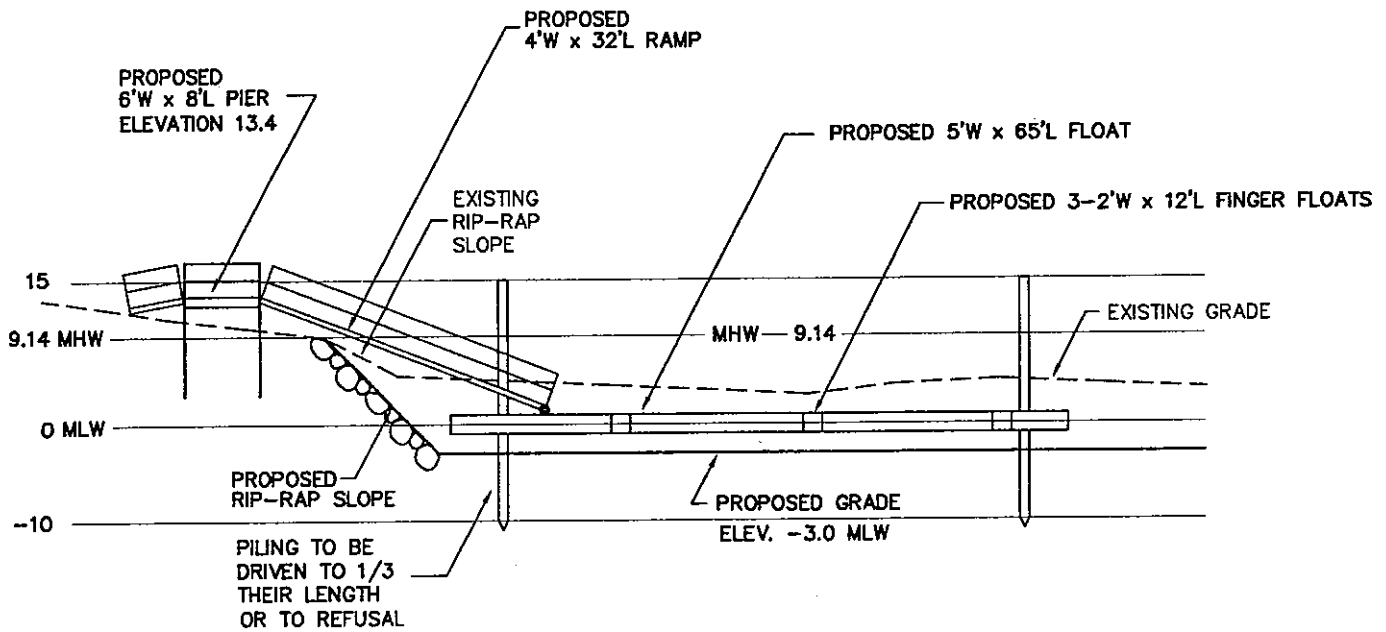


SCALE 1"=15'

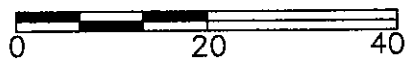
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TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

**DREDGING
CROSS SECTIONS**

KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552



SECTION VIEW
E-E



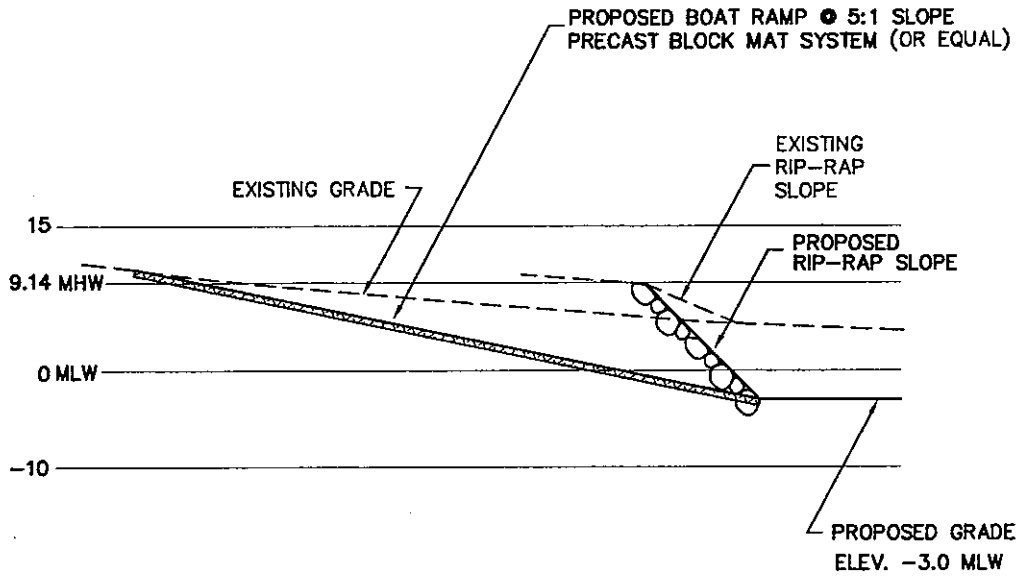
SCALE 1"=20'

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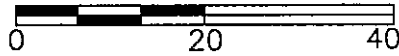
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**PROPOSED
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KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552



SECTION VIEW
F-F



SCALE 1"=20'

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379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552

P.O. Box #11
12 Careswell Street
Green Harbor, Ma. 02041
August 20, 2002

Mr. Dave Hill
Environmental Engineer
DEP Wetlands and Waterways Program
20 Riverside Drive
Lakeville, Massachusetts 02347



Dear Mr. Hill:

I am writing as the abutter to the Green Harbor Yacht Club, located in Green Harbor, Massachusetts. They have submitted an application for License Number W02 - 0551/TN #W019496 for maintenance dredging and deck repair work.

I do not have any objections to the project, as long as my direct abutting property is not encroached or endangered in any way. Perhaps my greatest concern is the fear of changing the natural flow of the water, so as to have the tidal flow closer to my house, thus causing flooding.

My fears may be unfounded, but having been a resident of Marshfield since 1933, I have great respect for the ocean and have seen how it's wrath can be to the detriment of the home owner.

Thank you for returning my telephone call today. Other than my stated concern above, I wish the Green Harbor Yacht Club success with the endeavor.

Sincerely,


Virginia A. Gaffey
Careswell Street Realty Trust



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

August 16, 2002

Re: Green Harbor Yacht Club
Green Harbor, Massachusetts



To Abutters and Regulatory Agencies:

Attached please find the most current plans for Green Harbor Yacht Club that has been submitted with the Chapter 91 Waterways Permit Application. The plans that were previously mailed out on July 24, 2002 were not the most recent.

Due to this, the comment period for Green Harbor Yacht Club has been extended 30 days from August 16, 2002, which is printed on the attached page, Notice of License Application pursuant to M.G.L. Chapter 91.

Thank you for you time.

Sincerely,

KEY Environmental Services, Inc.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W 02- 0551/TN#W019496
Green Harbor Yacht Club, Inc.

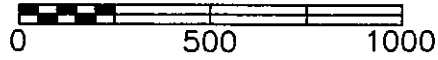
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Public notice is hereby given of the Waterways application by Green Harbors Yacht Club, Inc. to replace existing dock accessories, the construction of a ramp with pile-held float and finger floats and maintenance dredging, at 257 Dike Road, in the municipality of Mansfield, in and over flowed tidelands of Green Harbor River. The proposed project has been determined to be water-dependent.

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Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2734. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

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GREEN HARBOR
YACHT CLUB

DIKE
ROAD

EXISTING
RUNBACK
CHANNEL

EXISTING WEIR
(LIQUID RUNOFF TO RE-ENTER
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DREDGE MATERIAL
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(PROPERTY OF THE
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PIER

FEDERAL CHANNEL
& 6 FOOT ANCHORAGE

CENTRAL ST.

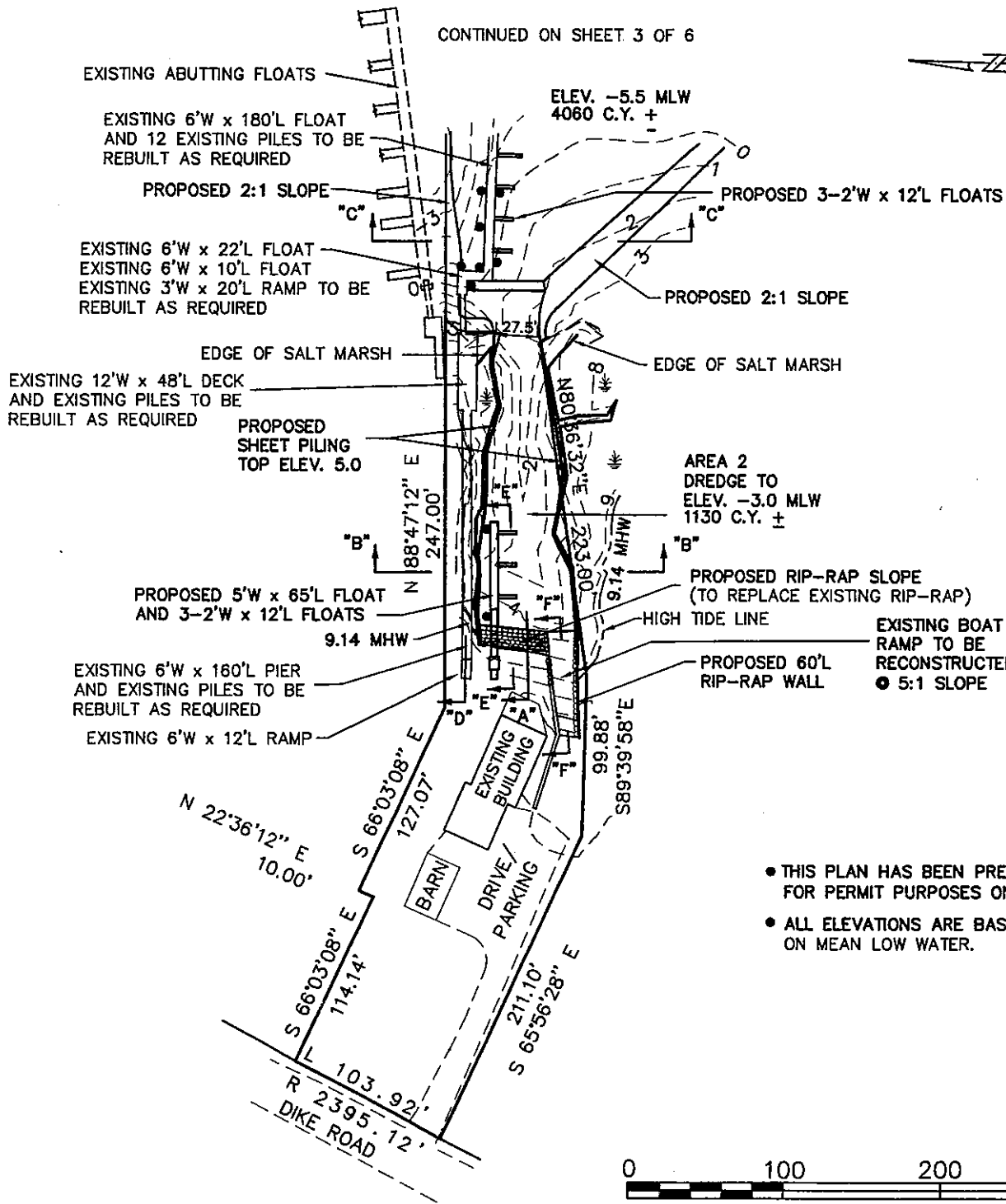
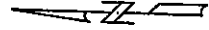
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OCTOBER 2, 2001

LOCUS MAP

KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552

SHEET 1 OF 7

CONTINUED ON SHEET 3 OF 6

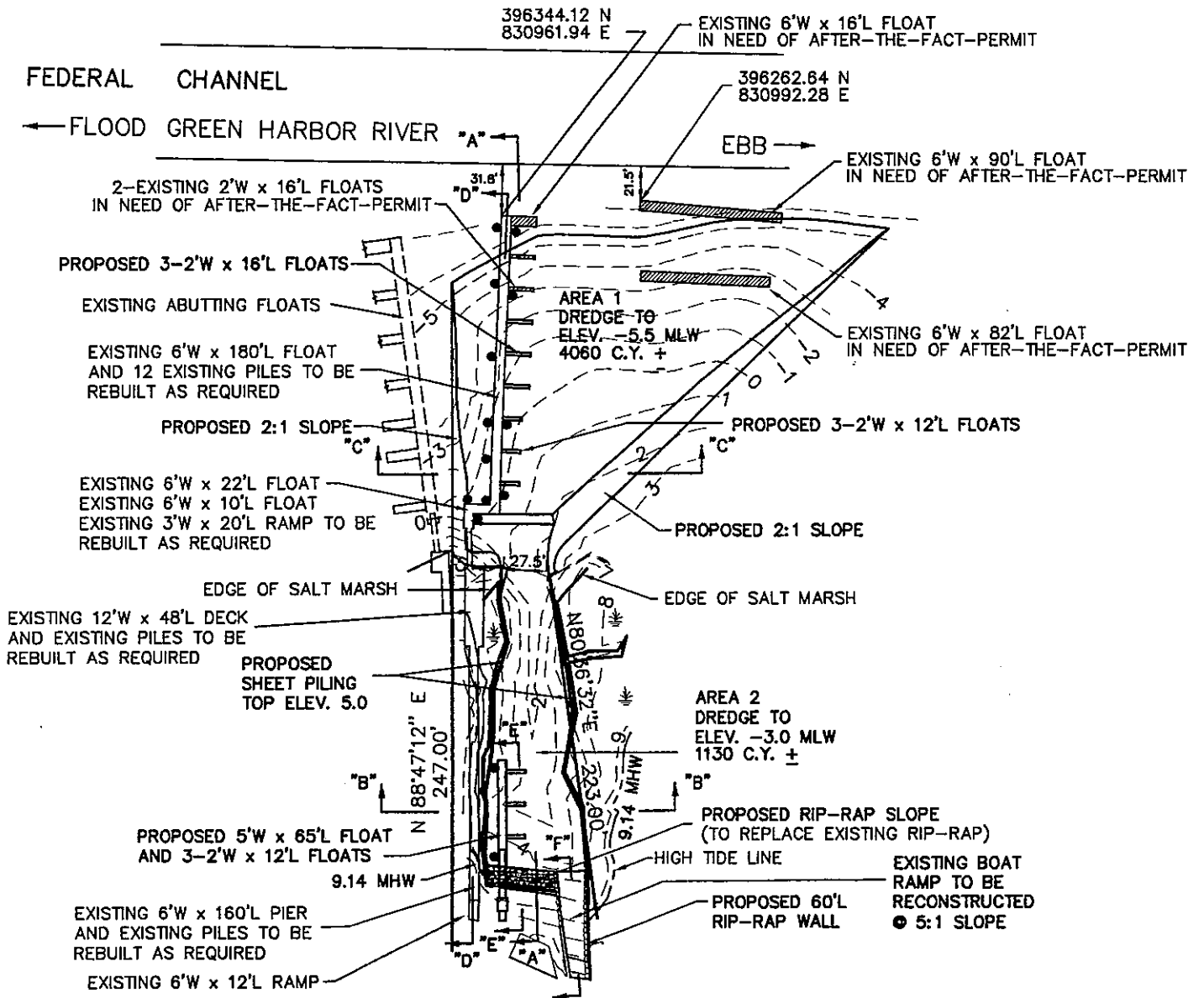
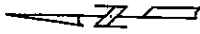


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**PROPOSED
 SITE
 IMPROVEMENTS**

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CONTINUED ON SHEET 2 OF 6

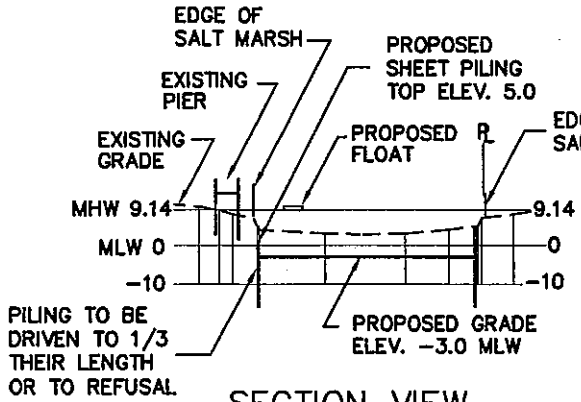
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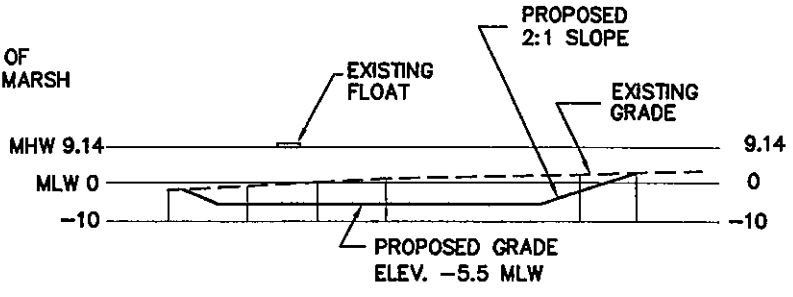
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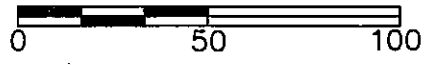
SHEET 3 OF 7



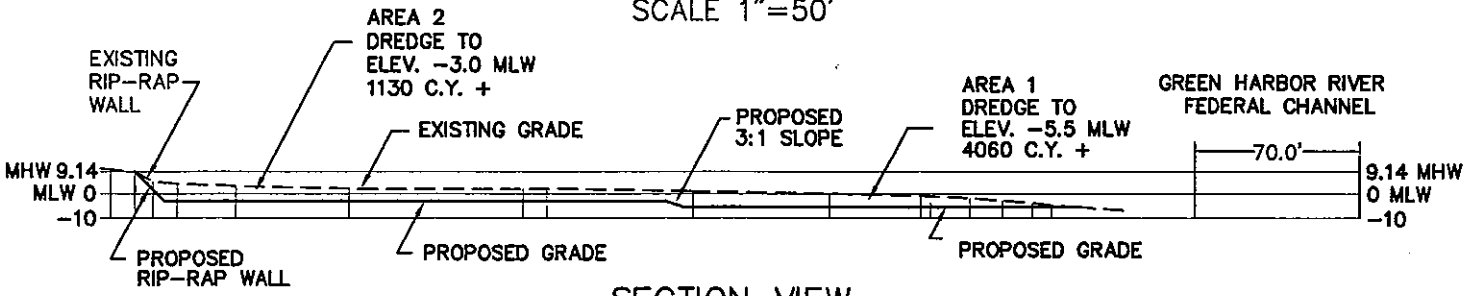
SECTION VIEW
B-B



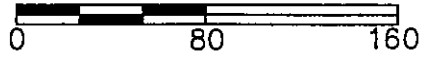
SECTION VIEW
C-C



SCALE 1"=50'



SECTION VIEW
A-A

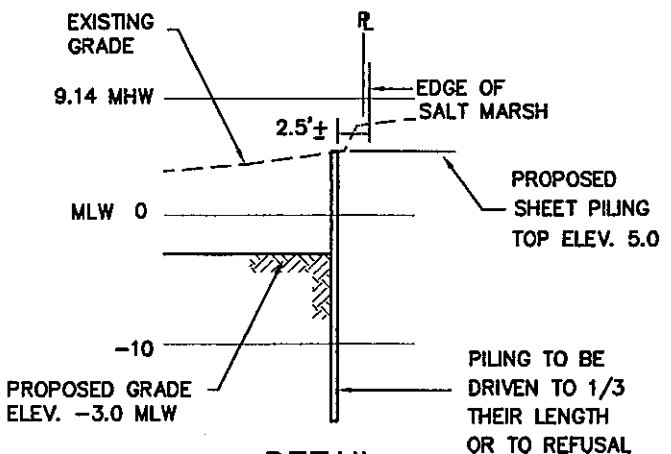


SCALE 1"=80'

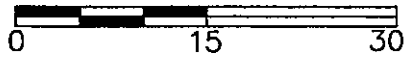
NOTE: ALL DREDGING TO BE CONDUCTED OUT OF ANADROMOUS FISH MIGRATION PERIOD (MARCH 15 - JUNE 15)

APPROXIMATELY 5190 CU. YDS. TOTAL MATERIAL TO BE DREDGED.

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- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.



DETAIL

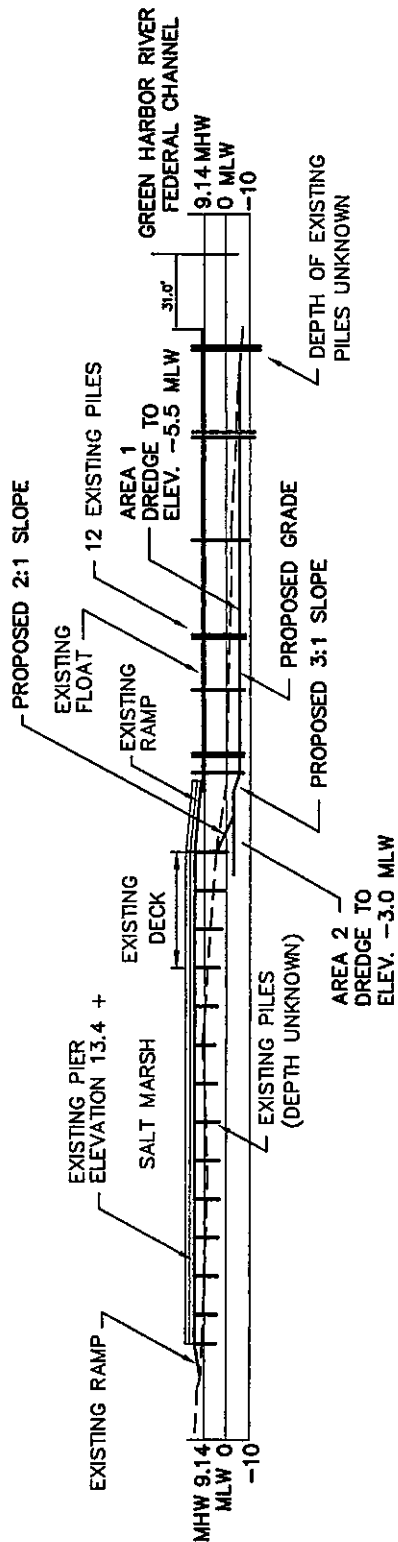


SCALE 1"=15'

PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
TO MAINTAIN AN EXISTING FLOAT
CONFIGURATION AND TO DREDGE IN AND
OVER THE WATERS OF GREEN HARBOR
TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

**DREDGING
CROSS SECTIONS**

**KEY ENVIRONMENTAL
SERVICES, INC.**
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552



SECTION VIEW
D-D

- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.

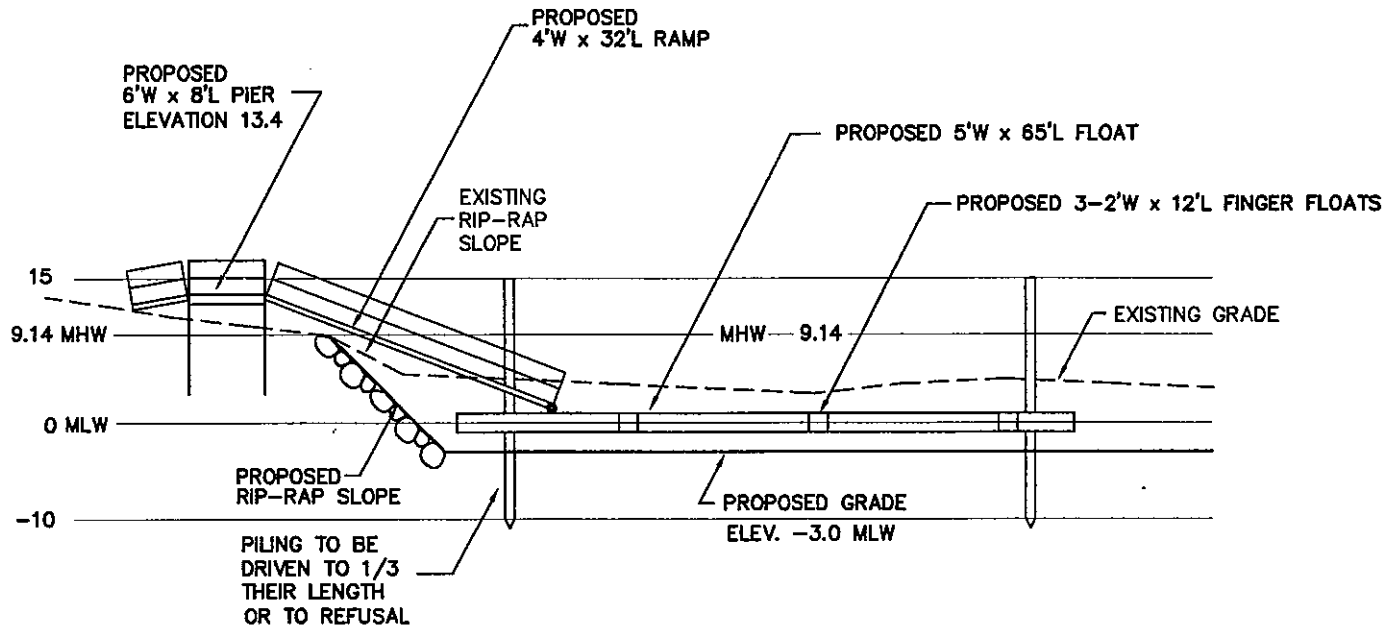


SCALE 1"=50'

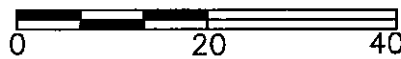
PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
 TO MAINTAIN AN EXISTING FLOAT
 CONFIGURATION AND TO DREDGE IN AND
 OVER THE WATERS OF GREEN HARBOR
 TOWN OF MARSHFIELD, PLYMOUTH COUNTY
 OCTOBER 2, 2001

**DREDGING
 CROSS SECTIONS**

KEY ENVIRONMENTAL
 SERVICES, INC.
 379 LIBERTY STREET
 ROCKLAND, MA 02370
 781-871-8552



SECTION VIEW
E-E



SCALE 1"=20'

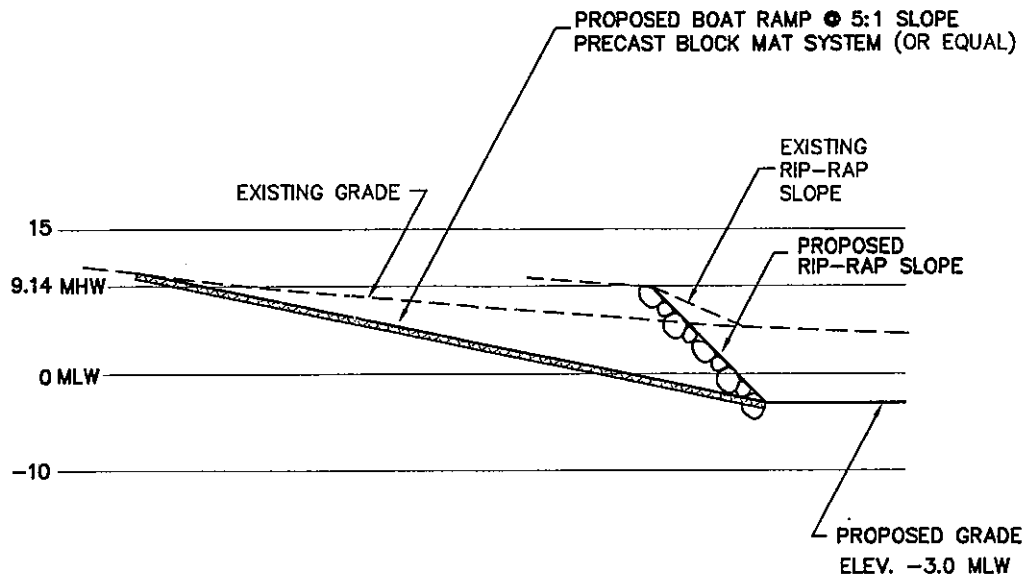
- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.

PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
TO MAINTAIN AN EXISTING FLOAT
CONFIGURATION AND TO DREDGE IN AND
OVER THE WATERS OF GREEN HARBOR
TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

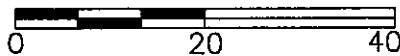
**PROPOSED
IMPROVEMENTS**

**KEY ENVIRONMENTAL
SERVICES, INC.**
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552

SHEET 6 OF 7



SECTION VIEW
F-F



SCALE 1"=20'

- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.

PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
TO MAINTAIN AN EXISTING FLOAT
CONFIGURATION AND TO DREDGE IN AND
OVER THE WATERS OF GREEN HARBOR
TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

**PROPOSED
IMPROVEMENTS**

**KEY ENVIRONMENTAL
SERVICES, INC.**
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552

SHEET 7 OF 7



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

MEMO: Green Harbor Yacht Club, Inc.

TO: MADEP

FROM: Kathleen Tobin, Environmental Scientist

DATE: 07/31/02

Enclosed please find the proof of Public Notice for Green Harbor Yacht Club, Inc. that was published in the Patriot Ledger on July 24, 2002.





KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

July 31, 2002

Massachusetts Department of Environmental Protection
Southeast Regional Office
Division of Waterways
20 Riverside Drive
Lakeville, MA 02347

ATTN: Permit Administrator

RE: Chapter 91 Waterways Permit Application - Public Notice
Waterways License Application No. W 02-0551
Green Harbor Yacht Club, Inc.
Marshfield, Massachusetts
KEY File No. F1252

Dear Sir/Madam:

On behalf of Green Harbor Yacht Club, Inc., KEY Environmental Services, Inc. (KEY) is submitting this proof of Public Notice of the Chapter 91 Waterways Permit application for the property in Marshfield, Massachusetts (the site). The attached notice was published in the Patriot Ledger newspaper on July 24, 2002.

If you have any questions, please give me a call. Thank you.

Sincerely,

KEY Environmental Services, Inc.

Kathleen Tobin
Environmental Scientist

cc: Green Harbor Yacht Club, Inc.

Attachment

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM



Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W 02- 0551/TN#W019496
Green Harbor Yacht Club, Inc.

NOTIFICATION DATE: JUL 24 2002

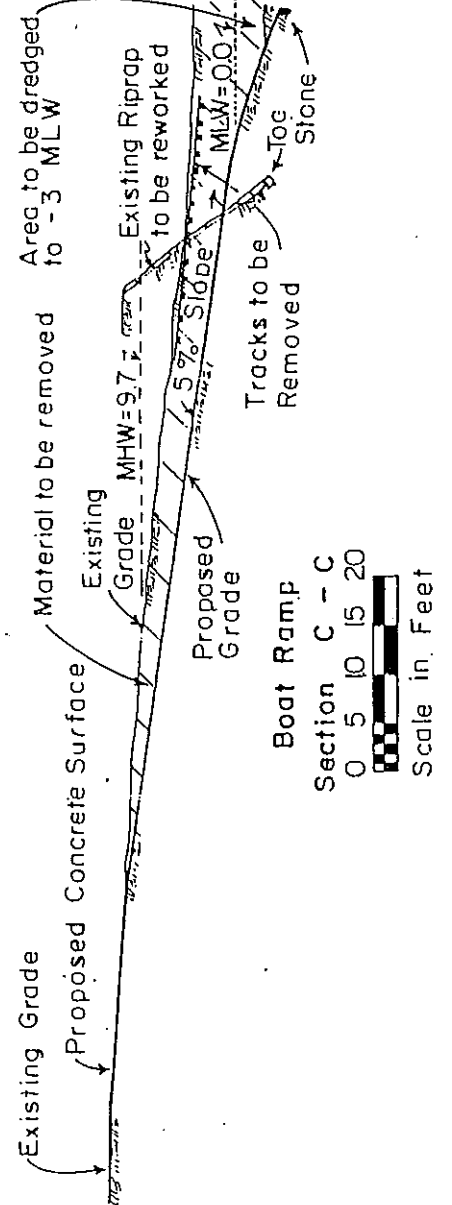
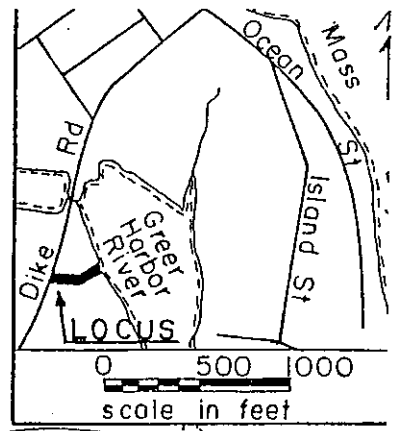
Mansfield

Public notice is hereby given of the Waterways application by Green Harbors Yacht Club, Inc. to replace existing dock accessories, the construction of a ramp with pile-held float and finger floats and maintenance dredging, at 257 Dike Road, in the municipality of **Mansfield**, in and over flowed tidelands of Green Harbor River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2734. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

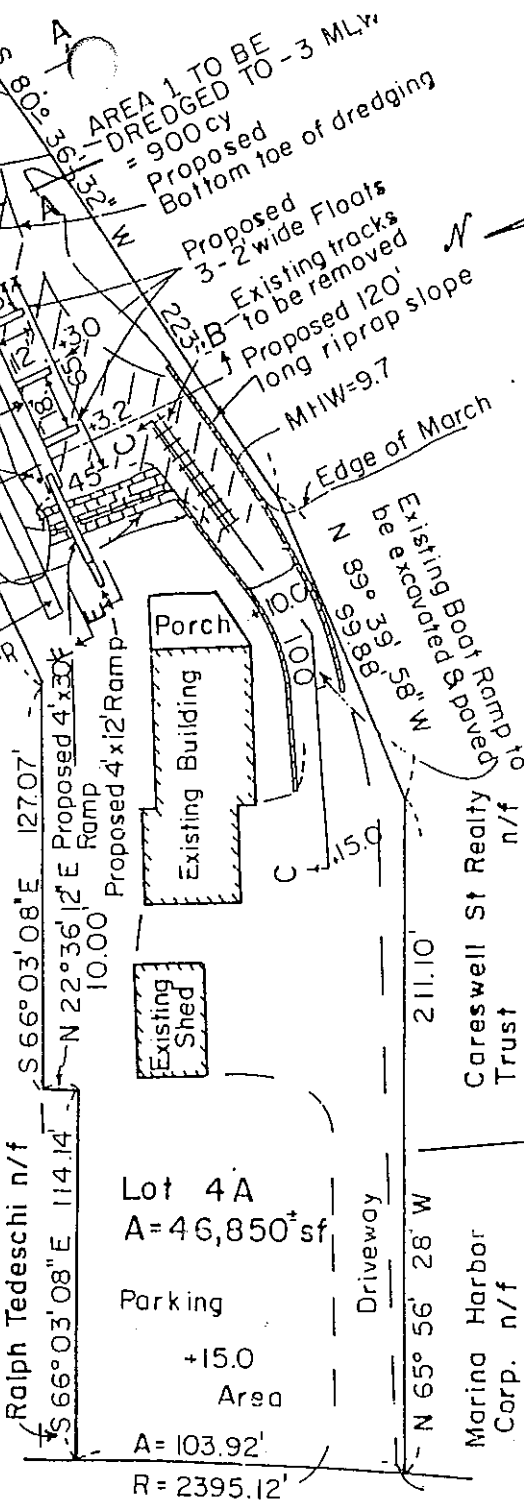
Written comments must be addressed to: Dave Hill, Environmental Engineer, DEP Wetlands and Waterways Program, 20 Riverside Drive, Lakeville, MA 02347.



