

The Commonwealth of Massachusetts



No.

Interim Approval No. 8205

INTERIM
APPROVAL
ONLY

Whereas,

Mathew Hurwitz of 156 Barton Road, Stow, in the County of Middlesex, and Commonwealth aforesaid, has applied to the Department of Environmental Protection for Interim Approval pursuant to M.G.L. Chapter 91. The applicant requests an Interim Approval to maintain an existing concrete block, an existing dock, and existing floats and has submitted plans of the same; and whereas due notice of said application has been given to the Board of Selectmen of the Town of Stow.

NOW, the Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, authorizes Mathew Hurwitz, subject to the provisions of 310 CMR 9.10, to maintain said concrete block, dock and floats in and over the waters of Lake Boon in the Town of Stow, and in accordance with the locations shown and details indicated on DEP Interim Approval Plan No. 8205 (2 sheets), the original of which is on file in the office of said Department.

The structures hereby authorized shall be limited to the following use(s):

- noncommercial docking and boating access to navigable waters
- shoreline stabilization for the protection of existing structures

This Interim Approval is valid for 30 years from the date of issuance. If the affected property is transferred to a new owner, for valuable consideration, this approval shall expire one year from the date of transfer.

The project authorized herein has been completed in conformance with the accompanying Interim Approval plan. The issuance of this Interim Approval, therefore, fulfills the Licensee's obligation to obtain a Certificate of Compliance pursuant to 310 CMR 9.19.

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STANDARD INTERIM APPROVAL CONDITIONS

1. Any proposed change in use or structural alteration of any structure or fill authorized herein shall require the issuance of a new Waterways License. Any unauthorized substantial change in use or substantial structural alteration of any structure or fill authorized herein shall render this Interim Approval void.

3. This Interim Approval 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, over, under and/or around any structures which impedes such access, 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.

X a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying below the high water mark, over, under and/or around any structures which impedes such access, for any lawful purpose.

No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this Interim Approval.

4. Unless otherwise expressly provided by this Interim Approval, 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 in a manner that would impede or discourage the free flow of pedestrian movement thereon.

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

This Interim Approval shall be void unless it is recorded within 60 days from the date hereof, in the Registry of Deeds for the County of Middlesex.

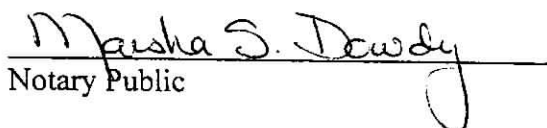
IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 11th day of August in the year nineteen hundred and ninety-nine.

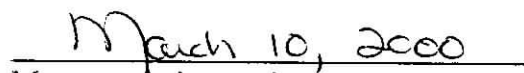
Deputy Regional Director


Douglas E. Fine

Department of
Environmental Protection

On this 11th day of August, 1999 before me personally appeared Douglas E. Fine to me known to be the person described in and who executed this Interim Approval and acknowledged that he executed the same as his free act and deed.

