



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Bethany Card  
Secretary

Martin Suuberg  
Commissioner

May 11, 2022

Gate Residential Properties, LLC  
c/o Richard Jabba, Fort Point Associates, Inc.  
31 State Street, 3rd Floor  
Boston, Massachusetts 02109

**Re: Draft Chapter 91 Waterways License - Application No. W21-6029**

22 Whitin Avenue Extension, 0 Fowlers Marina, 200 Lynnway, and Whitin Avenue Extension Right-of-Way (Parcels 14-192S-1, 14-192S-2, 14-192S-3, 14-192P1-1A), Filled and Flowed Tidelands of the Saugus River, Rumney Marshes Area of Critical Environmental Concern, Revere, Suffolk County

Dear Mr. Jabba:

The Department of Environmental Protection Waterways Regulation Program has tentatively approved the above-referenced License Application. Pursuant to 310 CMR 9.14(2)(b), a Draft Waterways License/Permit is enclosed.

**Final Mylar Project Site Plans will be required upon notice from the Department and prior to issuance of the Chapter 91 License.**

A final Waterways License may be issued after twenty-one (21) days from the date of the issuance of this Draft License if the Department has not received a written request, by certified mail, for an adjudicatory hearing pursuant to section 9.17(2).

### NOTICE OF APPEAL RIGHTS

**Who has the right to appeal?**

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, in accordance with 310 CMR 9.17(1): (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 who,

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

Printed on Recycled Paper

Draft Chapter 91 Waterways License Application No. W21-6029  
22 Whitin Avenue Extension, 0 Fowlers Marina, 200 Lynnway, and Whitin Avenue Extension  
Right-of-Way (Parcels 14-192S-1, 14-192S-2, 14-192S-3, 14-192P1-1A), Saugus River, Revere

pursuant to M.G.L. Chapter 30A, § 10A, have submitted comments within the public comment period with at least 5 of the 10 residents residing in the municipality(s) in which the license or permitted activity is located. The appeal shall clearly and specifically state the facts and grounds for the appeal and the relief sought, and each appealing resident shall file an affidavit stating the intent to be part of the group and to be represented by its authorized representative; (d) the municipal official in the affected municipality who has submitted written comments within the public comment period; and (e) CZM, for any project identified in 310 CMR 9.13(2) (a) for CZM participation or, in an Ocean Sanctuary, if it has filed a notice of participation within the public comment period.

### **How can I request an adjudicatory hearing?**

A person requesting an adjudicatory hearing must submit a “Notice of Claim” to the Department, with a copy of the MassDEP Adjudicatory Hearing Fee Transmittal Form and include the details specified below, within twenty-one (21) days of the date of issuance of this decision. The MassDEP Adjudicatory Hearing Fee Transmittal Form is available at the following website: <https://www.mass.gov/doc/adjudicatory-hearing-fee-transmittal-form>. The Notice of Claim must be made in writing and sent by certified mail or hand delivery to:

MassDEP  
Case Administrator  
One Winter Street, 2nd Floor  
Boston, MA 02108

A copy of the complete Notice of Claim must be sent at the same time by certified mail or hand delivery to: (1) the Applicant, (2) the municipal official of the city or town where the project is located, and (3) the issuing office of the MassDEP, which in this case is located at:

MassDEP  
Waterways Regulation Program  
One Winter Street, 5th Floor  
Boston, MA 02108

The MassDEP Adjudicatory Hearing 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:

MassDEP  
Commonwealth Master Lockbox  
P.O. Box 4062  
Boston, MA 02211

### **What information must be included in the hearing request?**

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

- (a) the MassDEP Waterways Application File Number;
- (b) the complete name, address, fax number and telephone number of the Applicant;
- (c) the address of the project;

Draft Chapter 91 Waterways License Application No. W21-6029  
22 Whitin Avenue Extension, 0 Fowlers Marina, 200 Lynnway, and Whitin Avenue Extension  
Right-of-Way (Parcels 14-192S-1, 14-192S-2, 14-192S-3, 14-192P1-1A), Saugus River, Revere

- (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 “aggrieved person” 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 MassDEP’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.

**Dismissal of request**

The request for appeal will be dismissed if the filing fee is not paid, unless the appellant is exempt or is granted a waiver.

**Exemptions**

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.

**Waiver**

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.

Please contact Alice Doyle of the Waterways Regulation Program at [alice.doyle@mass.gov](mailto:alice.doyle@mass.gov) if you have any questions.

Sincerely,



Daniel J. Padien  
Program Chief  
Waterways Regulation Program

cc: Lizbeth Bello, Gate Residential Properties, LLC  
Gennaro Jay Angiulo, Property Owner Representative  
Margaret Kinsman, Massachusetts Electric Company  
Frank Stringi, City of Revere  
City of Revere Office of the Mayor  
City of Revere Planning Board  
City of Revere Conservation Commission  
City of Revere Harbormaster



**Massachusetts Department of Environmental Protection**  
**One Winter Street, Boston, MA 02108 • Phone: 617-292-5751**  
**Communication For Non-English Speaking Parties - 310 CMR 1.03(5)(a)**



**1. English:**

This document is important and should be translated immediately. If you need this document translated, please contact MassDEP's Diversity Director at the telephone numbers listed below.



**2. Español (Spanish):**

Este documento es importante y debe ser traducido inmediatamente. Si necesita este documento traducido, por favor póngase en contacto con el Director de Diversidad MassDEP a los números de teléfono que aparecen más abajo.



**3. Português (Portuguese):**

Este documento é importante e deve ser traduzida imediatamente. Se você precisa deste documento traduzido, por favor, entre em contato com Diretor de Diversidade da MassDEP para os números de telefone listados abaixo.



**4(a). 中國 (傳統) (Chinese Traditional):**

本文件非常重要，應立即翻譯。如果您需要翻譯這份文件，請用下面列出的電話號碼與MassDEP的多樣性總監聯繫。



**4(b). 中国 (简体中文) (Chinese Simplified):**

本文件非常重要，应立即翻译。如果您需要翻译这份文件，请用下面列出的电话号码与MassDEP的多样性总监联系。



**5. Ayisyen (franse kreyòl) (Haitian) (French Creole):**

Dokiman sa-a se yon bagay enpòtan epi yo ta dwe tradui imedyatman. Si ou bezwen dokiman sa a tradui, tanpri kontakte Divèsite Direktè MassDEP a nan nimewo telefòn ki nan lis pi ba a.



**6. Việt (Vietnamese):**

Tài liệu này là rất quan trọng và cần được dịch ngay lập tức. Nếu bạn cần dịch tài liệu này, xin vui lòng liên hệ với Giám đốc MassDEP đa dạng tại các số điện thoại được liệt kê dưới đây.



**7. ភ្នំពេញសកម្ម (Kmer (Cambodian)):**

ឯក ធីនៈគីន ៖សំ ននិងគុរតា  
 នបកបែប ម។ បសិនបែបអក  
 តា នបកបែបឯក ធីនៈ  
 សុមទំ កំទំនង ត យក MassDEP ៖ ផល  
 ន យ ង ម។



**8. Kriolu Kabuverdianu (Cape Verdean):**

Es documento é importante e deve ser traduzido imidiatamente. Se bo precisa des documento traduzido, por favor contacta Director de Diversidade na MassDEP's pa es numero indicoe li d'boche.



**9. Русский язык (Russian):**

Этот документ является важным и должно быть переведено сразу. Если вам нужен этот документ переведенный, пожалуйста, свяжитесь с директором разнообразия MassDEP по адресу телефонных номеров, указанных ниже.

**10. العربية (Arabic):**

هذه الوثيقة مهمة ويجب ترجمتها فوراً، يرجى الاتصال بـ MassDEP فوراً إذا كنت بحاجة إليها.

**11. 한국어 (Korean):**

이 문서는 중요하고 즉시 번역해야 합니다. 당신이 번역이 문서가 필요하다면 아래의 전화 번호로 MassDEP의 다양성 감독에 문의하시기 바랍니다.

**12. հայերեն (Armenian):**

Այս փաստաթուղթը շատ կարևոր է եւ պետք է թարգմանել անմիջապես. Եթե Ձեզ անհրաժեշտ է այս փաստաթուղթը թարգմանվել դիմել MassDEP բազմազանությունը տնօրեն է հեռախոսահամարների թվարկված են ստորև.

**13. فارسی (Farsi (Persian)):**

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**14. Français (French):**

Ce document est important et devrait être traduit immédiatement. Si vous avez besoin de ce document traduit, s'il vous plaît communiquer avec le directeur de la diversité MassDEP aux numéros de téléphone indiqués ci-dessous.

**15. Deutsch (German):**

Dieses Dokument ist wichtig und sollte sofort übersetzt werden. Wenn Sie dieses Dokument übersetzt benötigen, wenden Sie sich bitte Diversity Director MassDEP die in den unten aufgeführten Telefonnummern.

**16. Ελληνική (Greek):**

Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως. Αν χρειάζεστε αυτό το έγγραφο μεταφράζεται, παρακαλούμε επικοινωνήστε Diversity Director MassDEP κατά τους αριθμούς τηλεφώνου που αναγράφεται πιο κάτω.

**17. Italiano (Italian):**

Questo documento è importante e dovrebbe essere tradotto immediatamente. Se avete bisogno di questo documento tradotto, si prega di contattare la diversità Direttore di MassDEP ai numeri di telefono elencati di seguito.

**18. Język Polski (Polish):**

Dokument ten jest ważny i powinien być natychmiast przetłumaczone. Jeśli potrzebujesz tego dokumentu tłumaczone, prosimy o kontakt z Dyrektorem MassDEP w różnorodności na numery telefonów wymienionych poniżej.

**19. हिंदी (Hindi):**

यह द त व ज मह व पण है और त त अनवाद क य ज व ह ए. आप अनव द इस द क क ज र त है, व

सचीब फोन नंबर पर MassDEP क व वधत क कर .