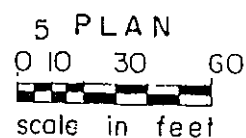
This plan has been prepared for permit purposes only

All elevations are based on Mean Low Water

Sheet 1 of 3 Sheets



DIKE (Rte 139) ROAD



Plan accompanying petition of GREEN HARBOR YACHT CLUB, Inc.

to maintain existing ramp, pier, deck, ramp, floats, piles and retaining wall, and to reconstruct and maintain existing riprap slope & wall and boat ramp, and to construct and maintain riprap slopes, bank stabilization, ramp, floats and piles, and to dredge in the Green Harbor

AREA 1 TO BE DREDGED TO -3 MLW = 900 cy
Proposed Bottom toe of dredging

Proposed 3-2 wide Floats
Existing tracks to be removed
Proposed 120' long riprap slope
MHW=9.7

Existing 160x6 Pier & Piles Lic No 6303w
Proposed 2 Pile held 5' wide Float
Existing Riprap slope and wall to be rebuilt Lic No 6303
Existing 12' x 6' Ramp

Edge of March
Existing Boat Ramp to be excavated & paved
MHW=9.7
N 89° 36' 58" W
N 89° 36' 58" W

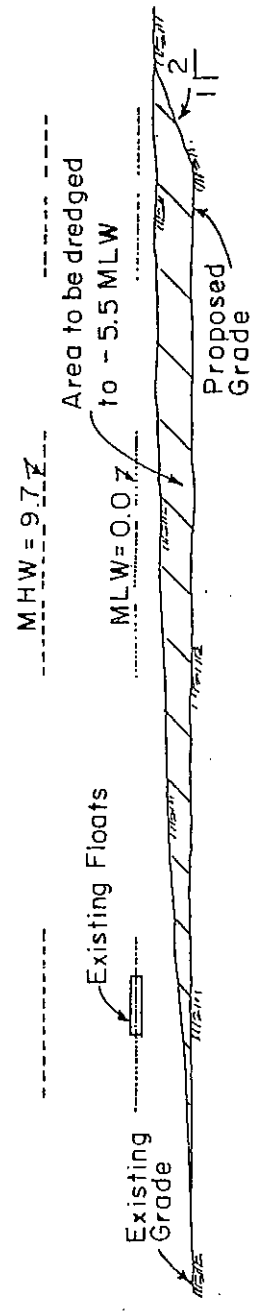
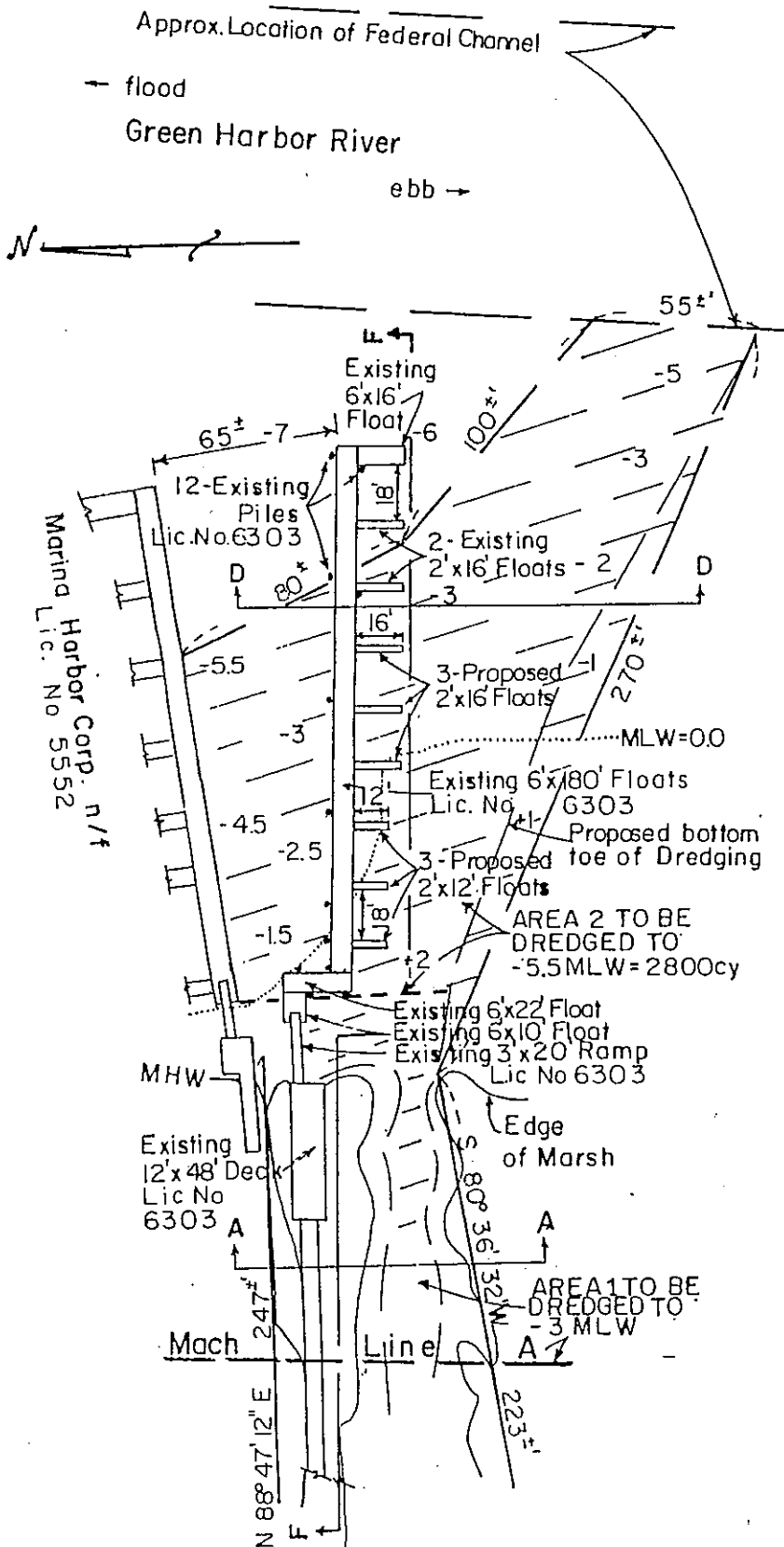
Proposed 4x12 Ramp
Proposed 4x30 Ramp
10.00
127.07'
S 66° 03' 08" E
N 22° 36' 12" E
114.14'
S 66° 03' 08" E
N 22° 36' 12" E
10.00

Existing Shed
Existing Building
Porch
Driveway
N 65° 56' 28" W
211.10'
Careswell St Realty n/f Trust
Marina Harbor Corp. n/f

Lot 4A
A=46,850[±]sf
Parking
+15.0
Area
A=103.92'
R=2395.12'

Marina Harbor Corp. n/f
Ralph Tedeschi n/f
Marina Harbor Corp. n/f



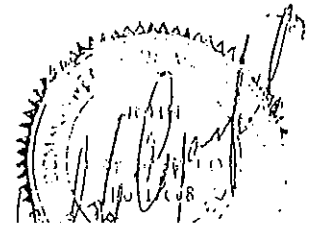


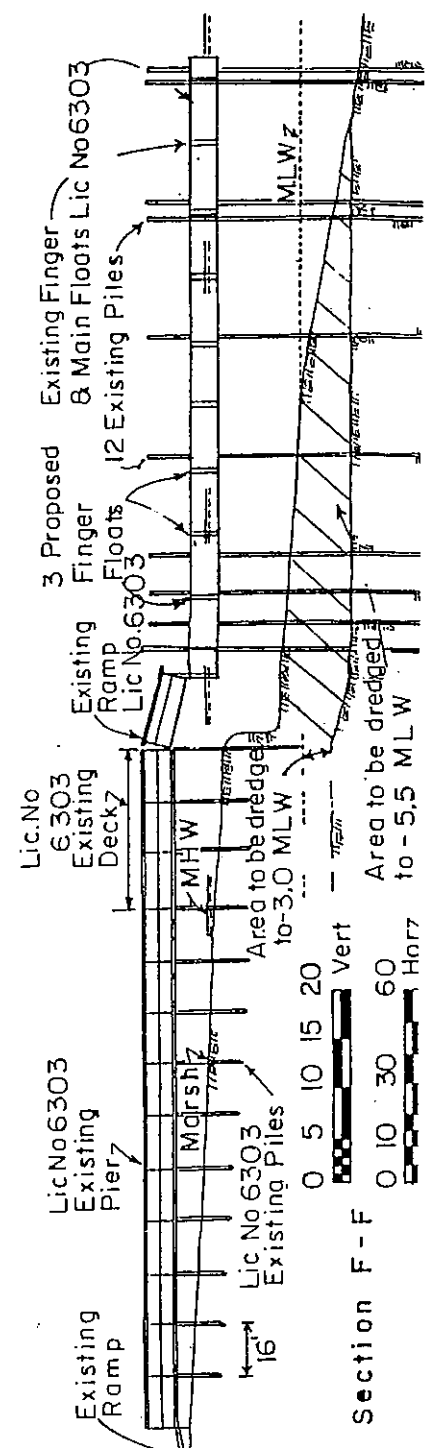
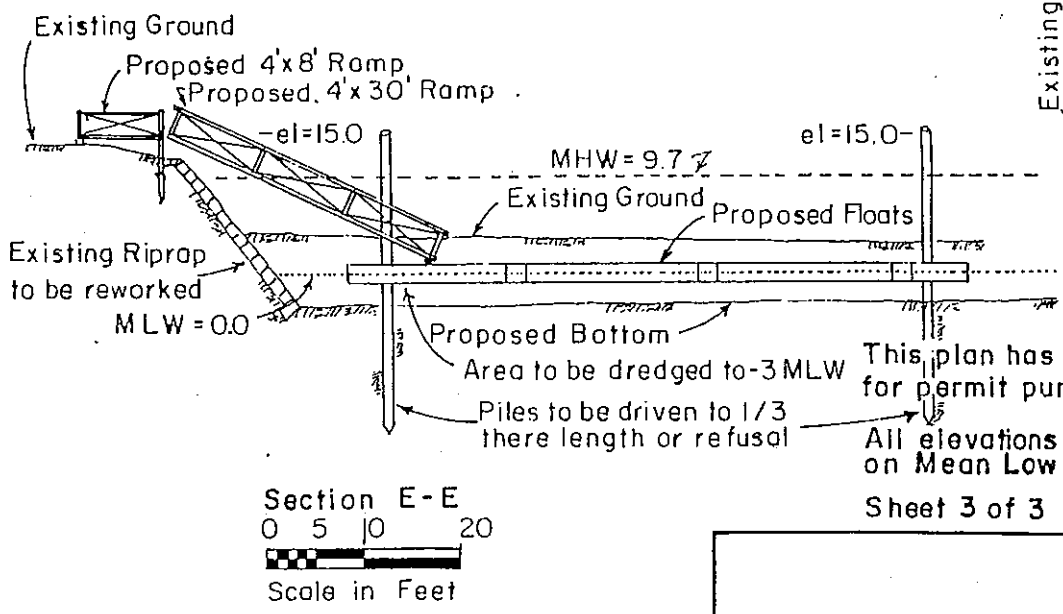
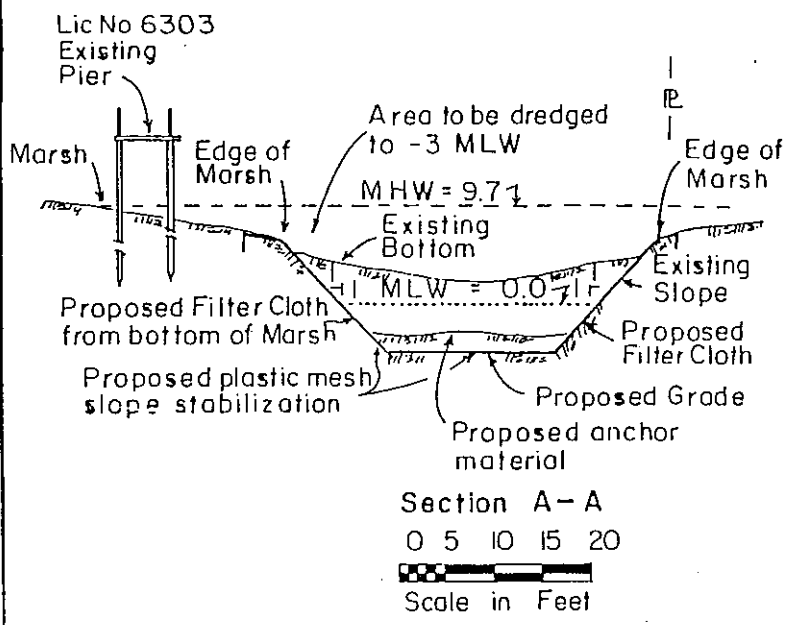
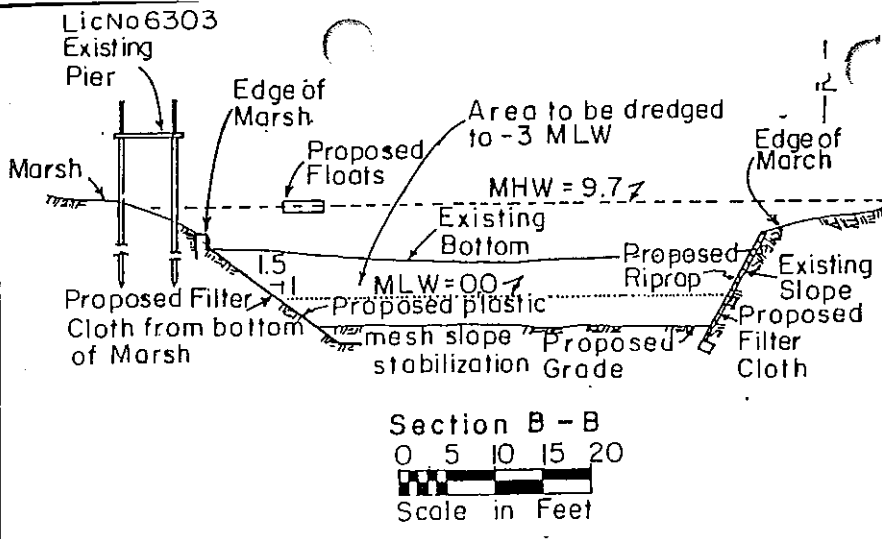
SECTION D-D
0 5 10 15 20
scale in feet

This plan has been prepared for permit purposes only

All elevations are based on Mean Low Water

Sheet 2 of 3 Sheets





This plan has been prepared for permit purposes only

All elevations are based on Mean Low Water



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

JANE SWIFT
Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

FILE COPY JUL 17 2002

Green Harbors Yacht Club, Inc.
C/o KEY Environmental Services, Inc.
379 Liberty Street
Rockland, MA 02370

Re: **PUBLIC NOTICE OF WATERWAYS LICENSE APPLICATION No. W 02- 0551**
Green Harbor River, Marshfield, Plymouth County

Dear Sir:

The Waterways Regulation Program (WRP) has received the referenced application requesting authorization to perform certain activities in state waterways pursuant to M.G.L. Chapter 91, the Public Waterfront Act and its regulations at 310 CMR 9.0 etc. The WRP has assigned this application filing with the above-referenced Waterways License application number. IT IS IMPERATIVE THAT YOU REFER TO THIS APPLICATION NUMBER WHENEVER YOU SUBMIT OR REQUEST INFORMATION FOR THIS FILE. Upon review of this application, the WRP has made a determination that this project is a water-dependent Use Project.

Attached is the WRP's Public Notice form for this application. The Applicant is required to publish this notice, at his/her expense, in one or more newspapers having circulation in the area affected by the proposed activity. This notice must be published in the local newspaper(s) for at least one day on or before Notification Date. The required public comment period shall begin on this designated Notification Date. The Applicant is required to submit proof of publication to the WRP by sending a copy of the newspaper notice showing the date of publication or a copy of the newspaper notice and a letter from the newspaper indicating the date the public notice was published.

Pursuant to 310 CMR 9.13(1)(a), the Applicant is also required to concurrently provide this notification, along with a copy of the project site plans submitted with the Waterways License Application, to the appropriate municipal officials,

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872. This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.

DEP on the World Wide Web: <http://www.state.ma.us/dep>



Printed on Recycled Paper

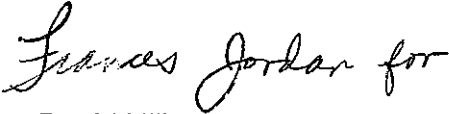
regulatory agencies and abutters to the project for their review and comment, by **Certified mail**, (see Notification mailing list attached). For Chapter 91 purposes, an abutter is defined as the owner of land that shares a common boundary or corner with a project site at the water's edge, as well as the owner of land that lies within 50' across a waterbody from such site, see; 310 CMR 9.02. The WRP will publish the Public Notice in *The Environmental Monitor*, if required.

Lastly, the WRP cannot complete its review of this application until the following information/document(s) checked below have been submitted:

- Proof of publication of the Public Notice
 - Receipt of the Municipal Zoning Certification
 - Receipt of the Municipal Planning Board Notification Form
 - Receipt of a valid Wetlands Order of Conditions
 - Receipt of a valid DEP Water Quality Certification
 - Completion of the MEPA review process
 - Plans according to the specifications of Appendix B of the Waterways Application.
- NOTE: Final Mylar Project Site Plans will be required upon notice from the Department and prior to issuance of the Chapter 91 License.**
- Other:

Should you have any questions, please contact me at (508) 946-2730. Thank you.

Sincerely,



David Hill
Environmental Engineer
Wetlands and Waterways Program

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W 02- 0551/TN#W019496
Green Harbor Yacht Club, Inc.

NOTIFICATION DATE: JUL 24 2002

Public notice is hereby given of the Waterways application by Green Harbors Yacht Club, Inc. to replace existing dock accessories, the construction of a ramp with pile-held float and finger floats and maintenance dredging, at 257 Dike Road, in the municipality of Mansfield, in and over flowed tidelands of Green Harbor River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2734. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Dave Hill, Environmental Engineer, DEP Wetlands and Waterways Program, 20 Riverside Drive, Lakeville, MA 02347.

Pursuant to 310 CMR 9.13(1)(a), the Applicant is also required to concurrently provide this notification, along with a copy of the project site plans submitted with the Waterways License Application, to the appropriate municipal officials, regulatory agencies and abutters to the project for their review and comment (see Notification mailing list attached). The applicant shall send the notice of license or permit application by Certified mail to the attached list and abutters and notify the Department when completed.

Mailing List: Notice of License Application pursuant to M. G. L. Chapter 91

Board of Selectmen, Town of Marshfield
Marshfield Planning Board
Marshfield Conservation Commission, File# SE42-1560
Marshfield Zoning Board
Marshfield Harbormaster

Coastal Zone Management
251 Causeway Street, Suite 500
Boston, MA 02114

Fran Jordan
DEP SERO, DWW
20 Riverside Drive
Lakeville, MA 02347

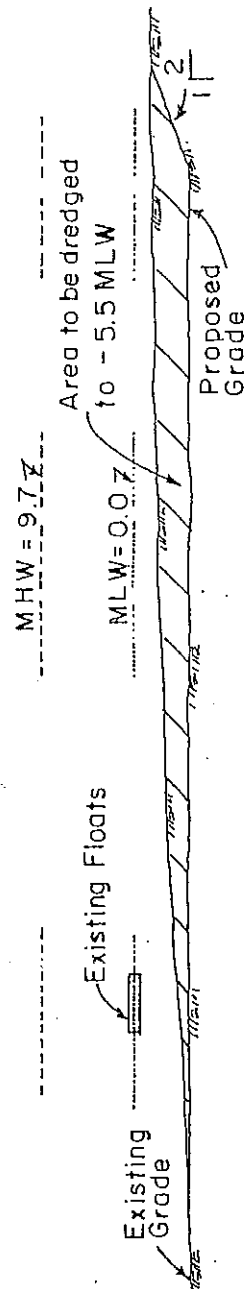
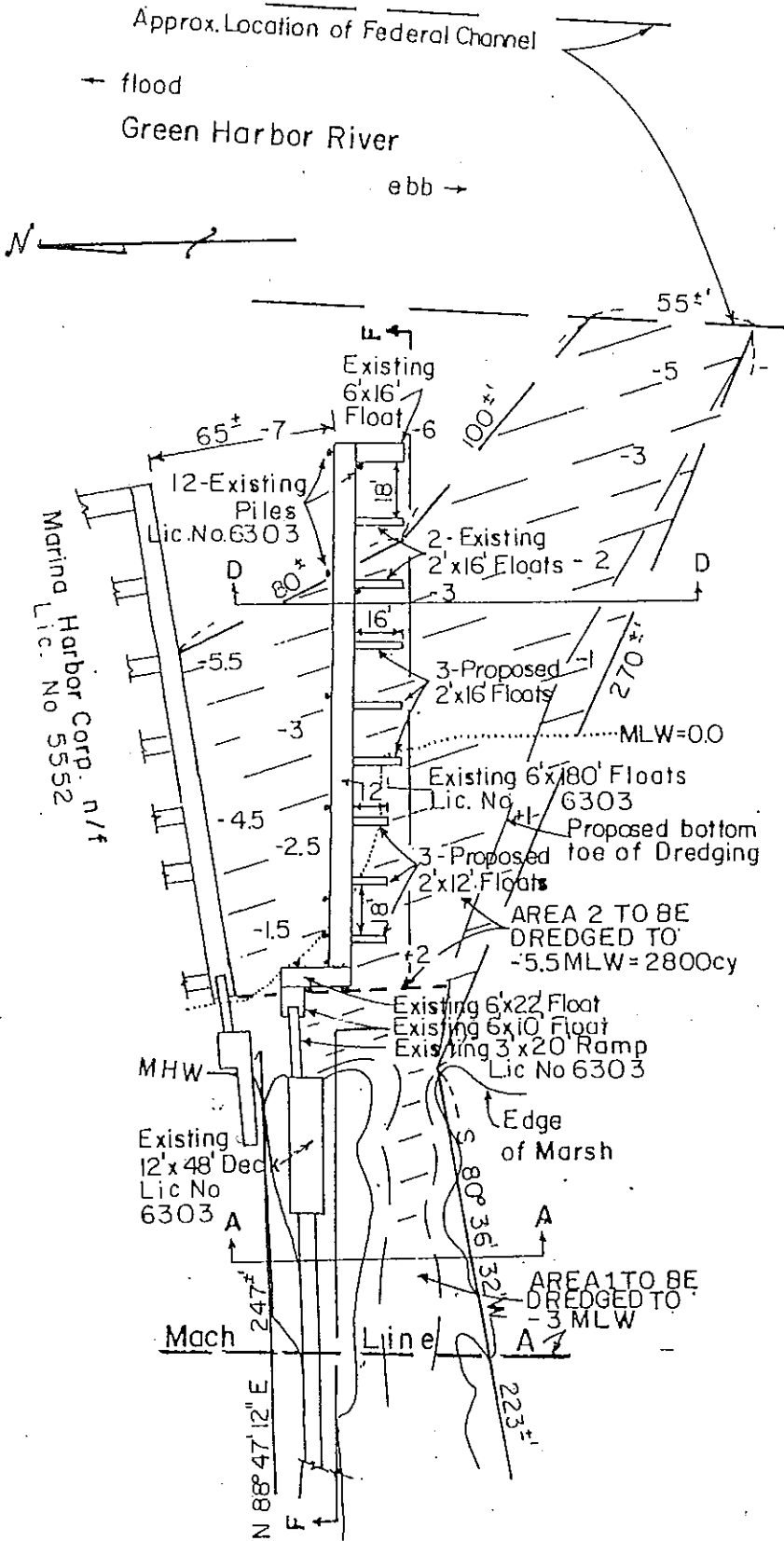
Mark Tisa
Division of Fish & Wildlife
Field Headquarters
1 Rabbit Hill Road
Westboro, MA 01581

MA Division of Marine Fisheries
Southeast Marine Fisheries Station
Vin Malkoski Senior Marine Fisheries Biologist//Diving Safety Officer
50 A Portside Drive
Pocasset, MA02559

Massachusetts Historical Commission
22 Morrissey Blvd., Columbia Point
Boston, MA 02125

Abutters – For Chapter 91 purposes, an abutter is defined as the owner of land that shares a common boundary or corner with a project site, as well as the owner of land that lies within 50' across a waterbody from such site, see 310 CMR 9.02.

WRP Files



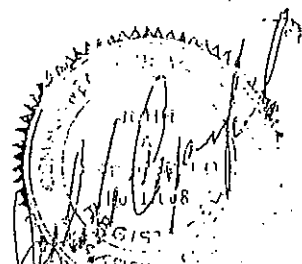
SECTION D-D
 0 5 10 15 20
 scale in feet

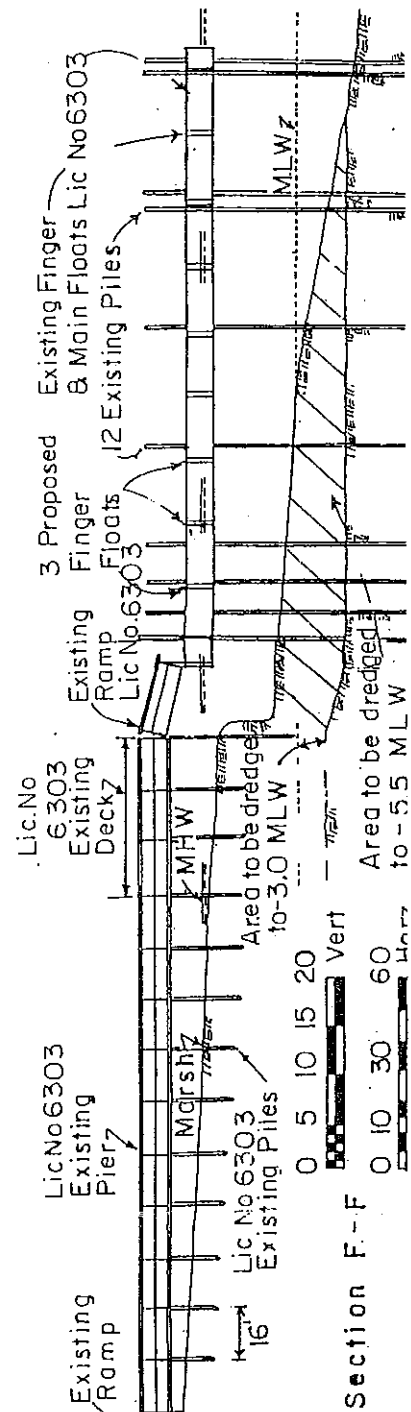
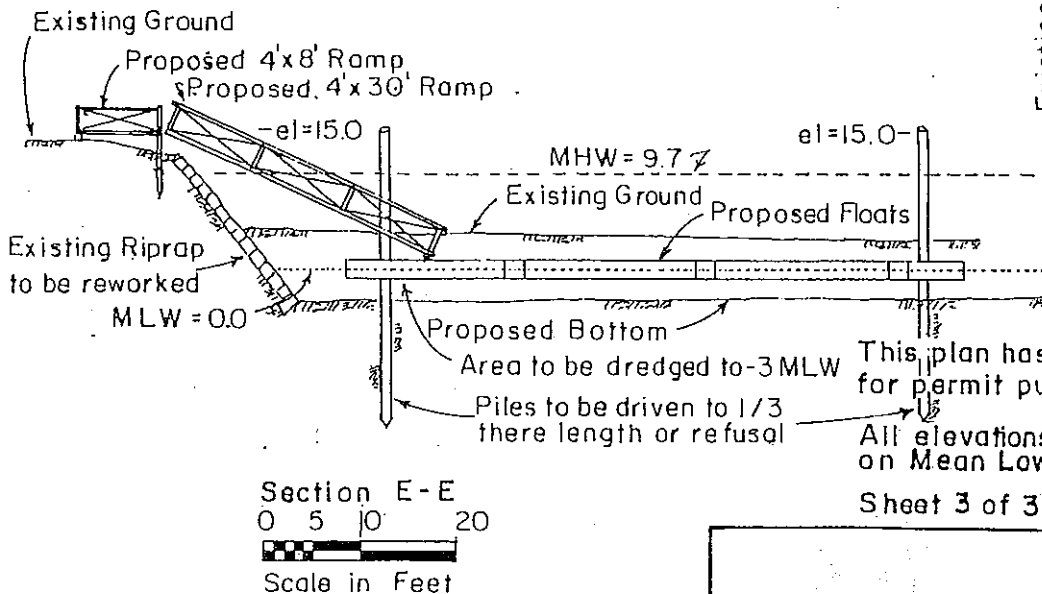
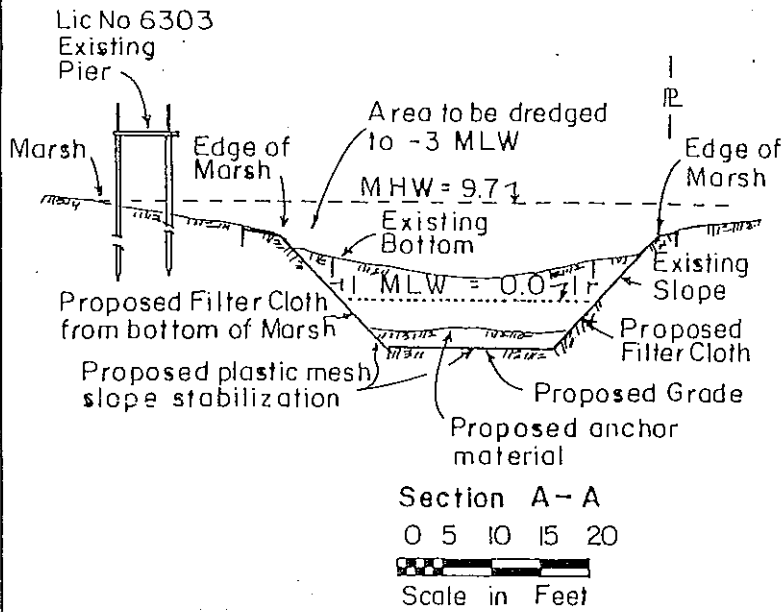
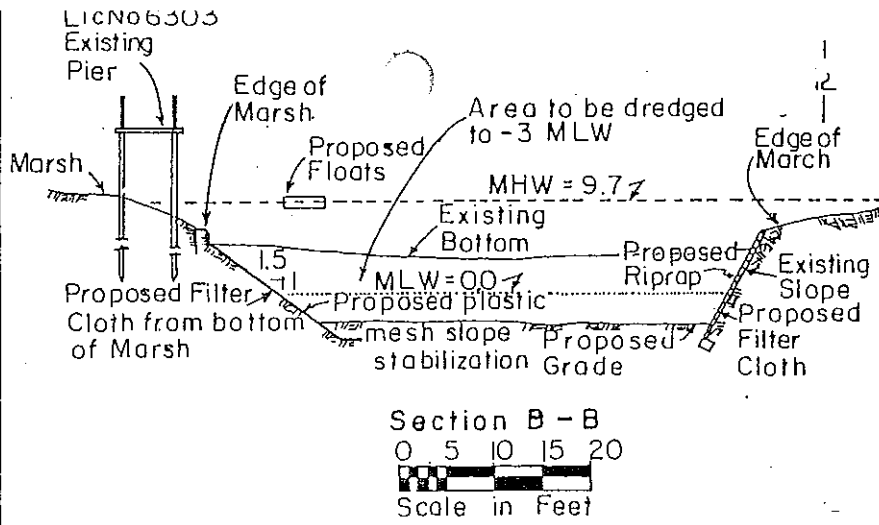
5 PLAN
 0 10 30 60
 scale in feet

This plan has been prepared for permit purposes only

All elevations are based on Mean Low Water

Sheet 2 of 3 Sheets





This plan has been prepared for permit purposes only
All elevations are based on Mean Low Water



GREEN HARBOR YACHT CLUB



P O BOX 209
GREEN HARBOR MA 02041
834-9115

LIST OF ABBUTTORS

MAP M6

BLOCK 8

LOT 5A Marina Harbor Corp.
P.O. Box 338
Dike Road
Green Harbor, Mass. 02040

LOT 1 Marina Harbor Corp.
P.O. Box 338
Dike Road
Green Harbor, Mass. 02040

LOT 2 Careswell Street Realty Trust
James H. Gaffey, Trustee
230 Edge Hill Road
Milton, Mass. 02186

LOT 3 Thomas Flanders, Jr.
9 Birchwood Drive
Southboro, Mass. 01772

Lot not shown on Aseors Map

Ralph Tedeschi
Tara Drive
Norwell, Mass.

