

The Commonwealth of Massachusetts

Executive Office of Transportation and Construction

Department of Public Works

Office of the Commissioner

100 Nashua Street, Boston 02114

March 12, 1975

Mayor and City Council
City Hall

Gentlemen:

As Associate Commissioner in charge of the Waterways Division of the Department of Public Works, I wish to emphasize to the cities and towns of the Commonwealth, the importance of our Annual Rivers and Harbors Hearing, which will be held this year on Thursday, April 24th, at 10:30 a. m. at 100 Nashua Street, Boston.

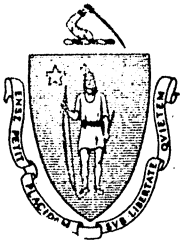
All projects previously petitioned for should be resubmitted for consideration; otherwise, it will be assumed that the municipality no longer has an interest in the project.

Please make every effort to attend this hearing, especially if you have any questions relative to the project requests.

Very truly yours,

A handwritten signature in cursive script that reads 'Malcolm E. Graf'.

MALCOLM E. GRAF
Associate Commissioner



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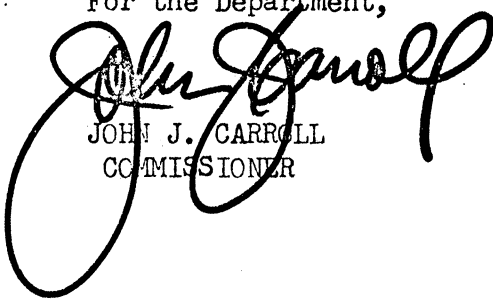
March 12, 1975

Notice is hereby given that the Department of Public Works, acting under the provisions of Chapter 91 of the General Laws, will hold a public hearing on Thursday, April 24, 1975, at 10:30 a. m. in the Auditorium on the Fourth Floor of the Public Works Building, 100 Nashua Street, Boston, to all parties interested in petitions for the improvement, development, maintenance and protection of non-tidal and tidal rivers, streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, and for construction, reconstruction, alteration and repair of bridges, culverts, conduits, pipes, walls and dams necessary for the improvement and safety of waterways.

The Department requires the vote of the municipality to assume liability under the provisions of Section 29 of Chapter 91, for damages that may be incurred by the work. Petitions should be filed with the Department not later than Friday, April 18, 1975 and should state the general nature and location of the work.

All projects previously petitioned for should be resubmitted for consideration; otherwise, it will be assumed that the municipality no longer has an interest in the project.

For the Department,


JOHN J. CARROLL
COMMISSIONER

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATERWAYS

Chapter 91 (General Laws) work for shore protection and river and harbor improvement is usually undertaken by the Department subject to the following conditions:

1. The municipality petitions for the work at a Rivers and Harbors Hearing, usually held annually, the petitions are publicly heard.
2. Local interests contribute to the total project cost, which includes preliminary and final engineering costs. The local contribution is 50% for all projects, except dredging projects for harbor improvements, which are 25% locally financed, (Chapter 822 of 1973). Final engineering will not be undertaken until and/or unless local funding has been assured.
3. The municipality executes Indemnity Agreement, releasing the Department from possible damage claims in connection therewith.
4. The municipality obtains, and files with the Department, all takings, easements and rights of entry, required in connection with the proposed project.
5. The municipality files with local Conservation Commission the Notice of Intent in accordance with the requirements of Chapter 784 of 1972, (Wetlands Protection Act).

MARCH 1974

THE COMMONWEALTH OF MASSACHUSETTS

To the Department of Public Works:—

Respectfully represent your petitioners that public necessity and convenience require that the Commonwealth undertake work of the nature hereinafter set forth, for the improvement, development, maintenance or protection of the river, harbor, tidewaters or foreshores, situated inin the county of.....
and Commonwealth aforesaid, and known as.....

The work hereby petitioned for is as follows:

The petitioners expect to secure the following contributions toward the cost of the work:

Municipality:

Individuals or organizations:

Dated this day of

SIGNATURE

RESIDENCE

OFFICIAL POSITION

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AGREEMENT TO INDEMNIFY THE COMMONWEALTH OF MASSACHUSETTS AGAINST DAMAGES THAT MAY BE INCURRED BY WORK TO BE PERFORMED BY THE DEPARTMENT OF PUBLIC WORKS UNDER AUTHORITY OF CHAPTER 91 OF THE GENERAL LAWS AS MOST RECENTLY AMENDED BY CHAPTER 5 OF THE ACTS OF 1955, PROVIDING FOR THE IMPROVEMENT, DEVELOPMENT, MAINTENANCE AND PROTECTION OF TIDAL AND NON-TIDAL RIVERS AND STREAMS, HARBORS, TIDEWATERS, FORESHORES AND SHORES ALONG A PUBLIC BEACH, INCLUDING THE MERRIMACK AND CONNECTICUT RIVERS.

WHEREAS, The Commonwealth of Massachusetts, by the Department of Public Works, proposes to carry out under the provisions of Section 11 of Chapter 91 of the General Laws the following work:

WHEREAS, the carrying out of said work may cause damage to property by the taking of land or of any right, interest or easement therein;

NOW, IN CONSIDERATION OF THE ABOVE PREMISES, I, the undersigned, Mayor of said City, duly chosen, qualified and acting under the provisions of Section 29 of Chapter 91 of the General Laws and with the consent of the City Council at a meeting held on _____, an attested copy of which is attached, hereby stipulate and agree in behalf of said City to indemnify and save harmless said Commonwealth, its representatives and agents against all claims and demands for damages that may be sustained by any person whose land or any rights or interest therein is taken for or is injured by said work, and to maintain the completed project with municipal forces and funds.

IN WITNESS WHEREOF, I have set my hand and seal this _____ day of _____ in the year _____.

Mayor, City of _____

Notice of a public hearing re: Annual
Rivers and Harbors on April 24, 1975 at
10:30 A. M.

In City Council,

March 24, 1975

3/24/75
Referred to City Mgr.
Copy sent to City
manager 3/26/75 ll