DRAFT WATERWAYS LICENSE/PERMIT  
AND SPECIAL CONDITIONS

Gate Residential Properties, LLC

of -- Boston -- in the County of -- Suffolk -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- perform shoreline restoration activities including dredging and filling, and construction of public waterfront pedestrian facilities with accessory use parking, as further described below -----

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 -- Municipal Official -- of the -- City of Revere; -----

**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 -----

Gate Residential Properties, LLC -- 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 remove an existing fuel tank, conduct shoreline stabilization activities including, installation of 340 linear feet of sheetpile bulkhead and concrete cap landward of the existing timber bulkhead, removal of the timber bulkhead, excavation and replacement with base stone, riprap, coastal bank planting fill and coir logs/mats within 9,055 square feet of filled tidelands, conduct improvement dredging of 283 square feet along 152 linear feet of the shoreline and backfilling with marsh media and plantings to create salt marsh, construct and maintain drainage infrastructure including 3 outfalls with riprap scour aprons located wholly landward of Mean High Water, construct and maintain 16,950 square feet of public waterfront pedestrian facilities including walkways with seating, lighting, and recreational features and 2,390 square feet of parking and interior roadway accessory to the public pedestrian waterfront facilities.

-- in filled and flowed tidelands of the -- Saugus River -- and partially located in the Rumney Marshes Area of Critical Environmental Concern -- at 22 Whitin Avenue Extension, 0 Fowlers Marina, 200 Lynnway, and Whitin Avenue Extension Right-of-Way (Parcels 14-192S-1, 14-192S-2, 14-192S-3, 14-192P1-1A) -- in the City of -- Revere -- and in accordance with the locations shown and details indicated on the accompanying Draft License Plan No. W21-6029, dated 6/22/2021 and August 2021 (17 Sheets).

Specific Licenses and/or Legislative Authorizations issued previously at the project site include: Department of Public Works License No. 4164 issued on October 28, 1958, Department of Public Works License No. 5063 issued on June 8, 1966, and Department of Environmental Quality Engineering Permit No. 27 issued on March 11, 1977. The authorized structures and/or fill shall be maintained in accordance with the terms and conditions of said Licenses and plans, or as modified herein.

The structures and fill hereby authorized shall be limited to the following uses: shoreline restoration, public waterfront pedestrian access and public parking accessory thereto.

This License is valid for a term of thirty (30) years from the date of 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 this License.

The Dredge Permit incorporated within this License is valid for a term of five (5) years from the date of issuance.

**This License/Permit is subject to the following Special Conditions and Standard Conditions. These Special Conditions will be included, in substantially the same form, along with the Standard Conditions, with the Chapter 91 Waterways License/Permit to be issued pursuant hereto.**

#### SPECIAL WATERWAYS LICENSE CONDITIONS

1. In the event of any shoaling, sediment deposition or other impacts to the waterway that may occur as a result of erosion of or any impacts to the shoreline protection materials, the Licensee shall notify the Department and identify in writing the proposed corrective measures to address shoreline stabilization and to remediate any shoaling or sediment deposition within the waterway. Proposed corrective measures will be subject to Chapter 91 review to determine whether additional permitting/licensing is required.
2. Excavation and fill placement associated with the installation of outfalls and scour protection shall be located wholly above the Mean High Water Line. Prior to the start of any dredging or excavation activities, the Licensee shall have the Mean High Water Line elevation surveyed and staked, or otherwise visibly identified, which shall be maintained until completion of the shoreline stabilization and outfall/scour protection components of the project.

3. The proposed bulkhead shall be installed landward of the existing bulkhead.
4. There is no authorization for any fence within Chapter 91 jurisdiction on the project site. In the event of any future request for the installation of a fence, the Licensee shall provide connectivity between the public pedestrian facilities on the west side of the project site and Gibson Park by means of a gate or other passageway.
5. The public parking areas accessory to the waterfront public pedestrian facilities within Chapter 91 jurisdiction are exclusively for visitors using said facilities. Property residents, guests, employees, delivery personnel, and other persons associated with the adjacent residential building are prohibited from using the public parking spaces, even on a temporary basis. The public parking spaces shall be signed and maintained in accordance with a Management Plan prepared and updated in accordance with Special Condition #9.
6. The portion of the project site within Chapter 91 jurisdiction at the south point of the project site shall remain open to the public as a connection to the adjacent waterfront Gibson Park. The Licensee shall not limit the hours of availability of the referenced area 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.
7. The use of the public pedestrian and accessory parking areas on the project site shall be considered a permitted use, to which the limited liability provisions of M.G.L. Chapter 21, § 17c shall apply.
8. All waterfront pedestrian facilities located within Chapter 91 jurisdiction shall be accessible twenty-four (24) hours a day with no gates, obstacles, or other barriers installed that would impede pedestrian access. The Licensee may adopt rules governing the publicly accessible areas in accordance with a Management Plan prepared and updated in accordance with Special Condition #9, as are necessary for protection of public health and safety and private property, and to ensure their use and enjoyment by minimizing conflicts between user groups. No amendment to said rules shall be made without prior written approval by the Department.
9. The Licensee shall prepare a Management Plan for the public waterfront pedestrian facilities and accessory parking thereto in accordance with 310 CMR 9.35(5), which is subject to Department review and approval.
  - a) Purpose: The objectives of the Plan are to achieve effective public use and enjoyment of all publicly accessible facilities while minimizing conflicts with other legitimate interests including the protection of private property and natural resources.
  - b) Content: At a minimum, the Plan shall address management and maintenance that will be employed to ensure safe and unobstructed public access to all public spaces. Said Plan shall

identify the contact information for the persons responsible for carrying out the duties of said Plan and include the following information: management of the public parking spaces and the method for ensuring said spaces are not utilized by residents of the adjacent residential building and/or their guests and other persons associated with the residential building, snow removal and snow storage, maintenance of all public areas including walkways, seating, recreational features, public access signs, public parking signs, public parking related pavement markings, and landscaping.

- c) Draft Plan: The License shall submit an updated Draft Management Plan that incorporates the revisions and/or adequately addresses all comments from the Department within two (2) years of issuance of the License and a minimum of six (6) months prior to the completion of construction of the portion of the licensed work subject to the Management Plan (e.g., parking, roadways, public waterfront pedestrian facilities, etc.). The Management Plan shall become final upon receipt of the Department's approval and shall include any revisions or conditions of the Department's approval. The Final Plan shall take effect immediately upon said approval unless another date is identified in the Department's approval of the Plan.
  - d) Periodic Review: The Final Management Plan shall be periodically reviewed and revised as necessary. Any subsequent updates of the Plan shall identify the applicable contact information for the property manager, and otherwise be consistent with this License. The updated Plan shall also include a copy of the Department's Plan approval letter(s) and the results of a compliance inspection report performed by the Licensee detailing compliance with all Special and Standard Conditions of this License. When the Management Plan is updated, it shall be submitted to the Department for review and approval. At a minimum, an updated Management Plan shall be submitted for Department review and approval on every five (5) year anniversary of the issuance date of this License.
10. The Licensee shall maintain all structures in accordance with the terms and conditions specified herein or this License may expire, pursuant to 310 CMR 9.25(1)(c).
  11. In accordance with any license condition, easement, or other public right of lateral passage that exists in the area of the subject property lying below the high water mark, the Licensee shall allow the public in the exercise of such rights for all lawful purposes to pass freely from the either side of property lines, and over/around all structures within such area.
  12. Any structural alteration or change in use, or any other modification from that explicitly authorized herein and contained on the License Plans, shall require prior review of the Department to determine whether additional licensing is required pursuant to M.G.L. Chapter 91 and the Waterways Regulations at 310 CMR 9.00.
  13. All fill and structures authorized under this License shall be constructed to meet the Engineering and Construction Standards pursuant to 310 CMR 9.37.

14. The Licensee shall allow agents of the Department to enter the project site to verify compliance with the conditions of this License.
15. 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 (1) or more one (1) year periods without public notice, provided that the Licensee 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.
16. The Licensee shall request in writing that the Department issue a Certificate of Compliance within sixty (60) days completion of the licensed project, but in no event later than five (5) years from the date of License issuance, or any extension thereof, in accordance with 310 CMR 9.19(1). The request shall be accompanied by a certification by a registered professional engineer licensed to do business in the Commonwealth that the project was completed in accordance with the plans, specifications, and conditions of this License.

#### SPECIAL WATERWAYS DREDGE PERMIT CONDITIONS

1. If water control measures are necessary (e.g., coffer dams or turbidity curtains), a Time of Year (TOY) restriction for the installation of water control measures shall be observed from February 15<sup>th</sup> to September 30<sup>th</sup> of any given year to avoid impacts to diadromous fish and shellfish resources unless specifically authorized in writing by the Massachusetts Division of Marine Fisheries and the Massachusetts Department of Environmental Protection 401 Water Quality Certification Program.
2. All dredging and filling shall be completed during low tide, and all materials must be secured prior to tidal inundation.
3. The Permittee shall inform the Department in writing a minimum of three (3) days prior to commencement of any dredging activities authorized herein.
4. After completion of the dredging authorized herein, no maintenance dredging is permitted.

See pages 6 and 7 for additional conditions to this License.

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Duplicate of said plan, License No. (to be assigned) 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 License void.
4. This 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 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. The Licensee stated that Lombard DPA Realty I Barbara Angulio DBA Realty Gennaro Jay, Massachusetts Electric Company, Realty Investors, LLC, and The City of Revere were the property owners at the time the application was submitted.
7. This 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, M.G.L. Chapter 131, §40.
8. This 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 MassDEP.
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.

       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.