MAP 6

BLOCK 1

LOT 1 Town of Marshfield
Marshfield Town Hall
Marshfield, Mass. 02050

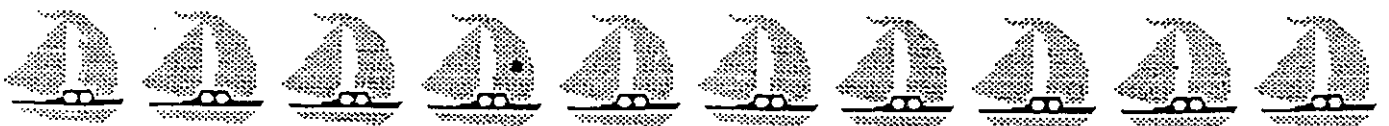


EXHIBIT 7
CHAPTER 91 LICENSE #6303

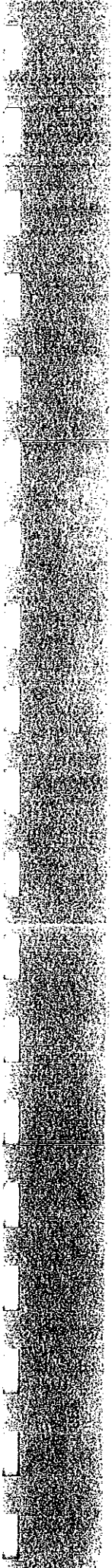


EXHIBIT 8
ACCESS AUTHORIZATION AND TAX PAYMENT STATEMENT

Marshfield Conservation Commission

Access Authorization

Date: 2/15/01

Project: Dredging and Facilities Maintenance of the Green Harbor Yacht Club

To: Marshfield Conservation Commission & Conservation Administrator

From: The Green Harbor Yacht Club

Location: Off Dike Road (Route 139)

We hereby authorize the individual members of the conservation commission and its administrator to enter upon the property for the purpose of gathering information prior to issuing an Order of Conditions prior to the issuance of a Certificate of Compliance.

Time: From the present to date of issuance of Certificate of Compliance.

Owner: Donald C. Welch **Date:** 2/15/2001

Page

CONSERVATION COMMISSION

MARSHFIELD

TPS

TAX PAYMENT STATEMENT

FILE # _____

NAME/APPLICANT GHYC O/C _____ C/C _____

ADDRESS Dike Road, Marshfield

OWNER'S NAME Green Harbor Yacht Club, Inc.

MAP/BLOCK/LOT # Map 6, Lot 4a

To the best of my knowledge, all local taxes, fees, assessments, betterments, or other municipal charges have been paid x are not paid _____

If not paid explain _____

NAME Daniel G. Weleb. DATE 7/15/2001

FOR TAX COLLECTORS OFFICE ONLY:

PERSONAL PROPERTY TAX _____

REAL ESTATE TAX _____

WATER BILLING _____

DATE _____ TAX COLLECTOR _____

ALL OUTSTANDING DEBTS MUST BE PAID BEFORE COMMISSION WILL CLOSE HEARING AND ISSUE ANY PERMIT.

THIS FORM IS TO BE FILLED OUT AND SUBMITTED WITH NOTICE OF INTENT FILING.

EXHIBIT 9
PLAN ACCOMPANYING PETITION OF GREEN HARBOR YACHT CLUB



MARSHFIELD TOWN CLERK
RECEIVED

2002 APR 23 P 6 00

DATE: APRIL 16, 2002
DECISIONS: GRANT OF SPECIAL PERMIT CASE #01-99
APPLICANT: GREEN HARBOR YACHT CLUB, INC.
PROPERTY OWNER: SAME
PROPERTY ADDRESS: 257 DIKE RD. MARSHFIELD, MA 02050
M06-10-01
OWNERS' ADDRESS: P.O. BOX 338 GREEN HARBOR, MA 02040
APPLICANT'S ADDRESS: SAME
TITLE REFERENCE: PLYMOUTH CO REG DEEDS BK 2861 PG 346

The Marshfield Zoning Board of Appeals has considered the request of Green Harbor Yacht Club, Inc. which is seeking a Special Permit in accordance with Section 13.02.3.c to perform maintenance dredging and facilities improvement at the Green Harbor Yacht Club which is located at 257 Dike Road which is listed on the Assessor's Map as parcel M06-08-04A and is in the B-4 zone.

The Board certifies that it has complied with all statutory requirements and has filed copies of this decision and all plans referred to herein with the Town Clerk, Planning Board, and the Building Department pursuant to MGL, Chapter 40A, Section 11. The Board has taken into consideration the testimony of the applicant, the communications from various town boards, and communications from interested parties. Public Hearing was held on January 15, 2002 at 7:45 p.m. at Marshfield Town Hall. Plans submitted are entitled: Plan Accompanying Petition of Green Harbor Yacht Club, To Maintain an existing Float Configuration and to dredge in and over the waters of Green Harbor, Town of Marshfield, Plymouth County, Proposed Dredging 1" = 50' , Locus Map 1" = 500' and Section View 1" = 30' , Prepared by: Thomas John Sullivan, Registered Land Surveyor, October 2, 2001 Sheets 1 - 5.

The Board consisting of Chairman Warren F. Baker, Michael P. Harrington, Marcia A. Noyes, Karen Tepper and Steven Rzucidlo considered the request.

SPECIAL PERMIT DECISION:

Upon motion duly made and seconded, the Board voted unanimously to Grant the Special Permit as requested under the following Special Conditions.

SPECIAL CONDITIONS:

1. Installation of the sheet pilings shall be done in such a manner as to cause the least interference with the adjacent wetlands and consistent with the order of Conditions.
2. The docks may be constructed with pressure treated but arsenic-free lumber.

3. This permit is conditioned upon the application and receipt of all appropriate licenses including with out limitation the Chapter 91 Waterways Permit and any Order of Conditions or Conservation Commission permits.
4. That any modification of the plans cited above, which modification is substantially different from the plans presented at the public hearing, shall be submitted to the Board to be reviewed and accepted by the Board prior to any construction or dredging activities commencing.
5. No silt shall drain into the Marsh. All silt shall be maintained within the boundaries of an appropriate holding area established and allowed to the Army Corp of Engineers in their dredging project.
6. The Applicant is responsible to maintain a proper amount of silt for drainage within the boundary areas and is responsible in the event an inordinate amount of silt deleterious to the marsh or river is found to be drained or allowed to be released.
7. No drainage shall spill onto any roadway or abutting properties.
8. The drainage area must maintain an even level of silt so not to cause increased drainage or water flow released from the site into abutting properties or ways.
9. There shall be a replacement of at least 4.0" of topsoil over all filled or otherwise disturbed surfaces, which shall be seeded to ensure uniform growth and soil stabilization.
10. Dredging may be conducted from 7 A. M. to 7 P.M. Monday through Saturday. There will be no dredging on Sundays. The dredging must be performed prior to Spring fish spawning season.
11. There shall be no changes to the water courses.
12. That the Board reserves the right to clarify this decision upon application of the owner, mortgagee, lessee or upon its own motion, with or without notice.
13. That for this Special Permit to become effective a copy of this decision, bearing the certification of the Town Clerk that 20 days have elapsed after the decision was filed in that office, and that no appeal has been filed, or if an appeal has been filed, that it was dismissed or denied, shall be recorded in the Plymouth County Registry of Deeds.

REASONS FOR THE DECISION:

The Applicant has requested to do a maintenance dredge of their facilities in conjunction with the Army Corps of Engineers plan to dredge the channel in the Fall of 2002. The Applicant has stated that their dredging would be conditioned upon and "piggybacked" on the Army Corps of Engineers dredging. To the extent that there are other conditions placed upon such Army Corps of Engineers the Board hereby conditions this permit on any conditions, timing and other matters which may be imposed upon the Town of Marshfield's dredging through the Army Corps of Engineers' of the channel.

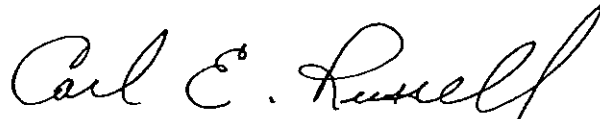
The applicant is requesting periodic maintenance dredging which is consistent with the permitted uses allowed in a Coastal Wetlands District 11.02. Additionally the applicant desires to add 3 additional floats and to install sheet piling to prevent the further degradation of the salt marsh into the marina which uses are allowed in the B-4 zone. There shall be no dumping, excavating, filling or transferring of material except as provided herein. There shall be no changes of water courses. The maintenance dredging shall be consistent with the area and the natural character of the area. The requested use is essential to the public convenience and welfare in maintaining navigable waterways and the use of the marina as it is presently constructed. This activity will not create consistent or continuing undue traffic congestion or unduly impair pedestrian safety. The requested use will not impair the integrity or character of the district or zoning areas or be detrimental to the health, morals or welfare but will improve and allow for the fair use of the waterways.

The dredging will not extend beyond the area as indicated on the Proposed Dredging Plan submitted with this application and dated October 2, 2001. No contaminated soils or contaminated soil shall be placed or leached from this site. All conditions of any Order of Conditions shall be complied with.

APPEAL:

Any judicial appeal from this decision shall be made pursuant to MGL, Chapter 40A, Section 17, and must be filed with the office of the Town Clerk within twenty days from the filing of this decision.

MARSHFIELD ZONING BOARD OF APPEALS



CARL E. RUSSELL, VICE CHAIRMAN

Cc: Town Clerk
Building Department
Town Engineer
Board of Health

Planning Board
Board of Assessors
Conservation Commission
Police Department

Fire Department
Board of Selectmen
Historical Commission
Applicant & Abutters

APPENDIX D
Grain Size Analysis



AMERICAN ENGINEERING & TESTING INC.

14 ROC SAM PARK ROAD, BRAINTREE, MASS. 02184 • 781-848-5184 • FAX: 781-849-9760

MASS. LICENSE NO. CTL-017

CHRISTOPHER TIER - PRESIDENT
LISA MONTGOMERY - V. PRESIDENT
WILLIAM MONTGOMERY - P.E.

December 7, 2000

Report No. 120700-L

Key Environmental
379 Liberty St.
Rockland, MA 02370

Attn: Mr. Mark Manganello

Re: Green Harbor Yacht Club

Gentlemen:

The following are test results of a sample of soil as delivered to this laboratory on 12/4/00

1. Sample Description

<u>Sample Number</u>	<u>Description</u>	<u>Source</u>
467	Gravelly Sand	F12 52

2. Sieve Analysis (% passing by weight)

<u>Sieve Size</u>	<u>Result</u>
2"	100
1 1/2	96.0
1	92.4
3/4	89.1
1/2	82.1
3/8	76.7
#4	60.2
10	55.8
20	44.4
40	30.9
50	24.3
80	15.1
200	8.0

Remarks:

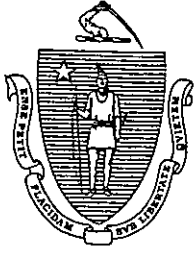
Sincerely,

Christopher J. Tier
President

APPENDIX F
PLAN OF LAND - PLAN ACCOMPANYING PETITION OF GREEN HARBOR
YACHT CLUB, INC., DATED OCTOBER 2, 2001, SHEETS 1-5

APPENDIX G
MEPA CERTIFICATE

APPENDIX E
MEPA Certificate



The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
 251 Causeway Street, Suite 900
 Boston, MA 02114-2119

ARGEO PAUL CELLUCCI
 GOVERNOR

JANE SWIFT
 LIEUTENANT GOVERNOR

BOB DURAND
 SECRETARY

Tel. (617) 626-1000
 Fax (617) 626-1181
<http://www.magnet.state.ma.us/envir>

January 8, 2001

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
 ON THE
 ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Dredging and Facilities Improvements
 PROJECT MUNICIPALITY : Marshfield
 PROJECT WATERSHED : North and South Rivers
 EOEА NUMBER : 12381
 PROJECT PROPONENT : Green Harbor Yacht Club
 DATE NOTICED IN MONITOR : December 9, 2000

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report.

This project involves dredging of approximately 4,000 cubic yards of sediment, replacing existing dock accessories, construction of a new ramp and 5' x 60' pile-held float with finger piers, the addition of six additional finger piers to the main dock system. The project also includes stabilizing an eroding bank along the south side of the inner harbor. The dredging is expected to be done by the contractor hired by the U.S. Army Corps of Engineers (COE) to dredge the federal channel.

The project is subject to review pursuant to Section 11.03(3)(b)1a and 1f since it is expected to alter coastal bank and will likely alter one half acre of land under the ocean. The project will require a Waterways license and Water Quality Certification from the Department of Environmental Protection

(DEP), an Order of Conditions from the Marshfield Conservation Commission, and federal permits from the COE.

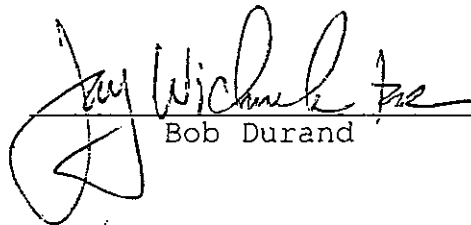
The proponent will need to provide the DEP with additional information on the original dredging/excavation footprint to allow a more definitive determination of what is maintenance dredging and what, if any, is improvement dredging. This information is necessary for DEP to properly permit the dredging and include appropriate mitigation as conditions of the permit.

The project, as presented in the ENF, includes armoring of a coastal bank to reduce or eliminate erosion. The feature characterized as a coastal bank could also be characterized as salt marsh. Since this rip-rap armoring does not appear to be a necessity for the project, I suggest that, should the ultimate determination be that the feature is salt marsh, the proponent should consider other means of reducing the erosion potential.

I find that the existing federal, state and local regulatory processes will provide an appropriate measure of environmental protection and mitigation, including protection of fisheries and establishing an appropriate no-work window for the dredging. No further MEPA review is required.

January 8, 2001

Date



Bob Durand

Comments received :

Department of Environmental Protection
Coastal Zone Management
Sean McDermott

BD/rf



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

ENVIRONMENTAL NOTIFICATION FORM

**Green Harbor Yacht Club
Green Harbor, Massachusetts**

KEY File No. F1252

Prepared For :

Secretary of Environmental Affairs
ATTN: MEPA Office
251 Causeway Street, 9th Floor
Boston, MA 02114-2150

November 30, 2000



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

November 30, 2000

Secretary of Environmental Affairs
ATTN: MEPA Office
251 Causeway Street, 9th Floor
Boston, MA 02114-2150

RE: Environmental Notification Form
Green Harbor Yacht Club, Dredging and Facilities Improvement
Dike Road
Green Harbor, Massachusetts
KEY File No. F1252

MEPA Analyst:

On behalf of the Green Harbor Yacht Club, Inc., KEY Environmental Services, Inc. (KEY) is submitting the attached Environmental Notification Form (ENF) for Dredging and Facilities Improvements to the Green Harbor Yacht Club, located in Marshfield, Massachusetts (the site). KEY trusts that this submittal is complete. If you have any questions, please feel free to give me a call. Thank you.

Sincerely,

KEY Environmental Services, Inc.

Marta J. Nover, L.S.P.

cc: Green Harbor Yacht Club
Circulation List

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1.0 ENVIRONMENTAL NOTIFICATION FORM 1

APPENDICES

APPENDIX A - Marshfield Conservation Commission Order of Conditions SE #42-854

APPENDIX B - Marshfield Conservation Commission Order of Conditions SE #42-702

APPENDIX C - Chapter 91 Permit #6303

APPENDIX D - Photographic Documentation

APPENDIX E - Plan of Land - Plan Accompanying Petition of Green Harbor Yacht Club,
Inc., Dated March 1992, Sheets 1-3.

APPENDIX F - ENF Circulation List

FIGURE 1 - Site Location Plan

For Office Use Only
Executive Office of Environmental Affairs

EOEA No.:
 MEPA Analyst:
 Phone: 617-626-

ENF Environmental Notification Form

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Green Harbor Yacht Club Dredging and Facilities Improvements		
Street: Dike Road (Route 139)		
Municipality: Green Harbor	Watershed: Green Harbor River	
Universal Tranverse Mercator Coordinates: 60,300 N 63,500E	Latitude: 42 04' 57" North Longitude: 70 39' 27" West	
Estimated commencement date: Fall 2002	Estimated completion date: 2003	
Approximate cost: \$99,000 to \$193,000	Status of project design: 100 %complete	
Proponent: Green Harbor Yacht Club		
Street: P.O. Box 209		
Municipality: Green Harbor	State: MA	Zip Code: 02041
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Marta J. Nover, L.S.P.		
Firm/Agency: KEY Environmental Services, Inc.	Street: 379 Liberty Street	
Municipality: Rockland	State: MA	Zip Code: 02370
Phone: 781-871-8552	Fax: 781-871-0612	E-mail: KEYENVSERV@AOL.COM

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No

Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No

Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) No

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:

a Single EIR? (see 301 CMR 11.06(8))	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
a Special Review Procedure? (see 301CMR 11.09)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
a Waiver of mandatory EIR? (see 301 CMR 11.11)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
a Phase I Waiver? (see 301 CMR 11.11)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres):

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes No

List Local or Federal Permits and Approvals: Order of Conditions (Marshfield Conservation Commission), USACOE Programmatic Permit Compliance, DEP Division of Waterways License, DEP Water Quality Certification, Coastal Zone Management Certification.

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input type="checkbox"/> Regulations | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify: USACOE Programmatic Permit Compliance, Coastal Zone Management Certification.</i>
Total site acreage	1.1			
New acres of land altered		0		
Acres of impervious area	0	0	0	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		21,700 s.f.		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	6,562	453	7,005	
Number of housing units				
Maximum height (in feet)				
TRANSPORTATION				
Vehicle trips per day				
Parking spaces				
WATER/WASTEWATER				
Gallons/day (GPD) of water use				
GPD water withdrawal				
GPD wastewater generation/treatment				
Length of water/sewer mains (in miles)				

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify _____) No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

PROJECT DESCRIPTION

Description of Project Site

The Green Harbor Yacht Club (GHYC) is proposing to improve upon its existing facility through performing maintenance dredging (approximately 4,000 cubic yards), replacing existing dock accessories, constructing a new timber ramp and 5' x 60' pile-held float with finger floats, and the addition of six (6) new finger floats to the existing main dock system. In addition to the dredging of the inner and outer boat basins, the work proposed by the GHYC involves stabilizing the eroding coastal bank (approximately 120 linear feet) along the south side of the inner harbor. All work is considered water-dependent. Section 11.26(7)(b)(8) of the MEPA Regulations require that an Environmental Notification Form be filed with the Secretary of Environmental Affairs if armourment of a coastal bank is proposed within a project that requires DEP Waterways Licensing.

The GHYC's operations are currently severely limited by the reduced inner and outer basin depths. Therefore, there are no alternatives to the maintenance dredging. The yacht club has existed at least since 1974 at the site, as evidenced by Chapter 91 License #6303. Salt marsh appears to have been removed originally to create the narrow (40± foot wide) inner basin, with the result that the marsh continues to erode into the excavated inner basin. The present project will provide filter cloth and plastic slope cover along the eroding salt marsh (coastal) bank. Impacts to any salt marsh due to this bank stabilization, will be restored so that there is no net loss to any salt marsh due to this project, or in the future.

In 1994, the Massachusetts Department of Environmental Protection (MADEP) issued a Water Quality Certification approving the same project. At that time, the MADEP determined that there was reasonable assurance that the project could be conducted in a manner which would not violate applicable water quality standards. However, the project never commenced and Water Quality Certification lapsed. A Water Quality Certification application is currently being completed.

The U.S. Army Corps of Engineers (USACOE) will be conducting and funding maintenance dredging (estimated at approximately 70,000 cubic yards) within Green Harbor River in the near future. It is anticipated that the USACOE will have their permits to conduct an hydraulic pipeline dredge (with approved upland disposal off Town Pier Road in Marshfield) in place by the Spring 2001. The GHYC will contract with the USACOE's dredging contractor to concurrently conduct their hydraulic pipeline dredge. The no-dredge window is expected to extend from mid-November through March of any year.

The project will not impact any Areas Subject to Protection Under the Act (M.G.L. c. 131 § 40) other than Land Under the Ocean (dredging) and Coastal Bank (stabilization). The project falls within the 100 foot Buffer Zone to salt marsh. The facility improvements qualify as a Limited Project under the Wetlands Regulations at 310 CMR 10.53(3)(j).

LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

A. Does the project meet or exceed any review thresholds related to land (see 301 CMR 11.03(1))
 ___ Yes x No; if yes, specify each threshold:

II. Impacts and Permits

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	0.15	0	0.15
Roadways, parking, and other paved areas	0.48	0	0.48
Other altered areas (Land Under Ocean)	0	0.48	0.48
Undeveloped areas	0	0	0

B. Has any part of the project site been in active agricultural use in the last three years?
 ___ Yes x No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

C. Is any part of the project site currently or proposed to be in active forestry use?
 ___ Yes x No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? ___ Yes x No; if yes, describe:

E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction? ___ Yes x No; if yes, does the project involve the release or modification of such restriction? ___ Yes ___ No; if yes, describe:

F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A? ___ Yes x No; if yes, describe:

G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes ___ No x ; if yes, describe:

H. Describe the project's stormwater impacts and, if applicable, measures that the project will take to comply with the standards found in DEP's Stormwater Management Policy: None

I. Is the project site currently being regulated under M.G.L.c.21E or the Massachusetts Contingency Plan? Yes ___ No x ; if yes, what is the Release Tracking Number (RTN)?

J. If the project site is within the Chicopee or Nashua watershed, is it within the Quabbin, Ware, or Wachusett subwatershed? ___ Yes x No; if yes, is the project site subject to regulation under the Watershed Protection Act? ___ Yes ___ No

K. Describe the project's other impacts on land: There are no other impacts to land other than what is described in this ENF.

III. Consistency

A. Identify the current municipal comprehensive land use plan and the open space plan and describe the consistency of the project and its impacts with that plan(s): Land Use Plan: Townscape Plan 1997 – No impacts Open Space Plan: Town of Marshfield Construction & Recreation Plan 1995 – No impacts

B. Identify the current Regional Policy Plan of the applicable Regional Planning Agency and describe the consistency of the project and its impacts with that plan: Metropolitan Area Planning Council: "MetroPlan", project to be reviewed.

C. Will the project require any approvals under the local zoning by-law or ordinance (i.e. text or map amendment, special permit, or variance)? Yes ___ No x ; if yes, describe:

D. Will the project require local site plan or project impact review?
x Yes ___ No; if yes, describe: Order of Conditions from the Marshfield Conservation Commission

RARE SPECIES SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **rare species or habitat** (see 301 CMR 11.03(2))? ___ Yes x No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **rare species or habitat**? ___ Yes x No

C. If you answered "No" to both questions A and B, proceed to the **Wetlands, Waterways, and Tidelands Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Rare Species section below.

II. Impacts and Permits

A. Does the project site fall within Priority or Estimated Habitat in the current Massachusetts Natural Heritage Atlas (attach relevant page)? ___ Yes ___ No. If yes,

1. Which rare species are known to occur within the Priority or Estimated Habitat (contact: Environmental Review, Natural Heritage and Endangered Species Program, Route 135, Westborough, MA 01581, allowing 30 days for receipt of information):

2. Have you surveyed the site for rare species? ___ Yes ___ No; if yes, please include the results of your survey.

3. If your project is within Estimated Habitat, have you filed a Notice of Intent or received an Order of Conditions for this project? ___ Yes ___ No; if yes, did you send a copy of the Notice of Intent to the Natural Heritage and Endangered Species Program, in accordance with the Wetlands Protection Act regulations? ___ Yes ___ No

B. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04)? ___ Yes ___ No; if yes, describe:

C. Will the project alter "significant habitat" as designated by the Massachusetts Division of Fisheries and Wildlife in accordance with M.G.L. c.131A (see also 321 CMR 10.30)? ___ Yes ___ No; if yes, describe:

D. Describe the project's other impacts on rare species including indirect impacts (for example, stormwater runoff into a wetland known to contain rare species or lighting impacts on rare moth habitat):

WETLANDS, WATERWAYS, AND TIDELANDS SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))? x Yes ___ No; if yes, specify, in quantitative terms: 120 linear feet of Coastal Bank altered.

B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands, waterways, or tidelands**? x Yes ___ No; if yes, specify which permit: Order of conditions, DEP Water Quality Certification, USACOE Programmatic Permit Compliance, Coastal Zone Management Certification, DEP Division of Waterways License.

C. If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

II. Wetlands Impacts and Permits

A. Describe any wetland resource areas currently existing on the project site and indicate them on the site plan: Coastal Bank and Land Under the Ocean

B. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

<u>Coastal Wetlands</u>	<u>Area (in square feet) or Length (in linear feet)</u>
Land Under the Ocean	<u>21,700 square feet (Approximate)</u>
Designated Port Areas	_____
Coastal Beaches	_____
Coastal Dunes	_____
Barrier Beaches	_____
Coastal Banks	<u>120 linear feet</u>
Rocky Intertidal Shores	_____
Salt Marshes	_____
Land Under Salt Ponds	_____
Land Containing Shellfish	_____
Fish Runs	_____
Land Subject to Coastal Storm Flowage	_____

Inland Wetlands

Bank 0
Bordering Vegetated Wetlands 0
Land under Water 0
Isolated Land Subject to Flooding 0
Bordering Land Subject to Flooding 0
Riverfront Area 0

C. Is any part of the project

1. a limited project? ___ Yes x No
2. the construction or alteration of a dam? ___ Yes x No; if yes, describe:
3. fill or structure in a velocity zone or regulatory floodway? ___ Yes x No
4. dredging or disposal of dredged material? x Yes ___ No; if yes, describe the volume of dredged material and the proposed disposal site: 3,700 Cubic Yards to an approved upland disposal site.
5. a discharge to Outstanding Resource Waters? ___ Yes x No
6. subject to a wetlands restriction order? ___ Yes x No; if yes, identify the area (in square feet):

D. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)? x Yes ___ No; if yes, has a Notice of Intent been filed or a local Order of Conditions issued? ___ Yes x No; if yes, list the date and DEP file number: _____
Was the Order of Conditions appealed? ___ Yes x No. Will the project require a variance from the Wetlands regulations? ___ Yes x No.

E. Will the project:

1. be subject to a local wetlands ordinance or bylaw? x Yes ___ No
2. alter any federally-protected wetlands not regulated under state or local law? ___ Yes x No; if yes, what is the area (in s.f.)?

F. Describe the project's other impacts on wetlands (including new shading of wetland areas or removal of tree canopy from forested wetlands): None are proposed.

III. Waterways and Tidelands Impacts and Permits

A. Is any part of the project site waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? x Yes ___ No; if yes, is there a current Chapter 91 license or permit affecting the project site? x Yes ___ No; if yes, list the date and number: September 25, 1974 License #6303

B. Does the project require a new or modified license under M.G.L.c.91? x Yes ___ No; if yes, how many acres of the project site subject to M.G.L.c.91 will be for non-water dependent use? Current 0 Change ___ Total 0

C. Is any part of the project

1. a roadway, bridge, or utility line to or on a barrier beach? ___ Yes x No; if yes, describe:
2. dredging or disposal of dredged material? x Yes ___ No; if yes, volume of dredged material 3700 cubic yards
3. a solid fill, pile-supported, or bottom-anchored structure in flowed tidelands or other waterways? x Yes ___ No; if yes, what is the base area? 213 square feet
4. within a Designated Port Area? ___ Yes x No

D. Describe the project's other impacts on waterways and tidelands: None

IV. Consistency:

A. Is the project located within the Coastal Zone? Yes ___ No; if yes, describe the project's consistency with policies of the Office of Coastal Zone Management: A CZM Consistency Statement will be submitted for review and concurrence.

B. Is the project located within an area subject to a Municipal Harbor Plan? ___ Yes No; if yes, identify the Municipal Harbor Plan and describe the project's consistency with that plan:

WATER SUPPLY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? ___ Yes No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **water supply**? ___ Yes No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

II. Impacts and Permits

A. Describe, in gallons/day, the volume and source of water use for existing and proposed activities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Withdrawal from groundwater	_____	_____	_____
Withdrawal from surface water	_____	_____	_____
Interbasin transfer	_____	_____	_____
Municipal or regional water supply	_____	_____	_____

B. If the source is a municipal or regional supply, has the municipality or region indicated that there is adequate capacity in the system to accommodate the project? ___ Yes ___ No

C. If the project involves a new or expanded withdrawal from a groundwater or surface water source,

1. have you submitted a permit application? ___ Yes ___ No; if yes, attach the application
2. have you conducted a pump test? ___ Yes ___ No; if yes, attach the pump test report

D. What is the currently permitted withdrawal at the proposed water supply source (in gallons/day)?
 _____ Will the project require an increase in that withdrawal? ___ Yes ___ No

E. Does the project site currently contain a water supply well, a drinking water treatment facility, water main, or other water supply facility, or will the project involve construction of a new facility? ___ Yes ___ No. If yes, describe existing and proposed water supply facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Water supply well(s) (capacity, in gpd)	_____	_____	_____
Drinking water treatment plant (capacity, in gpd)	_____	_____	_____
Water mains (length, in miles)	_____	_____	_____

F. If the project involves any interbasin transfer of water, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?

G. Does the project involve

1. new water service by a state agency to a municipality or water district? ___ Yes ___ No
2. a Watershed Protection Act variance? ___ Yes ___ No; if yes, how many acres of alteration?
3. a non-bridged stream crossing 1,000 or less feet upstream of a public surface drinking water supply for purpose of forest harvesting activities? ___ Yes ___ No

H. Describe the project's other impacts (including indirect impacts) on water resources, quality, facilities and services:

III. **Consistency** -- Describe the project's consistency with water conservation plans or other plans to enhance water resources, quality, facilities and services:

WASTEWATER SECTION

I. **Thresholds / Permits**

A. Will the project meet or exceed any review thresholds related to **wastewater** (see 301 CMR 11.03(5))? ___ Yes x No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **wastewater**? ___ Yes x No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

II. **Impacts and Permits**

A. Describe, in gallons/day, the volume and disposal of wastewater generation for existing and proposed activities at the project site (calculate according to 310 CMR 15.00):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Discharge to groundwater (Title 5)	_____	_____	_____
Discharge to groundwater (non-Title 5)	_____	_____	_____
Discharge to outstanding resource water	_____	_____	_____
Discharge to surface water	_____	_____	_____
Municipal or regional wastewater facility	_____	_____	_____
TOTAL	_____	_____	_____

B. _____ Is there sufficient capacity in the existing collection system to accommodate the project? ___ Yes ___ No; if no, describe where capacity will be found:

C. Is there sufficient existing capacity at the proposed wastewater disposal facility? ___ Yes ___ No; if no, describe how capacity will be increased:

D. Does the project site currently contain a wastewater treatment facility, sewer main, or other wastewater disposal facility, or will the project involve construction of a new facility? ___ Yes ___ No. If yes, describe as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Wastewater treatment plant (capacity, in gpd)	_____	_____	_____
Sewer mains (length, in miles)	_____	_____	_____
Title 5 systems (capacity, in gpd)	_____	_____	_____

E. If the project involves any interbasin transfer of wastewater, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?

F. Does the project involve new sewer service by an Agency of the Commonwealth to a municipality or sewer district? Yes No

G. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of sewage sludge, sludge ash, grit, screenings, or other sewage residual materials? Yes No; if yes, what is the capacity (in tons per day):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment, processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

H. Describe the project's other impacts (including indirect impacts) on wastewater generation and treatment facilities:

III. **Consistency** -- Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to wastewater management:

A. If the project requires a sewer extension permit, is that extension included in a comprehensive wastewater management plan? Yes No; if yes, indicate the EOEA number for the plan and describe the relationship of the project to the plan

TRANSPORTATION -- TRAFFIC GENERATION SECTION

I. **Thresholds / Permits**

A. Will the project meet or exceed any review thresholds related to **traffic generation** (see 301 CMR 11.03(6))? Yes No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **state-controlled roadways**? Yes No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Roadways and Other Transportation Facilities Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Traffic Generation Section below.

