

# The Commonwealth of Massachusetts

No. 11961



**Whereas,** City of Salem

of -- Salem --, in the County of -- Essex -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- construct and maintain a ten foot wide and 1,000 foot long concrete Harborwalk along the west and south sides of the South River and to repair and maintain the existing seawall. ----

and has submitted plans of the same; and whereas due notice of said application has been given, as required by law, to the -- Mayor and City Council -- of the -- City of Salem; -----

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

-- City of Salem --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- construct and maintain a ten foot wide and 1,000 foot long concrete Harborwalk along the west and south sides of the South River and to repair and maintain the existing seawall. ----

in and over the waters of -- Salem Harbor -- in the -- City of Salem -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 11961, (7 sheets).

The structures hereby authorized shall be limited to the following uses: to provide public access to waterfront open space for passive recreational purposes and to provide shoreline stabilization for the protection of existing structures.

SPECIAL CONDITIONS

This license shall have an unlimited term.

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 end of the construction period, a written request to extend the period and provides adequate justification for said extension.

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

Please see page 3 for additional conditions to this license. -----

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Duplicate of said plan, number 11961 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.

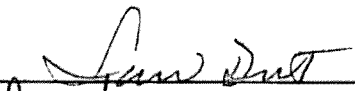
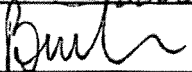
STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform to all terms and conditions stated herein.
  2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
  3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
  4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
  5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.
  6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.
  7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.
  8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP.
  9. This License authorizes structure(s) and/or fill on:
    - Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.
    - Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.
    - a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.
    - Navigable River or Stream. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, in the waterway.
- No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.
10. Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- City of Salem -- by paying into the treasury of the Commonwealth -- zero dollars and zero cents (\$0.00)-- for each cubic yard so displaced, being the amount hereby assessed by said Department. (0.0 cu. yds. = \$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 -- Essex -----

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this third day of January in the year two thousand and eight

Commissioner	<u></u>	Department of
Program Chief	<u></u>	Environmental
		Protection

THE COMMONWEALTH OF MASSACHUSETTS

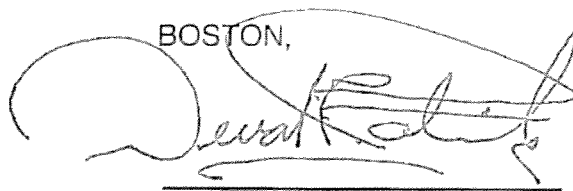
This license is approved in consideration of the payment into the treasury of the Commonwealth by the said -- City of Salem

-- the further sum of -- zero dollars and zero cents (\$0.00) --

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

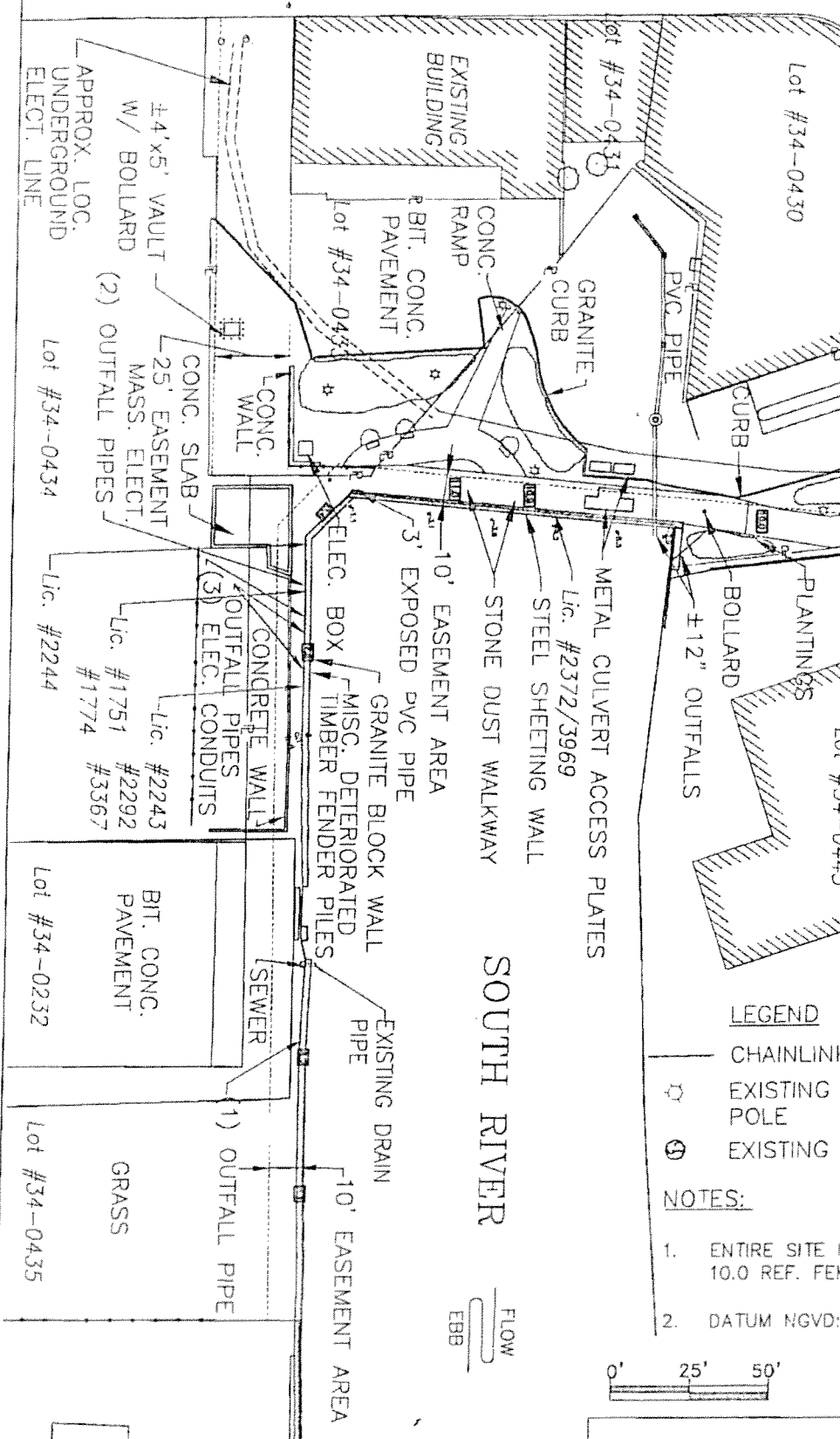
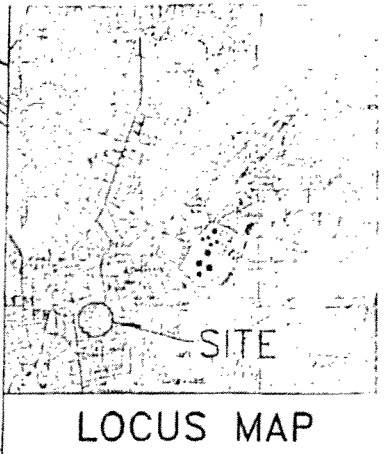
Approved by the Governor.