### STANDARD WATERWAYS DREDGE PERMIT CONDITIONS

1. Acceptance of this Waterways Permit shall constitute an agreement by the Permittee to conform to all terms and conditions stated herein.
2. Any modification from that explicitly authorized herein and contained on the Waterways Permit Plans shall require prior review of the Department to determine whether additional authorization is required pursuant to M.G.L. Chapter 91, the Public Waterfront Act, and the Waterways Regulations at 310 CMR 9.00.
3. The Permittee shall inform the Department in writing at least three (3) days before commencing any authorized dredging or dredge material disposal.
4. This Waterways Permit is issued upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Permittee prior to the commencement of any activity hereby authorized.
5. This Waterways Permit shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This Permit may be revoked after the Department has given written notice of the alleged noncompliance to the Permittee, or his agent, and those persons who have filed a written request, with the Department, for such notice and have afforded the Permittee a reasonable opportunity to correct said noncompliance. Failure to correct noncompliance after the issuance of a written notice by the Department shall render this Permit void.
6. This Waterways Permit 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, §40 and a valid Water Quality Certification issued pursuant 314 CMR 9.00.
7. This Waterways Permit is issued upon the express condition that dredging, transportation, and disposal of dredge material shall be in strict conformance with all applicable requirements and authorizations of the Department. Any subsequent maintenance dredging and transportation and disposal of dredge material during the term of this Waterways Permit shall be in strict conformance with all applicable requirements and authorizations of the Department.
8. Unless otherwise authorized in accordance with a Special Condition of this Waterways Permit, no maintenance dredging beyond the time authorized herein is permitted.
9. The dredging under this Permit shall be conducted as to cause no unnecessary obstruction of the free passage of vessels.
10. In conducting the dredging authorized, care shall be taken to cause no shoaling. If, however, any shoaling is caused, the Permittee shall, at his expense, remove the shoal areas. The Permittee shall pay all costs of supervision, and if at any time the Department deems necessary a survey or surveys of the area dredged, the Permittee shall pay all costs associated with such work.
11. Nothing in this Permit shall be construed as to impair the legal rights of any persons or authorize dredging on land not owned by the Permittee without consent of the owner(s) of such property.
12. The Permittee 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, audits, damages, costs and expenses incurred by reason thereof.
13. Whosoever violates any provisions of this Permit shall be subject to a fine of twenty-five thousand dollars and zero cents (\$25,000.00) 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 twenty-five thousand dollars and zero cents (\$25,000.00) for each day such violation occurs or continues.
14. In the event of any conflict between the Special Conditions and the Standard Conditions, the Special Conditions shall prevail.

22 Whitin Avenue Extension, 0 Fowlers Marina, 200 Lynnway, and Whitin Avenue Extension Right-of-Way, Filled and Flowed Tidelands of the Saugus River, Rumney Marshes Area of Critical Environmental Concern, Essex County

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 -- Gate Residential Properties, LLC -- by paying into the treasury of the Commonwealth -- (\$2.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department -- N/A (no net displacement).

~~In witness where~~as, said Department of Environmental Protection have hereunto set their

hands this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

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 -- Gate Residential Properties, LLC -- the further sum of -- \$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.~~

BOSTON,

*Approved by the Governor.*

\_\_\_\_\_  
Governor

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.










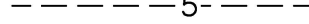

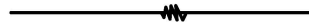



DATE

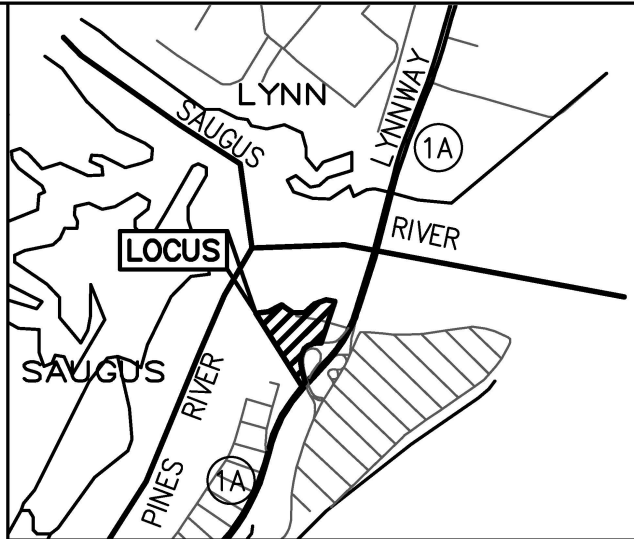
PROFESSIONAL ENGINEER

**NOTES**

1. ALL ELEVATIONS REFER TO NAVD 1988
2. CHAPTER 91 JURISDICTION/HISTORIC HIGH WATER LINE SHOWN HEREON WAS COMPILED FROM MASS GIS OLIVER MAPPING TOOL
3. SHEETS 11-16 HAVE BEEN PROVIDED BY GZA GEOENVIRONMENTAL, INC.
4. DEP PREVIOUSLY AUTHORIZED REMOVAL OF PILE-SUPPORTED WOOD DECKS, CONCRETE DECK ON WOOD PILE, WOOD DOCKS, CONCRETE BLOCK ENCLOSURE, 1-STORY BUILDING, AND A DECK WITHIN CHAPTER 91 JURISDICTION ON 12/6/2021.

**LEGEND**

	PROPERTY LINE
	CHAPTER 91 JURISDICTION/HISTORIC HIGH WATER LINE
	MEAN LOW WATER LINE (EL. -5.2 NAVD88)
	MEAN HIGH WATER LINE (EL. 4.3' NAVD88)
	EXTREME LOW WATER LINE
	TIE LINE
	FEMA FLOOD ZONE AE (EL. 10)
	EXISTING CONTOUR
	PROPOSED CONTOUR
	EXISTING EDGE OF PAVEMENT
	WOOD PILE
	BUILDING
	SALT MARSH
	LANDSCAPED AREA
	PUBLIC PARKING SPACE



**LOCUS** SCALE: 1" = 2000'

**SHEET INDEX**

- 1-TITLE SHEET
- 2-INDEX SHEET
- 3-EXISTING CONDITIONS
- 4-PROPOSED CONDITIONS
- 5-PUBLIC REALM PLAN 1
- 6-PUBLIC REALM PLAN 2
- 7-PUBLIC REALM PLAN 3
- 8-GRADING PLAN
- 9-DRAINAGE PLAN
- 10-UTILITIES PLAN
- 11-SHORELINE IMPROVEMENT SECTION A-A
- 12-SHORELINE IMPROVEMENT SECTION B-B
- 13-SHORELINE IMPROVEMENT SECTION C-C
- 14-SHORELINE IMPROVEMENT SECTION D-D
- 15-SALT MARSH CROSS SECTION E-E
- 16-TYPICAL OUTFALL ENERGY DISSIPATION
- 17-DREDGING PLAN

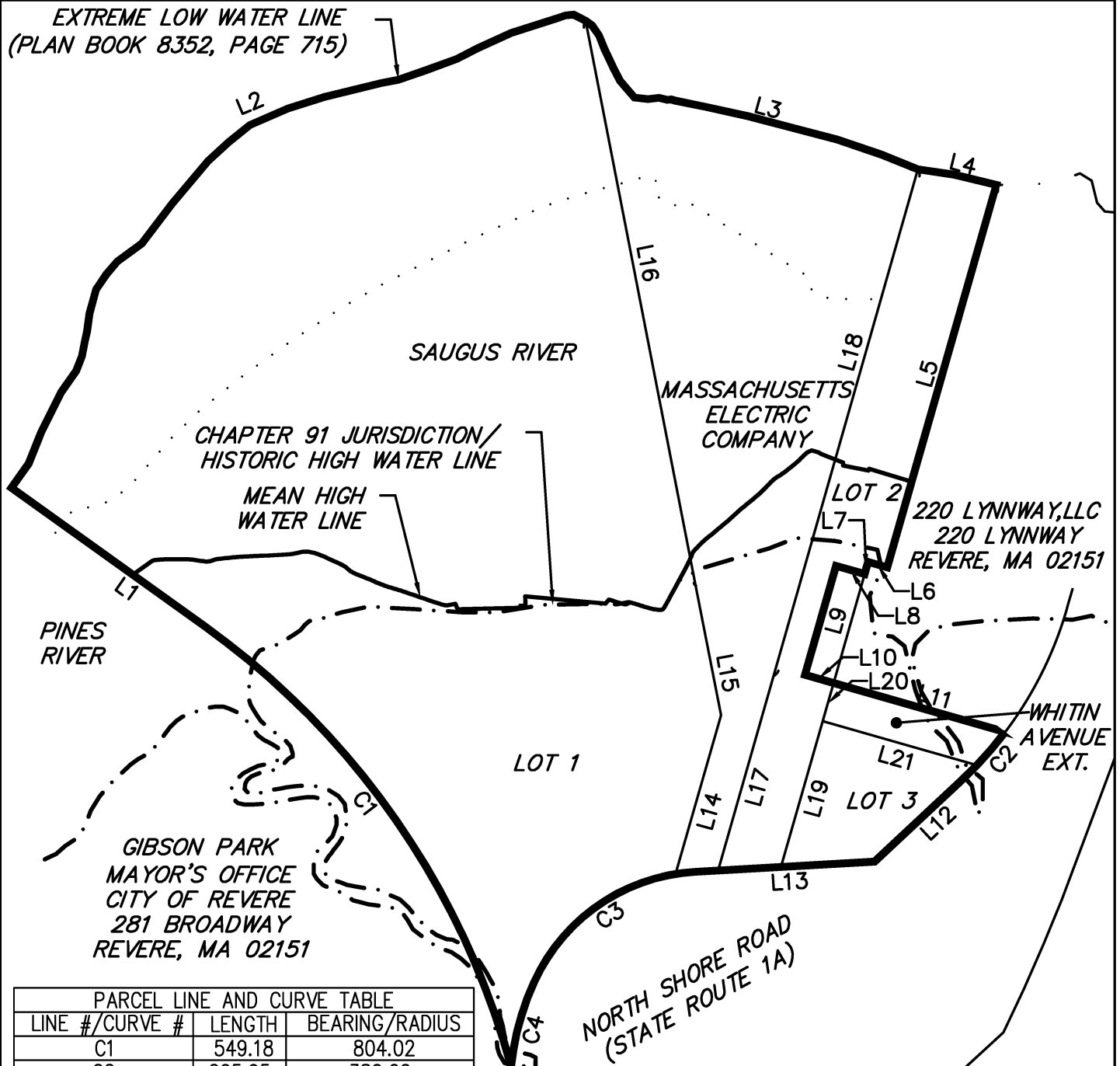
PLAN ACCOMPANYING THE PETITION OF  
**GATE RESIDENTIAL PROPERTIES, LLC**  
 TO CONSTRUCT AND MAINTAIN  
 WATERFRONT OPEN SPACE, PUBLIC  
 PARKING AND SHORELINE IMPROVEMENTS  
 THE SAUGUS RIVER  
 22 WHITIN AVENUE EXT.  
 CITY OF REVERE  
 COUNTY OF SUFFOLK, MASS. 02151  
**HANCOCK ASSOCIATES**  
 185 CENTRE STREET, DANVERS, MA 01923  
 DRAFTED 6/22/21 SHEET 1 OF 17 23124