II. **Traffic Impacts and Permits**

A. Describe existing and proposed vehicular traffic generated by activities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Number of parking spaces	_____	_____	_____
Number of vehicle trips per day	_____	_____	_____
ITE Land Use Code(s):	_____	_____	_____

B. What is the estimated average daily traffic on roadways serving the site?

<u>Roadway</u>	<u>Existing</u>	<u>Change</u>	<u>Total</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

C. Describe how the project will affect transit, pedestrian and bicycle transportation facilities and services:

III. Consistency -- Describe measures that the proponent will take to comply with municipal, regional, state, and federal plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services:

ROADWAYS AND OTHER TRANSPORTATION FACILITIES SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **roadways or other transportation facilities** (see 301 CMR 11.03(6))? ___ Yes x No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **roadways or other transportation facilities**? ___ Yes x No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Energy Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

II. Transportation Facility Impacts

A. Describe existing and proposed transportation facilities at the project site:

	Existing	Change	Total
Length (in linear feet) of new or widened roadway	_____	_____	_____
Width (in feet) of new or widened roadway	_____	_____	_____

Other transportation facilities:

B. Will the project involve any

1. Alteration of bank or terrain (in linear feet)? _____
2. Cutting of living public shade trees (number)? _____
3. Elimination of stone wall (in linear feet)? _____

III. Consistency -- Describe the project's consistency with other federal, state, regional, and local plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services, including consistency with the applicable regional transportation plan and the Transportation Improvements Plan (TIP), the State Bicycle Plan, and the State Pedestrian Plan:

ENERGY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))? ___ Yes x No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **energy**? ___ Yes x No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

II. Impacts and Permits

A. Describe existing and proposed energy generation and transmission facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Capacity of electric generating facility (megawatts)	_____	_____	_____
Length of fuel line (in miles)	_____	_____	_____
Length of transmission lines (in miles)	_____	_____	_____
Capacity of transmission lines (in kilovolts)	_____	_____	_____

B. If the project involves construction or expansion of an electric generating facility, what are
 1. the facility's current and proposed fuel source(s)?
 2. the facility's current and proposed cooling source(s)?

C. If the project involves construction of an electrical transmission line, will it be located on a new, unused, or abandoned right of way? ___ Yes ___ No; if yes, please describe:

D. Describe the project's other impacts on energy facilities and services:

III. Consistency -- Describe the project's consistency with state, municipal, regional, and federal plans and policies for enhancing energy facilities and services:

AIR QUALITY SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **air quality** (see 301 CMR 11.03(8))? ___ Yes x No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **air quality**? ___ Yes x No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

II. Impacts and Permits

A. Does the project involve construction or modification of a major stationary source (see 310 CMR 7.00, Appendix A)? ___ Yes ___ No; if yes, describe existing and proposed emissions (in tons per day) of:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Particulate matter	_____	_____	_____
Carbon monoxide	_____	_____	_____
Sulfur dioxide	_____	_____	_____
Volatile organic compounds	_____	_____	_____
Oxides of nitrogen	_____	_____	_____
Lead	_____	_____	_____
Any hazardous air pollutant	_____	_____	_____
Carbon dioxide	_____	_____	_____

B. Describe the project's other impacts on air resources and air quality, including noise impacts:

III. Consistency

A. Describe the project's consistency with the State Implementation Plan:

B. Describe measures that the proponent will take to comply with other federal, state, regional, and local plans and policies related to air resources and air quality:

SOLID AND HAZARDOUS WASTE SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? ___ Yes x No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **solid and hazardous waste**? ___ Yes x No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

II. Impacts and Permits

A. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of solid waste? ___ Yes ___ No; if yes, what is the volume (in tons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment, processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

B. Is there any current or proposed facility at the project site for the storage, recycling, treatment or disposal of hazardous waste? ___ Yes ___ No; if yes, what is the volume (in tons or gallons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Recycling	_____	_____	_____
Treatment	_____	_____	_____
Disposal	_____	_____	_____

C. If the project will generate solid waste (for example, during demolition or construction), describe alternatives considered for re-use, recycling, and disposal:

D. If the project involves demolition, do any buildings to be demolished contain asbestos?

___ Yes ___ No

E. Describe the project's other solid and hazardous waste impacts (including indirect impacts):

III. Consistency--Describe measures that the proponent will take to comply with the State Solid Waste Master Plan:

HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION

I. Thresholds / Impacts

A. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes x No; if yes, does the project involve the demolition of all or any exterior part of such historic structure? ___ Yes ___ No; if yes, please describe:

B. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes x No; if yes, does the project involve the destruction of all or any part of such archaeological site? ___ Yes ___ No; if yes, please describe:

C. If you answered "No" to all parts of both questions A and B, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

D. Have you consulted with the Massachusetts Historical Commission? ___ Yes ___ No; if yes, attach correspondence

E. Describe and assess the project's other impacts, direct and indirect, on listed or inventoried historical and archaeological resources:

II. Consistency – Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to preserving historical and archaeological resources:

ATTACHMENTS:

1. Plan, at an appropriate scale, of existing conditions of the project site and its immediate context, showing all known structures, roadways and parking lots, rail rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities.
2. Plan of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase).
3. **Original** U.S.G.S. map or good quality **color** copy (8-½ x 11 inches or larger) indicating the project location and boundaries
4. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2).
5. Other:

CERTIFICATIONS:

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

(Name)

(Date)

Patriot Ledger

11/29/00

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

Date: Signature of Responsible Officer
or Proponent

Marta J. Nover for:

Name: Daniel Welch, Board of Directors

Firm/Agency: Green Harbor Yacht Club

Street: P.O. Box 209

Municipality/State/Zip: Green Harbor, MA 02041

Phone: 781-837-7100

Date: Signature of person preparing
ENF (if different from above)

Marta J. Nover

Name: Marta J. Nover, L.S.P.

Firm: KEY Environmental Services, Inc.

Street: 379 Liberty Street

Municipality/State/Zip: Rockland, MA 02370

Phone: 781-871-8552

APPENDIX A

MARSHFIELD CONSERVATION COMMISSION ORDER OF CONDITIONS

SE #42-854



Commonwealth of Massachusetts

DEP File No.

SE42-854

(To be provided by DEP)

City/Town MARSHFIELD

Applicant GREEN HARBOR YACHT CLUB, INC.

Order of Conditions
Massachusetts Wetlands Protection Act
G.L. c. 131, §40

From MARSHFIELD CONSERVATION COMMISSION

To Green Harbor Yacht Club, Inc. same
(Name of Applicant) (Name of property owner)

Address Box 209, Green Harbor, MA. 02041 Address same

This Order is issued and delivered as follows:

by hand delivery to applicant or representative on (date)

XX by certified mail, return receipt requested on 12/31/92; P 304 443 479 (date)

This project is located at 243 Dike Rd., Marshfield

The property is recorded at the Registry of Deeds, Plymouth County

Book 2861/3413 Page 346/97

Certificate (if registered)

The Notice of Intent for this project was filed on 10/23/92 (date)

The public hearing was closed on 12/1/92 (date)

Findings

The Marshfield Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- Public water supply
Private water supply
Ground water supply
Flood control
Storm damage prevention
Prevention of pollution
Land containing shellfish
Fisheries
Protection of wildlife habitat

Total Filing Fee Submitted 1419.00 State Share 697.00
City/Town Share 722.00 (1/2 fee in excess of \$25)
Total Refund Due \$ 0 City/Town Portion \$ 0 State Portion \$ 0
(1/2 total) (1/2 total)

Plans:

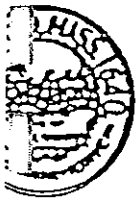
Title Dated Signed and Stamped by: On file with:

Plan showing the existing ramp, pier, deck, ramp, floats, Marshfield
piles, retaining wall and boat ramp, piles, floats, bank Conservation
stabilization and dredging at the Green Harbor Yacht Club, Commission
Inc. Marshfield dated July 1991, rev. 3/17/92 (S&S-John A. Capocéfalo)

Plan showing the proposed location of the dredged material from the Green
Harbor Yacht Club, Inc. dated Sept. 1990; rev. 5/17/92 (S&S-J.A. Capocéfalo)

SPECIAL CONDITIONS:

- a. All work shall be done in accordance with the final plans as approved by this Commission dated 9/90, rev. 5/17/92 and 7/91, rev. 3/17/92 and by Sequence of Operations, dated 12/1/92. Any deviation must be approved by this Commission in writing prior to commencing work involved in this deviation.
- b. The Conservation Administrator will be the overseer of all work on this project for the Conservation Commission. No work shall commence before an on site inspection with the Conservation Administrator and the contractor.
- c. The applicant shall be responsible for informing the contractor of the conditions of this Order and ensuring compliance with the conditions of this Order.
- d. Photos of project site shall be taken all appropriate directions before and after work performed and a copy of photos in print form provided to the Commission.
- e. Changes in Sequence of Operations shall be brought to Commission for approval before commencing.
- f. Plans of the riprap or equal shall be brought to Commission for approval before commencing.
- g. Dredging to be done before 3/15 and after 10/15.
- h. Disposal site to be announced to the Commission before project begins; as per plan.
- i. Salt marsh grass to be replaced and planted as per plan and according to site impact, grass shall be replanted until 100% growth is in place (6" on center) in the opinion of the Commission.
- j) Commission to be informed as to names and telephone numbers for Green Harbor Yacht Club key construction personal and dredge operator.
- k) All the above conditions must be met for the Commission to issue approval in the form of a Certificate of Compliance.



Town of Marshfield

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT NO. 3044 034

(To be provided by DECA)

City/Town Marshfield

Applicant GREEN HARBOR YACHT CLUB, INC.

ORDER

TOWN WETLAND PROTECTION BY-LAW

APPROVED ATTORNEY GENERAL JULY, 1988

From Marshfield Conservation Commission

To Green Harbor Yacht Club same
(Name of Applicant) (Name of property owner)

Address Box 209, Green Harbor, MA. 02041 Address same

This Order is issued and delivered as follows:

- by hand delivery to applicant or representative on _____ (date)
- by certified mail, return receipt requested on 12/31/92; P 304 443 479 (date)

This project is located at 243 Dike Rd., Marshfield

The property is recorded at the Registry of Plymouth County

Book 2861/ 3413 Page 346/ 97

Certificate (if registered) -----

The Notice of Intent for this project was filed on 10/23/92 (date)

The public hearing was closed on 12/1/92 (date)

Findings

The Marshfield Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- | | | |
|---|---|---|
| <input type="checkbox"/> Public water supply | <input type="checkbox"/> Flood control | <input type="checkbox"/> shellfish |
| <input type="checkbox"/> Private water supply | <input type="checkbox"/> Storm damage prevention | <input checked="" type="checkbox"/> Fish |
| <input type="checkbox"/> Ground water | <input checked="" type="checkbox"/> Prevention of pollution | <input type="checkbox"/> Wildlife |
| <input checked="" type="checkbox"/> Erosion Control | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Sedimentation Control |
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Agriculture |
| <input checked="" type="checkbox"/> Fish Habitat | <input checked="" type="checkbox"/> Shellfish Habitat | <input type="checkbox"/> Wildlife Habitat |

Effective 7/26/88

By _____

William E. Stanton, Chairman

Signature(s) Barry N. Cornwall Barry N. Cornwall Frances M. Garretson Frances M. Garretson

David E. Clapp David E. Clapp Ellen G. Lewis Ellen G. Lewis

Peter G. Russell, Jr. Peter G. Russell, Jr. Diane Finnie Diane Finnie

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

This 4th day of December 1992 before me personally appeared the above persons to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed same as his/her free act and deed.

Elizabeth H. Ingham 6-29-92
Notary Public ELIZABETH H. INGHAM My commission expires

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done or any ten residents of the Town are hereby notified of their right to appeal to Superior Court within sixty days from the date of the issuance of this Order. A copy of the appeal shall at the same time be sent by certified mail or hand delivered to the Conservation Commission and the applicant.

Attach on dotted line and submit to the Marshfield Conservation Commission prior to commencement of work.

To Marshfield Conservation Commission (Bylaw) Issuing Authority

Please be advised that the Order of Conditions for the project at 243 Dike Rd

File Number SE42-854 has been recorded at the Registry of Plymouth County and

has been noted in the chain of title of the affected property in accordance with General Condition B on _____ 19____

If recorded land, the instrument number which identifies this transaction is _____

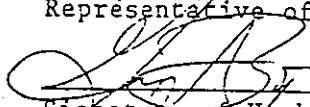
If registered land, the document number which identifies this transaction is _____

Signature _____ Applicant

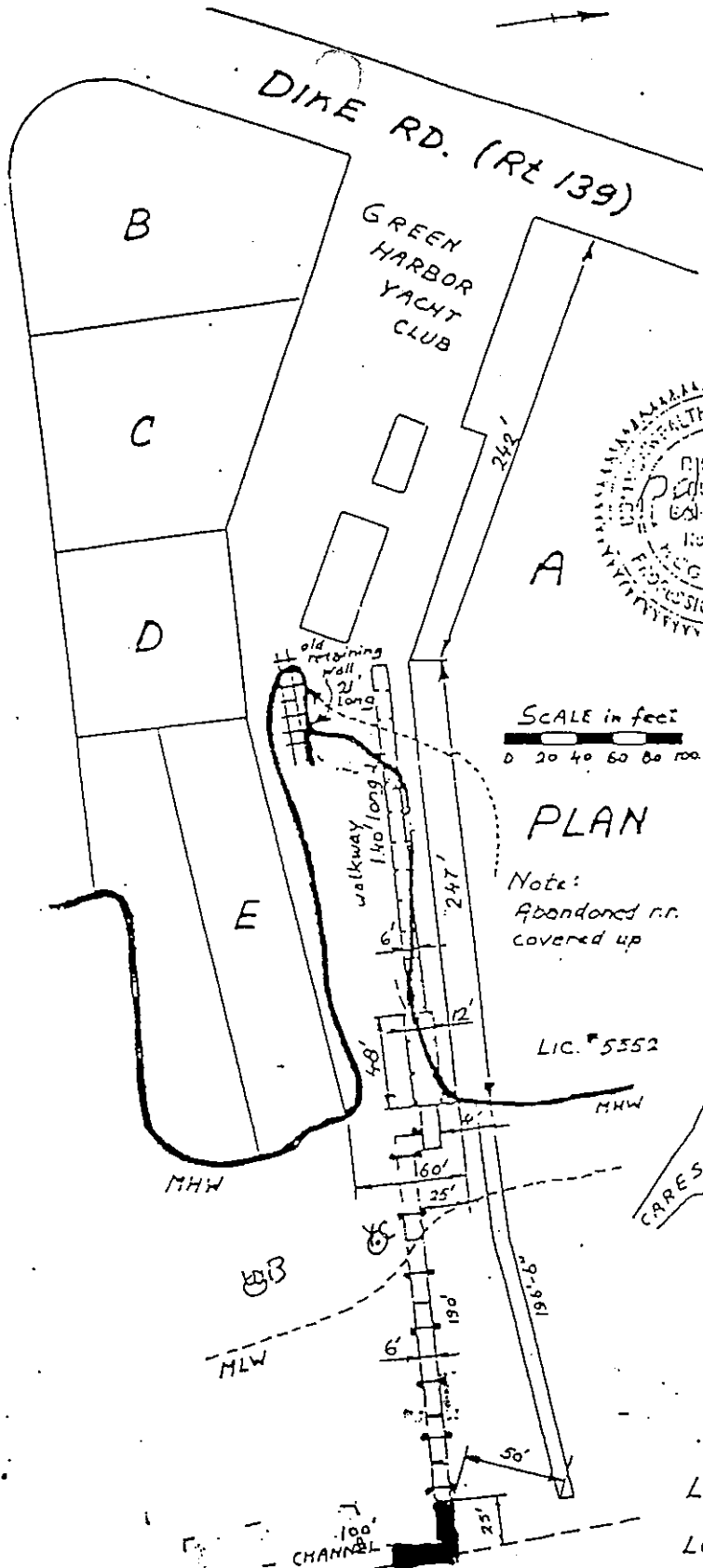
- AGREEMENT
- a) The number of floats not to exceed eight (8) in number;
 - b) The floats are to be used as separators between moored vessels and for no other purposes;
 - c) As shown in Plan "A" & "B" mooring configuration dated June 30, 1991 - vessels are not to exceed 166 feet (float #1) and not to exceed 108 feet (float#2);
 - d) Vessels with power of any kind can not be moored on Float #2. Only vessels unpowered for use in the "Marshfield Recreation Commission" sailing program may be moored in locations 1-6;
 - e) The Locations are to be assigned by footage, dedicated as in Plan "A" for locations 1-6 (sailing program), 7-12 (Yacht club moorings); any vessels exceeding the dedicated length will be removed by order of the Harbormaster.
 - f) One mooring for a 13-foot "Work boat" will be assigned to the Green Harbor Yacht Club; no other vessel may occupy this location (shown in Plan "B" as "WB"); One MUD mooring will be assigned to the Yacht club for an 18-ft vessel shown as "YC" on Plan "B". No other vessel may occupy this mooring per order of the Harbormaster.
 - g) All Town Bylaws will apply to moored vessel under the control of the Green Harbor Yacht Club. No changes can be made without the written permission of the Harbormaster.
 - h) Vessels 1-12 will display a yearly sticker, supplied to the Yacht Club by the Harbormaster, before the end of each Fiscal year, vessels without stickers will be removed per order of the Harbormaster.
 - i) Permanent rafting of vessels (more than 24-hours) at the east end of pile supported floats will not be permitted per order of the Harbormaster
 - j) All ground tackle will be as described in the Town Bylaws -- "Waterways of the Town of Marshfield", and specifications are on file at the Harbor-master's Office.

Date

Signature of Commodore or Authorized
Representative of Yacht Club



Signature of Harbormaster-Town of
Marshfield, Massachusetts

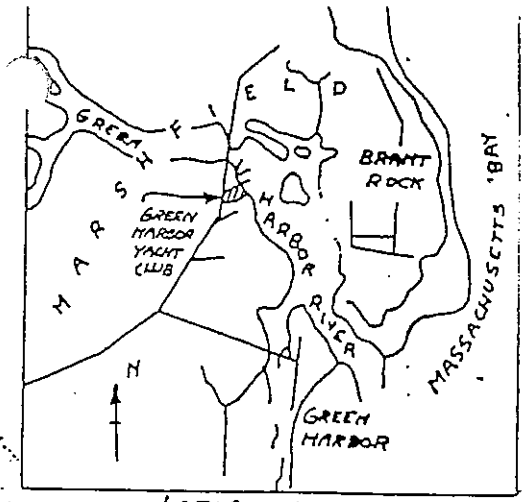


SCALE in feet
0 20 40 60 80 100

PLAN

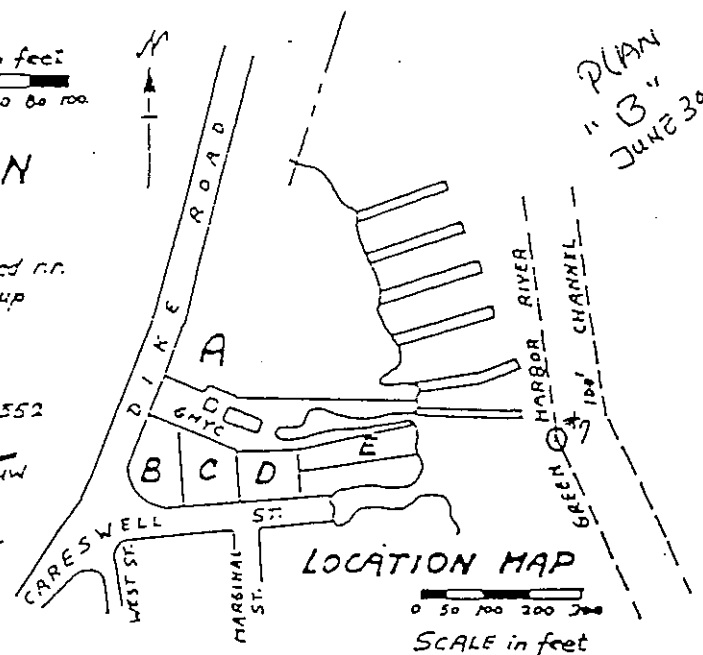
Note:
Abandoned r.r.
covered up

LIC. #5352



KEY MAP

SCALE OF MILES
0 1/2 1
FROM STATE OF MASS. D.P.W. MAP
DUXBURY QUADRANGLE



LOCATION MAP

SCALE in feet
0 50 100 200 300

PLAN
"B"
JUNE 30!

ABUTTORS

Lovell, Box 358, Green Harbor, Ma. 0204

LOTS A, B: L. & W. Realty Trust, Dike Rd.

LOTS C, D, E: James H. & Virginia Gaffey,
230 Edge Hill Rd., Milton, Ma. 02186

LICENSE PLAT NO. 6303

OFFICE OF DEPARTMENT OF PUBLIC WORKS OF MASSACHUSETTS
SEPTEMBER 25, 1974
Bruce Campbell
Malcolm E. Aral
John G. Walsh
COMMISSIONER, DEPT. OF PUBLIC WORKS
ASSOCIATE COMMISSIONER

#7 PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB, INC.
TO DRIVE PILES, PLACE PILE HELD FLOATS
MAINTAINING EXISTING WALKWAY AND PIER
RETAINING WALL AND EXISTING FILL
IN
GREEN HARBOR RIVER, MARSHFIELD
PLYMOUTH COUNTY

PERMISSION IS HEREBY (GRANTED) (DENIED)

TO GREEN HARBOR YACHT CLUB (APPLICANT) TO PLACE AND MAINTAIN A BOTTOM-ANCHORED, CHAIN HELD FLOAT/MOORING IN AND OVER THE WATERS OF

GREEN HARBOR (WATERWAY) IN THE TOWN OF MARSHFIELD IN ACCORDANCE WITH THE LOCATION SHOWN AND DETAILS INDICATED ON THE APPLICATION PLAN ATTACHED HEREWITH.

ANY PERSON AGGRIEVED BY DENIAL OF AUTHORIZATION OR BY ANY CONDITION IMPOSED HEREIN MAY APPEAL TO THE MASS. DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF WETLANDS AND WATERWAYS WITHIN 30 DAYS AFTER RECEIPT OF THIS NOTIFICATION.

AUTHORIZATION, IF GRANTED, IS SUBJECT TO THE FOLLOWING;

AUTHORIZATION IS GRANTED PURSUANT TO THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS CHAPTER 91, SECTION 10A AND IS FURTHER SUBJECT TO ANY AND ALL APPLICABLE FEDERAL, STATE & LOCAL LAWS, BY-LAWS & ALL REGULATIONS PROMULGATED THEREUNDER.

THIS PERMIT DOES NOT AUTHORIZE THE PLACEMENT OF ANY STRUCTURE INTO ANY FEDERAL CHANNEL OR ANCHORAGE, NOR DOES IT AUTHORIZE ANY STRUCTURE INTENDED FOR COMMERCIAL PURPOSES WITHOUT PRIOR ISSUANCE OF AUTHORIZATION FROM THE UNITED STATES ARMY, CORPS OF ENGINEERS.

NOTHING IN THIS PERMIT SHALL BE CONSTRUED AS AUTHORIZING THE PLACEMENT OF ANY STRUCTURE ON PRIVATE TIDELANDS OF OTHER THAN THE APPLICANT IF OBJECTED TO BY THE OWNER OR OWNERS THEREOF.

NOTHING IN THIS PERMIT SHALL BE CONSTRUED AS AUTHORIZING ANY UNREASONABLE INTERFERENCE WITH THE PUBLIC RIGHTS OF FISHING, FOWLING OR NAVIGATION IN PRIVATE TIDELANDS.

IN THE EVENT OF FAILURE BY THE PERMITEE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS AUTHORIZATION AND FAILURE TO CORRECT SUCH NON-COMPLIANCE WITHIN A REASONABLE PERIOD AFTER WRITTEN NOTIFICATION FROM THE HARBORMASTER, THIS AUTHORIZATION MAY BE MODIFIED OR REVOKED IN WHOLE OR IN PART WITHOUT LIABILITY TO THE TOWN OF MARSHFIELD FOR COMPENSATION TO THE PERMITEE.

THIS AUTHORIZATION IS NOT TRANSFERABLE TO ANOTHER PERSON EXCEPT TO A PERSON WITHIN THE IMMEDIATE FAMILY OF THE PERMITEE UPON APPROVAL OF THE HARBORMASTER.

THIS PERMIT SHALL EXPIRE ON THE LAST DAY OF

(ISSUED) (DENIED) THIS 15th DAY OF April, 1994 BY [Signature] rmi

1994 - 10A Permit

APPENDIX B

MARSHFIELD CONSERVATION COMMISSION ORDER OF CONDITIONS

SE #42-702

Form S



Commonwealth of Massachusetts

DEP File No.

SE42-702

(To be provided by DEP)

City/Town MARSHFIELD

Applicant: Green Harbor Yacht Club

Order of Conditions
Massachusetts Wetlands Protection Act
G.L. c. 131, §40

From MARSHFIELD CONSERVATION COMMISSION

To Green Harbor Yacht Club same
(Name of Applicant) (Name of property owner)

Dike Road, Box 209
Address Green Harbor, MA 02041 Address same

This Order is issued and delivered as follows:

by hand delivery to applicant or representative on (date)

XXXX by certified mail, return receipt requested on March 1, 1991 P. 414 431 981 (date)

This project is located at Dike Road, Green Harbor

The property is recorded at the Registry of Deeds, Plymouth County

Book 2861 Page 346

Certificate (if registered)

The Notice of Intent for this project was filed on January 22, 1991 (date)

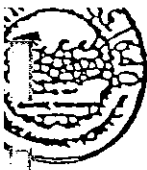
The public hearing was closed on February 12, 1991 (date)

Findings

The Marshfield Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- Public water supply, Private water supply, Ground water supply, Flood control, Storm damage prevention, Prevention of pollution, Land containing shellfish, Fisheries, Protection of wildlife habitat

Total Filing Fee Submitted \$80.00 State Share \$27.50
City/Town Share \$52.50 (1/2 fee in excess of \$25)
Total Refund Due \$ City/Town Portion \$ State Portion \$
(1/2 total) (1/2 total)



Town of Marshfield

COMMONWEALTH OF MASSACHUSETTS

SE42-702
(To be provided by DEGR)

Marshfield
Green Harbor Yacht Club

ORDER

TOWN WETLAND PROTECTION BY-LAW

APPROVED ATTORNEY GENERAL JULY, 1988

From Marshfield Conservation Commission

To Green Harbor Yacht Club same

(Name of Applicant) (Name of property owner)

Dike Road, Box 209

Address Green Harbor, MA 02041 Address same

This Order is issued and delivered as follows:

- by hand delivery to applicant or representative on _____ (date)
- by certified mail, return receipt requested on March 1, 1991 P 414 431 981 (date)

This project is located at Dike Road, Green Harbor

The property is recorded at the Registry of Plymouth County

Book 2861 Page 346

Certificate (if registered) _____

The Notice of Intent for this project was filed on January 22, 1991 (date)

The public hearing was closed on February 12, 1991 (date)

Findings

The Marshfield Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- | | | |
|---|---|---|
| <input type="checkbox"/> Public water supply | <input checked="" type="checkbox"/> Flood control | <input type="checkbox"/> Shellfish |
| <input type="checkbox"/> Private water supply | <input checked="" type="checkbox"/> Storm damage prevention | <input type="checkbox"/> Fish |
| <input type="checkbox"/> Ground water | <input type="checkbox"/> Prevention of pollution | <input type="checkbox"/> Wildlife |
| <input checked="" type="checkbox"/> Erosion Control | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Sedimentation Control |
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Agriculture |
| <input type="checkbox"/> Fish Habitat | <input type="checkbox"/> Shellfish Habitat | <input type="checkbox"/> Wildlife Habitat |

Effective 7/26/88

Therefore, the Conservation Commission hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those interests checked above. The Conservation Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Commission on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Protection,
File Number SE42- 702"
10. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
11. The work shall conform to the following plans and special conditions:

Title	Dated	Signed and Stamped by:	Office with:
Site Plan, Dike Road, Marshfield, MA - Green Harbor			Marshfield
Yacht Club - by Millbrook Survey, 10 Enterprise Street, Duxbury, MA 02332, dated January 18, 1991, signed and stamped by Gene McGillicuddy.			Conservation Commission

PREAMBLE:

The Marshfield Conservation Commission finds that the revetment is on a coastal bank, which is a vertical buffer to storm damage and flooding, that DOES NOT PROVIDE SEDIMENT to coastal beaches, coastal dunes or barrier beaches.

The Commission finds that the work did not involve dredging any tidal flats and that the material removed from site was sandy material and had no mud.

The Commission findings in the special conditions below apply to the REVETMENT extending north from the east end of the stone retaining wall shown on 1/18/91 Site Plan by Millbrook Survey.

NO OTHER WORK SHALL BE PERFORMED ON THIS SITE WITHOUT FIRST FILING NOTICE OF INTENT WITH THE COMMISSION.

SPECIAL CONDITIONS:

a. All work shall be done in accordance with the final plans as approved by this Commission dated Jan. 18, 1991. Any deviation must be approved by this Commission in writing prior to commencing work involved in this deviation.

b. All work shall be done under the supervision of the Conservation Administrator.

c. The proposed concrete cap to stone retaining wall may be installed.

d. The ground to the west of revetment shall be seeded and established as lawn to protect against erosion.

e. A cleanup of the salt marsh areas of site to remove flotsam and jetsam in the form of timbers and debris shall be done by applicant and approved by Commission.

f. To protect the salt marsh a procedure shall be instituted to insure that floats and other dock and boat accessories shall not be stored on the salt marsh.

g. Other permits required must be obtained.

h. All the above conditions must be met for the Commission to issue approval in the form of a Certificate of Compliance.

Issued By Marshfield

Conservation Commission

Signature(s)

Barry N. Cornwall

Barry N. Cornwall, Chairman

Joseph Beals, Jr.

Frances M. Garretson

David E. Clapp

William E. Stanton

Donald S. Jones

Sally C. Yurgelun

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

On this 27th day of February 1991, before me personally appeared the above persons to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Elizabeth N. Johnson 6-29-95
Notary Public JINSHAM My commission expires

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done or any ten residents of the Town are hereby notified of their right to appeal to Superior Court within sixty days from the date of the issuance of this Order. A copy of the appeal shall at the same time be sent by certified mail or hand delivered to the Conservation Commission and the applicant.

Detach on dotted line and submit to the Marshfield Conservation Commission prior to commencement of work.

To Marshfield Conservation Commission (Bylaw) Issuing Authority

Please be advised that the Order of Conditions for the project at Dike Road, Green Harbor

File Number SE42-702 has been recorded at the Registry of Plymouth County and

has been noted in the chain of title of the affected property in accordance with General Condition 8 on _____ 19____

If recorded land, the instrument number which identifies this transaction is _____

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

Signature _____ Applicant

APPENDIX C
CHAPTER 91 PERMIT #6303

The Commonwealth of Massachusetts

No. 6303.



Whereas. Green Harbor Yacht Club, Inc.-----

of Marshfield-----, in the County of Plymouth----- and Commonwealth
aforesaid, has applied to the Department of Public Works for license to construct 208
feet of floating docks with finger piers in Green Harbor River
in the town of Marshfield,-----

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 Marshfield-----;

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 Green Harbor Yacht Club, Inc.-----

-----, 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 drive piles, place pile held floats, maintain existing
walkway, and maintain retaining wall and existing fill in Green
Harbor, at its property in the town of Marshfield, in conformity
with the accompanying plan No. 6303.

A pile and timber pier walkway having a width of 6 feet may be
maintained extending 140 feet from mean high water from the north
end of a lagoon, and extending along the east bank of said lagoon,
Said walkway may be extended further by a pile and timber pier,
12 feet wide by 48 feet long.

A series of pile head floats 6 feet wide, may be extended for a distance of 190 feet located approximately in the center of the licensee's property, and may be reached by a 20 foot ramp extending from the pile and timber pier. Said floats shall not extend closer than 25 feet from the 100 foot channel, or within 50 feet of the outboard end of pier authorized by Department of Public Works License No. 5552, in the location shown on plan number 6303, and in accordance with the details there indicated.

This license is granted upon the express condition that no vessel or float shall be moored on the east side of floats authorized by this license. This license is granted upon the further express condition that the marine railway shall be eliminated and said adjacent retaining wall and fill may be maintained.

Nothing in this license shall be construed as authorizing encroachment on property not owned or controlled by the licensee, except with the consent of the owner or owners thereof.

Acceptance of this license shall constitute an agreement by the licensee to conform to all terms and conditions herein stated.

This license is granted subject to all applicable Federal, State, County and Municipal laws, ordinances and regulations, and upon the further express condition that use by boats or otherwise of the structures hereby licensed shall involve no discharge of sewage or other polluting matter into the adjacent tidewaters except in strict conformity with the requirements of the local and State health Departments and the Division of Water Pollution Control, and upon the further express condition that any other authorizations necessitated due to the provisions hereof shall be secured prior to the commencement of any work under this license.