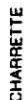

Notary Public


My commission expires on

INTERIM
APPROVAL
ONLY

Date of Issuance: AUG 12 1999

4912 12 4099



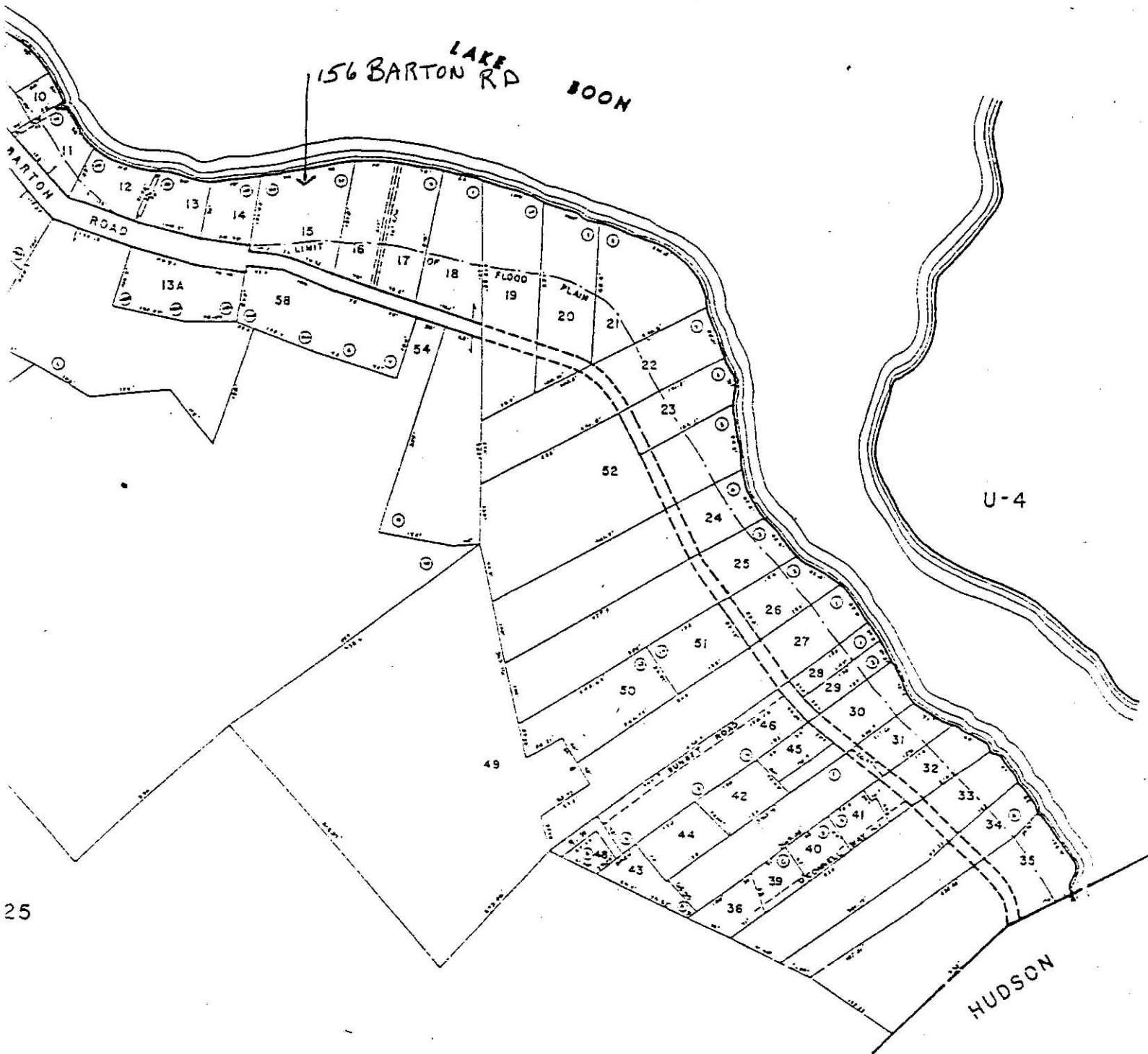
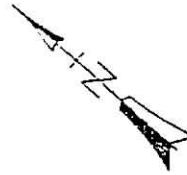
INTERIM APPROVAL

#8205

Approved by Department of Environmental Protection

Date:

AUG 12 1999



NO PARCEL 17, 8, 47, 53, 55, 59
58, 57

PROPERTY MAP

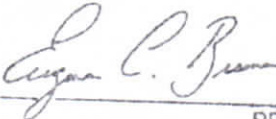
ZONING AS SHOW

STOW, MASSACHUSETTS

SCALE IN FEET
0 100 200

U-2

COMMONWEALTH OF MASSACHUSETTS 8/30/99
MIDDLESEX S.S.
SOUTH DIST. REGISTRY OF DEEDS
CAMBRIDGE, MA
I HEREBY CERTIFY THE FOREGOING
IS A TRUE COPY OF A PAPER #339
RECORDED IN BOOK
PAGE _____


REGISTER

Gregory A. Carrafiello, Acting Program Chief
Waterways Regulation Program
Department of Environmental Protection
1 Winter Street, 6th Floor
Boston, Massachusetts 02108

RE: WW 02 Waterways Amnesty Interim Approval
Application No. **W96-5962**
Interim Approval No. **8205**
Lake Boon, Stow, Middlesex County

Dear Mr. Carrafiello:

This is to notify you that the referenced Interim Approval was recorded on
8/30/99, book number 24852, page number (s) 401.

Sincerely, .

**INTERIM APPROVAL
VOID IF NOT RECORDED
WITHIN 60 DAYS
OF ISSUANCE**

NOTIFICATION FORM

P.O.Box 148
Ninole, Hawaii 96773

August 20, 1999

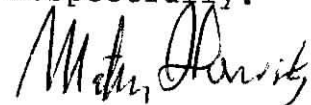
Gregory A. Carrafiello
Acting Program Chief
Waterways Regulation Program
DEPARTMENT OF ENVIRONMENTAL PROTECTION
1 Winter Street, 6th Floor
Boston, MA 02108

Dear Sir:

I just received INTERIM APPROVAL No. 8205 from your office. I am out of state and am unable to attend to the recordation in person. Accordingly I have mailed the INTERIN APPROVAL to the Middlesex County Registry of Deeds for recording. I am informed that the Registry takes several months to execute recordations by mail. Therefore I need an extension of your 60-day deadline for recording. As soon as the Registry of Deeds notifies me of the Book and Page and Recordation Date I will notify you on the letter form you sent to me.