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER

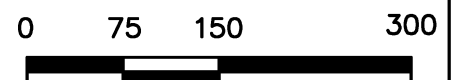
EXTREME LOW WATER LINE  
(PLAN BOOK 8352, PAGE 715)



PARCEL LINE AND CURVE TABLE			
LINE #/CURVE #	LENGTH	BEARING/RADIUS	
C1	549.18	804.02	
C2	205.95	380.00	
C3	206.78	190.00	
C4	88.05	275.00	
L1	240.00	N54° 22' 32.13"W	
L2	800'±		
L3	385'±		
L4	80'±		
L5	400.00	N15° 55' 27.87"E	
L6	20.00	N74° 04' 32.13"W	
L7	12.50	S15° 55' 27.87"W	
L8	30.00	N74° 04' 32.13"W	
L9	114.00	S15° 55' 27.87"W	
L10	30.00	S74° 04' 32.13"E	
L11	179.50	N74° 04' 32.13"W	
L12	119.80	S46° 58' 27.87"W	
L13	180.47	S86° 45' 43.87"W	
L14	166.00	S15° 55' 27.87"W	
L15	132.28	S11° 01' 32.13"E	
L16	579.00	S11° 01' 32.13"E	
L17	203.19	N15° 55' 27.87"E	
L18	530.00	N15° 55' 27.87"E	
L19	152.34	S15° 55' 27.87"W	
L20	40.00	S15° 55' 27.87"W	
L21	161.29	N74° 04' 32.13"W	

TABLE OF AUTHORIZATIONS		
LICENSE #	DATE	ISSUED BY
4164	10/28/1958	DPW
5063	6/8/1966	DPW
PERMIT NO. 27	3/11/1977	DEQE

**INDEX PLAN**



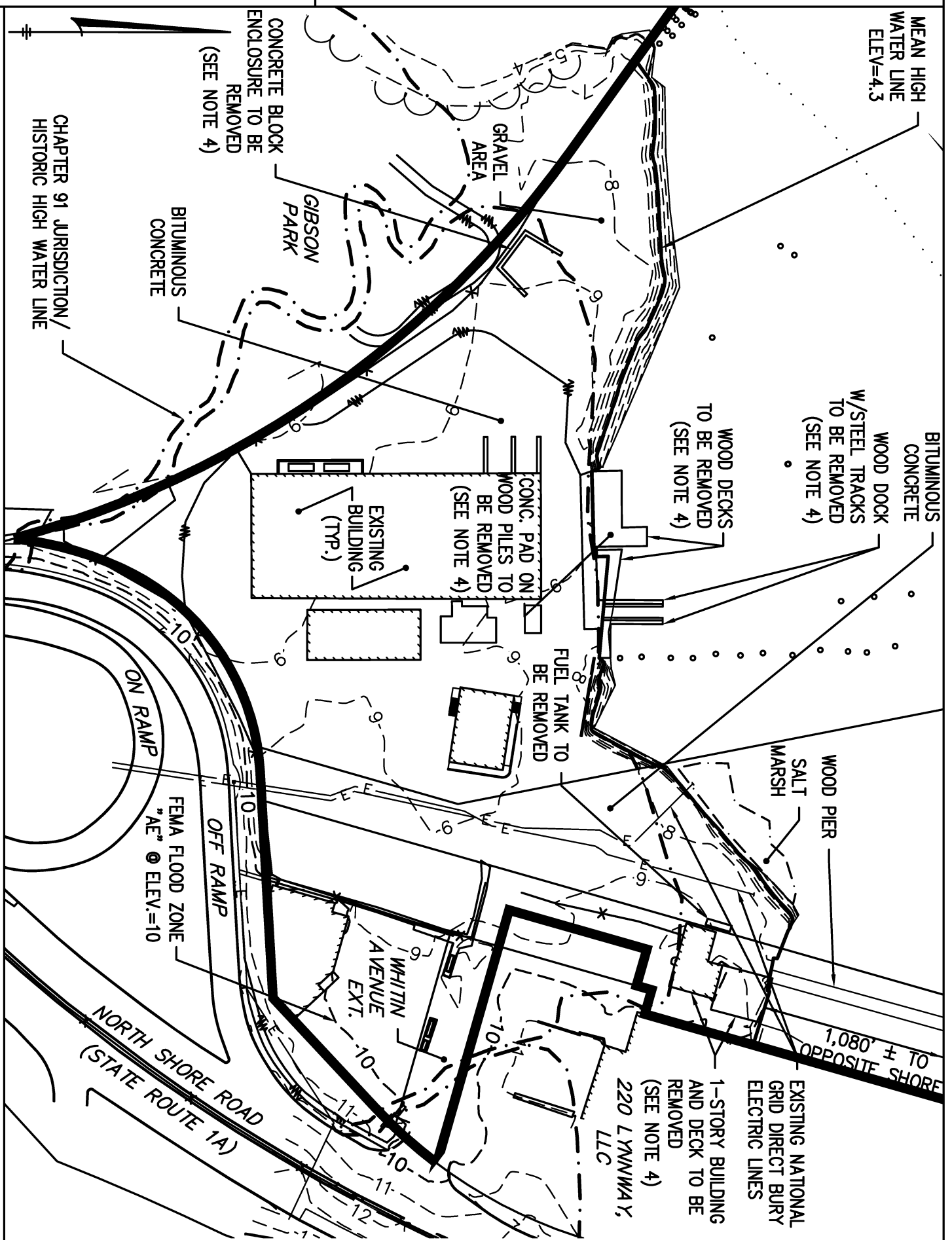
1" = 150 FT.

SHEET 2 OF 17

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER



**EXISTING CONDITIONS PLAN**



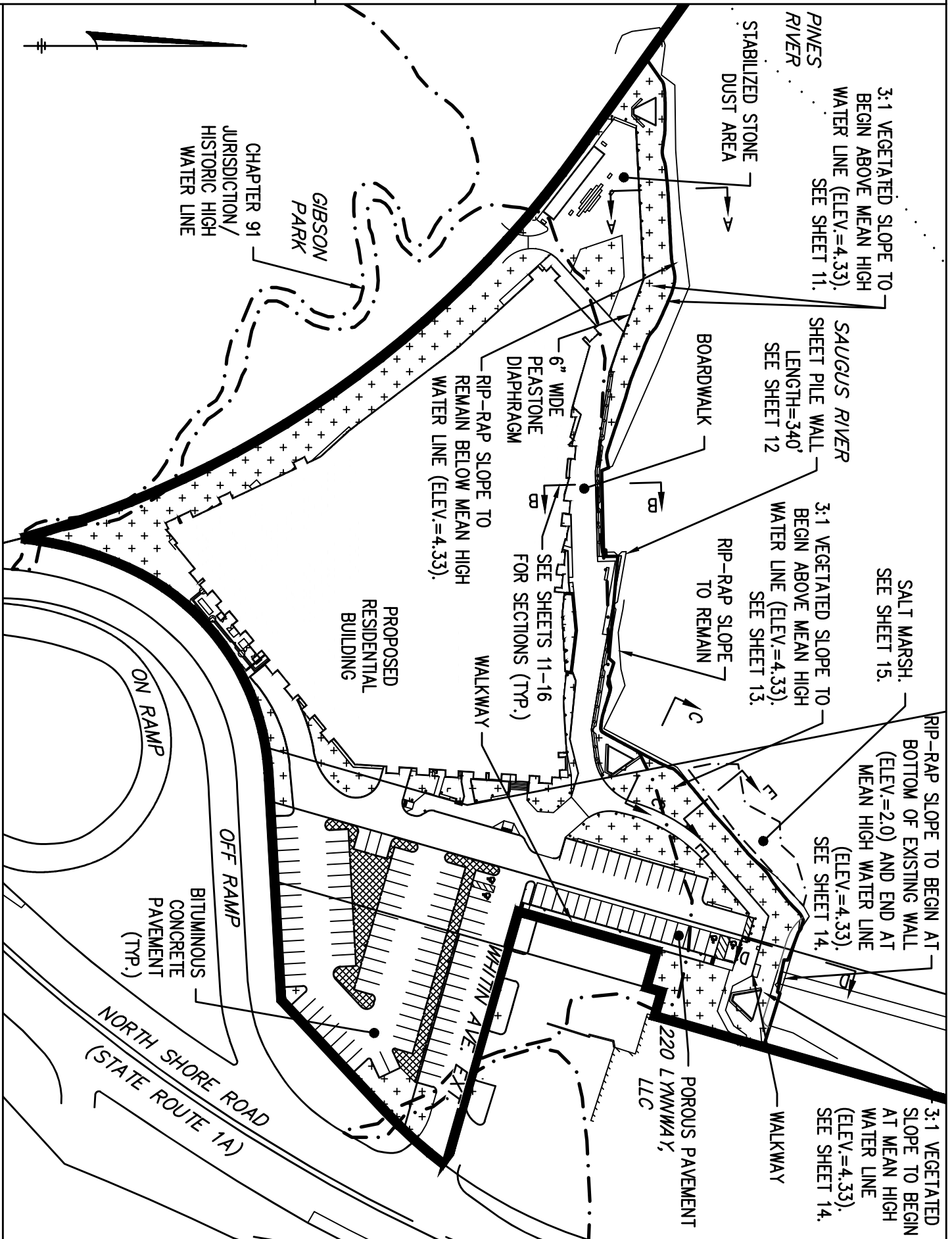
1" = 100 FT.

SHEET 3 OF 17

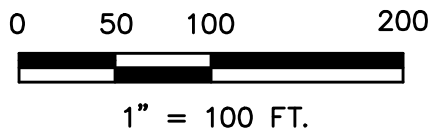
I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER



**PROPOSED CONDITIONS PLAN**



I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER

PINES RIVER

SAUGUS RIVER

NOTE: SEE SHEET PUBLIC REALM 3 FOR HATCH LEGEND AND AREAS

SEE PUBLIC REALM PLAN 3

PROPOSED RESIDENTIAL BUILDING

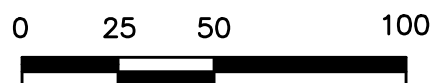
BOCCIE COURT

SEATING AREA (TYP.)