Acceptance of this license by the licensee, either by filing this license in the appropriate Registry of Deeds as required by law or construction of the facility in part or in total for which this license is issued, shall be prima facie evidence that the licensee, accepts the condition imposed by the Division of Environmental Health and the Division of Water Pollution Control as stated in letters to the licensee from the aforementioned agencies, copies of which are on file in the Department of Public Works and are hereby made a part of this license. Should any pollution condition arise as determined by the Division of Environmental Health and/or the Division of Water Pollution Control through or because of the operation of the facility constructed under this license, the Division of Environmental Health and/or the Division of Water Pollution Control shall direct that the condition be corrected. Non-compliance on the part of the licensee with the directive of the Division of Environmental Health and/or the Division of Water Pollution Control shall be cause for the Department of Public Works to revoke the license for the facility upon recommendation by either agency that such action is justified.

and assigns, by paying to the treasury of the Commonwealth

cents for each cubic yard so displaced, being the amount hereby assessed by

said Department.

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 the ----- ~~District of the~~ County of Plymouth.

In Witness Whereof, said Department of Public Works have hereunto set their hand, this -----twenty-fifth-----day of -----September,----- in the year nineteen hundred and seventy-four.

Bruce Campbell

Malcolm E. Graf

Peter E. Donadio

John G. Wofford

Department of
Public Works

N.L.D.

THE COMMONWEALTH OF MASSACHUSETTS

This license is approved in consideration of the payment in the Commonwealth by the said
of the further sum of

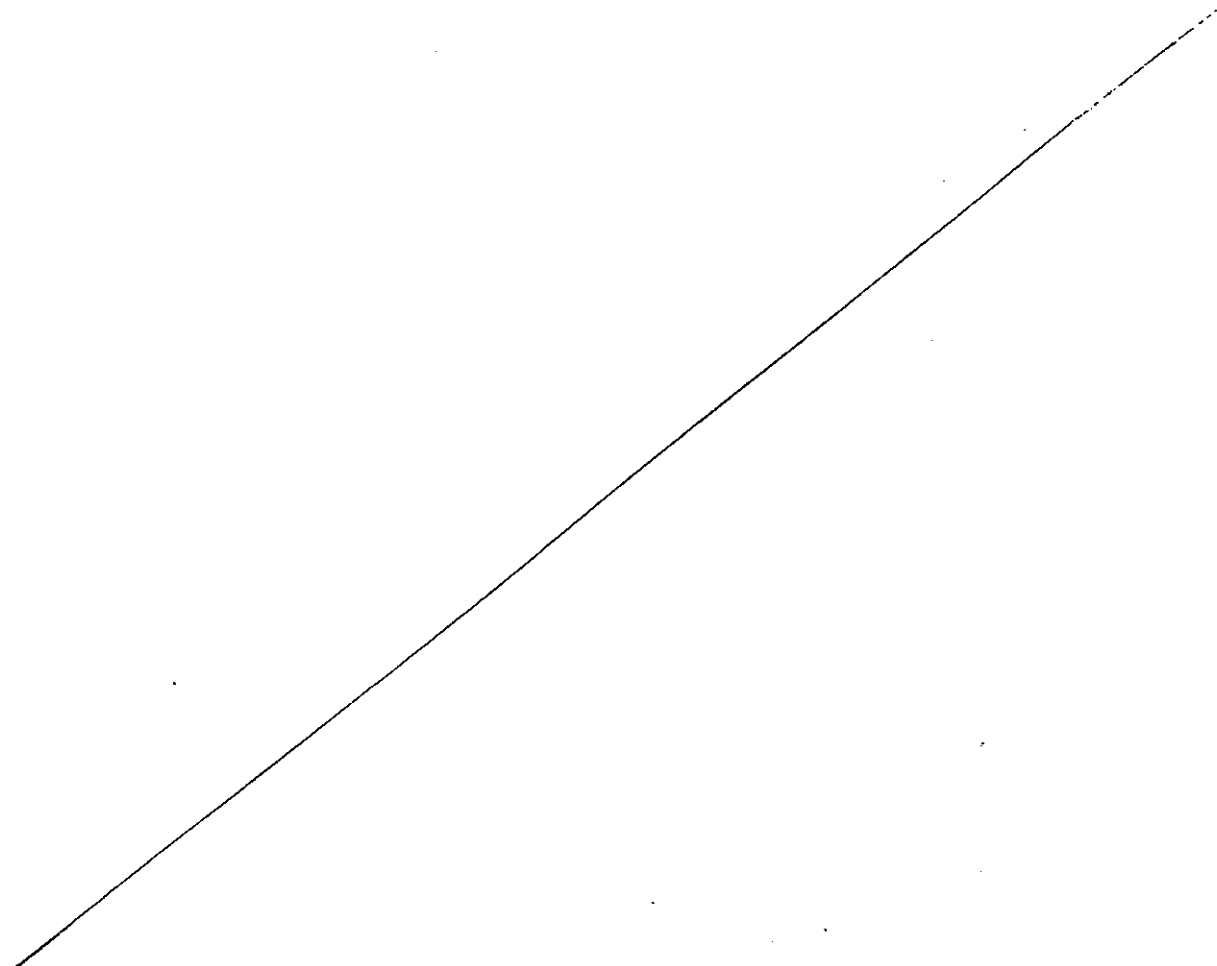
~~the amount determined by the Governor as a just and equitable charge for the
privileges hereby granted in land of the Commonwealth.~~

BOSTON,

Approved by the Governor

A true copy. Attest: _____ Acting Secretary.

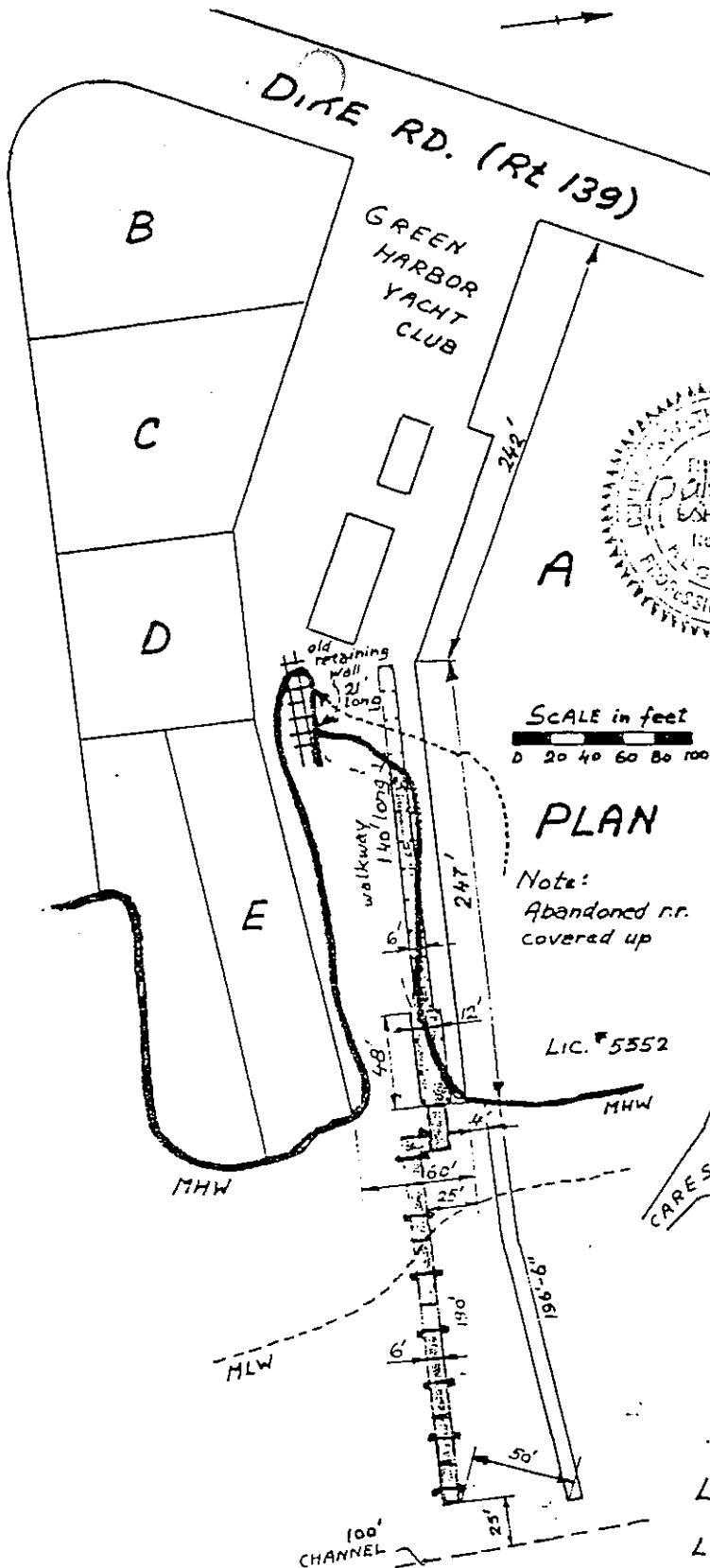
This license is granted upon the further express condition that the authorization contained herein may be modified or may be revoked in whole or in part in the event of the licensee, its successors and assigns, failing to comply with said authorization or any provisions of the license or failing to maintain all authorized structures and installations in good condition, to the satisfaction of the Department of Public Works, or its successors. This condition permitting modification or revocation of the license shall also apply in the event of failure of the licensee, its successors and assigns, to secure approval under all other applicable laws, ordinances or regulations or failure to adhere to the conditions of such approvals upon receipt of evidence of such failure provided by an agency having jurisdiction. Revocation or modification of this license as provided herein shall be without liability to the Commonwealth or claim for compensation by the licensee, its successors and assigns.-----



The plan of said work, numbered -----6 3 0 3----- is on file in the office of said Department, and duplicate of said plan accompanies this License, and is to be referred to as a part hereof.

~~The amount of tide-water displaced by the work hereby authorized shall be ascertained by said Department, and compensation therefor shall be made by the said~~

----- heirs, assigns, etc. -----

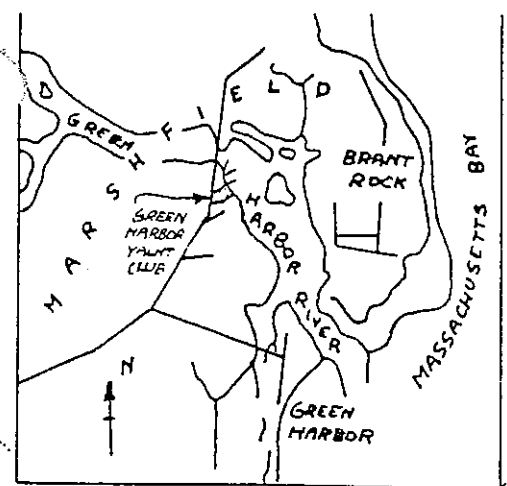


SCALE in feet
0 20 40 60 80 100

PLAN

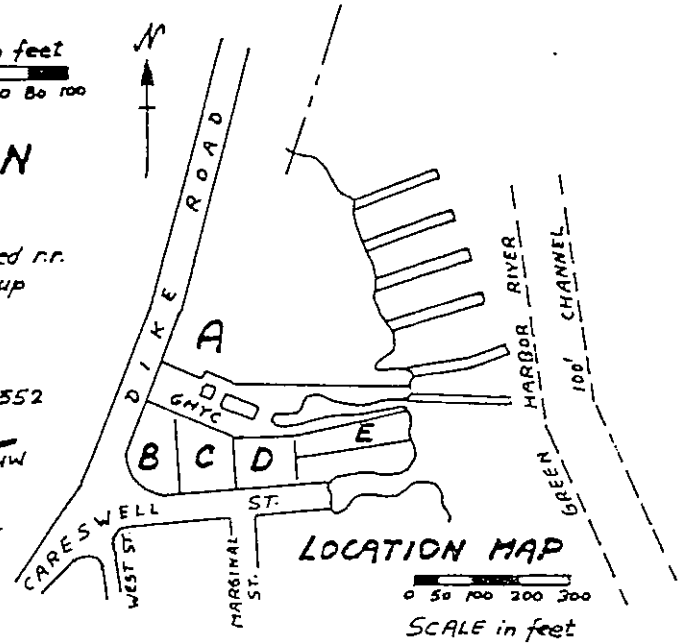
Note:
Abandoned r.r.
covered up

LIC. #5552



KEY MAP

SCALE OF MILES
0 1/2 1
FROM STATE OF MASS. D.P.W. MAP
DUXBURY QUADRANGLE



LOCATION MAP

SCALE in feet
0 50 100 200 300

PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB, INC.
TO DRIVE PILES, PLACE PILE HELD FLOATS
MAINTAINING EXISTING WALKWAY AND PIER
RETAINING WALL AND EXISTING FILL
IN
GREEN HARBOR RIVER, MARSHFIELD
PLYMOUTH COUNTY

ABUTTORS

Lovell, Box 358, Green Harbor, Ma. 02041
LOTS A, B: L. & W. Realty Trust, Dike Rd.
LOTS C, D, E: James H. & Virginia Gaffey,
230 Edge Hill Rd, Milton, Ma. 02186

LICENSE PLAT NO. 6303

OFFICE OF DEPARTMENT OF PUBLIC WORKS OF
COMMONWEALTH OF MASSACHUSETTS
SEPTEMBER 25, 1974
RECORDED & DEPT.
OF PUBLIC WORKS
ASSOCIATE
COMMISSIONER

Bruce Campbell
Malcolm E. Aral
John G. Wolford

APPENDIX B
NOI/Order of Conditions

DEP File Number

SE42-1560

Watershed SOUTH COASTAL

Town MARSHFIELD

Applicant GREEN HARBOR YC



WPA Form 5 Order of Conditions

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

A Applicant Information

From: **Marshfield Conservation Commission**

To Green Harbor Yacht Club, Inc. Same
Applicant Name Property Owner Name

Address: P.O. Box 209, Green Harbor, MA 02041 Address: Same

This Order is issued to the applicant or representative as follows:

by hand delivery to applicant or representative on October 16, 2001 (date)

by certified mail, return receipt requested _____ (date)

The project site is located at: 257 Dyke Road, Marshfield, MA 02050 Assessors #M6-8-4A

and the property is recorded at the Registry of Deeds: Plymouth County, Book 2861 Page 346

or if registered land as Land Court Certificate # _____

The Notice of Intent for this project was filed on February 16, 2001 (date)

The public hearing was closed on October 3, 2001 (date)

This Order expires on October 16, 2004 (date). (Extension must be requested 30 days prior.)

B Findings Findings pursuant to the Massachusetts Wetlands Protection Act:

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

- | | | |
|---|---|--|
| <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Flood Control | <input type="checkbox"/> Storm Damage Prevention |
| <input type="checkbox"/> Private Water Supply | <input checked="" type="checkbox"/> Land Containing Shellfish | <input checked="" type="checkbox"/> Prevention of Pollution |
| <input type="checkbox"/> Groundwater Supply | <input checked="" type="checkbox"/> Fisheries | <input checked="" type="checkbox"/> Protection of Wildlife Habitat |

Furthermore, the Marshfield Conservation Commission hereby finds that the project, as proposed, is **Approved** subject to the following conditions which are necessary, in accordance with the performance standards set forth in the wetlands regulations, to protect those interests checked above. This Commission orders that all the work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.

Effective 3/11/99



WPA Form 5 Order of Conditions

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

B Findings (cont.)

4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance, if this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Protection", [or, "MA DEP"]
"File Number SE 42-1560."
10. Where the Department of Environmental Protection is requested to make a determination and to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. Upon completion of the work described herein, the applicant shall forthwith request in writing in the form of a Request for Certificate of Compliance (WPA 8A) submitted to the Conservation Commission that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
12. The work shall conform to the following plans and special conditions:

Final Approved Plans:

Title	Dated	Signed and Stamped by:	On File with:
<u>Plan accompanying petition of Green Harbor Yacht Club to maintain an Existing float configuration and to dredge in and over the waters of Green Harbor Town of Marshfield, Plymouth County, dated May 10, 2001.</u>			<u>Marshfield Conservation Commission</u>

SPECIAL CONDITIONS:

13. Any changes to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.

**WPA Form 5 Order of Conditions**

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

B Findings (cont.)**SPECIAL CONDITIONS:**

- a. All work shall be done in accordance with final plans dated October 2, 2001 as approved by this Commission except for conditions "b & c" below. Any deviation must be approved by this Commission in writing prior to commencing work involved in this deviation.
- b. The sheet piling shall be installed totally on the applicant's side of the property line. The property line shall be field located by a surveyor before commencing installation of piling. The sheet piling shall be installed and located by surveyor and plan submitted to the Commission. Any boundary encroachments shall be corrected and a new location plan prepared by surveyor until location insured on applicant's property.
- c. The space between the sheet piling and the salt marsh shall be filled with compatible soil to generate salt marsh plant growth. The top of the fill shall be level with the floor of the adjacent salt marsh as is the top of the sheet piling. The fill shall be checked from time to time for a year after placing and be brought up to level unless the marsh grass growth would be damaged by such additional filling.
- d. The Conservation Administrator will be the overseer of all work on this project for the Conservation Commission. No work shall commence before an on site inspection with the Conservation Administrator and the contractor.
- e. The applicant shall be responsible for informing the contractor of the conditions of this Order and ensuring compliance with the conditions of this Order.
- f. Each time a dredging operation is to occur, the Marshfield Conservation Commission shall be notified, to allow for any additional conditions resulting from modifications in dredging operations in the ten year life of these orders..



WPA Form 5 Order of Conditions

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

B Findings (cont.) This Order is issued by the Marshfield Conservation Commission.

Signatures _____ Henry E. Lane, Chairman
 _____ Joan E. H. Kyler _____ Françoise Zurif
 _____ David E. Clapp _____ Sandra L. Mullaney
 _____ Thomas J. Yelverton

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

On this 3rd day of October 2001 before me personally appeared the above persons to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public: Kathleen D. Ramsey Kathleen D Ramsey My Commission expires: 9/24/2004

C Appeals

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

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, §40 and is inconsistent with the wetlands regulations (310 CMR 10.00).

D Recording Information

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

Detach on dotted line and submit to the Marshfield Conservation Commission

To: Marshfield Conservation Commission

Please be advised that the Order of Conditions for the project at: 257 DYKE ROAD, Marshfield, MA (location)

DEP File Number SE42-1560 has been recorded at the Plymouth Registry of Deeds

And has been noted in the chain of title of the affected property in Book _____ Page _____

In accordance with the Order of Conditions issued on _____ (date)

If recorded land, the instrument number which identifies this transaction is _____ (Instrument #)

If registered land, the document number which identifies this transaction is _____ (Document #)

Signature of Applicant _____



TOWN OF MARSHFIELD

COMMONWEALTH OF MASSACHUSETTS

Order of Conditions

SE42-1560
Watershed SOUTH COASTAL
Town MARSHFIELD
Applicant GREEN HARBOR YC

Marshfield Wetlands Protection By-law, General By-law, Art. 37
Approved Attorney General July, 1988

A Applicant Information

From: **Marshfield Conservation Commission**

To: Green Harbor Yacht Club, Inc. Same
Applicant Name *Property Owner Name*

Address: P. O. Box 209, Green Harbor, MA 02041 Address: Same

This Order is issued to the applicant or representative as follows:

- by hand delivery to applicant or representative on October 16, 2001 (date)
- by certified mail, return receipt requested _____ (date)

The project site is located at: (Address) 256 Dyke Road, Marshfield, MA, Assessors #M6-8-4A

and the property is recorded at the Registry of Deeds: Plymouth County, Book 2861 Page 346

or if registered land as Land Court Certificate _____

The Notice of Intent for this project was filed on: February 16, 2001 (date)

The public hearing was closed on: October 3, 2001 (date)

This Order expires on: October 16, 2004 (date). (Extension must be requested 30 days prior.)

B Findings

Findings pursuant to the Marshfield Wetlands Protection By-law:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the area in which work is proposed is significant to the following interests of the Marshfield Wetlands Protection By-law:

- | | | |
|---|---|--|
| <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Flood Control | <input checked="" type="checkbox"/> Shellfish |
| <input type="checkbox"/> Private Water Supply | <input type="checkbox"/> Storm Damage Prevention | <input type="checkbox"/> Fish |
| <input type="checkbox"/> Groundwater | <input checked="" type="checkbox"/> Prevention of Pollution | <input checked="" type="checkbox"/> Wildlife |
| <input checked="" type="checkbox"/> Erosion Control | <input type="checkbox"/> Recreation | <input type="checkbox"/> Sedimentation Control |
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Agriculture |
| <input checked="" type="checkbox"/> Fish Habitat | <input checked="" type="checkbox"/> Shellfish Habitat | <input checked="" type="checkbox"/> Wildlife Habitat |



TOWN OF MARSHFIELD

COMMONWEALTH OF MASSACHUSETTS

Order of Conditions

Marshfield Wetlands Protection By-law, General By-law, Art. 37

Approved Attorney General July, 1988

B Findings (cont.)

Therefore, the Marshfield Conservation Commission hereby finds that following conditions are necessary, in accordance with the performance standards set forth in the regulations, to protect those interests checked above. This Commission orders that all the work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the By-law; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Court have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Commission on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Protection", [or, "MA DEP"]
"File Number SE 42-1560 "
10. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.



TOWN OF MARSHFIELD

COMMONWEALTH OF MASSACHUSETTS

Order of Conditions

SE42-1560

Marshfield Wetlands Protection By-law, General By-law, Art. 37
Approved Attorney General July, 1988

B Findings (cont.)

11. The work shall conform to the following plans and special conditions:

Plans:

Title Dated Signed and Stamped by:
Plan accompanying petition of Green Harbor Yacht Club to maintain an Existing float configuration and to dredge in and over the waters of Green Harbor Town of Marshfield, Plymouth County, dated May 10, 2001.

On File with:
Marshfield Conservation Commission

SPECIAL CONDITIONS:

- a. All work shall be done in accordance with final plans dated October 2, 2001 as approved by this Commission except for conditions "b & c" below. Any deviation must be approved by this Commission in writing prior to commencing work involved in this deviation.
- b. The sheet piling shall be installed totally on the applicant's side of the property line. The property line shall be field located by a surveyor before commencing installation of piling. The sheet piling shall be installed and located by surveyor and plan submitted to the Commission. Any boundary encroachments shall be corrected and a new location plan prepared by surveyor until location insured on applicant's property.
- c. The space between the sheet piling and the salt marsh shall be filled with compatible soil to generate salt marsh plant growth. The top of the fill shall be level with the floor of the adjacent salt marsh as is the top of the sheet piling. The fill shall be checked from time to time for a year after placing and be brought up to level unless the marsh grass growth would be damaged by such additional filling.
- d. The Conservation Administrator will be the overseer of all work on this project for the Conservation Commission. No work shall commence before an on site inspection with the Conservation Administrator and the contractor.
- e. The applicant shall be responsible for informing the contractor of the conditions of this Order and ensuring compliance with the conditions of this Order.
- f. Each time a dredging operation is to occur, the Marshfield Conservation Commission shall be notified, to allow for any additional conditions resulting from modifications in dredging operations in the ten year life of these orders..

DEP File Number

SE42-1560



TOWN OF MARSHFIELD

COMMONWEALTH OF MASSACHUSETTS

Order of Conditions

Marshfield Wetlands Protection By-law, General By-law, Art. 37

Approved Attorney General July, 1988

B Findings (cont.)

This Order is issued by the Marshfield Conservation Commission.

Signatures _____ Henry E. Lane, Chairman
 _____ Joan E.H. Kyler _____ François Zurif
 _____ Sandra L. Mullaney _____ David E. Clapp
 _____ Thomas J. Yelverton

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

On this 3rd day of October 2001 before me personally appeared the above persons to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public: Kathleen D. Ramsey My Commission expires: 9/24/2004
Kathleen D. Ramsey

C Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the Town are hereby notified of their right to appeal to Superior Court within sixty days from the date of issuance of this Order. A copy of the appeal shall at the same time be sent by certified mail or hand delivered to the Conservation Commission and to the applicant.

Detach on dotted line and submit to the Marshfield Conservation Commission

To: Marshfield Conservation Commission

Please be advised that the Order of Conditions for the project at: 257 DYKE ROAD, MARSHFIELD (location)

DEP File Number SE42-1560 has been recorded at the Plymouth Registry of Deeds

And has been noted in the chain of title of the affected property in Book _____ Page _____

In accordance with the Order of Conditions issued on _____ (date)

If recorded land, the instrument number which identifies this transaction is _____ (Instrument #)

If registered land, the document number which identifies this transaction is _____ (Document #)

Signature of Applicant _____

 **KEY Environmental Services, Inc.**

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

**NOTICE OF INTENT
Green Harbor Yacht Club
Marshfield, Massachusetts**

KEY File No. F1252

Prepared For :

Marshfield Conservation Commission
870 Moraine Street
Marshfield, MA 02066

February 15, 2001



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

February 15, 2001

Marshfield Conservation Commission
870 Moraine Street
Marshfield, MA 02050

Re: Notice of Intent
Green Harbor Yacht Club, Dike Road
Marshfield, Massachusetts
KEY File F1252

Members of the Commission:

On behalf of the Green Harbor Yacht Club, KEY Environmental Services, Inc. (KEY) is submitting a Notice of Intent for proposed work on the property referenced as Lot 4a located off Dike Road in Marshfield, Massachusetts (the site). The Green Harbor Yacht Club (GHYC) is proposing to improve upon its existing facility through performing maintenance dredging (approximately 4,000 cubic yards), replacing existing dock accessories, constructing a new timber ramp and 5' x 60' pile-held float with finger floats, and the addition of six (6) new finger floats to the existing main dock system. The work proposed by the GHYC involves stabilizing the eroding coastal bank/salt marsh (approximately 120 linear feet) along the south side of the inner harbor.

In 1992, a Notice of Intent was filed with the Marshfield Conservation Commission for the same project. An Order of Conditions (DEP File No. SE42-854) was issued by the Conservation Commission in December of 1992 (Exhibit 6). In 1994, the Massachusetts Department of Environmental Protection (MADEP) issued a Water Quality Certification approving the same project. At that time, the MADEP determined that there was reasonable assurance that the project could be conducted in a manner which would not violate applicable water quality standards. However, the project never commenced and Water Quality Certification lapsed. A Water Quality Certification application is currently being completed. However, there is a ten year approval condition for the dredging. Therefore, the dredging component is not being proposed in this Notice of Intent proposal.

The affected coastal resource areas include Salt Marsh (bank stabilization), Land Under the Ocean, and potentially Land Containing Shellfish. It is Green Harbor Yacht Club's intent to utilize the best engineering practices during construction of the improvements to prevent or minimize impacts to these coast resource areas.

If the Commission has any questions regarding this submittal, please don't hesitate to call.

Sincerely,

KEY Environmental Services, Inc.

Marta J. Nover, L.S.P.

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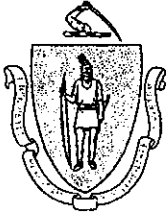
TITLE PAGE.....i
TRANSMITTAL LETTER..... ii
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1.0 WPA Form 3 - Notice of Intent 1

EXHIBITS:

- EXHIBIT 1 - Site Location Plan**
- EXHIBIT 2 - Wetlands Fee Transmittal Forms**
- EXHIBIT 3 - List of Abutters**
- EXHIBIT 4 - Abutter Notification Form**
- EXHIBIT 5 - Filing Fee Documentation**
- EXHIBIT 6 - Order of Conditions DEP File No. SE 42-854**
- EXHIBIT 7 - Chapter 91 License #6303**
- EXHIBIT 8 - Access Authorization and Tax Payment Statement**
- EXHIBIT 9 - Plan Accompanying Petition of Green Harbor Yacht Club**

cc: DEP/SERO
Daniel Welch, Green Harbor Yacht Club



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 3 – Notice of Intent

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

Provided by DEP

Marshfield

Town

A. General Information

Important:

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



Note:

Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

1. Applicant:

Green Harbor Yacht Club, Inc.

Name

E-Mail Address (if applicable)

P.O. Box 209

Mailing Address

Green Harbor

MA

02041

City/Town

State

Zip Code

(781) 837-7100

Phone Number

Fax Number (if applicable)

2. Representative (if any):

KEY Environmental Services, Inc.

Firm

Marta J. Nover L.S.P.

Contact Name

E-Mail Address (if applicable)

379 Liberty Street

Mailing Address

Rockland

MA

02370

City/Town

State

Zip Code

(781) 871-8552

Phone Number

(781) 871-0612

Fax Number (if applicable)

3. Property Owner (if different from applicant):

Same

Name

Mailing Address

City/Town

State

Zip Code

4. Total Fee:

\$574.00

(from Appendix B: Wetland Fee Transmittal Form)

5. Project Location:

257 Dike Road (Route 139)

Street Address

Marshfield

City/Town

Map M 6, Block 8

Assessors Map/Plat Number

Lot 4A

Parcel /Lot Number

6. Registry of Deeds:

Plymouth

County

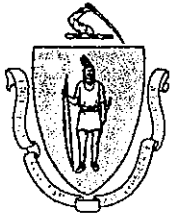
2861/2861

Book

346

Page

Certificate (if Registered Land)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 3 – Notice of Intent

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

Provided by DEP

Marshfield

Town

A. General Information (cont.)

7. Summary of Project Impacts:

a. Is any work being proposed in the Buffer Zone?

Yes If yes, how many square feet?

No

b. List the impacts of proposed activities on each wetland resource areas (temporary and permanent impacts, prior to restoration and mitigation):

Resource Area	Size of Impact (e.g., sq. ft.)
Salt Marsh (bank)	120 linear feet (stabilization)
Land Under Ocean	25 sq. ft. (approximate)
Land Containing Shellfish	25 sq. ft. (approximate)

B. Project Description

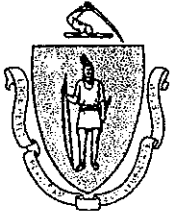
1. General Project Description:

Facilities maintenance to the Green Harbor Yacht Club, including the replacement of existing dock accessories, construction of new timber ramp with associated pile-held float and finger floats, and the addition of new finger floats to the existing main dock system. In addition the work proposed involves stabilizing the eroding coastal bank (120 linear feet).

2. Plan and/or Map References:

Plan Accompanying Petition of Green Harbor Yacht Club
 Title

March 1992
 Date



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

Provided by DEP
Marshfield
 Town

C. Activities Subject to Regulation

1. a. Check the applicable resource areas if work is to be conducted in an associated Buffer Zone:

Inland Resource Areas

- Inland Bank
- Bordering Vegetated Wetland (BVW)

Coastal Resource Areas

- Coastal Beach
- Rocky Intertidal Shore
- Salt Marsh
- Barrier Beach
- Coastal Dune
- Coastal Bank

b. Complete for all proposed activities located, in whole or in part, in Wetland Resource Area(s).

Inland Resource Areas:

Bordering Vegetated Wetlands:

 Square Feet altered

 Square Feet replaced

Land Under Water Bodies:

 Square Feet altered

 Cubic Yards dredged

Bank:

 Linear Feet altered

Coastal Resource Areas:

Coastal Dune:

 Square Feet altered

 Cubic Yards/Volume removed

Salt Marsh:

120 (linear feet) - stabilization

 Square Feet altered

Coastal Bank:

 Linear Feet altered

Bordering Land Subject to Flooding:

 Volume of Flood Storage Lost (cubic feet)

 Volume of Flood Storage Compensation (cubic feet)

Isolated Land Subject to Flooding:

 Volume of Flood Storage Lost (cubic feet)

 Volume of Flood Storage Compensation (cubic feet)

Land Under Salt Pond:

 Square Feet altered

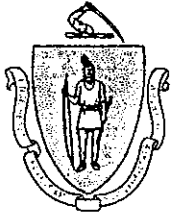
 Cubic Yards dredged

Rocky Intertidal Zone:

 Square Feet altered

Designated Port Area:

 Square Feet altered



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

Provided by DEP
 Marshfield
 Town

C. Activities Subject to Regulations (cont.)

Fish Run:

Linear Feet altered

Land Subject to Coastal Storm Flowage:

Square Feet altered

Land Under Ocean:

25 (approximate)
 Square Feet altered

Cubic Yards dredged

Land Containing Shellfish:

25 (approximate)
 Square Feet altered

Beach:

Square Feet altered

Riverfront Area:

a. Name of Waterway (if available):

b. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

c. Describe how the Mean Annual High-Water Line was determined:

d. Distance of proposed activity closest to the Mean Annual High-Water line:

Feet

e. Total area of Riverfront Area on the site of the proposed project:

Square Feet

f. Proposed alteration of the Riverfront Area:

Total Square Feet

Square Feet within 100 ft.

Square Feet between 100 ft. and 200 ft.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

DEP File Number:

Provided by DEP

Marshfield

Town

C. Activities Subject to Regulation (cont.)

2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:

- Final Order of Resource Area Delineation issued by Conservation Commission or DEP (attached)
- DEP BVW Field Data Form (attached)
- Final Determination of Applicability issued by Conservation Commission (attached)
- Other Methods for Determining the BVW boundary (attach documentation):
 - 50% or more wetland indicator plants
 - Saturated/inundated conditions exist
 - Groundwater indicators
 - Direct observation
 - Hydric soil indicators
 - Credible evidence of conditions prior to disturbance.

