

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

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

February 7, 2014

MA Department of Conservation and Recreation
C/o Bourne Consulting Engineering, P.C.
3 Bent Street
Franklin, MA 02038
Attn: Seth Lattrell

Re: PUBLIC NOTICE OF WATERWAYS LICENSE APPLICATION No. W14-4074
Hammond Pond, Newton, Middlesex County

Dear Applicant:

The Waterways Regulation Program (WRP) has received your 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 9.00 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, 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 Final 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 A of the Waterways Application.

NOTE: Final Mylar Project 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 (617) 654-6520. Thank you.

Sincerely,



David B. Slagle
Environmental Analyst
Waterways Regulation Program

Cc: MA DCR

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W14-4074
MA Department of Conservation and Recreation**

NOTIFICATION DATE: February 21, 2014

Public notice is hereby given of the application by the MA Department of Conservation and Recreation to install and maintain a floating walkway; and to hydro rake aquatic vegetation at Boylston Street and Hammond Pond Parkway in the municipality of Newton in and over the waters of Hammond Pond. The proposed use of the project is to provide public access to waterfront open space for passive recreational purposes; habitat restoration and is a water dependent project.

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, must include no less than five citizens who are residents of the municipality in which the proposed project is located, 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 (617) 292-5500. 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: David Slagle, MassDEP-WRP, One Winter St., 5th fl., Boston, MA 02108.~~

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, abutters and notify the Department when completed.

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

Mayor and City Council, City of Newton
Newton Planning Board
Newton Conservation Commission
Newton Zoning Board

Coastal Zone Management
251 Causeway Street, Suite 800
Boston, MA 02114

Division of Fish and Wildlife
Field Headquarters
100 Hartwell Street, Suite 230
West Boylston, MA 01583

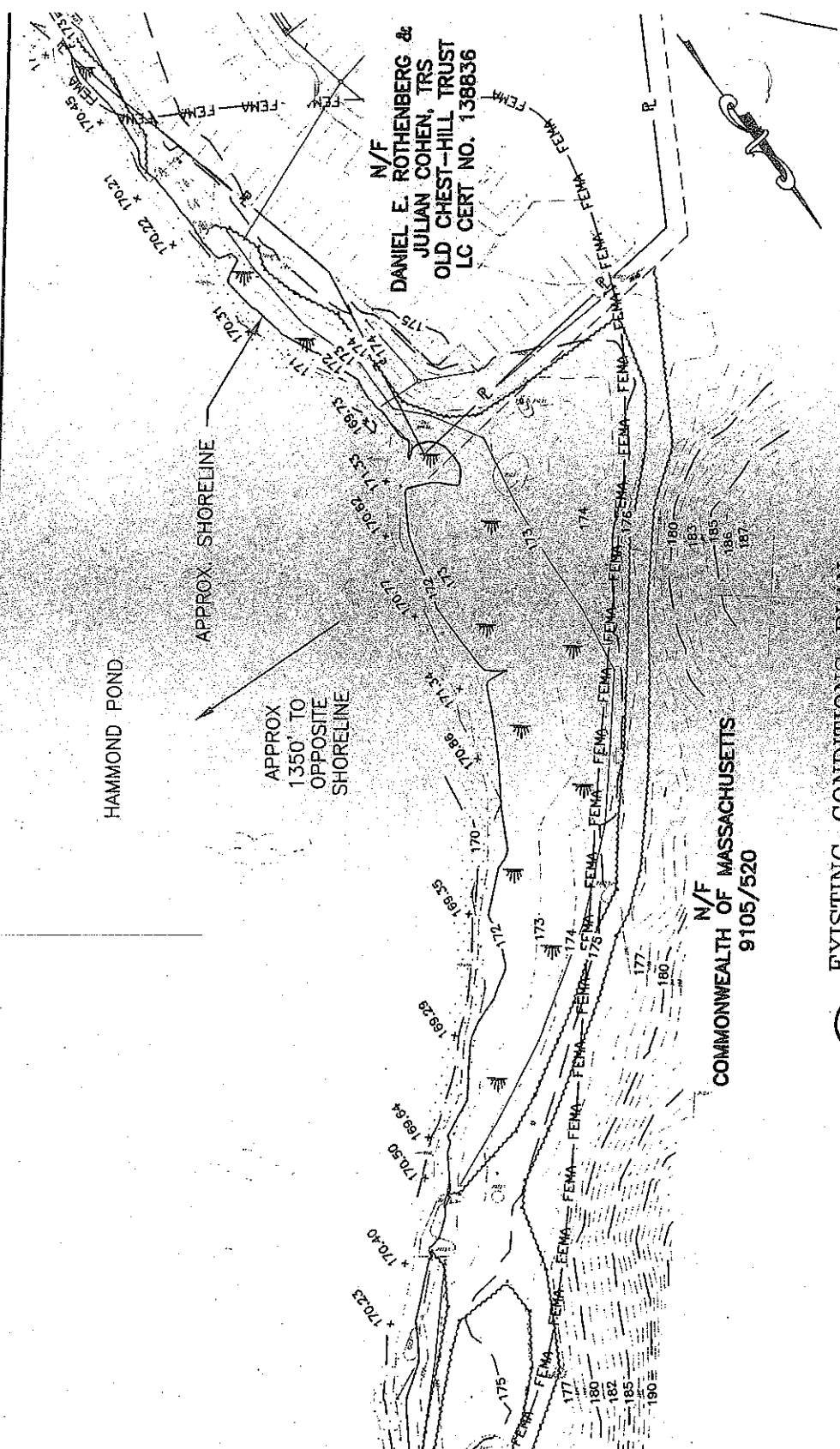
Division of Marine Fisheries
Annisquam River Marine Fisheries Field Station
30 Emerson Street
Newton, MA 01930