LIGHT (TYP.)

SEE PUBLIC REALM PLAN 2

**PUBLIC REALM PLAN 1**



1" = 50 FT.

SHEET 5 OF 17

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER

SEE PUBLIC REALM PLAN 1

NOTE: SEE SHEET PUBLIC REALM 3 FOR HATCH LEGEND AND AREAS

SEE PUBLIC REALM PLAN 3

PROPOSED RESIDENTIAL BUILDING

BOARDWALK

PUBLIC PARKING\* (6 SPACES)

WHITTIN AVE.

220 LYNNWAY, LLC

LANDSCAPED AREA (TYP.)

WALKWAY

PUBLIC REALM PLAN 2



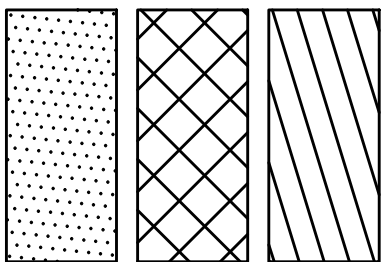
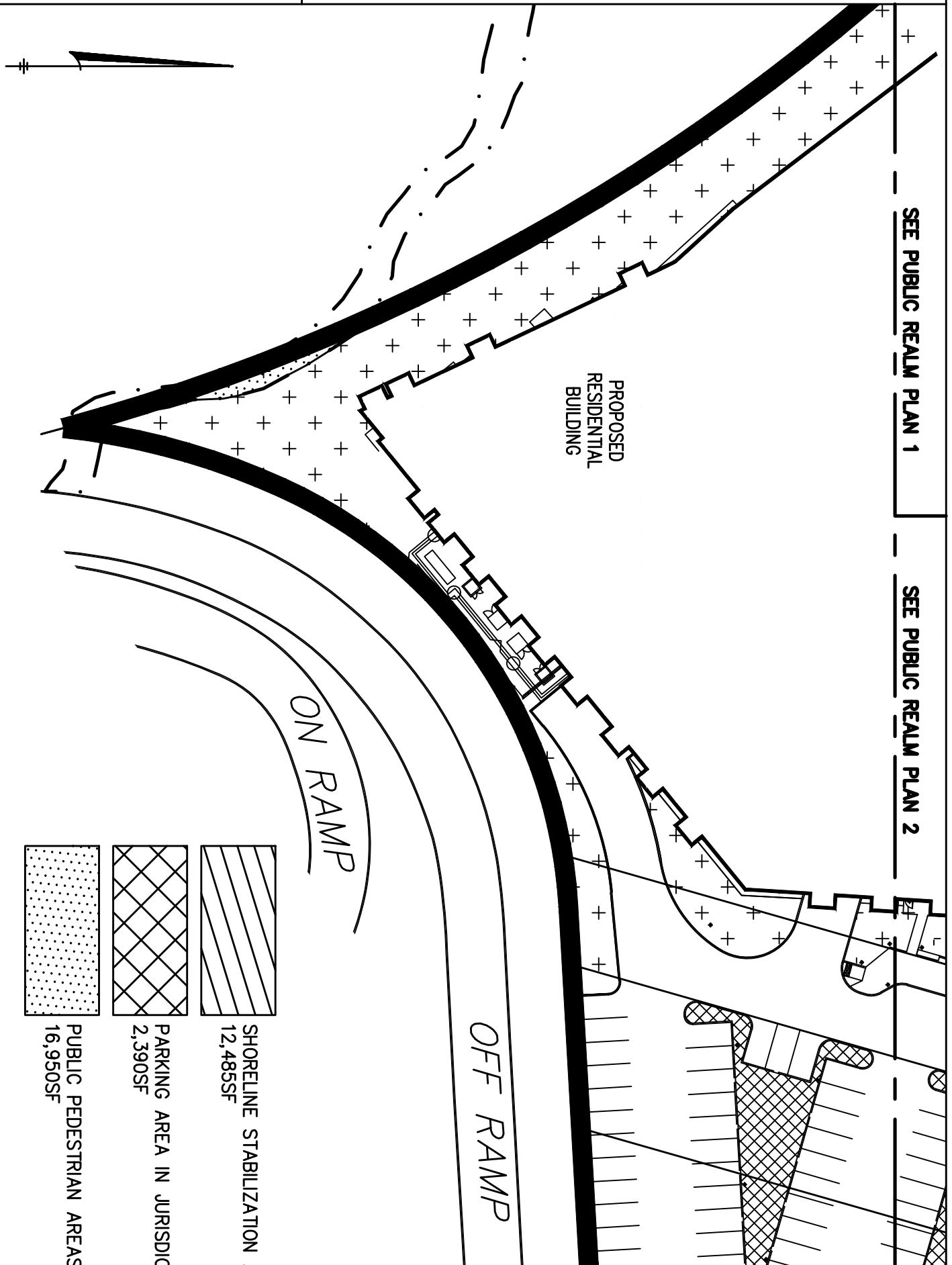
1" = 50 FT.

SHEET 6 OF 17

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER



SHORELINE STABILIZATION AREA  
12,485SF

PARKING AREA IN JURISDICTION  
2,390SF

PUBLIC PEDESTRIAN AREAS  
16,950SF

**PUBLIC REALM PLAN 3**



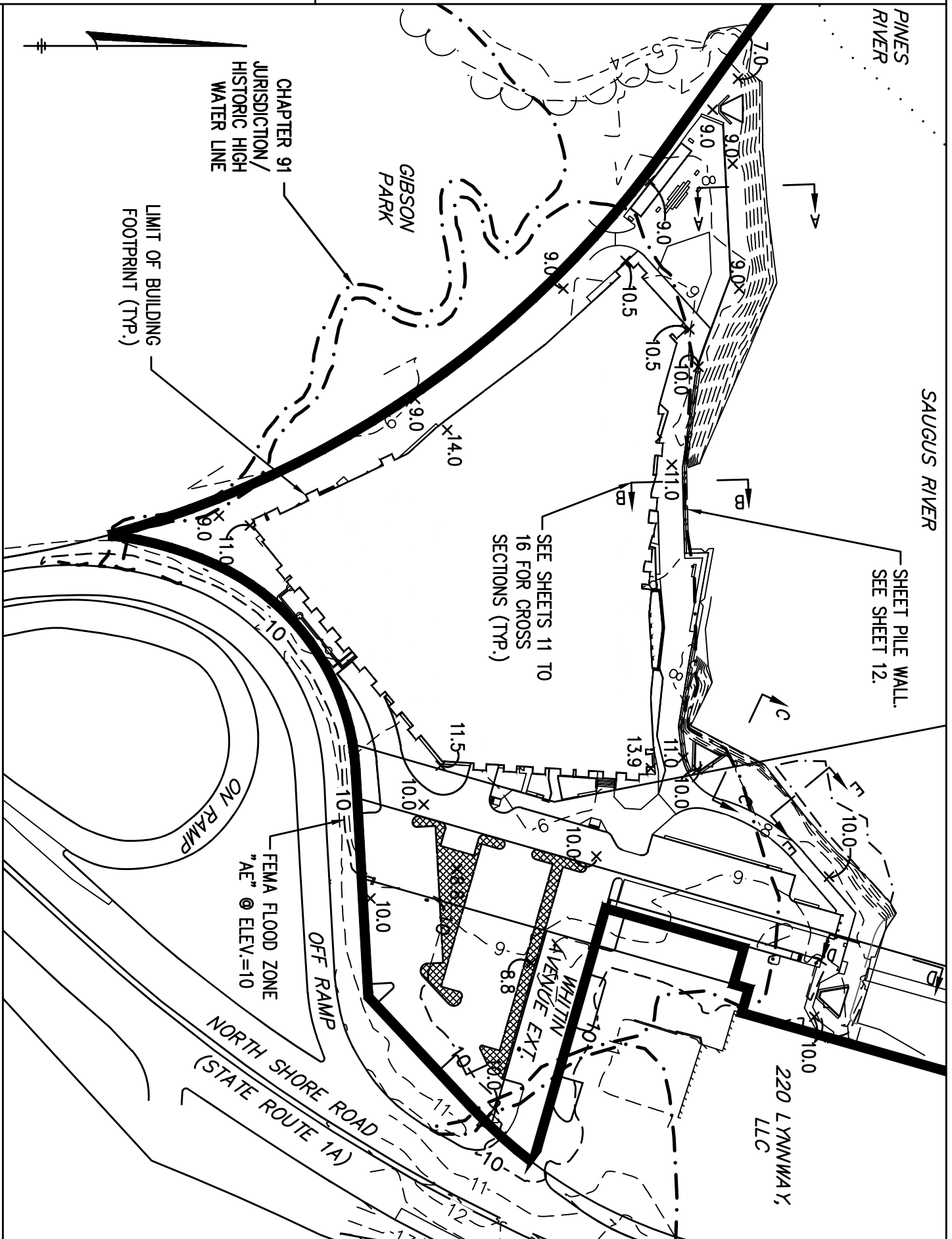
1" = 50 FT.