3. a. Is any portion of the proposed project located in estimated habitat as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program?

Yes If yes, include proof of mailing or hand delivery of NOI to :

Natural Heritage and Endangered Species Program
 Division of Fisheries and Wildlife
 Route 135, North Drive
 Westborough, MA 01581

No

Date of Map _____

b. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

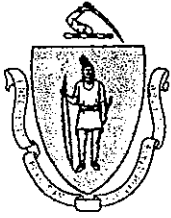
Yes If yes, provide name of ACEC (see Appendix D for ACEC locations):

No _____

c. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

Yes

No



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

DEP File Number:

Provided by DEP

Marshfield
Town

D. Performance Standards

1. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 or 310 CMR 10.53?

Yes If yes, describe which limited project applies to this project:

No

2. Is any activity within any Resource Area or Buffer Zone exempt from performance standards of the wetlands regulations, 310 CMR 10.00.

Yes If yes, describe which exemption applies to this project:

No

3 a. Is the project located in the Riverfront Area?

Yes If yes, indicate the proposed project purpose:

- Single Family House
- Residential Subdivision
- Transportation
- Industrial Development
- Commercial Development
- Other (describe)

b. Was the lot where the activity is proposed created prior to August 1, 1996?

Yes

No

4. a. Describe how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location. Attach narrative and supporting documentation.

b. Is this project exempt from the DEP Stormwater Policy?

Yes If yes, explain why the project is exempt:

No discharge is proposed.

No

If no, stormwater management measures are required. Applicants are encouraged to complete Appendix C: Stormwater Management Form and submit it with this form.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

DEP File Number:

Provided by DEP

Town

E. Additional Information

Applicants must include the following with this Notice of Intent (NOI):

- USGS or other map of the area (along with a narrative description, if necessary), containing sufficient information for the Conservation Commission and the Department to locate the site.
- Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland (BVW) replication area or other mitigating measure) relative to the boundaries of each affected resource area.
- Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
- List the titles and final revision dates for all plans and other materials submitted with this NOI.

F. Fees

The fees for work proposed under each Notice of Intent must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Appendix B. Wetland Fee Transmittal Form).

No fee shall be assessed for projects of the federal government, the Department, or cities and towns of the Commonwealth.

Applicants must submit the following information (in addition to pages 1 and 2 of Appendix B) to confirm fee payment:

2714
 Check Number
 KEY Environmental Services, Inc.
 Payor name on check

2/16/01
 Check date
 Green Harbor Yacht Club
 Applicant name (if different from payor)

G. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Donald G. Welch
 Signature of Applicant

12/1/2000
 Date

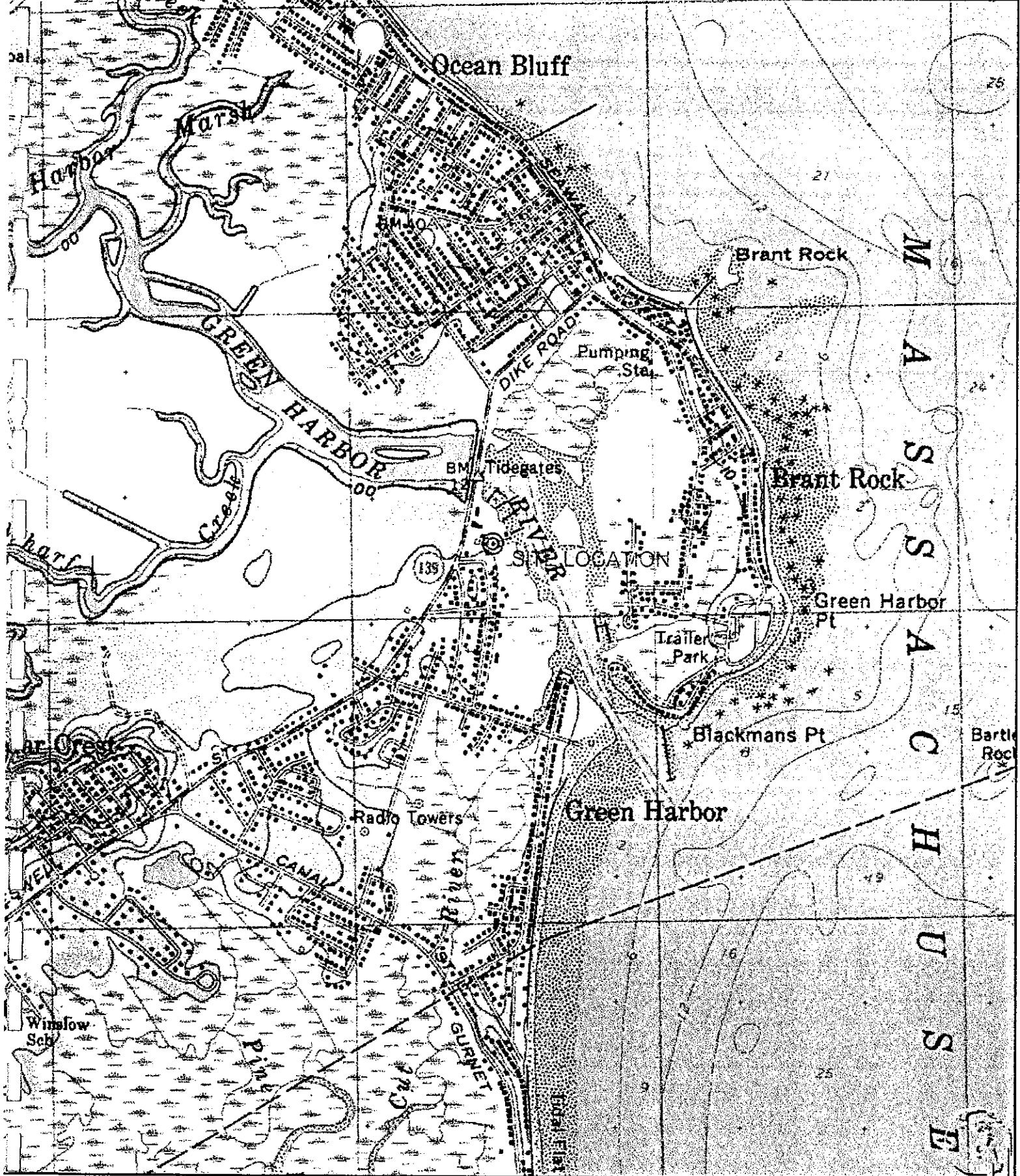
Signature of Property Owner (if different)

Date

Mac [Signature]
 Signature of Representative (if any)

2/16/01
 Date

EXHIBIT 1
SITE LOCATION PLAN



Name: DUXBURY
 Date: 2/15/101
 Scale: 1 inch equals 1333 feet

Location: 042° 04' 59.0" N 070° 39' 00.1" W
 Caption: EXHIBIT 1
 SITE LOCATION PLAN
 F1252

EXHIBIT 2
WETLANDS FEE TRANSMITTAL FORMS



Enter Your Transmittal Number → W 0 . 918

Your unique Transmittal Number can be accessed through DEP's web site or by calling the DEP InfoLine as listed on the last page of this document

Massachusetts Department of Environmental Protection
Transmittal Form for Permit Application and Payment

Instructions

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Your check should be made payable to the Commonwealth of Massachusetts. Please mail your check along with a copy of this form to: DEP, P.O. Box 4062, Boston, MA 02211.

3. Three (3) copies of this form will be needed.

Copy 1 (the original) must accompany your permit application. Copy 2 must accompany your fee payment. Copy 3 should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to DEP, P.O. Box 4062, Boston, MA 02211

For DEP Use Only
Permit No.
Rec'd Date
Reviewer

A. Application Information

DEP Permit Code (the 7 or 8 character code from first page of permit application instructions): WPA Form 3
Name of Permit Category: Notice Of Intent
Type of Project or Activity: Facilities maintenance of the Green Harbor Yacht Club

B. Applicant Information (Firm or Individual)

Name of Firm: Green Harbor Yacht Club
Or, if party needing this approval is clearly an individual:
Individual's Last Name: First Name MI

Street Address: Dike Road
City/Town: Marshfield State: MA Zip Code: 02041 0000 Telephone Number: (781) 837-7100 ext.
Contact: Daniel Welch e-mail address (optional)

C. Facility, Site or Individual Requiring Approval

Name of Facility, Site or Individual: Green Harbor Yacht Club DEP Facility Number (if Known)
Street Address: Dike Road e-mail address: (optional)
City/Town: Marshfield State: MA Zip Code: 02041 Telephone Number: (781) 837-7100 ext.

D. Application Prepared by (if different from Section B)

Name of Individual or Firm: KEY Environmental Services, Inc.
Address: 379 Liberty Street
City/Town: Rockland State: MA Zip Code: 02370 Telephone Number: (781) 871-8552 ext.
Contact: Marta J. Nover, L.S.P. LSP Number (21E only)

E. Permit - Project Coordination

Is this project subject to MEPA review? [x] yes [] no
If yes, indicate the project's EOE file number (assigned when an Environmental Notification Form is submitted to the MEPA unit)
EOEA # 12381 Is an Environmental Impact Report Required? [] yes [x] no
Is this application part of a larger project for which two or more DEP permits are being or will be sought? [x] yes [] no
List any other DEP permits that apply to this project:

Table with 3 columns: Permit Category, Date of Submission (tentative or actual), Transmittal Number (if application already submitted)
Rows: Chapter 91 License (February, 2001), BRP WW 11 - Minor Project (February, 2001), BRP WW 8 - Minor Dredging (February, 2001)

F. Amount Due

Special Provisions: [] Fee Exempt* (city, town or municipal housing authority) (state agency if fee is \$100 or less)
[] Hardship Request [payment extensions according to 310 CMR 4.04(3)(c)]
[] Alternative Schedule Project (according to 310 CMR 4.05 and 4.10)

*There are no fee exemptions for 21E, regardless of applicant status

Check #: Dollar Amount: \$274.50 Date: 02/19/01

COM. of Mass. CALCULATED FEE STATEMENT

CATEGORY ACTIVITY		FEE	QUANTITY	FEE	in riverfront area	if repeat	Marshfield	
type	used letter(s)		in buffer	subtotal	x fee unless >	50%	TOWN BYLAW FEE	
1		\$55	X		X	=		
2		\$250	X		X	=		\$25 MINIMUM
3		\$525	X		X	=		or
4		\$725	X		X	=		100% of state fee
5		\$2/foot	X	287	X	=	574	xxx-2
Circle activities below					STATE FEE TOTAL (7c) >>>>			
					minus \$25 >>>>>>>>			
					549 = 274.50			
					CHECK TO STATE			
					CHECK TO TOWN			
					* use YES or NO			
					X X Town share of filing fee			
					X X X State share of filing fee			
					X X X Town Bylaw Fee (7d)			
					873.50			

Note: "in riverfront area"
Some projects are exempt (e.g., repair septic system).
Listed all categories then "yes" or "no" as to repeat.
Repeats add 50% to the state side to the fee.
Non repeats are 100% of the fee.

WETLAND FEE CATEGORY SUMMARY

CATEGORY 1: [\$55]

- a) Work on Single Family Lot: addition, pool, etc.
- b) Site work w/o house
- c) Control vegetation (SFH): removal, herbicide, etc.
- d) Resource Improvement.
- e) Work on septic system separate form house.
- f) Monitoring well activities minus roadway.
- g) New agricultural or aquacultural projects.

CATEGORY 2: [\$250]

- a) Construction of Single Family House (SFH)
- b) Parking lot.
- c) Beach nourishment.
- d) Electric Generating Facility activities.
- e) Inland Limited Projects minus road crossings & agriculture.
- f) Each crossing for driveway to SFH.
- g) Any point source discharge.
- h) Control vegetation in development (<SFH).
- i) Water level variation.
- j) Any other activity not in Cat'y 1,3,4 or 5.
- k) Water supply exploration.

CATEGORY 3: [\$525]

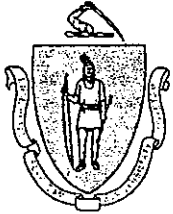
- a) Site preparation (for development) beyond NOI scope.
- b) Each building (for development) including site.
- c) Road construction not crossing or driveway.
- d) Hazardous clean up.
- e) Water supply development.

CATEGORY 4: [\$725]

- a) Each crossing for development or commercial road.
- b) Dam, sluiceway, tidegate (safety) work.
- c) Landfill.
- d) Sand & gravel operation.
- e) Railroad line construction.
- f) Bridge (SFH).
- g) Hazardous waste alterations to resource area.
- h) Dredging.
- i) Package treatment plant & discharge.
- j) Airport tree clearing.
- k) Landfill closure.

CATEGORY 5: [\$2/linear foot][min,\$50,max,\$1000]

- a) Oil &/or hazardous material release response actions.
- b) Docks, piers, revetments, dikes, etc. (coastal or inland).
- c) Exemptions - () Town, () State.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Appendix B – Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Applicant Information

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



1. Applicant:

Green Harbor Yacht Club, Inc.

Name

P.O. Box 209

Mailing Address

Green Harbor

MA

02041

City/Town

State

Zip Code

(781) 837-7100

Phone Number

2. Property Owner (if different):

Same

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

3. Project Location:

257 Dike Road (Route 139)

Green Harbor

Street Address

City/Town

B. Fees

To calculate filing fees, refer to the category fee list and examples in Section D of this form.

Abbreviated Notice of Resource Area Delineation (Form 4A):

The fee is calculated as follows (check applicable project type):

single family house project

_____ X \$1.00= _____
 (feet of BVW)

_____ Total fee (not to exceed \$100)

all other projects

_____ X \$1.00= \$ _____
 (feet of BVW)

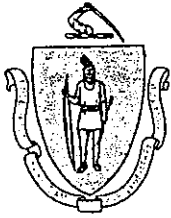
\$ _____ Total fee (not to exceed \$1,000)

State share of filing fee: \$ _____

(1/2 of total fee less \$12.50)

City/Town share of filing fee: \$ _____

(1/2 of total fee plus \$12.50)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Appendix B – Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (cont.)

Abbreviated Notice of Intent (Form 4) or Notice of Intent (Form 3):

The fee should be calculated using the following six-step process and worksheet:

Step 1/Type of Activity: Describe each type of activity (see Section D for a list of activities) that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories in Section D.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category(identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 5 - Work on Docks, Piers, etc.	287' x 2'	\$574.00	\$574.00

Step 5/Total Project Fee: \$574.00

Step 6/Fee Payments:

Total Project Fee: \$574.00
 (Total fee from Step 5)

State share of filing fee: \$274.50
 (1/2 total fee less \$12.50)

City/Town share of filing fee: \$299.50
 (1/2 total fee plus \$12.50)

EXHIBIT 3
LIST OF ABUTTERS

LIST OF ABUTTERS

Assessor's Map / Block / Lot

Property Owner / Address

Map 6, Block 8, Lot 1

A & M Realty Trust
259 Dike Road
Marshfield, MA 02050

Map 6, Block 8, Lot 2

12 Careswell Street Realty Trust
12 Careswell Street
Marshfield, MA 02050

Map 6, Block 8, Lot 3

Thomas Flanders, Jr.
119 Marginal Street
Marshfield, MA 02050

Map 6, Block 1, Lots 10 & 11

Marshfield Conservation Commission
870 Moraine Street
Marshfield, MA 02050

Map 6, Block 8, Lot 5A

Marina Harbor Corporation
239 Dike Road
Marshfield, MA 02050

Thomas
Flanders
9 Birchwood Dr.
Southboro, MA
01772
(508)
485-7343



GREEN HARBOR YACHT CLUB



P O BOX 209
GREEN HARBOR MA 02041
834-9115

LIST OF ABBUTTORS

MAP M6

BLOCK 8

LOT 5A Marina Harbor Corp.
P.O. Box 338
Dike Road
Green Harbor, Mass. 02040

LOT 1 Marina Harbor Corp.
P.O. Box 338
Dike Road
Green Harbor, Mass. 02040

LOT 2 Careswell Street Realty Trust
James H. Gaffey, Trustee
230 Edge Hill Road
Milton, Mass. 02186

LOT 3 Thomas Flanders, Jr.
9 Birchwood Drive
Southboro, Mass. 01772

Lot not shown on Assessors Map

Ralph Tedeschi
Tara Drive
Norwell, Mass.

MAP 6

BLOCK 1

LOT 1 Town of Marshfield
Marshfield Town Hall
Marshfield, Mass. 02050



EXHIBIT 4
ABUTTER NOTIFICATION FORM

Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is The Green Harbor Yacht Club.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the unicity of MARSHFIELD seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed is Dike Road.
- D. Copies of the Notice of Intent may be examined at TOWN HALL MARSHFIELD, MA, CONSERVATION COMMISSION OFFICE, ROOM 205 between the hours of 9 and 3, Monday through Thursday: Call (781) 834-5573 & MAKE AN APPOINTMENT. For more information KEY Environmental Services, Inc. at (781) 871-8552. KEY is the Representative.
- E. Copies of the Notice of Intent may be obtained from TOWN HALL FOR A COPYING FEE by calling this telephone number (781) 834-5573 between the hours of 9 and 3, Monday through Thursday.
- F. For information regarding the date, time, and place of the public hearing, please see attached notice prepared by Conservation Commission.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Marshfield Mariner.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP Southeast Region, call: (508) 946-2800.

257 Dike Road

TOWN OF MARSHFIELD
CONSERVATION COMMISSION

NOTICE OF PUBLIC HEARING (*For MARSHFIELD MARINER - not to appear in print*)

In compliance with the Regulations of Massachusetts General Laws, Chapter 131, Section 40, the "Wetlands Protection Act", and Article #37 of the Town of Marshfield General Bylaws, the Wetland Protection Bylaw", a public hearing will be held by the Marshfield Conservation Commission on Wednesday, March 7, 2001, 8:30 P.M. in the Hearing Room, 2nd Floor, Town Hall, 870 Moraine St., Marshfield, to consider the Notice of Intent filed by:

Green Harbor Yacht Club, Inc., P.O. Box 209, Green Harbor, MA, for the purpose of facilities maintenance, including the replacement of existing dock accessories, construction of new timber ramp with associated pile-held float and finger floats, and the addition of new finger floats to the existing main dock system. In addition the work proposed involved stabilizing the eroding coastal bank (120 linear feet) on land subject to flooding, salt marsh, land under ocean and land containing shellfish at 257 Dike Road, Marshfield, MA (M6-8-4A)(HL).

Robert W. Snow, Chairman
William E. Stanton
Dwight R. Dunk
David E. Clapp
Henry E. Lane
Thomas J. Yelverton
Sandra L. Mullaney

FOR ALL OTHER NEWSPAPERS - THIS IS A PRESS RELEASE ONLY.

TO BE ADVERTISED ONE TIME ONLY.

2/16/01

EXHIBIT 5
FILING FEE DOCUMENTATION

KEY ENVIRONMENTAL SERVICES, INC.

379 LIBERTY ST.
ROCKLAND, MA 02370

2213

53-179/113

DATE 2/16/01

PAY
TO THE
ORDER OF

Commonwealth of Massachusetts

\$ 229.00

Two Hundred Twenty Nine

00
100 DOLLARS 

 **Eastern Bank**

370

WEYMOUTH, MA 02189
24 HOUR SERVICE 1-800-EASTERN

FOR

M. G. M. [Signature]

MP

⑈002213⑈ ⑆011301798⑆ 79 4401920⑈

KEY ENVIRONMENTAL SERVICES, INC.

379 LIBERTY ST.
ROCKLAND, MA 02370

2214

53-179/113

DATE 2/15/01

PAY
TO THE
ORDER OF

Town of Marshfield

\$ 254.00

Two Hundred Fifty Four

00
100 DOLLARS 

 **Eastern Bank**

370

WEYMOUTH, MA 02189
24 HOUR SERVICE 1-800-EASTERN

FOR

M. G. M. [Signature]

MP

⑈002214⑈ ⑆011301798⑆ 79 4401920⑈

KEY ENVIRONMENTAL SERVICES, INC.

379 LIBERTY ST.
ROCKLAND, MA 02370

53-179/113

2217

DATE 2/20/01

PAY TO THE ORDER OF Commonwealth of Massachusetts \$ 274.50

Two Hundred Seventy Four ⁵⁰/₁₀₀ DOLLARS



WENDELL, MA 02189
24 HOUR SERVICE 1-800-EASTERN

FOR Wetland Fee

MP 1991 Massachusetts

MP

KEY ENVIRONMENTAL SERVICES, INC.

379 LIBERTY ST.
ROCKLAND, MA 02370

53-179/113

2218

DATE 2/20/01

PAY TO THE ORDER OF Town of Marshfield \$ 873.50

Eight Hundred Seventy Three ⁵⁰/₁₀₀ DOLLARS



WENDELL, MA 02189
24 HOUR SERVICE 1-800-EASTERN

FOR By-Law Fee

MP 1991 Massachusetts

MP

EXHIBIT 6
ORDER OF CONDITIONS - DEP FILE NO SE 42-854



Commonwealth of Massachusetts

Order of Conditions
Massachusetts Wetlands Protection Act
G.L. c. 131, §40

From MARSHFIELD CONSERVATION COMMISSION

To Green Harbor Yacht Club, Inc. same
(Name of Applicant) (Name of property owner)

Address Box 209, Green Harbor, MA. 02041 Address same

This Order is issued and delivered as follows:

by hand delivery to applicant or representative on _____ (date)

by certified mail, return receipt requested on 12/31/92; P 304 443 479 (date)

This project is located at 243 Dike Rd., Marshfield

The property is recorded at the Registry of Deeds, Plymouth County

Book 2861/3413 Page 346/97

Certificate (if registered) _____

The Notice of Intent for this project was filed on 10/23/92 (date)

The public hearing was closed on 12/1/92 (date)

Findings

The Marshfield Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- | | | |
|---|---|---|
| <input type="checkbox"/> Public water supply | <input type="checkbox"/> Flood control | <input type="checkbox"/> Land containing shellfish |
| <input type="checkbox"/> Private water supply | <input checked="" type="checkbox"/> Storm damage prevention | <input checked="" type="checkbox"/> Fisheries |
| <input type="checkbox"/> Ground water supply | <input checked="" type="checkbox"/> Prevention of pollution | <input type="checkbox"/> Protection of wildlife habitat |

Total Filing Fee Submitted 1419.00 State Share 697.00

City/Town Share 722.00 (1/2 fee in excess of \$25)

Total Refund Due \$ 0 City/Town Portion \$ 0 State Portion \$ 0
(1/2 total) (1/2 total)

Plans:

Title

Dated

Signed and Stamped by:

File with:

Plan showing the existing ramp, pier, deck, ramp, floats, piles, retaining wall and boat ramp, piles, floats, bank stabilization and dredging at the Green Harbor Yacht Club, Inc. Marshfield dated July 1991, rev. 3/17/92 (S&S-John A. Capocefalo) Marshfield Conservation Commission

Plan showing the proposed location of the dredged material from the Green Harbor Yacht Club, Inc. dated Sept. 1990; rev. 5/17/92 (S&S-J.A. Capocefalo).

SPECIAL CONDITIONS:

- a. All work shall be done in accordance with the final plans as approved by this Commission dated 9/90, rev. 5/17/92 and 7/91, rev. 3/17/92 and by Sequence of Operations, dated 12/1/92. Any deviation must be approved by this Commission in writing prior to commencing work involved in this deviation.
- b. The Conservation Administrator will be the overseer of all work on this project for the Conservation Commission. No work shall commence before an on site inspection with the Conservation Administrator and the contractor.
- c. The applicant shall be responsible for informing the contractor of the conditions of this Order and ensuring compliance with the conditions of this Order.
- d. Photos of project site shall be taken all appropriate directions before and after work performed and a copy of photos in print form provided to the Commission.
- e. Changes in Sequence of Operations shall be brought to Commission for approval before commencing.
- f. Plans of the riprap or equal shall be brought to Commission for approval before commencing.
- g. Dredging to be done before 3/15 and after 10/15.
- h. Disposal site to be announced to the Commission before project begins; as per plan.
- i. Salt marsh grass to be replaced and planted as per plan and according to site impact, grass shall be replanted until 100% growth is in place (6" on center) in the opinion of the Commission.
- j) Commission to be informed as to names and telephone numbers for Green Harbor Yacht Club key construction personal and dredge operator.
- k) All the above conditions must be met for the Commission to issue approval in the form of a Certificate of Compliance.



Town of Marshfield

COMMONWEALTH OF MASSACHUSETTS

City/Town Marshfield
Applicant GREEN HARBOR YACHT CLUB, INC.

ORDER

TOWN WETLAND PROTECTION BY-LAW

APPROVED ATTORNEY GENERAL JULY, 1988

From Marshfield Conservation Commission

To Green Harbor Yacht Club same
(Name of Applicant) (Name of property owner)

Address Box 209, Green Harbor, MA. 02041 Address same

This Order is issued and delivered as follows:

- by hand delivery to applicant or representative on _____ (date)
- by certified mail, return receipt requested on 12/31/92; P 304 443 479 (date)

This project is located at 243 Dike Rd., Marshfield

The property is recorded at the Registry of Plymouth County

Book 2861/ 3413 Page 346/ 97

Certificate (if registered) -----

The Notice of Intent for this project was filed on 10/23/92 (date)

The public hearing was closed on 12/1/92 (date)

Findings

The Marshfield Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- | | | |
|---|---|---|
| <input type="checkbox"/> Public water supply | <input type="checkbox"/> Flood control | <input type="checkbox"/> shellfish |
| <input type="checkbox"/> Private water supply | <input type="checkbox"/> Storm damage prevention | <input checked="" type="checkbox"/> Fish |
| <input type="checkbox"/> Ground water | <input checked="" type="checkbox"/> Prevention of pollution | <input type="checkbox"/> Wildlife |
| <input checked="" type="checkbox"/> Erosion Control | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Sedimentation Control |
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Agriculture |
| <input checked="" type="checkbox"/> Fish Habitat | <input checked="" type="checkbox"/> Shellfish Habitat | <input type="checkbox"/> Wildlife Habitat |

Effective: 7/26/88

William E. Stanton Chairman

Signature(s)

Barry N. Cornwall Barry N. Cornwall Frances M. Garretson Frances M. Garretson

David E. Clapp David E. Clapp Ellen G. Lewis Ellen G. Lewis

Peter G. Russell, Jr. Peter G. Russell, Jr. Diane Finnie Diane Finnie

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

On this 4th day of December 1992 before me personally appeared the above persons to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Elizabeth H. Ingham 6-29-92
Notary Public ELIZABETH H. INGHAM My commission expires

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done or any ten residents of the Town are hereby notified of their right to appeal to Superior Court within sixty days from the date of the issuance of this Order. A copy of the appeal shall at the same time be sent by certified mail or hand delivered to the Conservation Commission and the applicant.

Detach on dotted line and submit to the Marshfield Conservation Commission prior to commencement of work.

To Marshfield Conservation Commission (Bylaw) Issuing Authority

Please be advised that the Order of Conditions for the project at 243 Dike Rd

File Number SE/7-854 has been recorded at the Registry of Plymouth County and

has been noted in the chain of title of the affected property in accordance with General Condition 8 on _____ 19____

if recorded land, the instrument number which identifies this transaction is _____

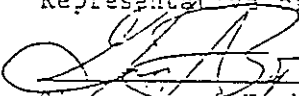
if registered land, the document number which identifies this transaction is _____

Signature _____ Applicant

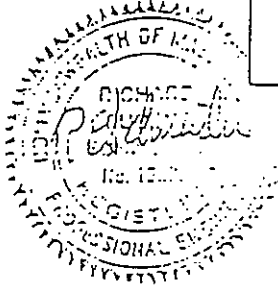
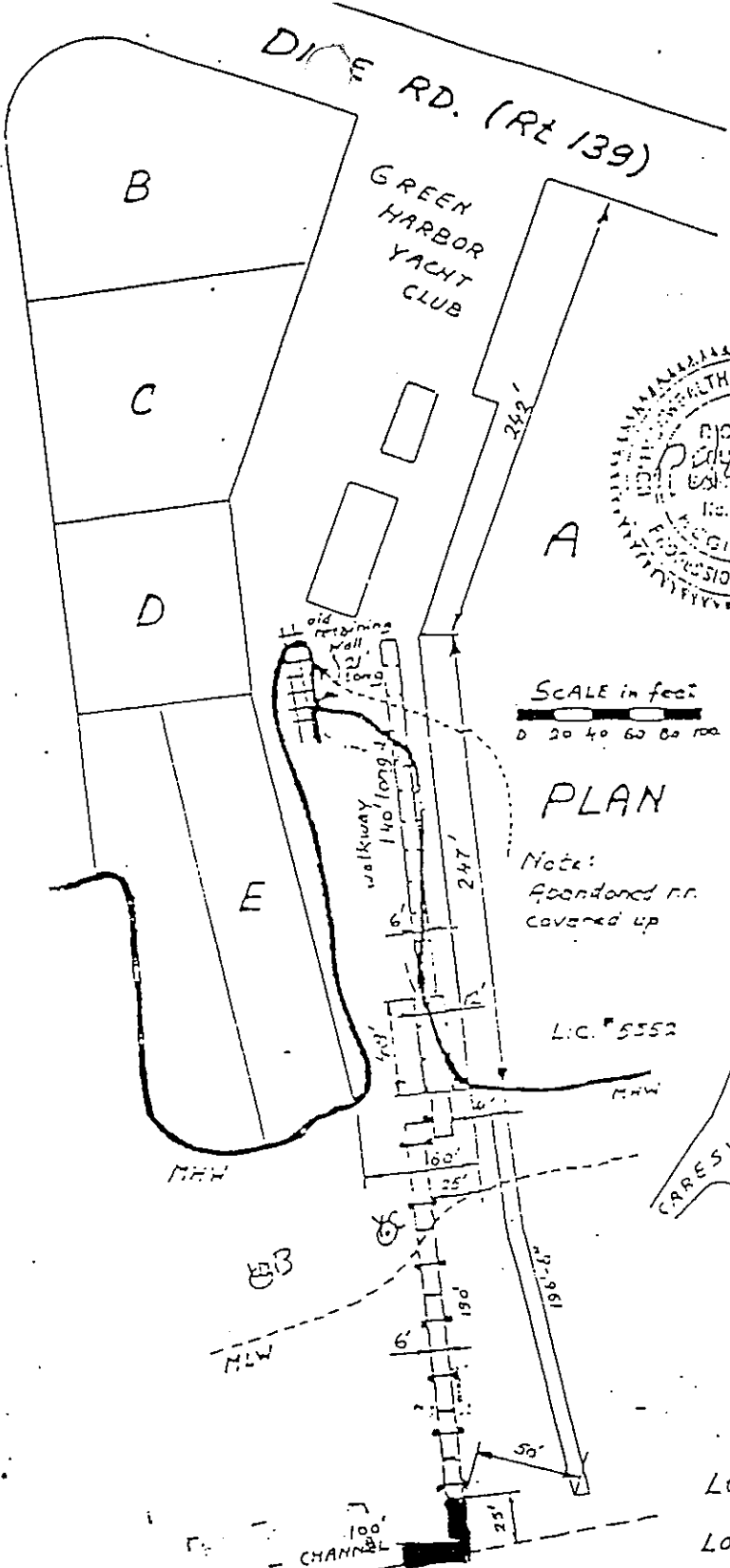
- a) The number of floats not to exceed eight (8) in number;
- b) The floats are to be used as separators between moored vessels and for no other purposes;
- c) As shown in Plan "A" & "B" mooring configuration dated June 30, 1991 - vessels are not to exceed 166 feet (float #1) and not to exceed 108 feet (float#2);
- d) Vessels with power of any kind can not be moored on Float #2. Only vessels unpowered for use in the "Marshfield Recreation Commission" sailing program may be moored in locations 1-6;
- e) The Locations are to be assigned by footage, dedicated as in Plan "A" for locations 1-6(sailing program), 7-12(Yacht club moorings); any vessels exceeding the dedicated length will be removed by order of the Harbormaster.
- f) One mooring for a 13-foot "Work boat" will be assigned to the Green Harbor Yacht Club; no other vessel may occupy this location (shown in Plan "B" as "WB"); One MUD mooring will be assigned to the Yacht club for an 18-ft vessel shown as "YC" on Plan "B". No other vessel may occupy this mooring per order of the Harbormaster.
- g) All Town Bylaws will apply to moored vessel under the control of the Green Harbor Yacht Club. No changes can be made without the written permission of the Harbormaster.
- h) Vessels 1-12 will display a yearly sticker, supplied to the Yacht Club by the Harbormaster before the end of each Fiscal year, vessels without stickers will be removed per order of the Harbormaster.
- i) Permanent rafting of vessels (more than 24-hours) at the east end of pile supported floats will not be permitted per order of the Harbormaster
- j) All ground tackle will be as described in the Town Bylaws -- "Waterways of the Town of Marshfield", and specifications are on file at the Harbormaster's Office.