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

Army Corps of Engineers
New England Division
Regulatory Division
696 Virginia Road
Concord, MA 01742-2751

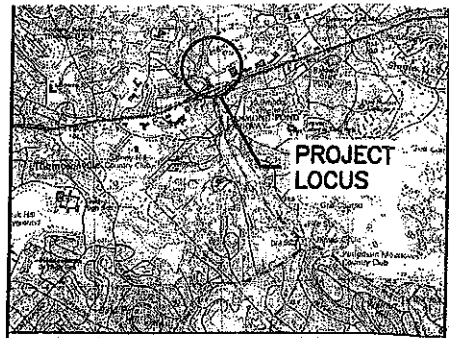
Abutters – For Chapter 91 purposes, an abutter is defined as the owner of land that shares a common boundary or corner with a project site, as well as the owner of land that lies within 50' across a waterbody from such site, see 310 CMR 9.02.

WRP Files



N/F
 DANIEL E. ROTHENBERG &
 JULIAN COHEN, TRS
 OLD CHEST-HILL TRUST
 LC CERT NO. 138836

N/F
 COMMONWEALTH OF MASSACHUSETTS
 9105/520



PROJECT
 LOCUS

SCALE: 1"=5000'-0"



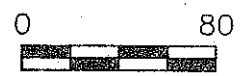
LOCUS PLAN

EXISTING CONDITIONS--PLAN



SCALE: 1"=80'-0"