SHEET 7 OF 17

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

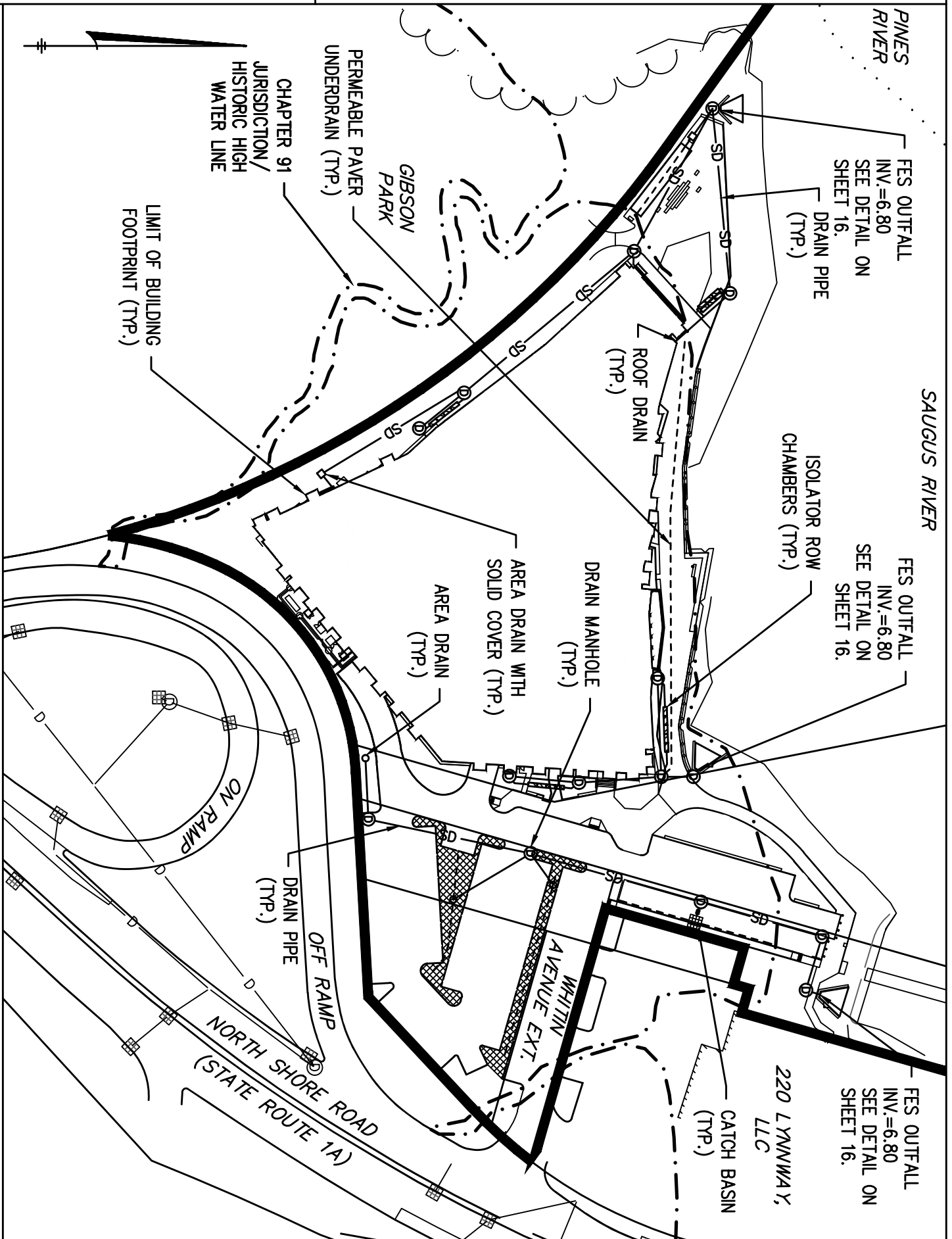
PROFESSIONAL ENGINEER



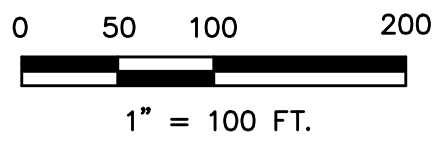
I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER



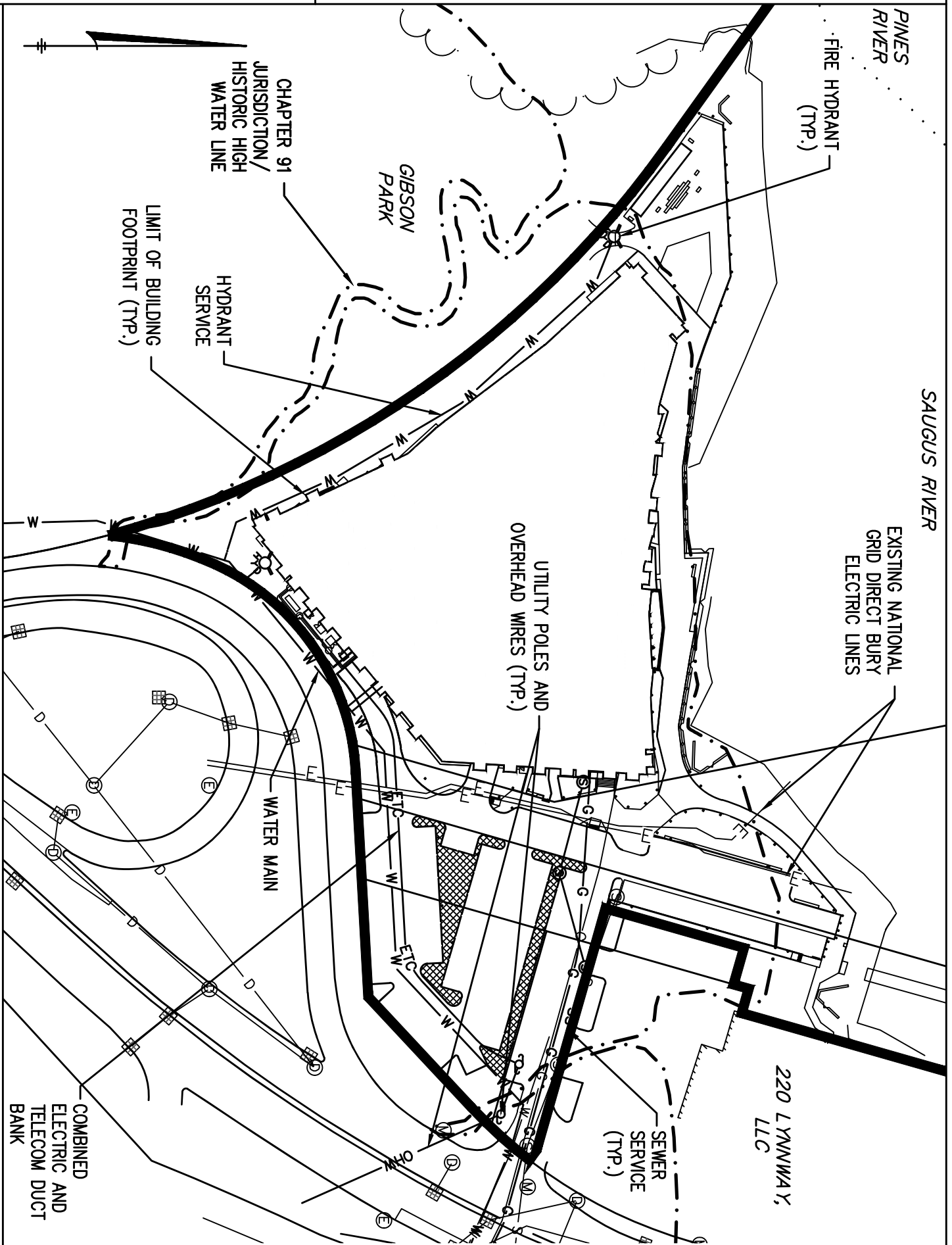
**DRAINAGE PLAN**



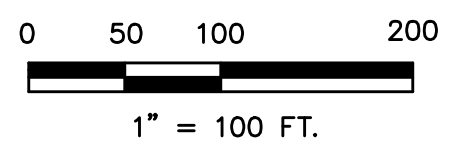
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DATE

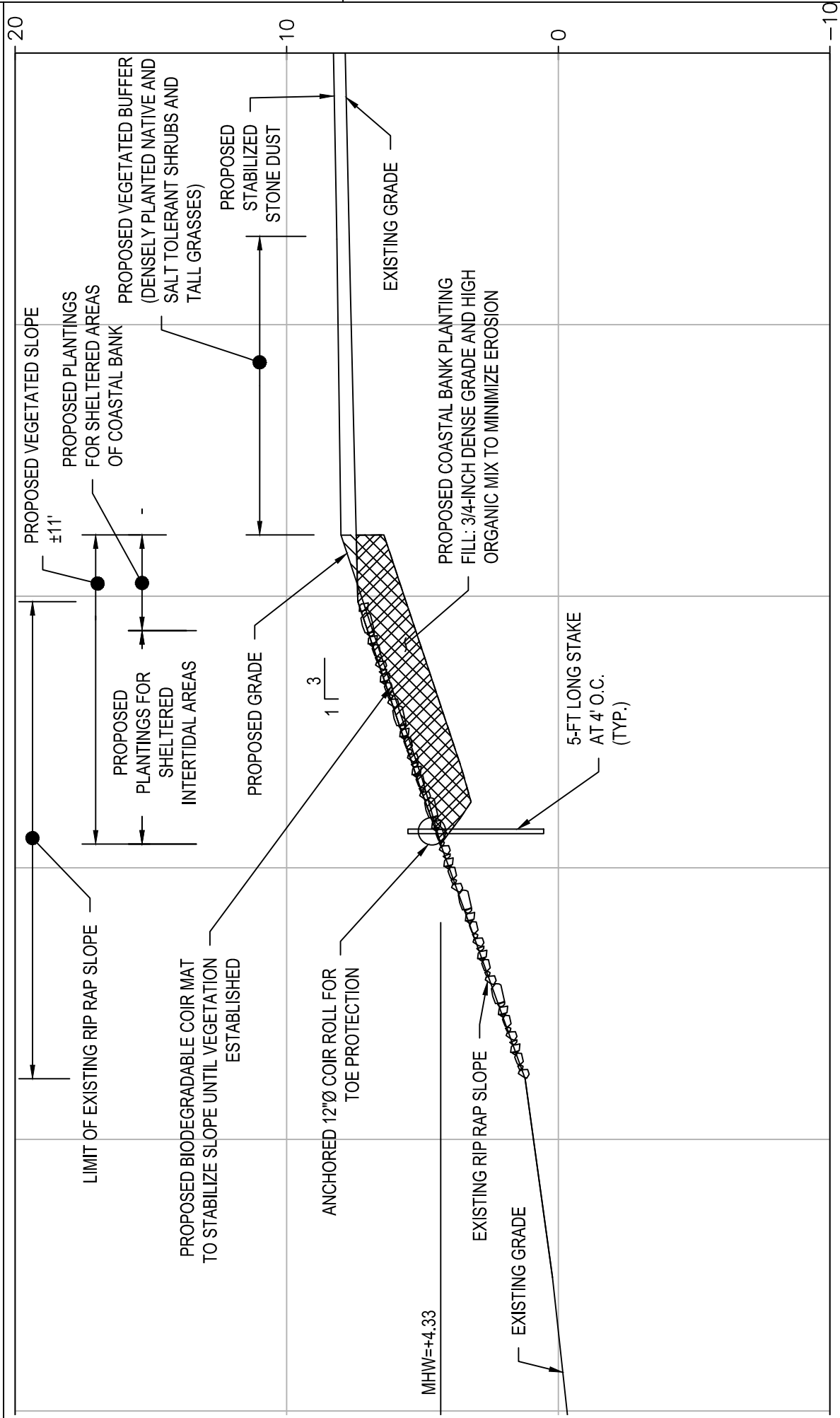
PROFESSIONAL ENGINEER



**UTILITIES PLAN**

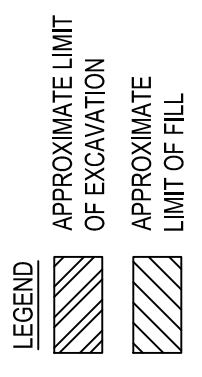


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SHORELINE IMPROVEMENT - SECTION A-A