Date

Signature of Commodore or Authorized Representative of Yacht Club



Signature of Harbormaster-Town of Marshfield, Massachusetts

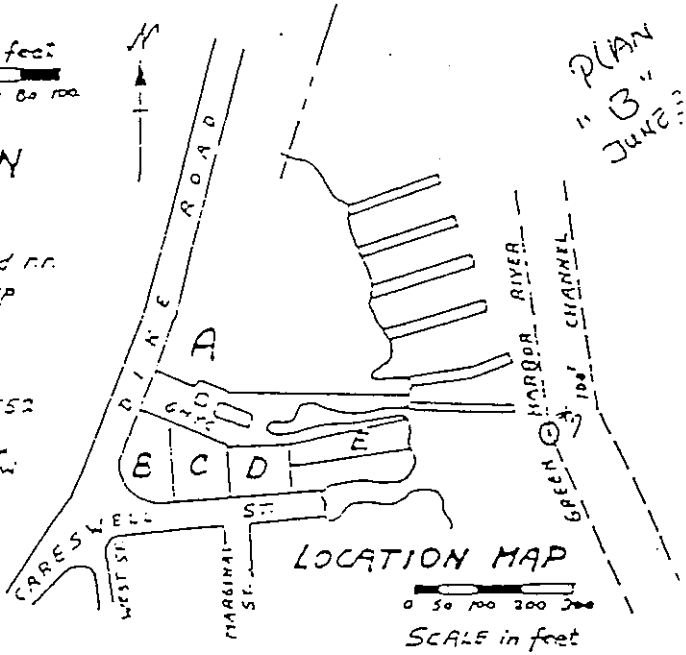


SCALE in feet
0 20 40 60 80 100

PLAN

Note:
Abandoned r.r.
covered up

L.C. # 5552



LOCATION MAP

SCALE in feet
0 50 100 200 300

KEY MAP

SCALE OF MILES
0 1/2
FROM STATE OF MASS. D.P.W. MAP
DUXBURY QUADRANGLE

ABUTTORS

Lorell, Box 358, Green Harbor, Ma. 02
LOTS A, B: L & W. Realty Trust, Dike Rd.
LOTS C, D, E: James H. & Virginia Gaffey,
230 Edge Hill Rd., Milton, Ma. 0218

#7 PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB, INC.
TO DRIVE PILES, PLACE PILE HELD FLOATS
MAINTAINING EXISTING WALKWAY AND PIER
RETAINING WALL AND EXISTING FILL
IN
GREEN HARBOR RIVER, MARSHFIELD
DUXBURY COUNTY

LEWIS PLAN No. 6303
SEPTMBER 25, 197
Richard P. Gaffney
Richard P. Gaffney
Richard P. Gaffney
Richard P. Gaffney

PLAN
"B"
JUNE 77

PERMISSION IS HEREBY (GRANTED) (DENIED)

TO GREEN HARBOR WATERWAY (APPLICANT) TO PLACE AND MAINTAIN A BOTTOM-ANCHORED, CHAIN HELD FLOAT/MOORING IN AND OVER THE WATERS OF

GREEN HARBOR (WATERWAY) IN THE TOWN OF MARSHFIELD IN ACCORDANCE WITH THE LOCATION SHOWN AND DETAILS INDICATED ON THE APPLICATION PLAN ATTACHED HEREWITH.

ANY PERSON AGGRIEVED BY DENIAL OF AUTHORIZATION OR BY ANY CONDITION IMPOSED HEREIN MAY APPEAL TO THE MASS. DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF WETLANDS AND WATERWAYS WITHIN 30 DAYS AFTER RECEIPT OF THIS NOTIFICATION.

AUTHORIZATION, IF GRANTED, IS SUBJECT TO THE FOLLOWING;

AUTHORIZATION IS GRANTED PURSUANT TO THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS CHAPTER 91, SECTION 10A AND IS FURTHER SUBJECT TO ANY AND ALL APPLICABLE FEDERAL, STATE & LOCAL LAWS, BY-LAWS & ALL REGULATIONS PROMULGATED THEREUNDER.

THIS PERMIT DOES NOT AUTHORIZE THE PLACEMENT OF ANY STRUCTURE INTO ANY FEDERAL CHANNEL OR ANCHORAGE, NOR DOES IT AUTHORIZE ANY STRUCTURE INTENDED FOR COMMERCIAL PURPOSES WITHOUT PRIOR ISSUANCE OF AUTHORIZATION FROM THE UNITED STATES ARMY, CORPS OF ENGINEERS.

NOTHING IN THIS PERMIT SHALL BE CONSTRUED AS AUTHORIZING THE PLACEMENT OF ANY STRUCTURE ON PRIVATE TIDELANDS OF OTHER THAN THE APPLICANT IF OBJECTED TO BY THE OWNER OR OWNERS THEREOF.

NOTHING IN THIS PERMIT SHALL BE CONSTRUED AS AUTHORIZING ANY UNREASONABLE INTERFERENCE WITH THE PUBLIC RIGHTS OF FISHING, SWILING OR NAVIGATION IN PRIVATE TIDELANDS.

IN THE EVENT OF FAILURE BY THE PERMITEE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS AUTHORIZATION AND FAILURE TO CORRECT SUCH NON-COMPLIANCE WITHIN A REASONABLE PERIOD AFTER WRITTEN NOTIFICATION FROM THE HARBORMASTER, THIS AUTHORIZATION MAY BE MODIFIED OR REVOKED IN WHOLE OR IN PART WITHOUT LIABILITY TO THE TOWN OF MARSHFIELD FOR COMPENSATION TO THE PERMITEE.

THIS AUTHORIZATION IS NOT TRANSFERABLE TO ANOTHER PERSON EXCEPT TO A PERSON WITHIN THE IMMEDIATE FAMILY OF THE PERMITEE UPON APPROVAL OF THE HARBORMASTER.

THIS PERMIT SHALL EXPIRE ON THE LAST DAY OF

(ISSUED) (DENIED) THIS 15th DAY OF April, 1994 BY [Signature] rmi

1994 - 10A Perm 1



GREEN HARBOR YACHT CLUB



P O BOX 209
GREEN HARBOR MA 02041
834-9115

LIST OF ABBUTTORS

MAP M6

BLOCK 8

LOT 5A Marina Harbor Corp.
P.O. Box 338
Dike Road
Green Harbor, Mass. 02040

LOT 1 Marina Harbor Corp.
P.O. Box 338
Dike Road
Green Harbor, Mass. 02040

LOT 2 Careswell Street Realty Trust
James H. Gaffey, Trustee
230 Edge Hill Road
Milton, Mass. 02186

LOT 3 Thomas Flanders, Jr.
9 Birchwood Drive
Southboro, Mass. 01772

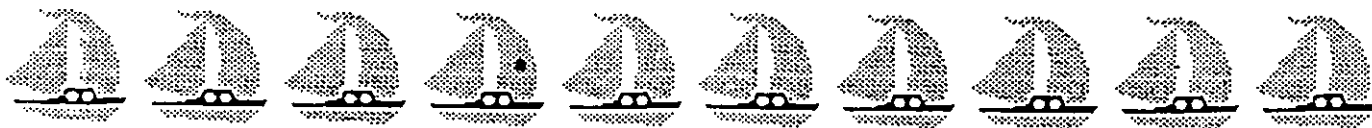
Lot not shown on Assessors Map

Ralph Tedeschi
Tara Drive
Norwell, Mass.

MAP 6

BLOCK 1

LOT 1 Town of Marshfield
Marshfield Town Hall
Marshfield, Mass. 02050



APPENDIX D
PHOTOGRAPHIC DOCUMENTATION

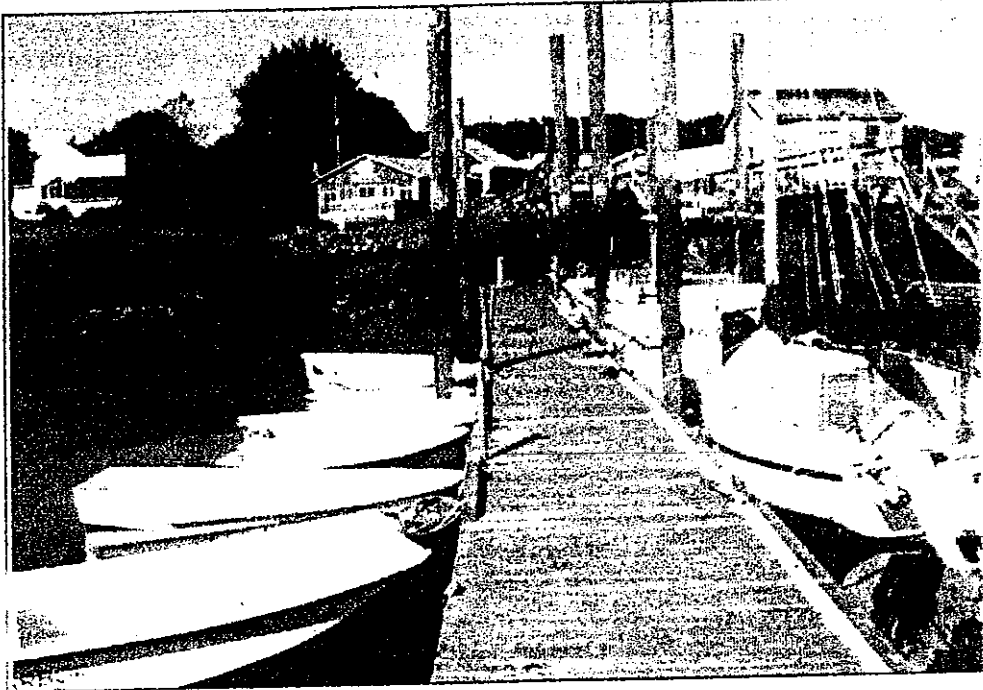
P1 - Green Harbor Yacht Club, Facing East.

P2 - Existing Riprap slope and wall to be rebuilt.

P3 - Existing floats, license #6303.

P4 - Green Harbor River at Mean Low Water.

P 3



PHOTOGRAPHIC DOCUMENTATION

GREEN HARBOR YACHT CLUB
MARSHFIELD, MASSACHUSETTS

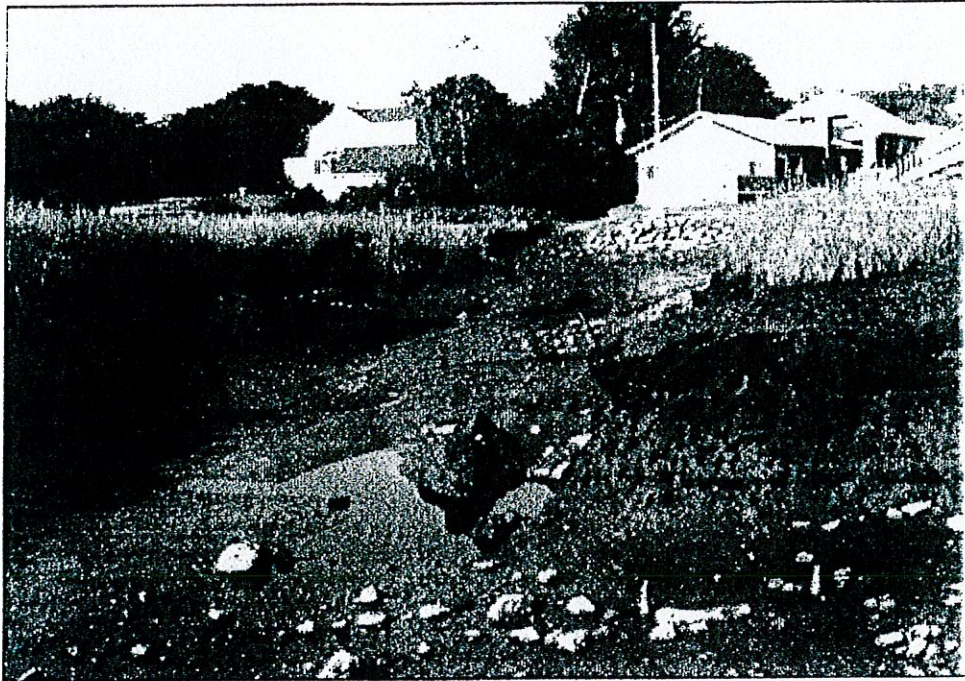


PROJECT 11252

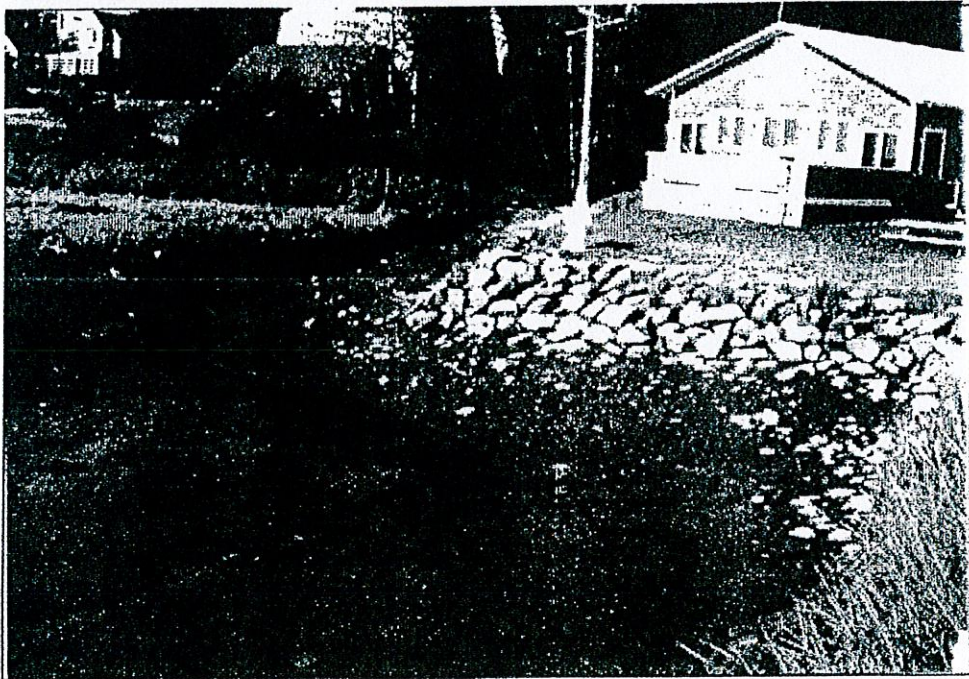
DATE 11/2/74

SCALE Not applicable

P 1



P 2



PHOTOGRAPHIC DOCUMENTATION

GREEN HARBOR YACHT CLUB
MARSHFIELD, MASSACHUSETTS



PROJECT: E12-2

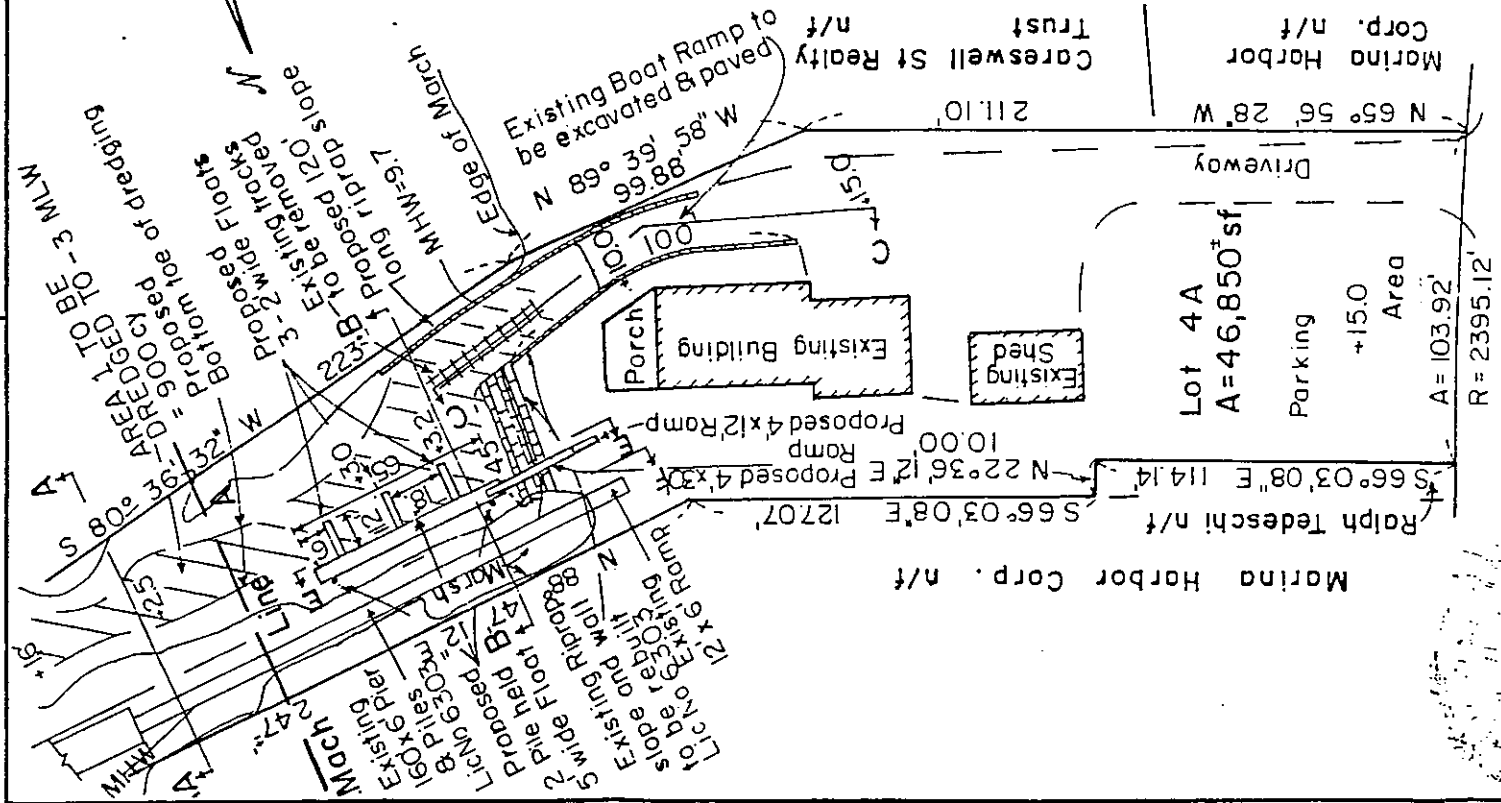
FIGURE: P 1 & P 2

SCALE: Not applicable

APPENDIX E

PLAN OF LAND - PLAN ACCOMPANYING PETITION OF GREEN HARBOR
YACHT CLUB, INC., DATED MARCH 1992, SHEETS 1-3

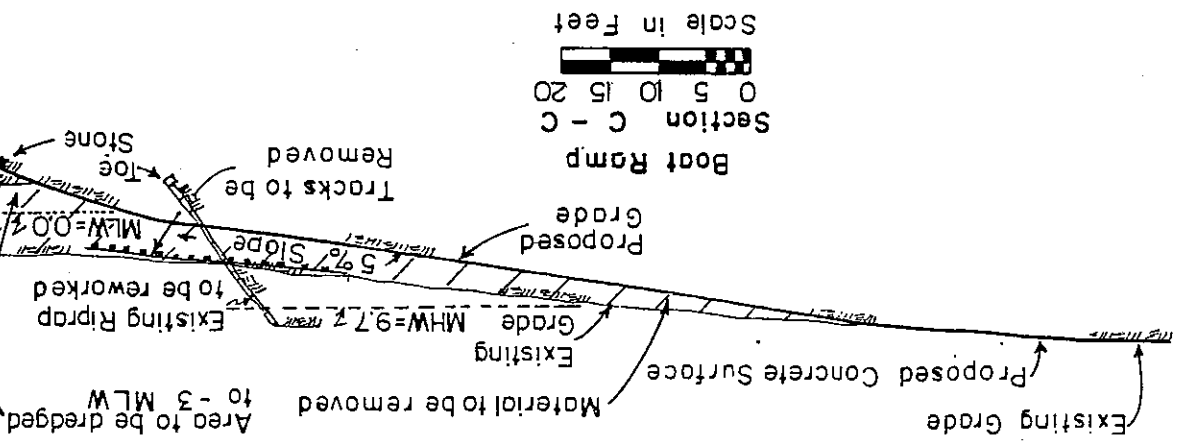
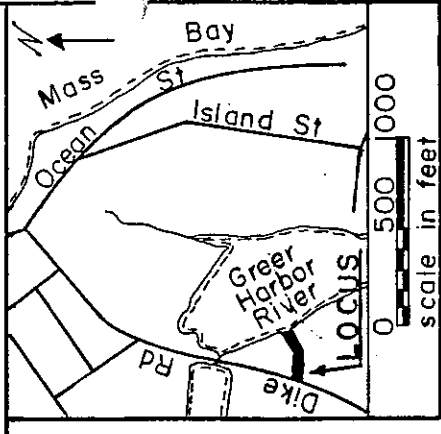
I certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds 3/92



5 PLAN
0 10 30 60
scale in feet

Plan accompanying petition of
GREEN HARBOR YACHT CLUB, Inc.
to maintain existing ramp, pier, deck, ramp, floats, piles and retaining wall, and to reconstruct and maintain existing riprap slope & wall and boat ramp, and to construct and maintain riprap slopes, bank stabilization, ramp, floats and piles, and to dredge in the Green Harbor River, Marshfield

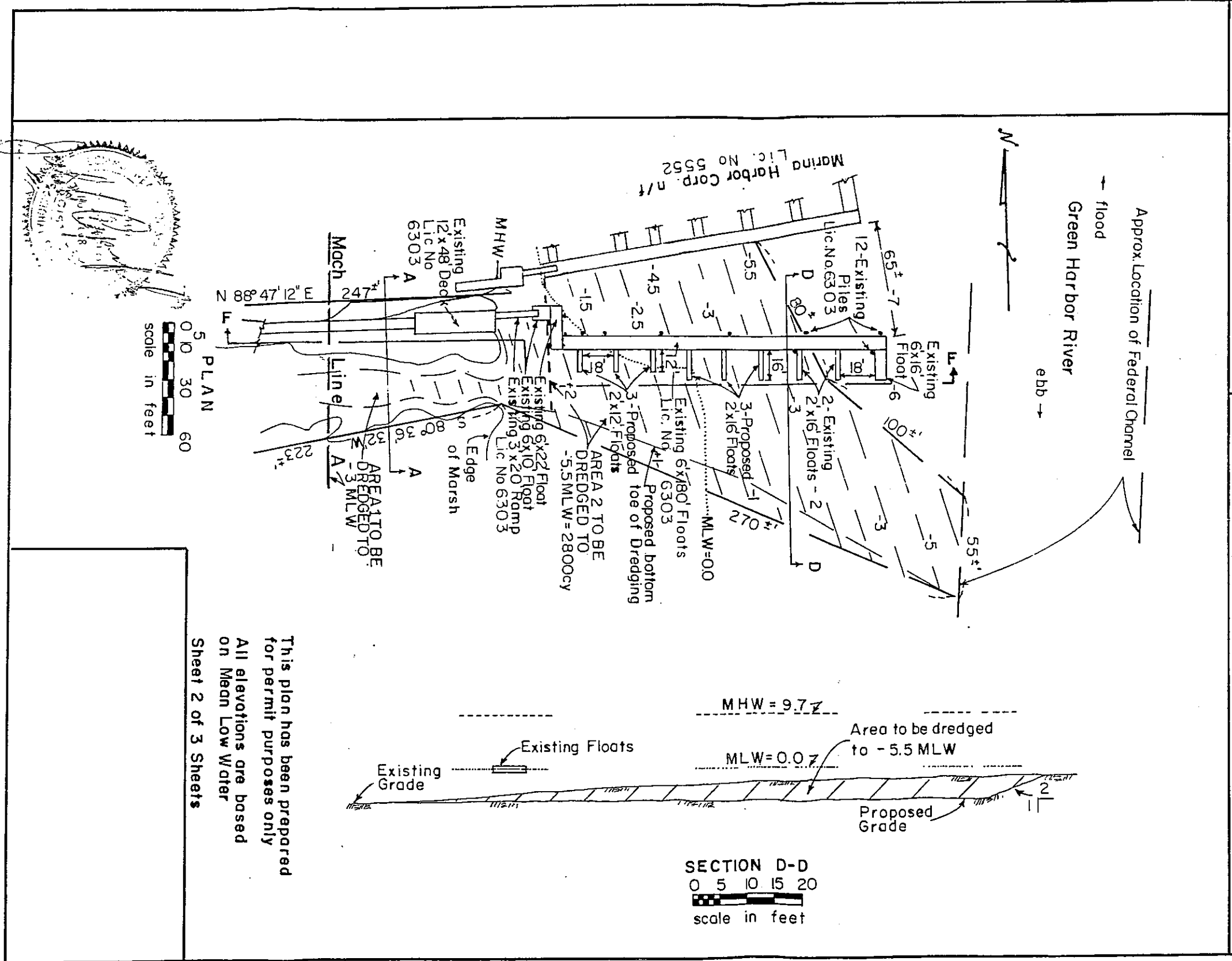
March, 1992



This plan has been prepared for permit purposes only
All elevations are based on Mean Low Water
Sheet 1 of 3 Sheets

467-1674

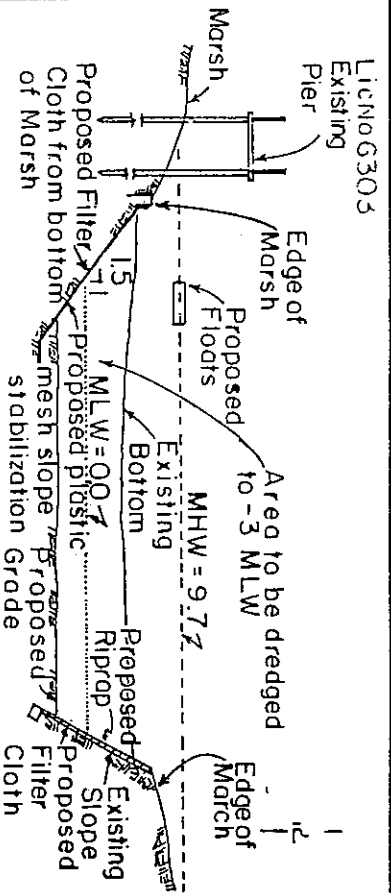
I certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds 3/92



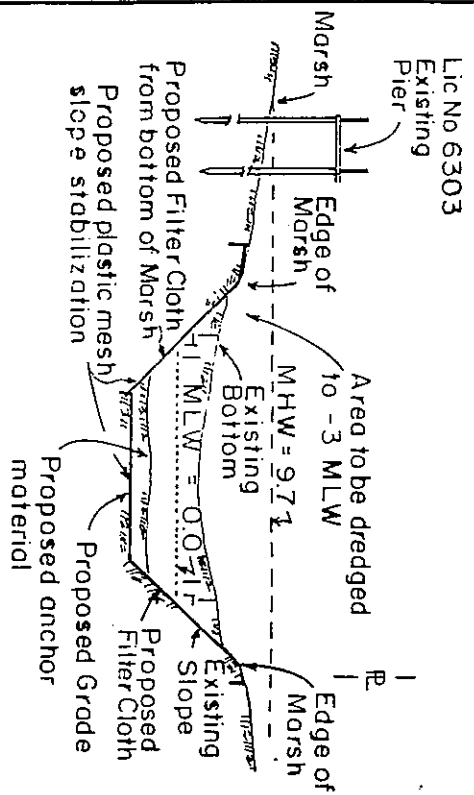
This plan has been prepared for permit purposes only
All elevations are based on Mean Low Water
Sheet 2 of 3 Sheets

92-1674

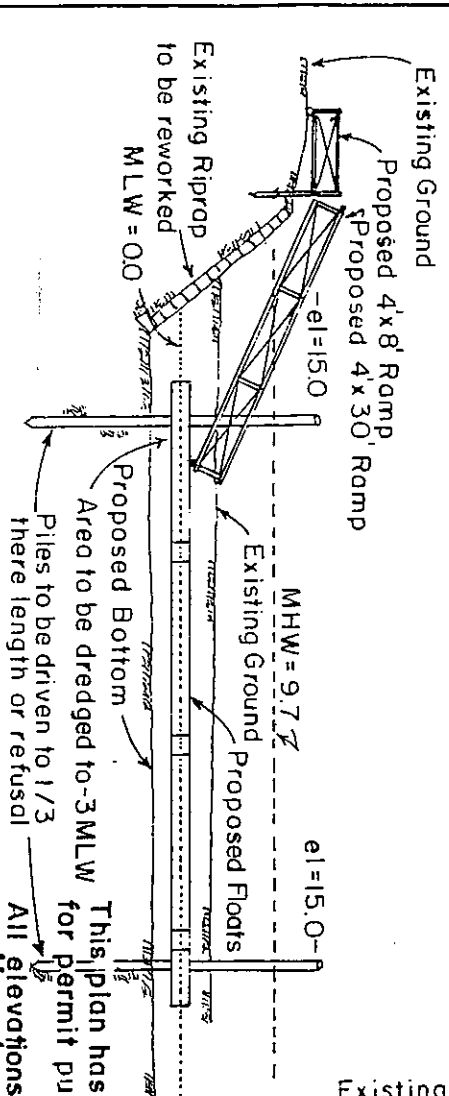
I certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds 3/92



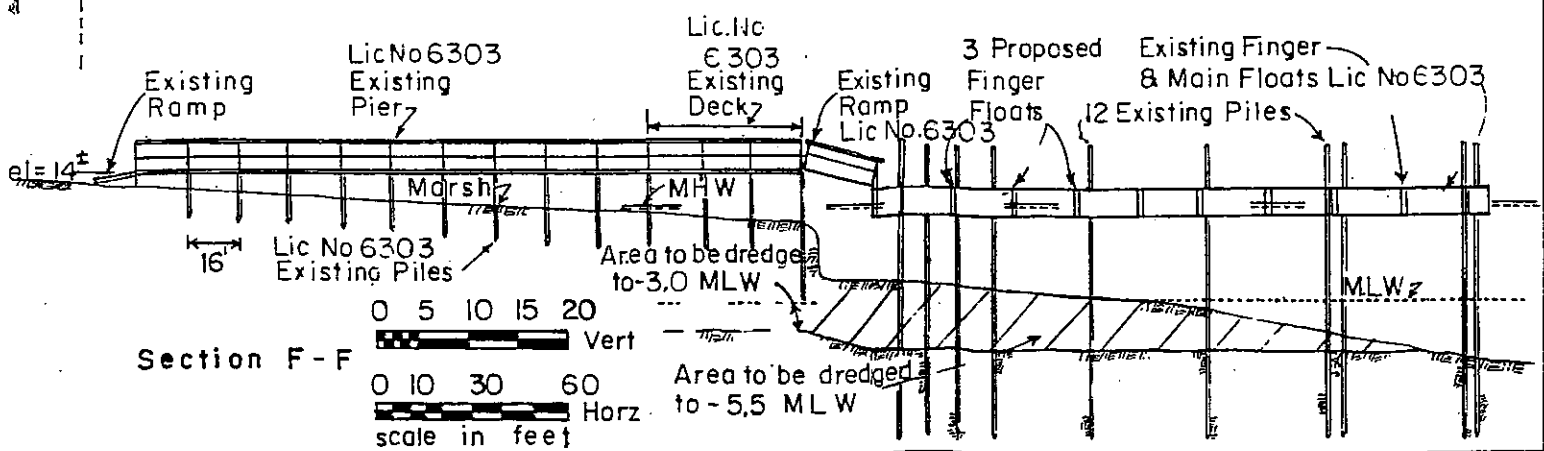
Section B-B
0 5 10 15 20
Scale in Feet



Section A-A
0 5 10 15 20
Scale in Feet



Section E-E
0 5 10 20
Scale in Feet



Section F-F
0 5 10 15 20 Vert
0 10 30 60 Horz
scale in feet

This plan has been prepared for permit purposes only. All elevations are based on Mean Low Water. Piles to be driven to 1/3 there length or refusal.