BOSTON,



Governor

LAFAYETTE STREET



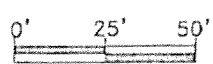
PROFESSIONAL ENGINEER  
 COMMONWEALTH OF MASSACHUSETTS  
 REG. NO. 100  
 REGISTERED  
 DATE 12/28/07  
 9/12/07

LEGEND

- CHAINLINK FENCE
- ⊙ EXISTING LIGHT/UTILITY POLE
- ⊕ EXISTING TREE

NOTES:

1. ENTIRE SITE IS BELOW 100 YR. FLOOD ELEV. 10.0 REF. FEMA
2. DATUM NGVD: MLW = -4.4, MHW = 4.5



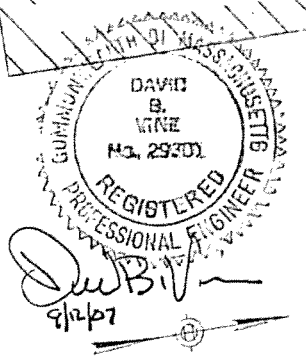
EXISTING SITE PLAN  
 SHEET 1 OF 7

MATCH LINE A-A - SEE SHEET 2  
 PLAN ACCOMPANYING PETITION OF:  
 CITY OF SALEM, MA TO LICENSE A  
 10-FOOT WIDE, 1,000 FOOT LONG  
 HARBORWALK IN THE SOUTH RIVER, CITY  
 OF SALEM, ESSEX COUNTY,  
 MASSACHUSETTS.

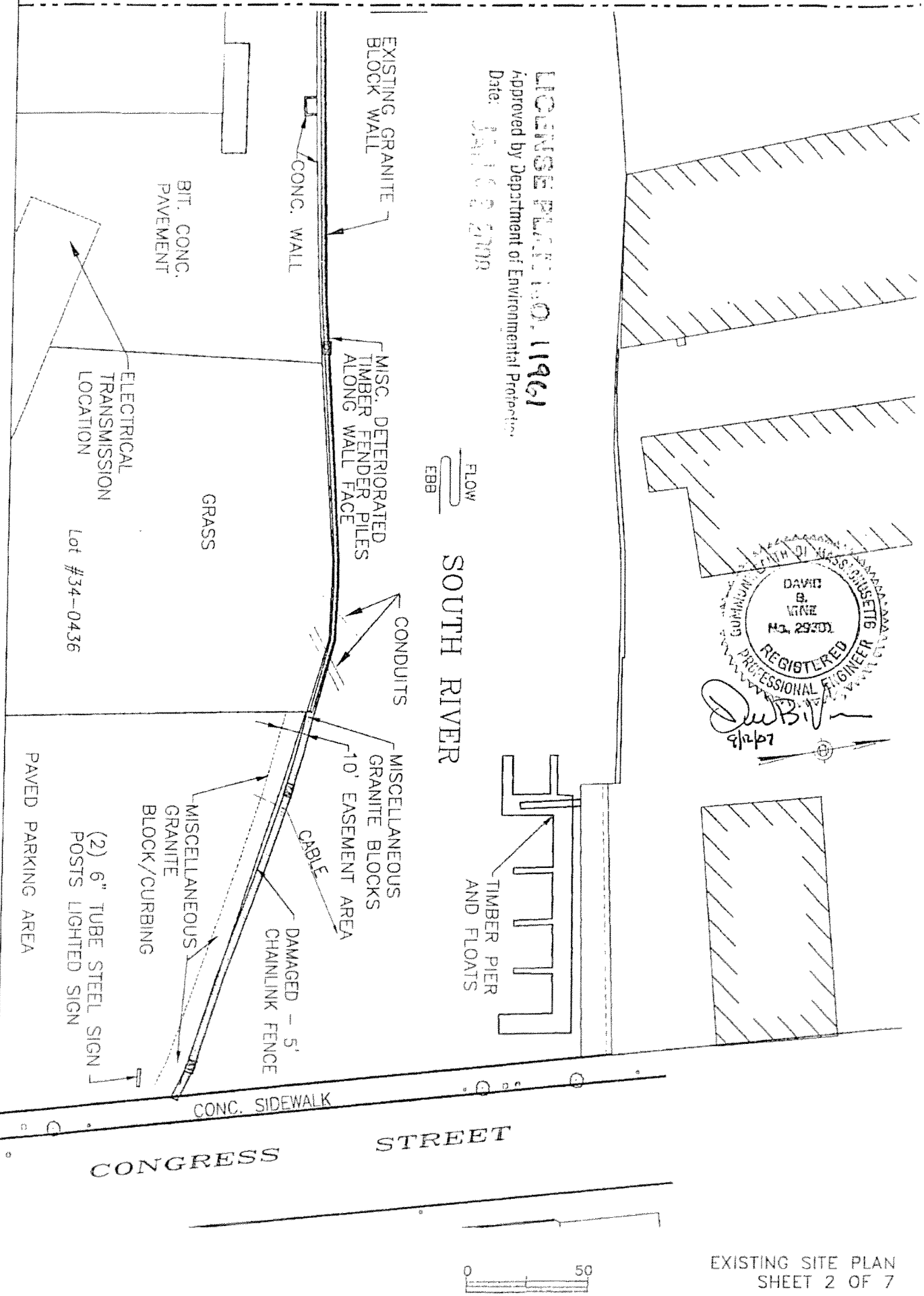
11961  
 [Handwritten signature]