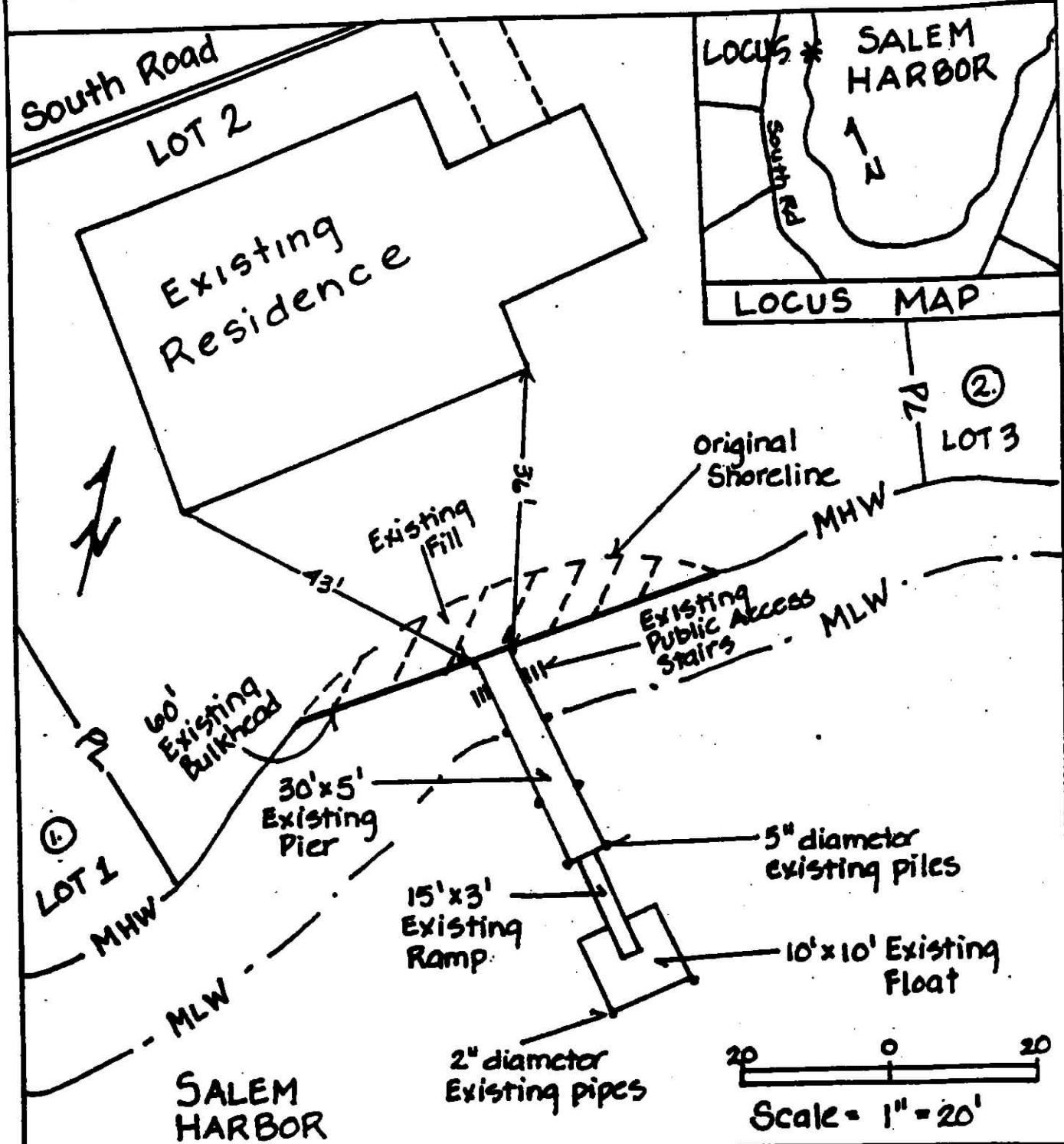
If you have any problem with this request please write me at the address above or fax me at (808)963-6705.

Respectfully:

A handwritten signature in dark ink, appearing to read "Mathew Hurwitz", written in a cursive style.