100 YR FLOOD +172.5
 WATER EL. +170.5

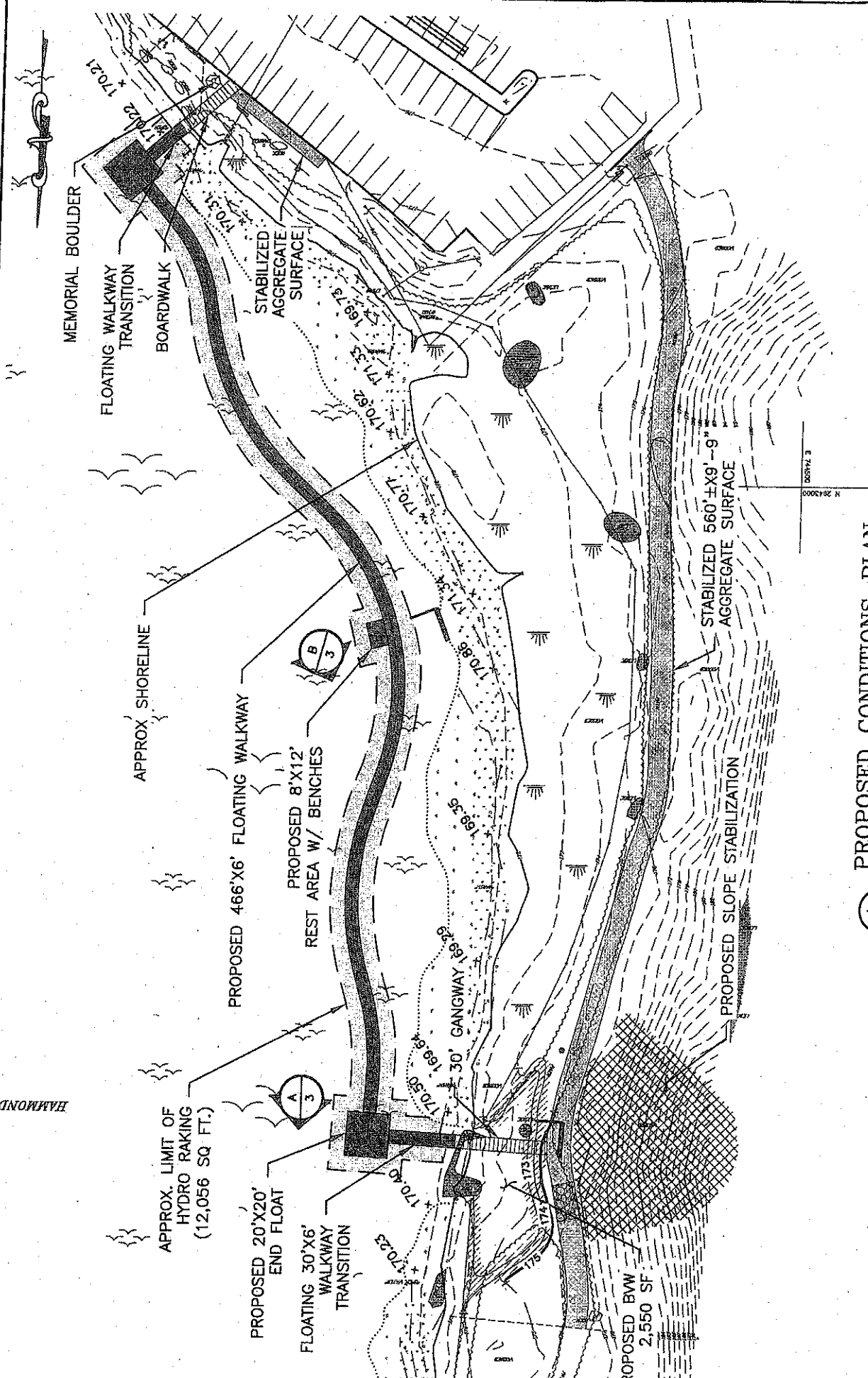


SCALE: 1"=80'-0"

SHEET 1 OF 3

PLANS ACCOMPANYING PETITION OF
 MA DCR TO RESTORE EXISTING PATHWAYS
 AND INSTALL A NEW FLOATING WALKWAY
 AT HAMMOND POND, IN NEWTON, MA

PREPARED BY
 BOURNE CONSULTING ENGINEERING, P.C.
 FRANKLIN, MA

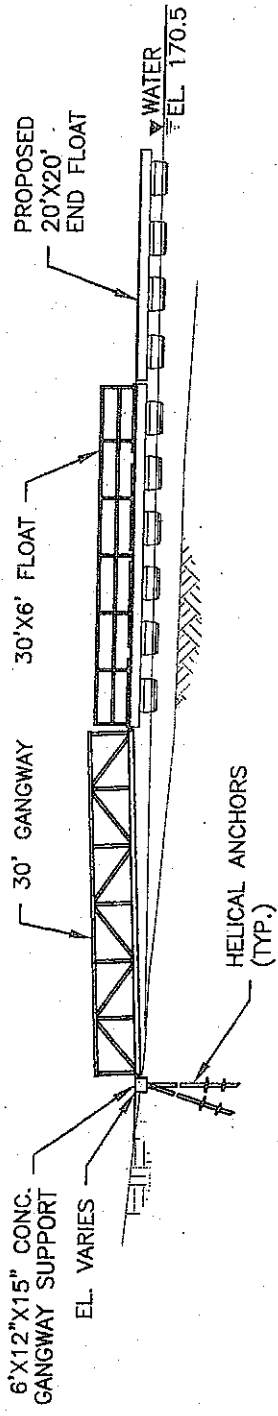


HAMMOND 1

PROPOSED CONDITIONS - PLAN

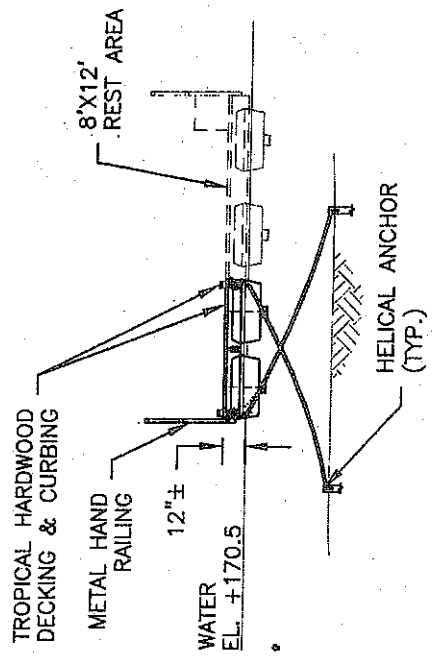
A
2

SCALE: 1"=60'-0"



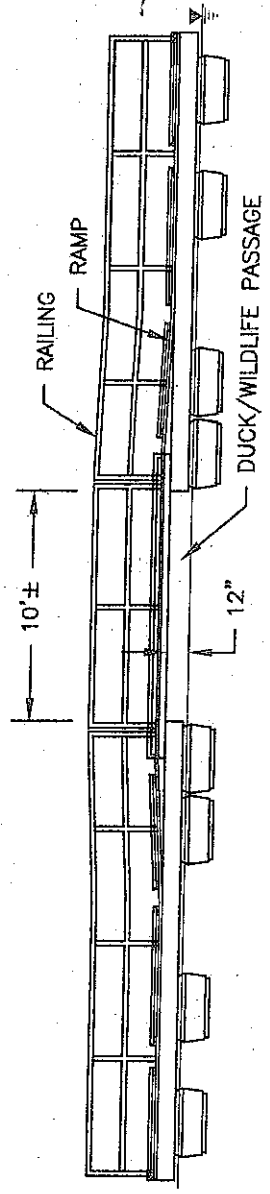
FLOATING WALKWAY - SECTION

SCALE: 1/16"=1'-0"



FLOATING WALKWAY - SECTION

SCALE: 1/8"=1'-0"



DUCK CROSSING - SECTION

SCALE: 1/8"=1'-0"