**LICENSE PLATE NO. 1961**

Approved by Department of Environmental Protection  
Date: **JAN 16 2 2008**



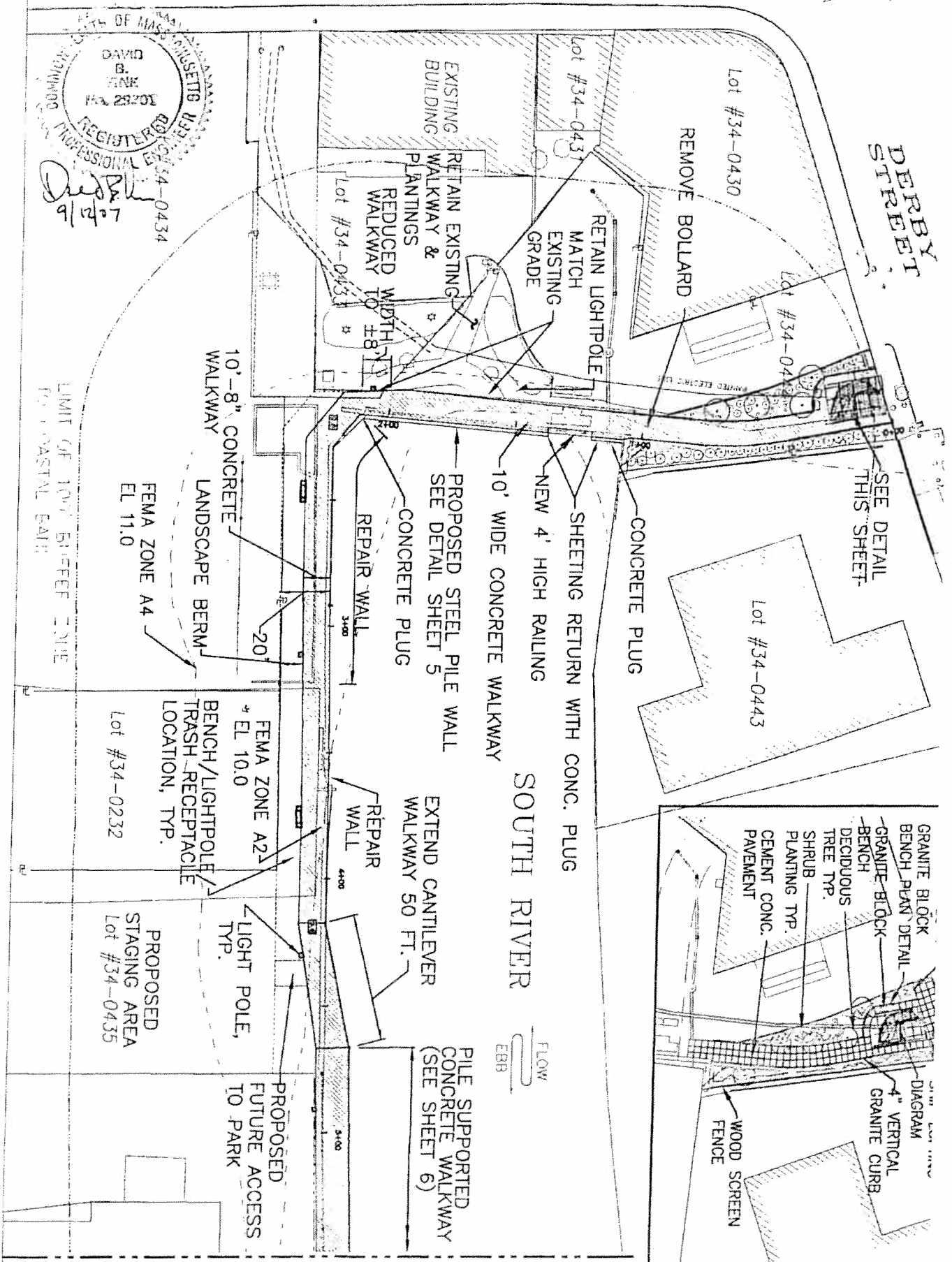
**SOUTH RIVER**



LAFAYETTE STREET

DERBY STREET

COMMONWEALTH OF MASSACHUSETTS  
 REGISTERED PROFESSIONAL ENGINEER  
 DAVID B. FRANK  
 No. 28270E  
 30285  
 0434-0434  
 9/12/11



LIMIT OF 100' BUFFER ZONE FOR COASTAL BARRI

FEMA ZONE A4  
EL 11.0

FEMA ZONE A2  
\* EL 10.0

PROPOSED STAGING AREA  
Lot #34-0435

10'-8" CONCRETE WALKWAY

LANDSCAPE BERM

BENCH/LIGHTPOLE TRASH RECEPTACLE LOCATION, TYP.