Mathew Hurwitz

INTERIM APPROVAL SAMPLE PLAN



PURPOSE: INTERIM APPROVAL

DATUM

ADJACENT PROPERTY OWNERS:

1 Mr. John Smith

2 Mr. Bill Jones

3

PLAN VIEW

Mr. Bob Jones
1201 South Road
Salem, MA. 01970

Pier, ramp, Float,
bulkhead and fill

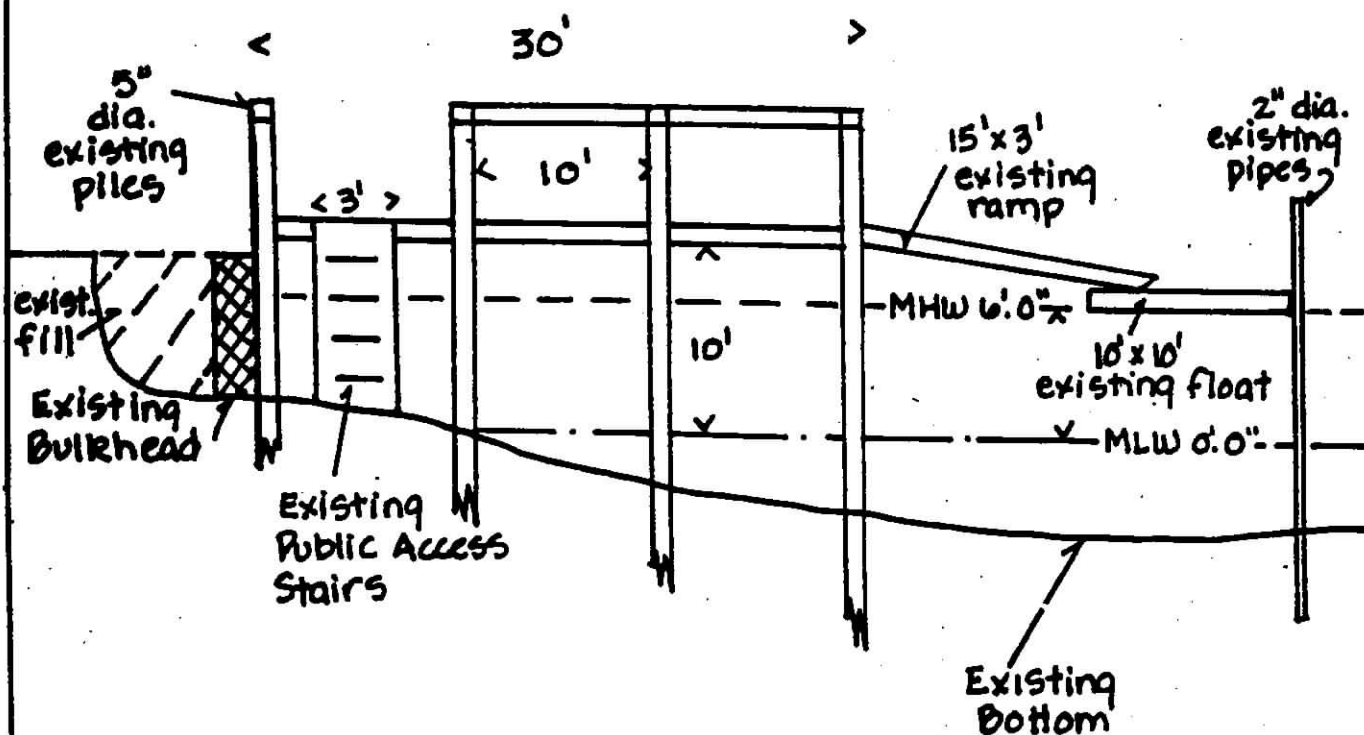
IN Salem Harbor
AT Salem

COUNTY OF ESSEX STATE MA.

APPLICATION BY Bob Jones

SHEET 1 OF 2 DATE 10/19/92

INTERIM APPROVAL SAMPLE PLAN



10 0 10
Scale 1" = 10'

PURPOSE: INTERIM APPROVAL

DATUM

ADJACENT PROPERTY OWNERS:

1 Mr. John Smith

2 Mr. Bill Jones

3

PROFILE VIEW

Mr. Bob Jones
1201 South Road
Salem, MA 01970

Pier, ramp, float,
bulkhead and fill
in Salem Harbor
at Salem

COUNTY OF Essex STATE MA

APPLICATION BY Bob Jones

SHEET 2 OF 2 DATE 10/19/92