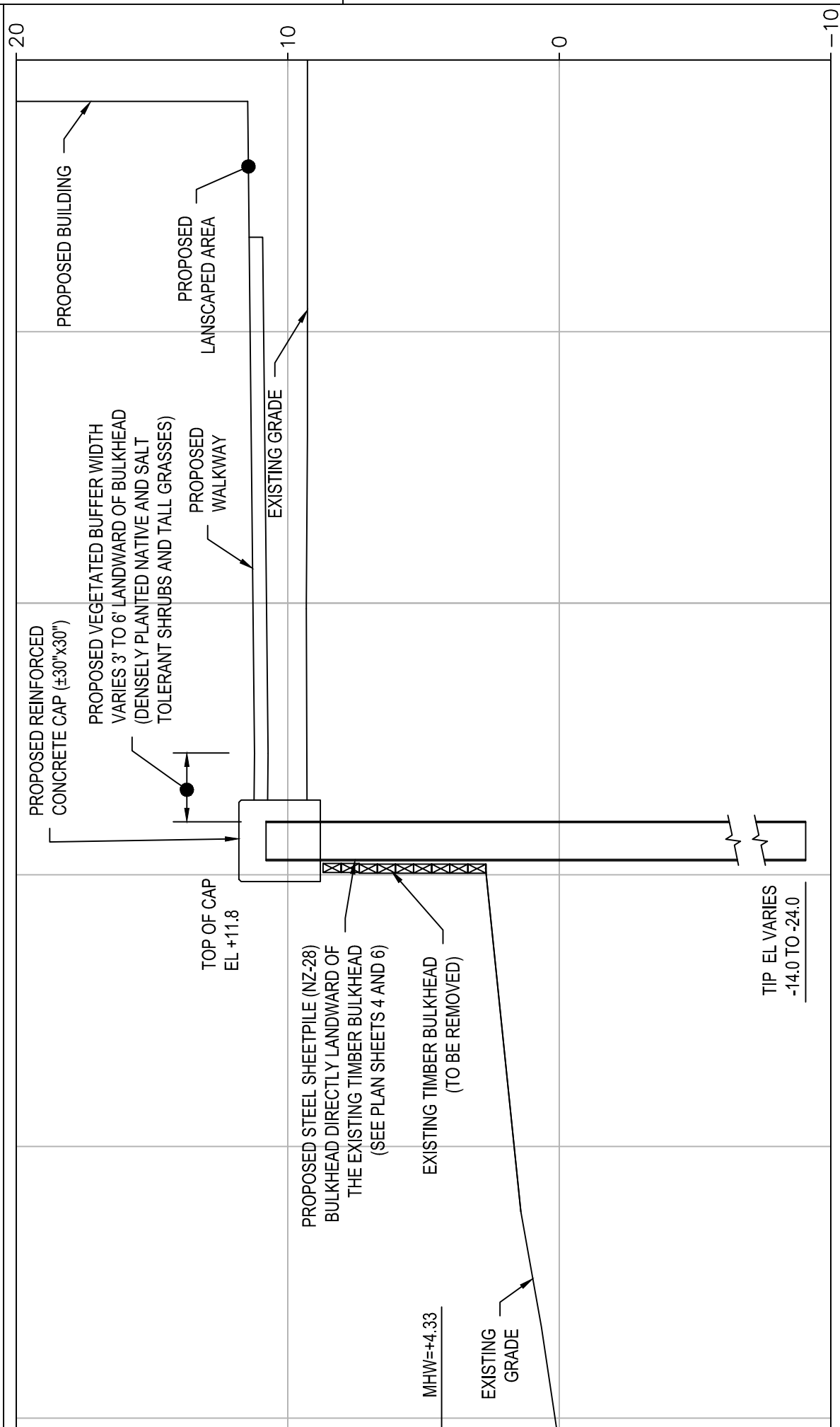
1" = 5'-0"



SECTION A-A = ±310 LF OF SHORELINE  
 EXCAVATION = (310 LF x 17.7 SF [CROSS SECTIONAL AREA]) / 27 CF/CY = ±203.2 CY  
 AREA OF EXCAVATION = 310 LF x 11 LF = ±3,410 SF  
 AREA OF FILL = 310 LF x 11 LF = ±3,410 SF

AUGUST 2021  
 SHEET 11 OF 17

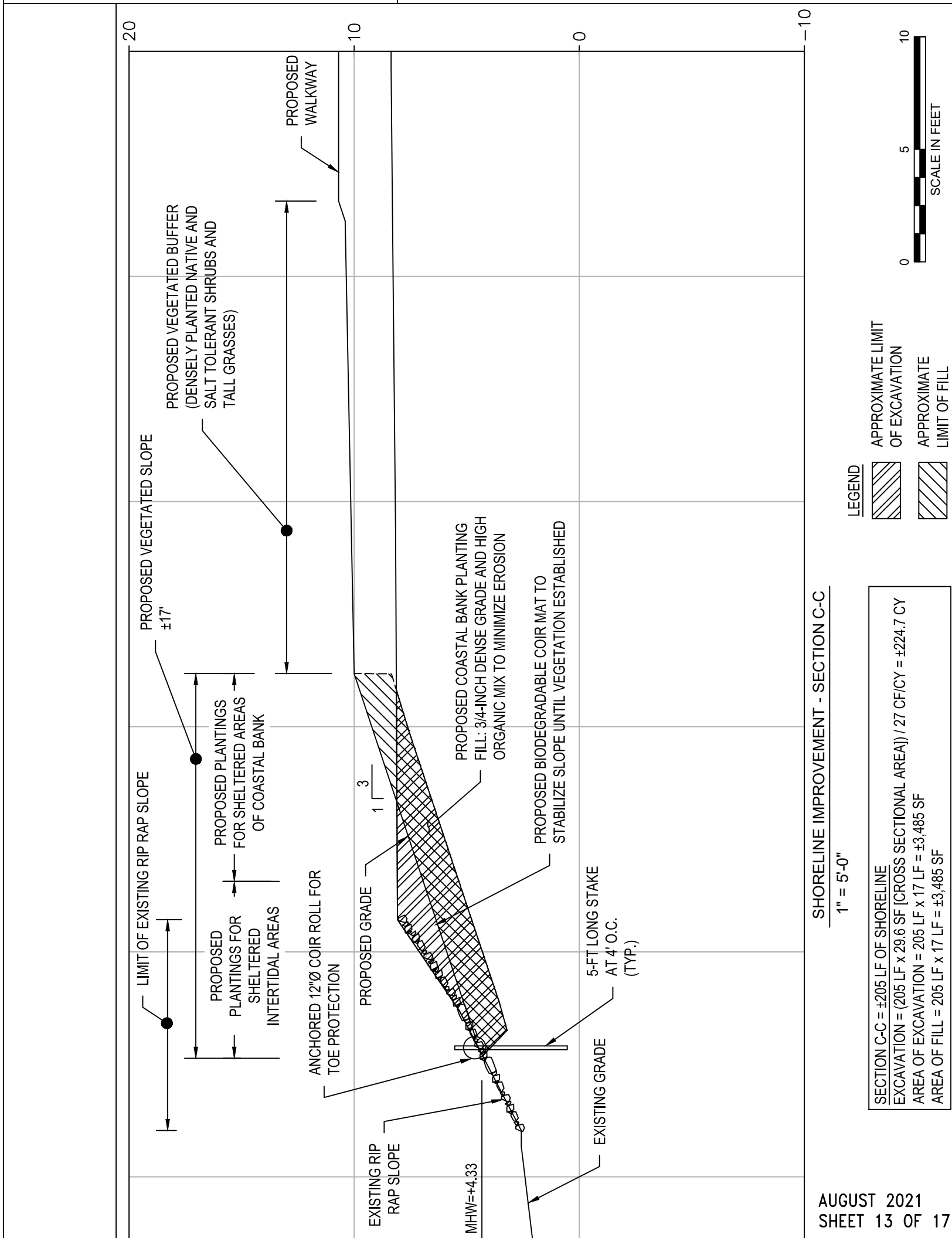
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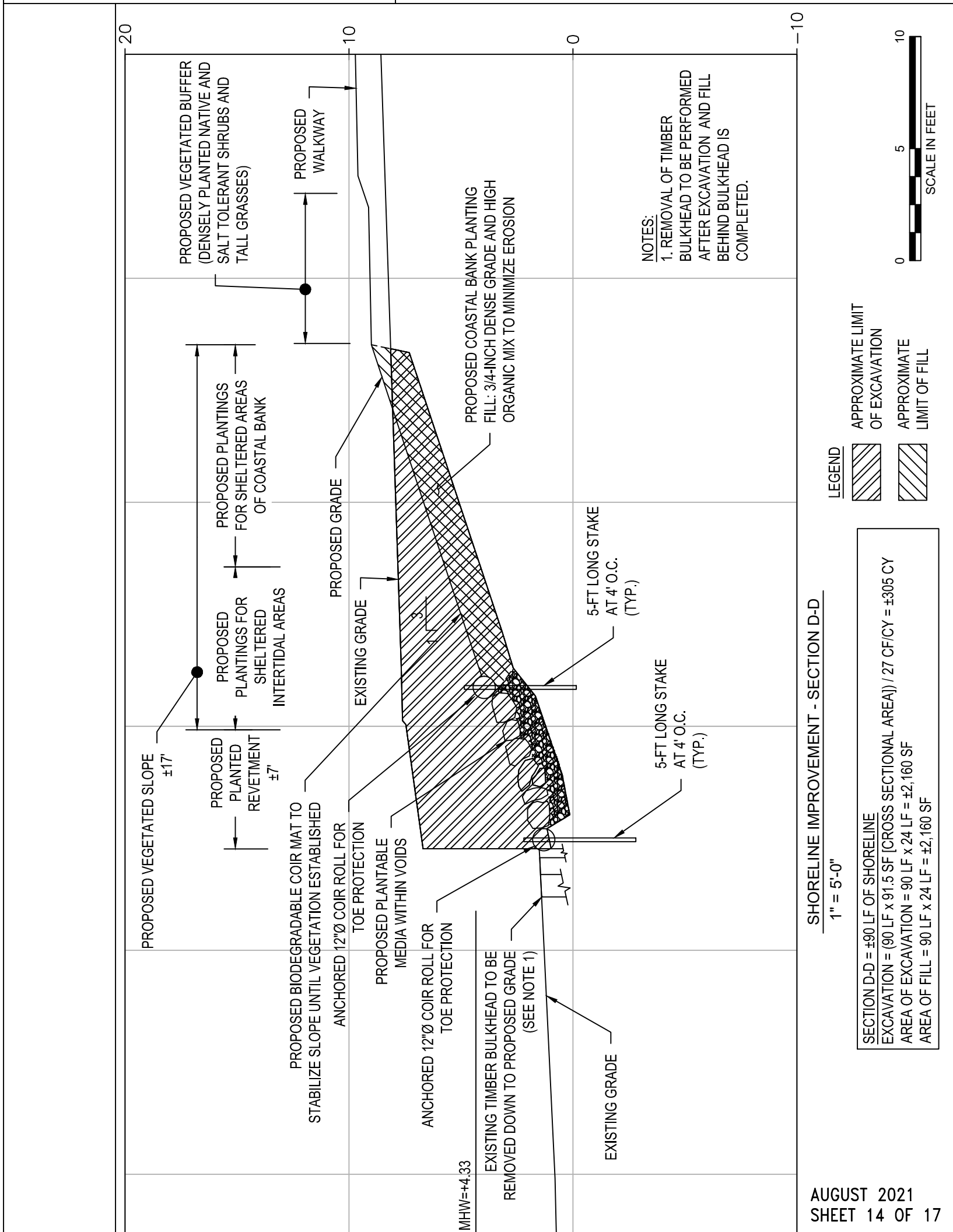
SHORELINE IMPROVEMENT - SECTION B-B  
 1" = 5'-0"