LIGHT POLE, TYP.

PROPOSED FUTURE ACCESS TO PARK

REPAIR WALL

REPAIR WALL

EXTEND CANTILEVER WALKWAY 50 FT.

PILE SUPPORTED CONCRETE WALKWAY (SEE SHEET 6)

CONCRETE PLUG

CONCRETE PLUG

CONCRETE PLUG

CONCRETE PLUG

PROPOSED STEEL PILE WALL SEE DETAIL SHEET 5

PROPOSED STEEL PILE WALL SEE DETAIL SHEET 5

PROPOSED STEEL PILE WALL SEE DETAIL SHEET 5

PROPOSED STEEL PILE WALL SEE DETAIL SHEET 5

10' WIDE CONCRETE WALKWAY

10' WIDE CONCRETE WALKWAY

10' WIDE CONCRETE WALKWAY

10' WIDE CONCRETE WALKWAY

NEW 4' HIGH RAILING

NEW 4' HIGH RAILING

NEW 4' HIGH RAILING

NEW 4' HIGH RAILING

SHEETING RETURN WITH CONC. PLUG

SHEETING RETURN WITH CONC. PLUG

SHEETING RETURN WITH CONC. PLUG

SHEETING RETURN WITH CONC. PLUG

CONCRETE PLUG

CONCRETE PLUG

CONCRETE PLUG

CONCRETE PLUG

SEE DETAIL THIS SHEET

SEE DETAIL THIS SHEET

SEE DETAIL THIS SHEET

SEE DETAIL THIS SHEET

RETAIN LIGHTPOLE MATCH EXISTING GRADE

RETAIN LIGHTPOLE MATCH EXISTING GRADE