Sheet 3 of 3 Sheets

APPENDIX F
AGENCIES SUBJECT TO ENF CIRCULATION

AGENCIES SUBJECT TO ENF CIRCULATION

Secretary of Environmental Affairs
Attn: MEPA Office
9th Floor
251 Causeway Street, Suite 900
Boston, MA 02114

Executive Office of Environmental Affairs
Attn: Mark Smith –Water Policy
251 Causeway Street, Suite 900
Boston, MA 02114

Department of Environmental Protection
Attn: David Murphy, Commissioner's Office
One Winter Street
Boston, MA 02108

DEP/SERO
Attn: MEPA Coordinator
20 Riverside Drive
Lakeville, MA 02347

Executive Office of Transportation & Construction
Attn: Environmental Reviewer
10 Park Plaza Room 3510
Boston, MA 02116-3969

Massachusetts Highway Department
Public/Private Development Unit
10 Park Plaza
Boston, MA 02116

Massachusetts Highway Department- District #5
Attn: MEPA Coordinator
Box 111
1000 County Street
Taunton, MA 02780

Massachusetts Aeronautics Commission
Attn: MEPA Coordinator
10 Park Plaza, Room 6620
Boston, MA 02116-3966

Massachusetts Historical Commission
The MA Archives Building
220 Morrissey Boulevard
Boston, MA 02125

Metropolitan Area Planning Council
60 Temple Place/6th Floor
Boston, MA 02111

Coastal Zone Management
Attn: Project Review Coordinator
251 Causeway Street, Suite 500
Boston, MA 02114

Division of Marine Fisheries
Attn: Environmental Reviewer
50 A Portside Drive
Pocasset, MA 02559

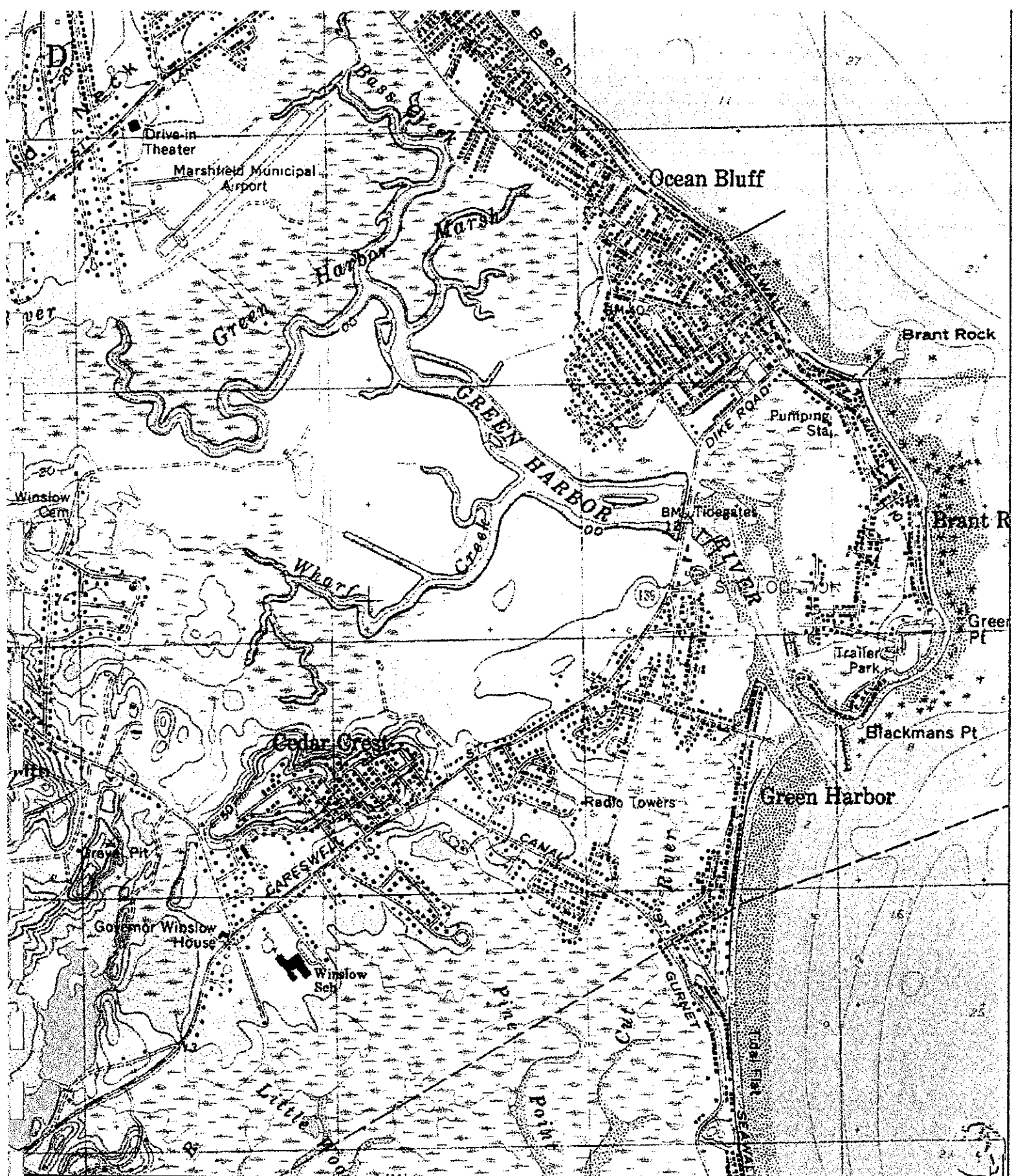
Massachusetts Water Resource Authority
Attn: MEPA Coordinator
100 First Avenue
Charlestown Navy Yard
Boston, MA 02129

Marshfield Selectmen Office
Town Hall
870 Moraine Street
Marshfield, MA 02050

Marshfield Planning Board
Town Hall
870 Moraine Street
Marshfield, MA 02050

Marshfield Conservation Commission
Town Hall
870 Moraine Street
Marshfield, MA 02050

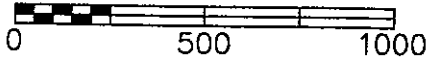
Marshfield Board of Health
Town Hall
870 Moraine Street
Marshfield, MA 02050



Name: DUXBURY
 Date: 12/1/100
 Scale: 1 inch equals 1600 feet

Location: 042° 05' 01.3" N 070° 39' 36.4" W
 Caption: FIGURE 1
 SITE LOCATION PLAN
 F1252

APPENDIX F
Plans, Sheets 1 - 7 of 7, Dated October 2, 2001



GREEN HARBOR
YACHT CLUB

ROAD
DIKE

EXISTING
RUNBACK
CHANNEL

EXISTING WEIR
(LIQUID RUNOFF TO RE-ENTER
GREEN HARBOR RIVER)

DREDGE MATERIAL
DISPOSAL AREA
(PROPERTY OF THE
TOWN OF MARSHFIELD)

ROAD
TOWN PIER

TOWN
PIER

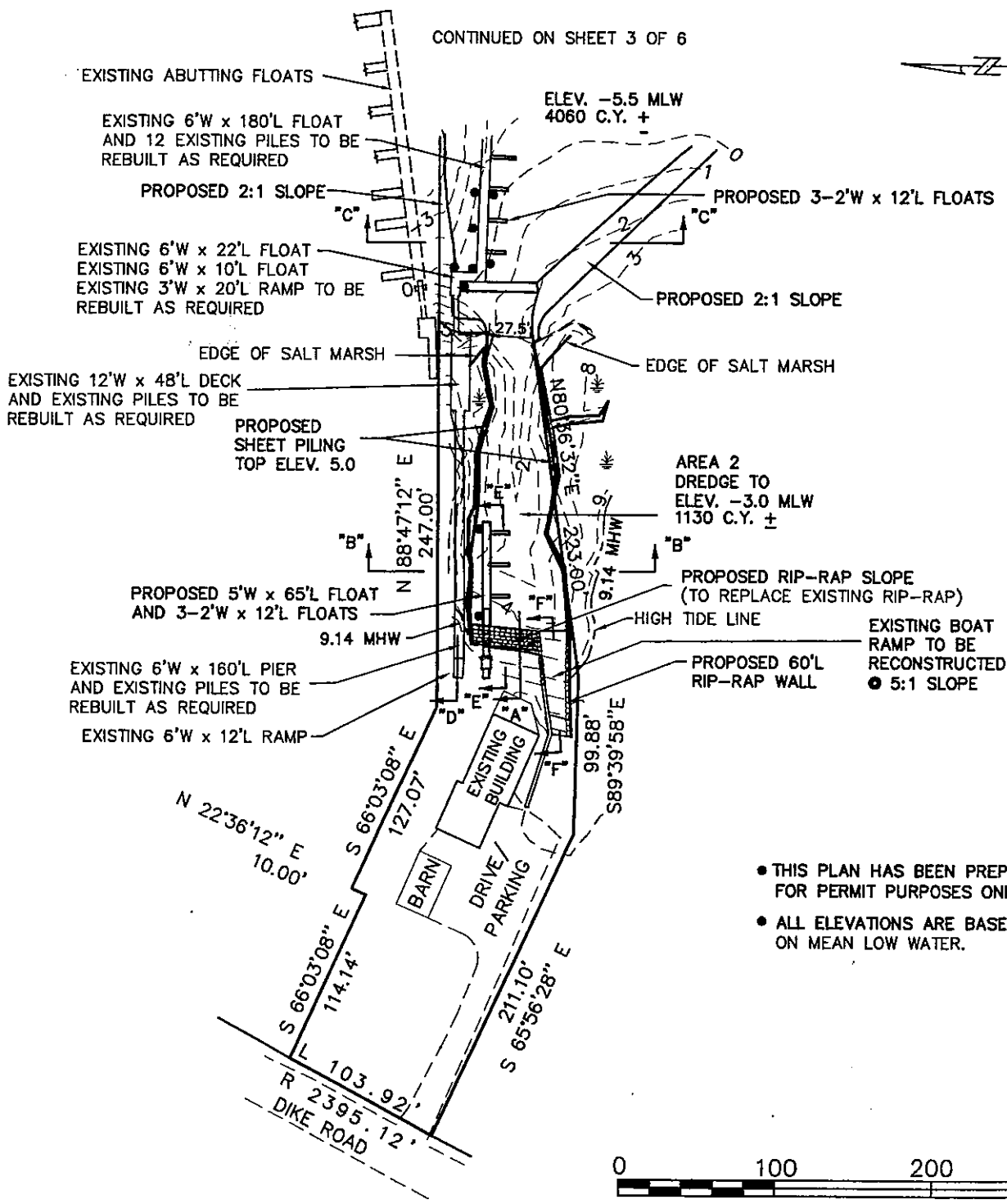
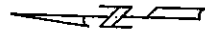
CENTRAL ST.

FEDERAL CHANNEL
& 6 FOOT ANCHORAGE

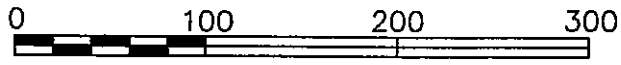
PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
TO MAINTAIN AN EXISTING FLOAT
CONFIGURATION AND TO DREDGE IN AND
OVER THE WATERS OF GREEN HARBOR
TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

LOCUS MAP

KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552



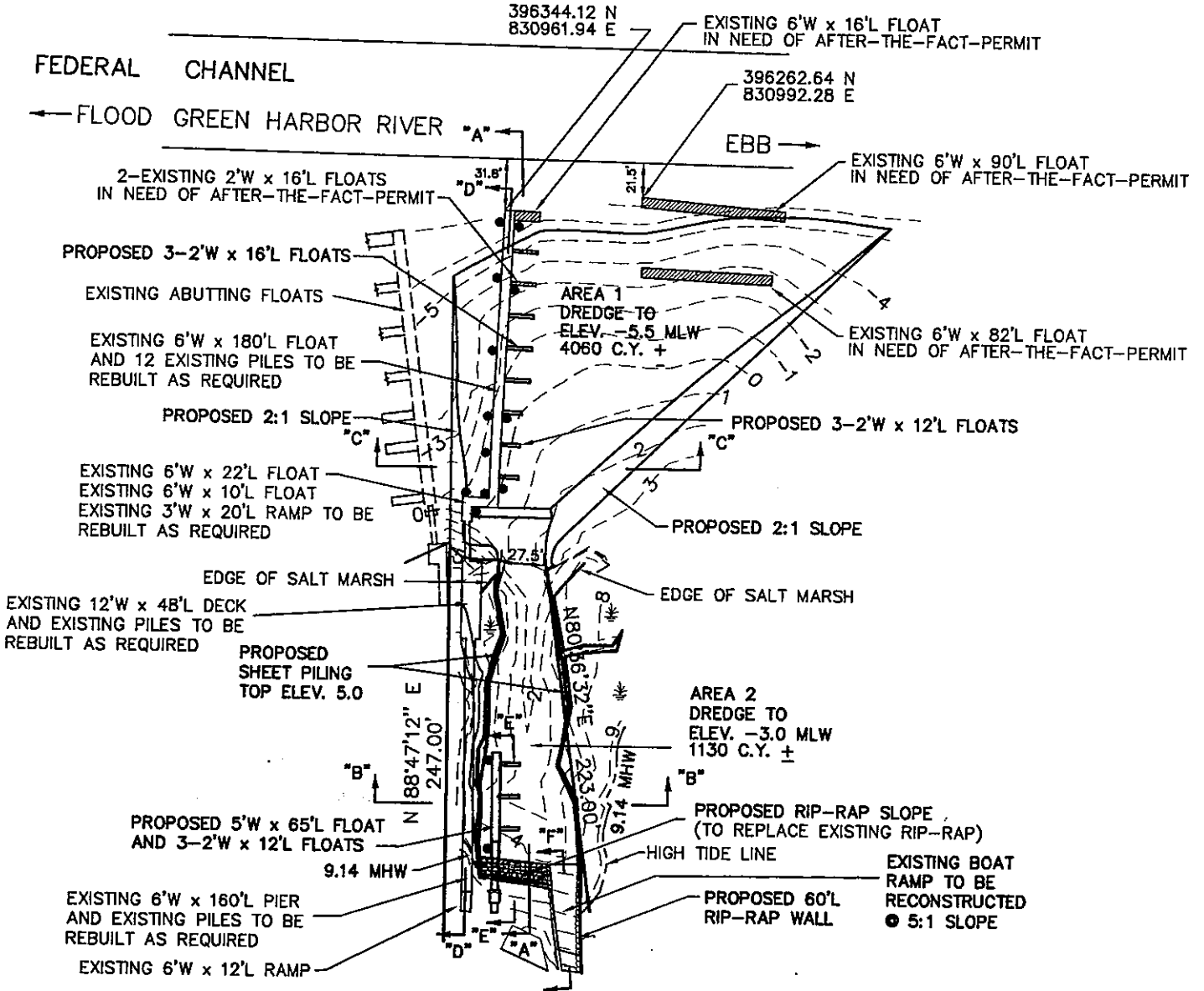
- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.



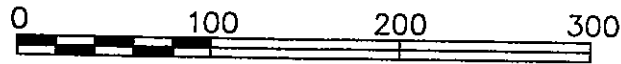
PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
 TO MAINTAIN AN EXISTING FLOAT
 CONFIGURATION AND TO DREDGE IN AND
 OVER THE WATERS OF GREEN HARBOR
 TOWN OF MARSHFIELD, PLYMOUTH COUNTY
 OCTOBER 2, 2001

**PROPOSED
 SITE
 IMPROVEMENTS**

**KEY ENVIRONMENTAL
 SERVICES, INC.**
 379 LIBERTY STREET
 ROCKLAND, MA 02370
 781-871-8552



CONTINUED ON SHEET 2 OF 6

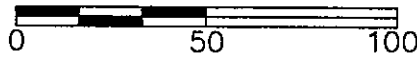
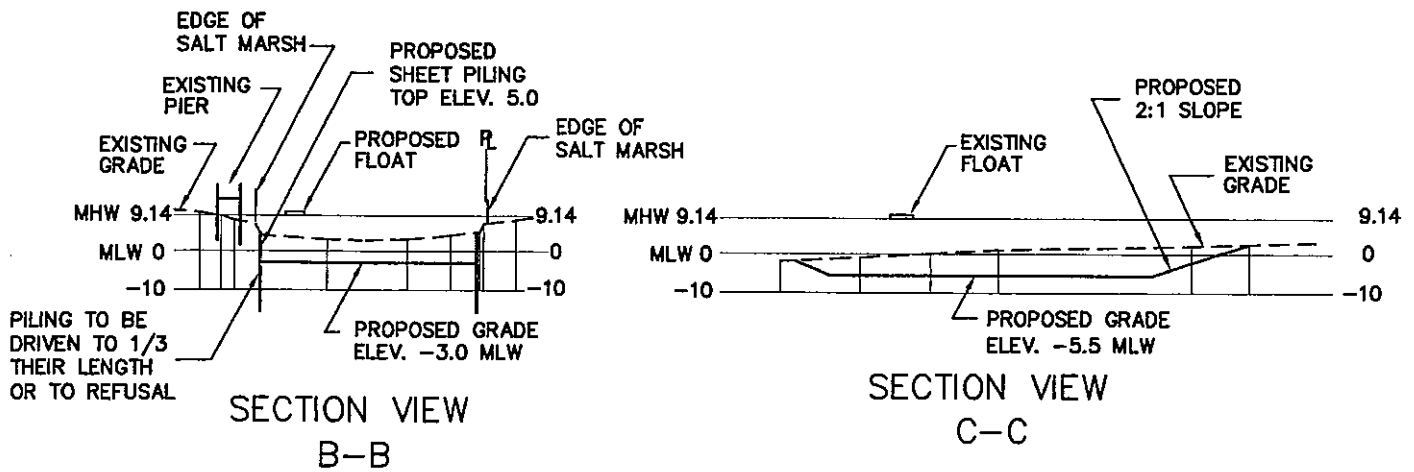


- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.

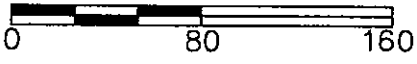
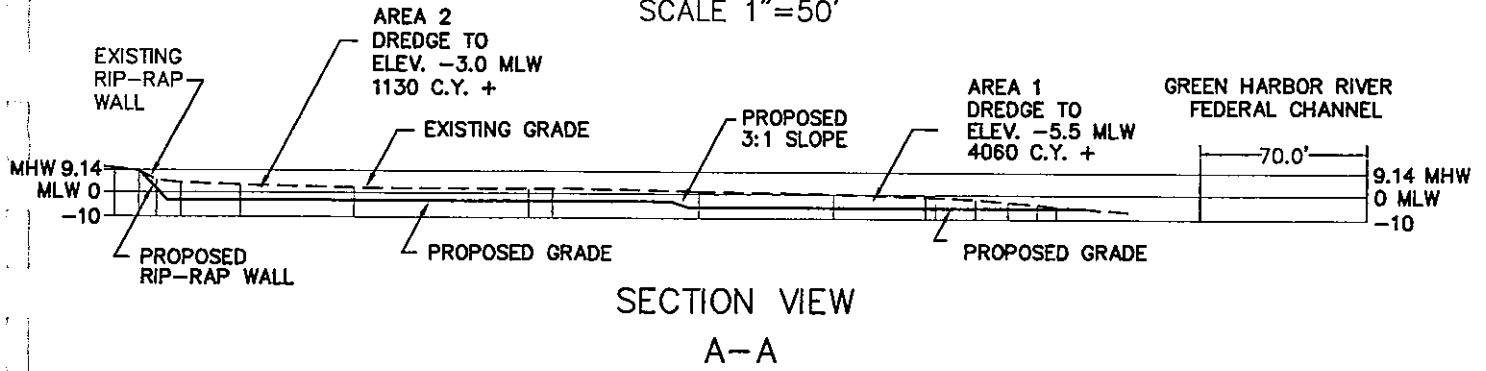
PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
 TO MAINTAIN AN EXISTING FLOAT
 CONFIGURATION AND TO DREDGE IN AND
 OVER THE WATERS OF GREEN HARBOR
 TOWN OF MARSHFIELD, PLYMOUTH COUNTY
 OCTOBER 2, 2001

**PROPOSED
 SITE
 IMPROVEMENTS**

KEY ENVIRONMENTAL
 SERVICES, INC.
 379 LIBERTY STREET
 ROCKLAND, MA 02370
 781-871-8552



SCALE 1"=50'

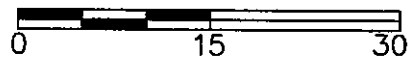
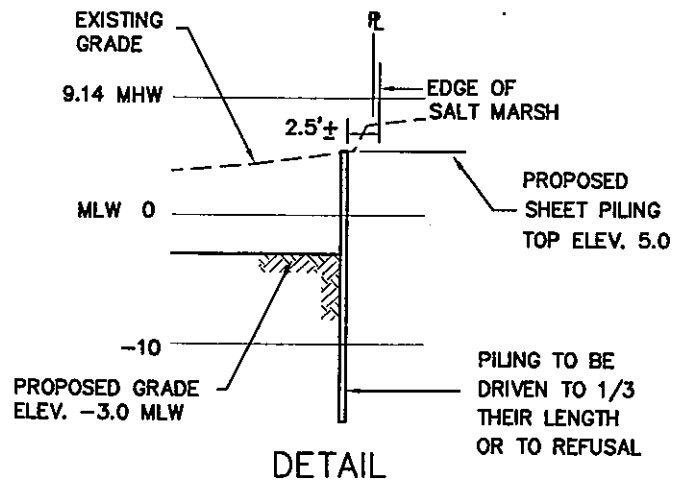


SCALE 1"=80'

NOTE: ALL DREDGING TO BE CONDUCTED OUT OF ANADROMOUS FISH MIGRATION PERIOD (MARCH 15 - JUNE 15)

APPROXIMATELY 5190 CU. YDS. TOTAL MATERIAL TO BE DREDGED.

- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
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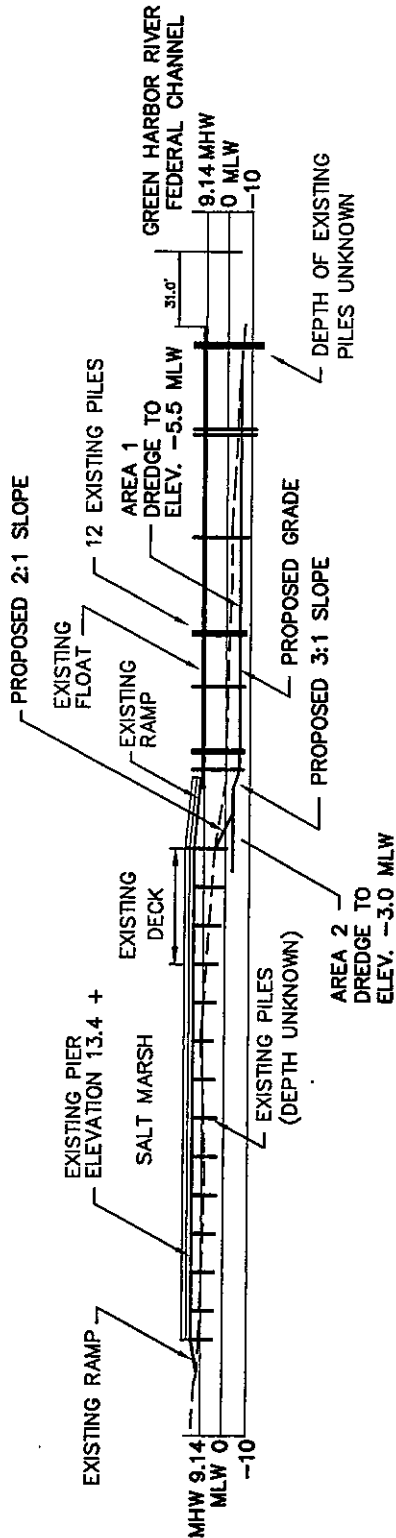


SCALE 1"=15'

PLAN ACCOMPANYING PETITION OF GREEN HARBOR YACHT CLUB TO MAINTAIN AN EXISTING FLOAT CONFIGURATION AND TO DREDGE IN AND OVER THE WATERS OF GREEN HARBOR TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

DREDGING CROSS SECTIONS

KEY ENVIRONMENTAL SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552



SECTION VIEW
D-D

- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
- ALL ELEVATIONS ARE BASED ON MEAN LOW WATER.

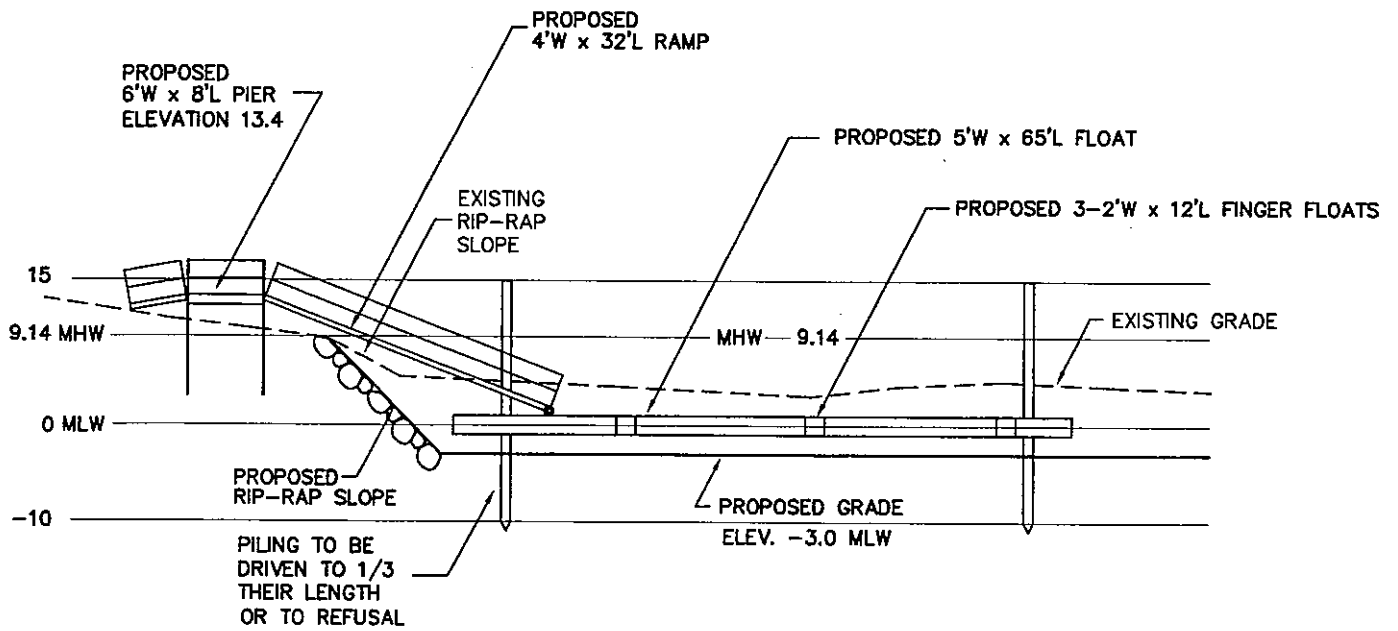


SCALE 1" = 50'

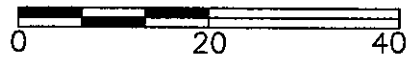
PLAN ACCOMPANYING PETITION OF
GREEN HARBOR YACHT CLUB
 TO MAINTAIN AN EXISTING FLOAT
 CONFIGURATION AND TO DREDGE IN AND
 OVER THE WATERS OF GREEN HARBOR
 TOWN OF MARSHFIELD, PLYMOUTH COUNTY
 OCTOBER 2, 2001

**DREDGING
 CROSS SECTIONS**

KEY ENVIRONMENTAL
 SERVICES, INC.
 379 LIBERTY STREET
 ROCKLAND, MA 02370
 781-871-8552



SECTION VIEW
E-E



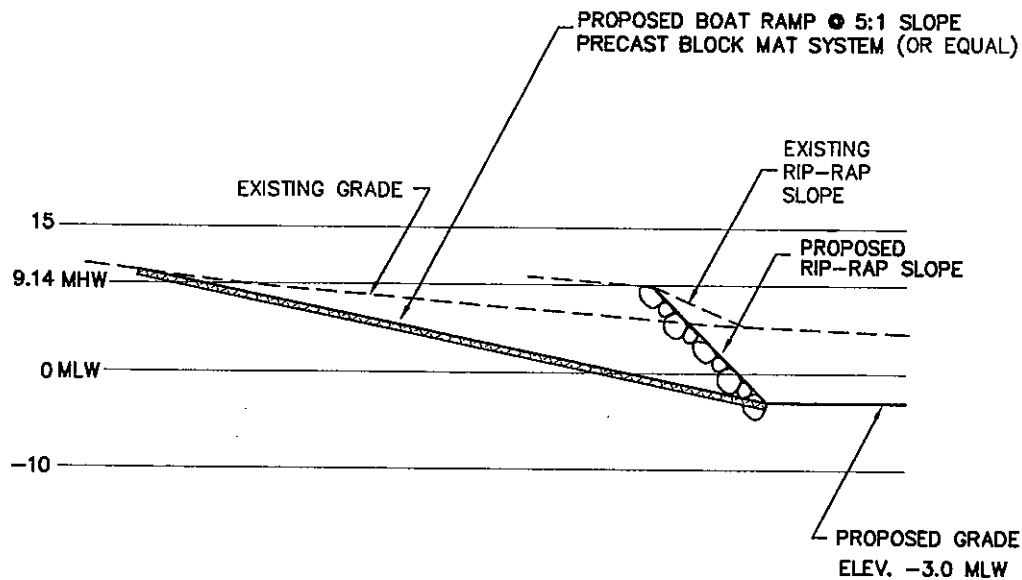
SCALE 1"=20'

- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
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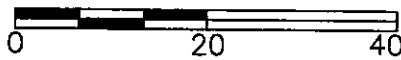
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OVER THE WATERS OF GREEN HARBOR
TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

**PROPOSED
IMPROVEMENTS**

KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552



SECTION VIEW
F-F



SCALE 1"=20'

- THIS PLAN HAS BEEN PREPARED FOR PERMIT PURPOSES ONLY
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PLAN ACCOMPANYING PETITION OF
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TO MAINTAIN AN EXISTING FLOAT
CONFIGURATION AND TO DREDGE IN AND
OVER THE WATERS OF GREEN HARBOR
TOWN OF MARSHFIELD, PLYMOUTH COUNTY
OCTOBER 2, 2001

**PROPOSED
IMPROVEMENTS**

KEY ENVIRONMENTAL
SERVICES, INC.
379 LIBERTY STREET
ROCKLAND, MA 02370
781-871-8552

SHEET 7 OF 7

APPENDIX G
Abutters



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

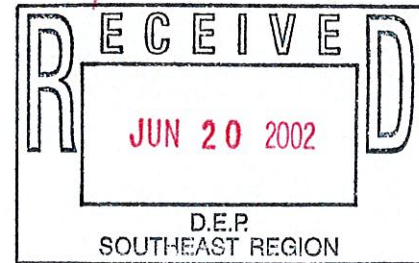
TEL 781/871-8552

FAX 781/871-0612

CHAPTER 91 WATERWAYS PERMIT APPLICATION

Green Harbor Yacht Club
Green Harbor, Massachusetts

KEY File No. F1252



Prepared For :

DEP/SERO
Division of Waterways
20 Riverside Drive
Lakeville, MA 02347

Attn: David Hill

June 10, 2002

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APPENDICES

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- APPENDIX B** - NOI/Order of Conditions
- APPENDIX C** - ZBA Special Permit - Town of Marshfield
- APPENDIX D** - Grain Size Analysis
- APPENDIX E** - MEPA Certificate
- APPENDIX F** - Plans, Sheets 1 - 7 of 7, Dated October 2, 2001
- APPENDIX G** - Abutters

FIGURE 1 - Site Location Plan



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Waterways Regulation Program
Chapter 91 Waterways License Application - 310 CMR 9.00
 SIMPLIFIED, WATER-DEPENDENT, NONWATER-DEPENDENT, AMENDMENT

W 019496
 Transmittal No.

A. Application Information (Check one)

For assistance
 in completing
 this application,
 see - *The
 Waterways
 Application
 How to Apply
 Guide*

Name (Complete Application Sections)	Check One	Fee	Application #
SIMPLIFIED -			
Water-dependent and Nonwater-dependent (A-E)	<input type="checkbox"/> Residential with ≤ 4 units	\$50.00	BRP WW06a
	<input type="checkbox"/> Other	\$50.00	BRP WW06b
WATER-DEPENDENT -			
General (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$100.00	BRP WW01a
	<input checked="" type="checkbox"/> Other	\$250.00	BRP WW01b
	<input type="checkbox"/> Extended Term	\$2500.00	BRP WW01c
Amendment (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$25.00	BRP WW03a
	<input type="checkbox"/> Other	\$100.00	BRP WW03b
NONWATER-DEPENDENT -			
Full (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$500.00	BRP WW15a
	<input type="checkbox"/> Other	\$1500.00	BRP WW15b
	<input type="checkbox"/> Extended Term	\$2500.00	BRP WW15c
Partial (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$500.00	BRP WW14a
	<input type="checkbox"/> Other	\$1500.00	BRP WW14b
	<input type="checkbox"/> Extended Term	\$2500.00	BRP WW14c
Municipal Harbor Plan (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$500.00	BRP WW16a
	<input type="checkbox"/> Other	\$1500.00	BRP WW16b
	<input type="checkbox"/> Extended Term	\$2500.00	BRP WW16c
Joint MEPA/EIR (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$500.00	BRP WW17a
	<input type="checkbox"/> Other	\$1500.00	BRP WW17b
	<input type="checkbox"/> Extended Term	\$2500.00	BRP WW17c
Amendment (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$250.00	BRP WW03c
	<input type="checkbox"/> Other	\$750.00	BRP WW03d
	<input type="checkbox"/> Extended Term	\$1000.00	BRP WW03e



KEY Environmental Services, Inc.

379 LIBERTY STREET

ROCKLAND, MA 02370

TEL 781/871-8552

FAX 781/871-0612

June 10, 2002

DEP/SERO
Division of Waterways
20 Riverside Drive
Lakeville, MA 02347

Attn: David Hill

RE: Chapter 91 Waterways Permit Application
Green Harbor Yacht Club
257 Dike Road
Green Harbor, Massachusetts
KEY File No. F1252

Mr. Hill:

On behalf of the Green Harbor Yacht Club, Inc., KEY Environmental Services, Inc. (KEY) is submitting the attached Chapter 91 Waterways Permit Application for Dredging and Facilities Improvements to the Green Harbor Yacht Club, located in Marshfield, Massachusetts (the site). KEY trusts that this submittal is complete. If you have any questions, please feel free to give me a call. Thank you.

Sincerely,

KEY Environmental Services, Inc.

Marta J. Nover, L.S.P.
Executive Vice President

cc: Green Harbor Yacht Club