RETAIN LIGHTPOLE MATCH EXISTING GRADE

RETAIN LIGHTPOLE MATCH EXISTING GRADE

RETAIN EXISTING WALKWAY & PLANTINGS

RETAIN EXISTING WALKWAY & PLANTINGS

RETAIN EXISTING WALKWAY & PLANTINGS

RETAIN EXISTING WALKWAY & PLANTINGS

EXISTING BUILDING

EXISTING BUILDING

EXISTING BUILDING

EXISTING BUILDING

REMOVE BOLLARD

REMOVE BOLLARD

REMOVE BOLLARD

REMOVE BOLLARD

WOOD SCREEN FENCE

WOOD SCREEN FENCE

WOOD SCREEN FENCE

WOOD SCREEN FENCE

4" VERTICAL GRANITE CURB

4" VERTICAL GRANITE CURB

4" VERTICAL GRANITE CURB

4" VERTICAL GRANITE CURB

DIAGRAM

DIAGRAM

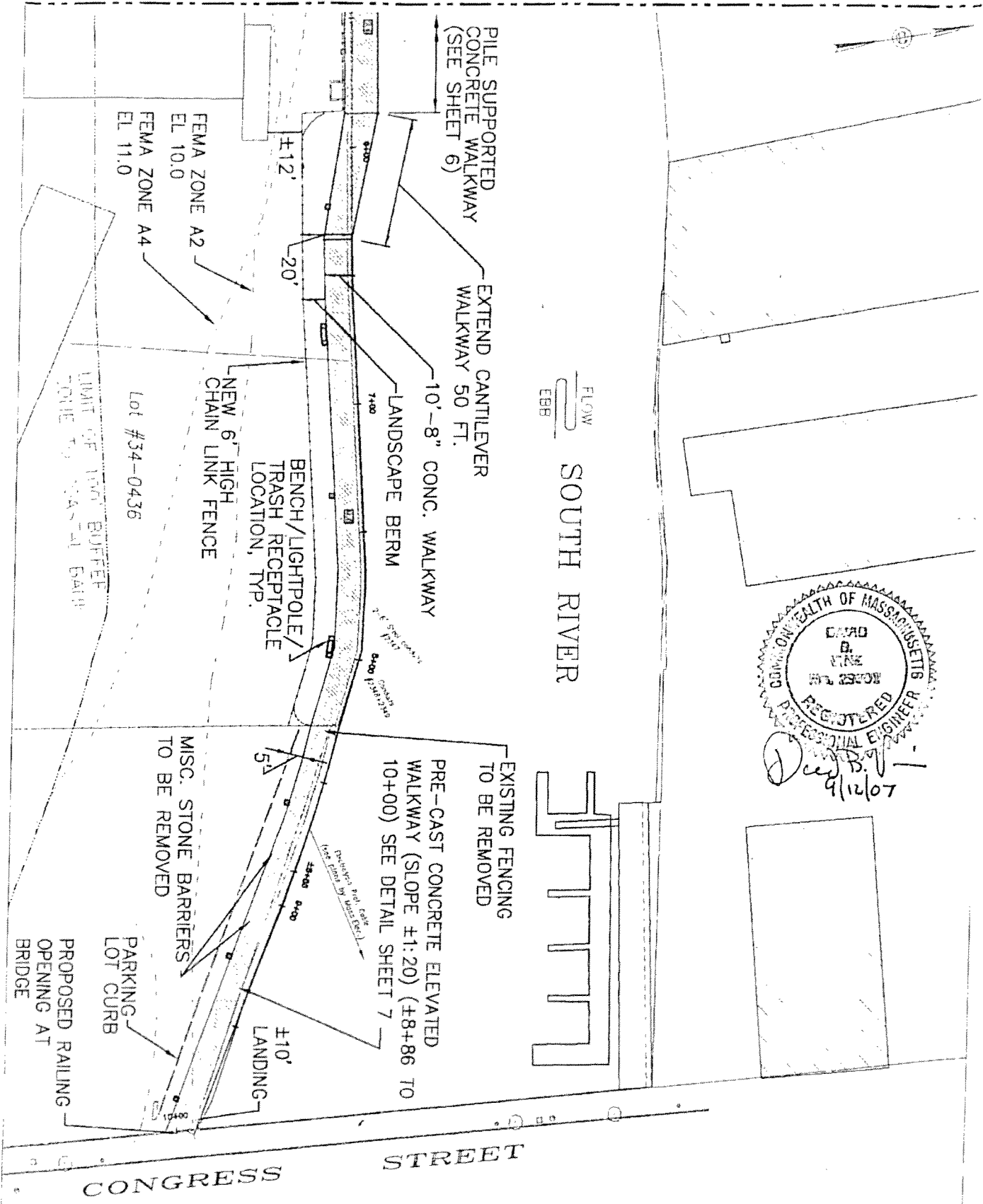
DIAGRAM

DIAGRAM

MATCH LINE A-A - SEE SHEET 4



PROPOSED SITE PLAN SHEET 3 OF 3



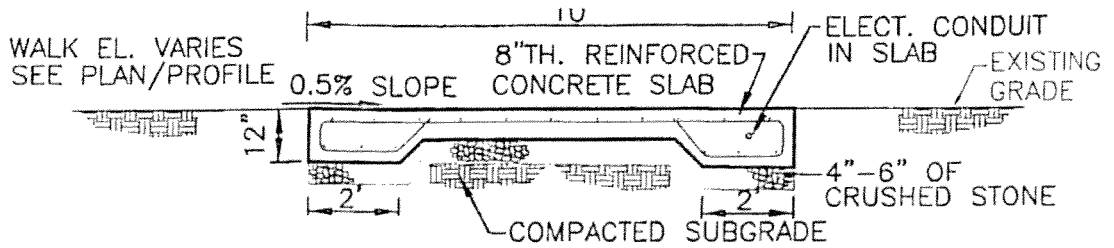
FLOW SOUTH RIVER  
EBB

COMMONWEALTH OF MASSACHUSETTS  
 BOARD OF REGISTRATION  
 REGISTERED PROFESSIONAL ENGINEER  
 David B. [Signature]  
 9/12/07

LICENSE PLAN NO. 11961  
 Approved by Department of Environmental Protection  
 Date: 11/10/07

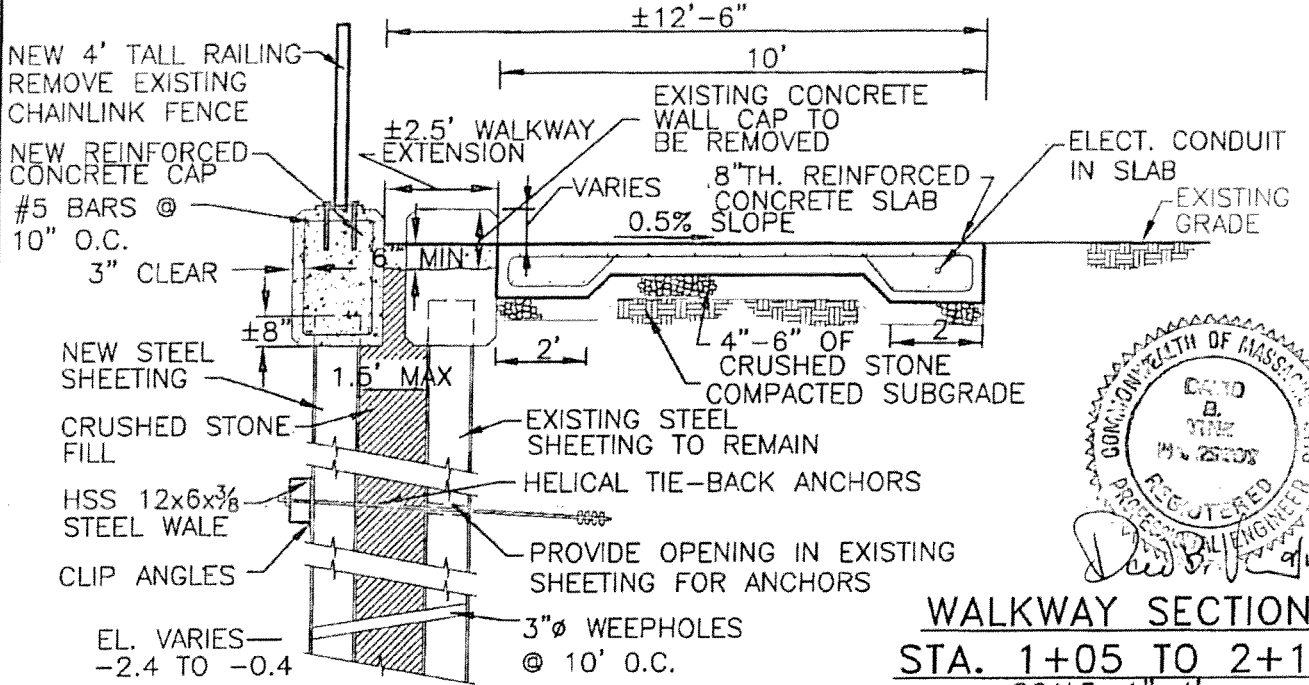
PROPOSED SITE PLAN  
 SHEET 4 OF 7

CONGRESS STREET



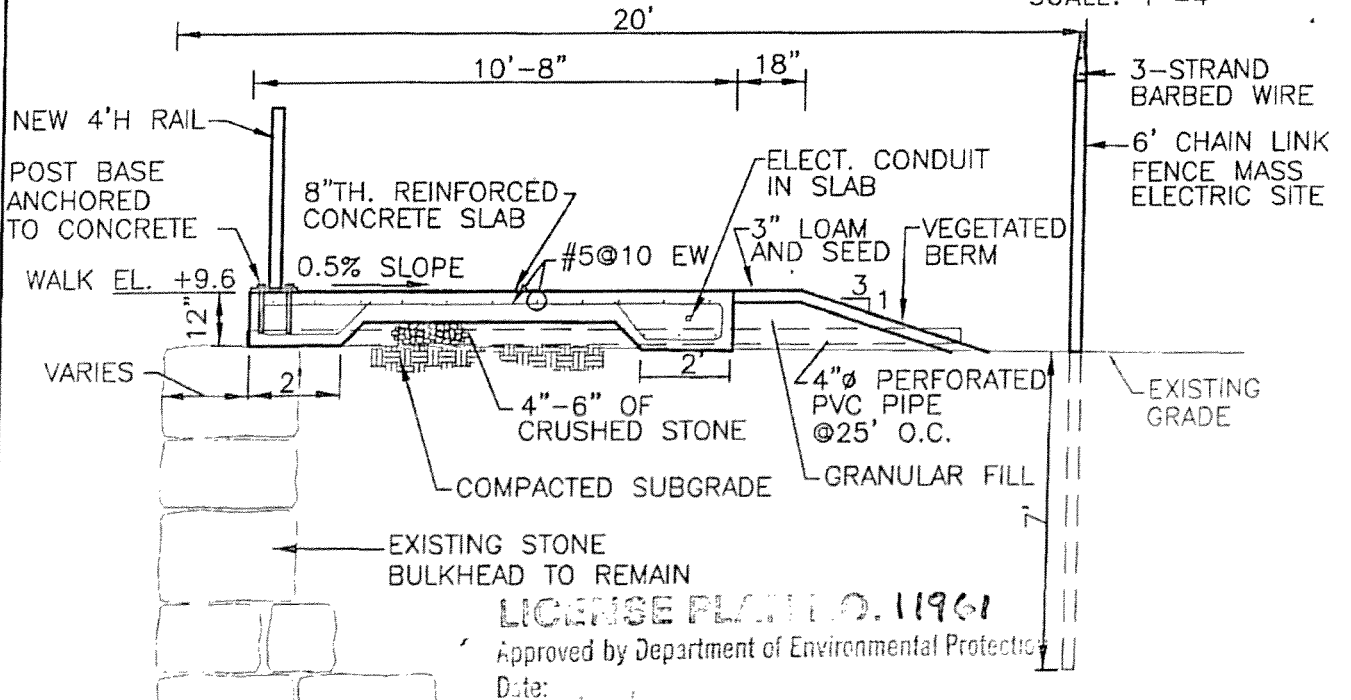
**WALKWAY SECTION - STA. 0+00 TO 1+05**

SCALE: 1"=4'



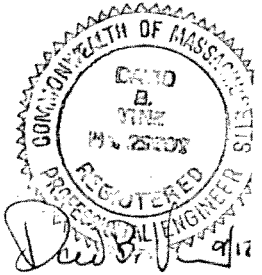
**WALKWAY SECTION  
STA. 1+05 TO 2+11**

SCALE: 1"=4'



**WALKWAY SECTION-STA. 2+10 TO 4+6  
AND STA. 5+87 TO 8+86**

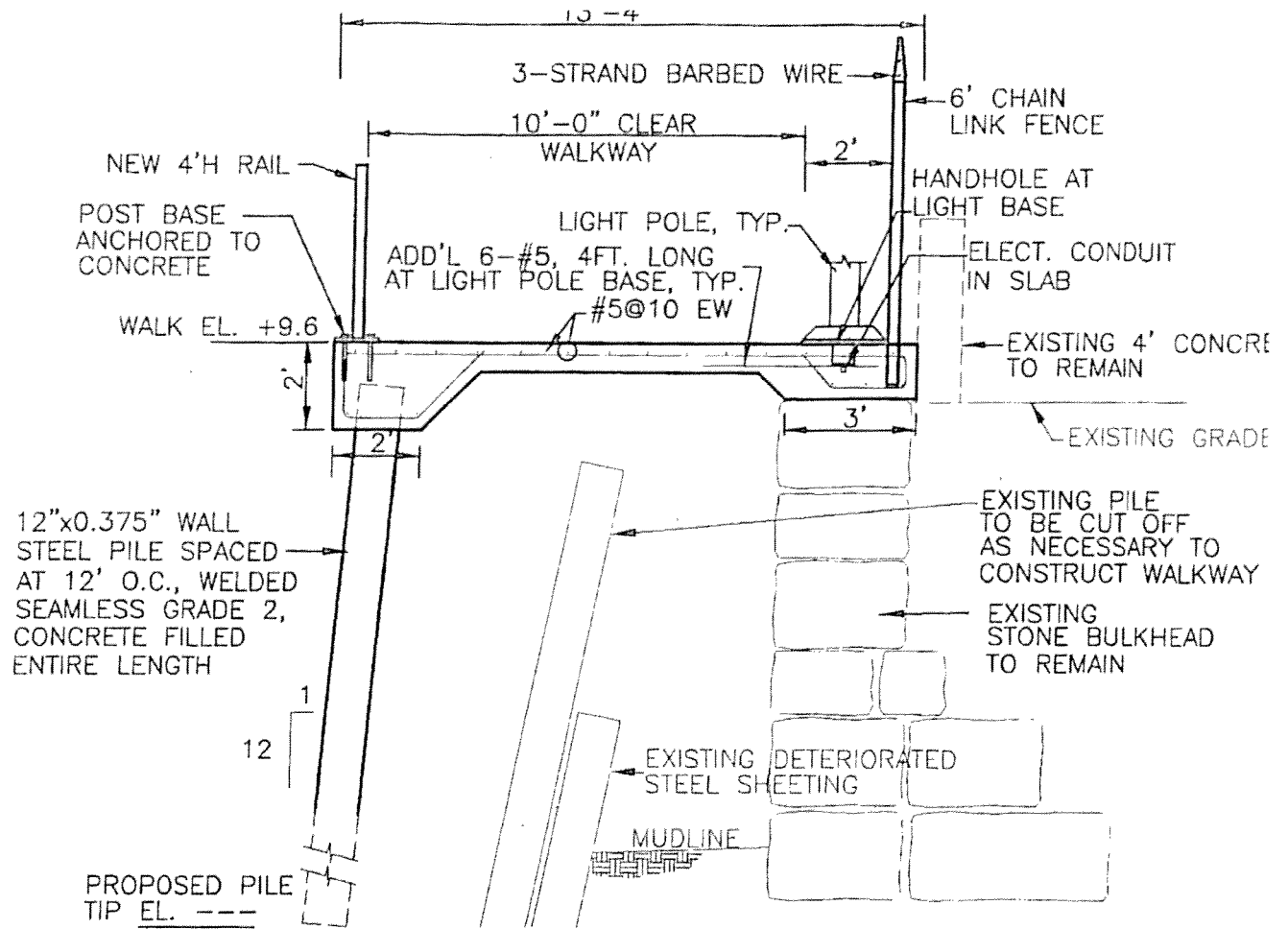
SCALE: 1"=4'



**LICENSE PLATE NO. 11961**

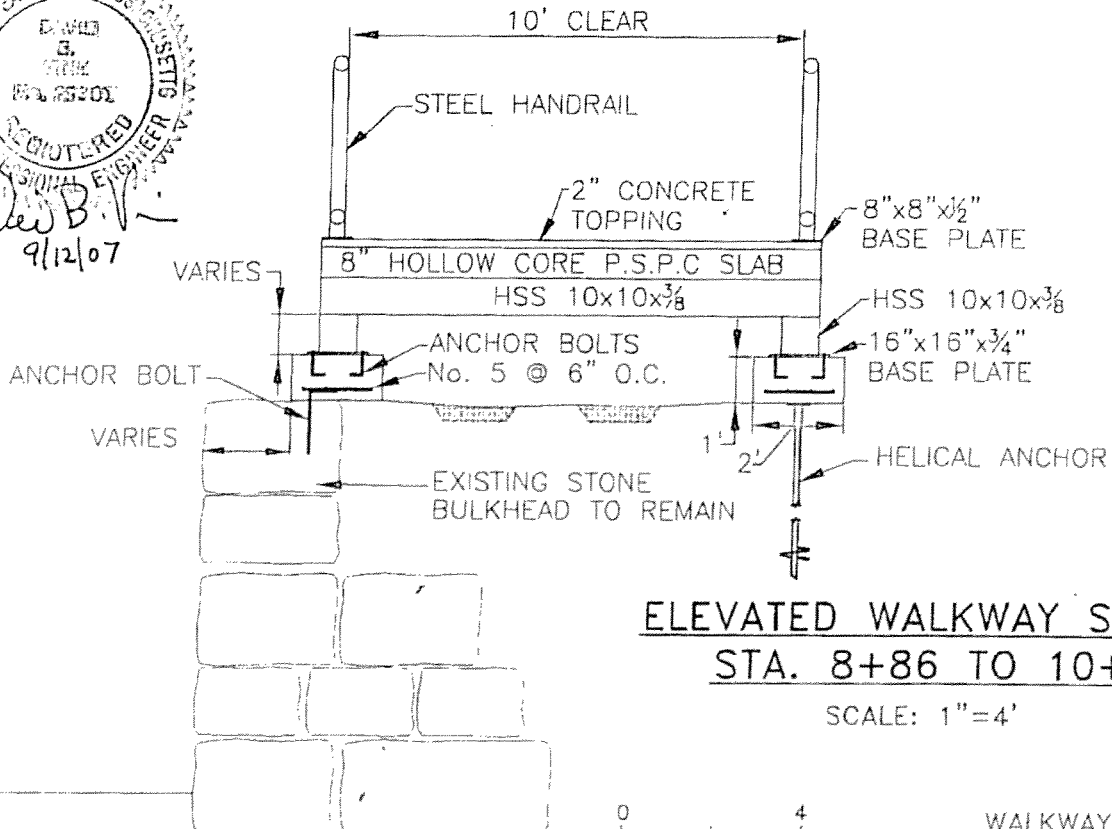
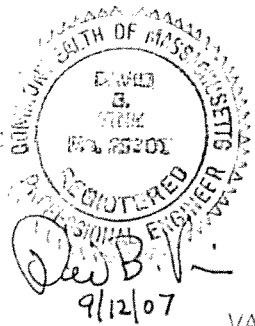
Approved by Department of Environmental Protection  
Date:



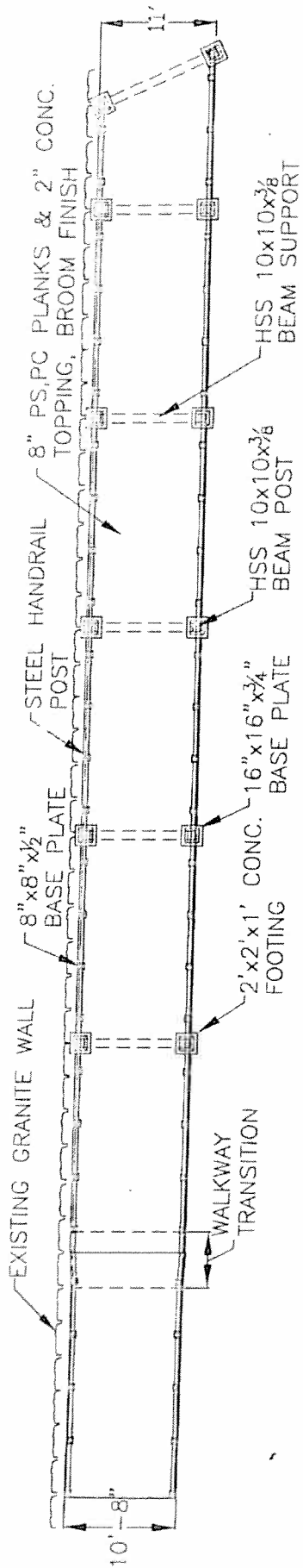


**WALKWAY SECTION @ MASS ELECTRIC - STA 4+67 TO 5+87**

SCALE: 1"=4'

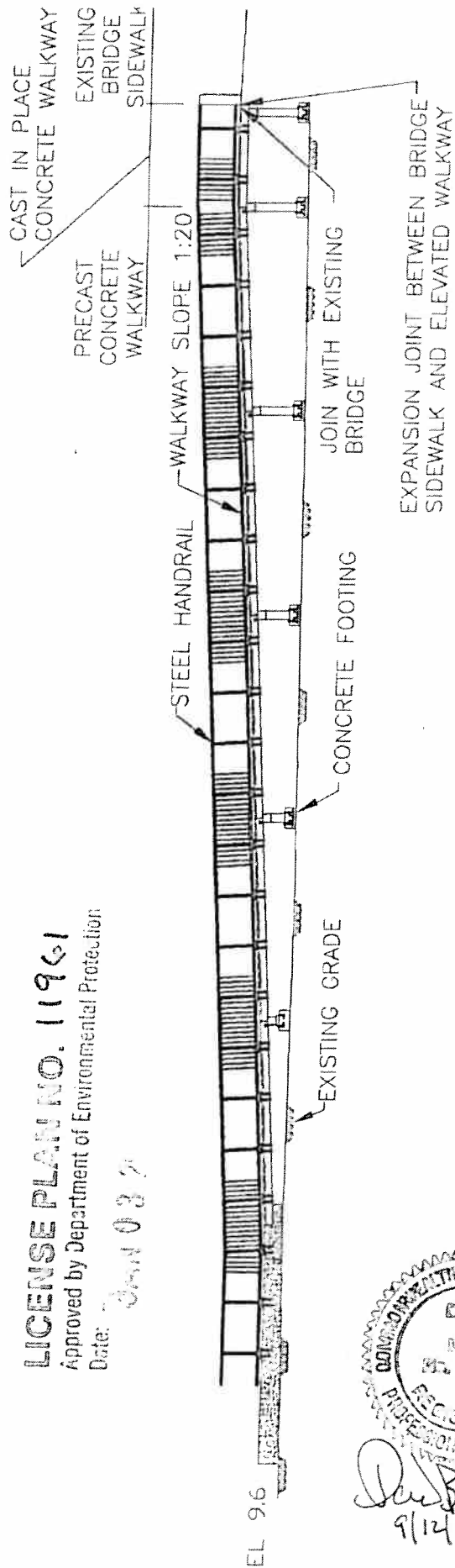


LICENSE PLATE NO. 11961  
 Approved by Department of Environmental Protection  
 Date:



**ELEVATED WALKWAY PLAN VIEW**

**ELEVATED WALKWAY SECTION  
STA. 8+86 TO 10+00  
SCALE: 1"=15'**

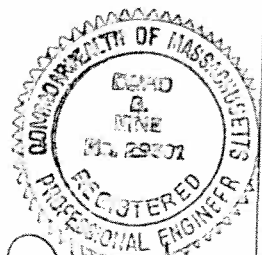


**ELEVATED WALKWAY PROFILE VIEW**

**LICENSE PLAN NO. 11961**

Approved by Department of Environmental Protection

Date: *Jan 03*



*Paul B. V.*  
9/14/07