AUGUST 2021  
 SHEET 12 OF 17

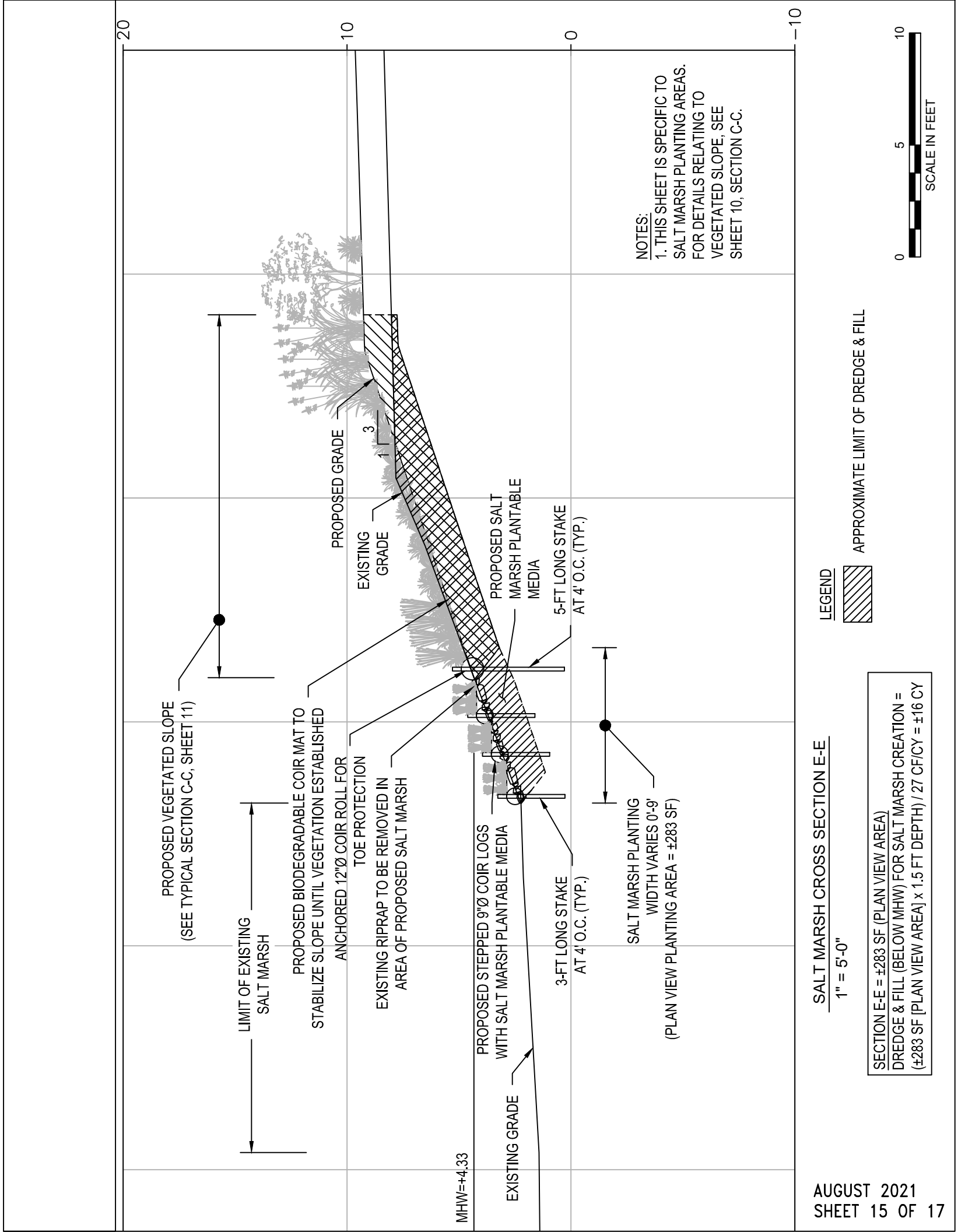
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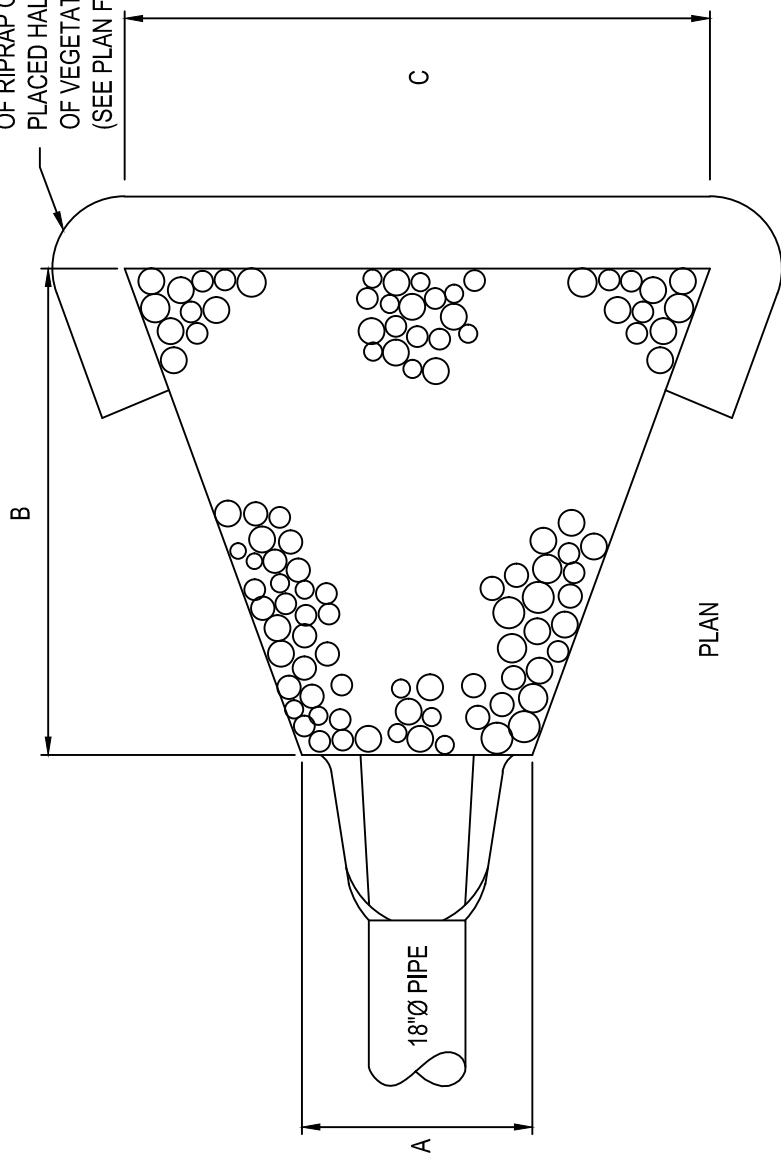
I CERTIFY THAT THIS PLAN, AS PREPARED,  
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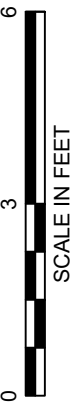
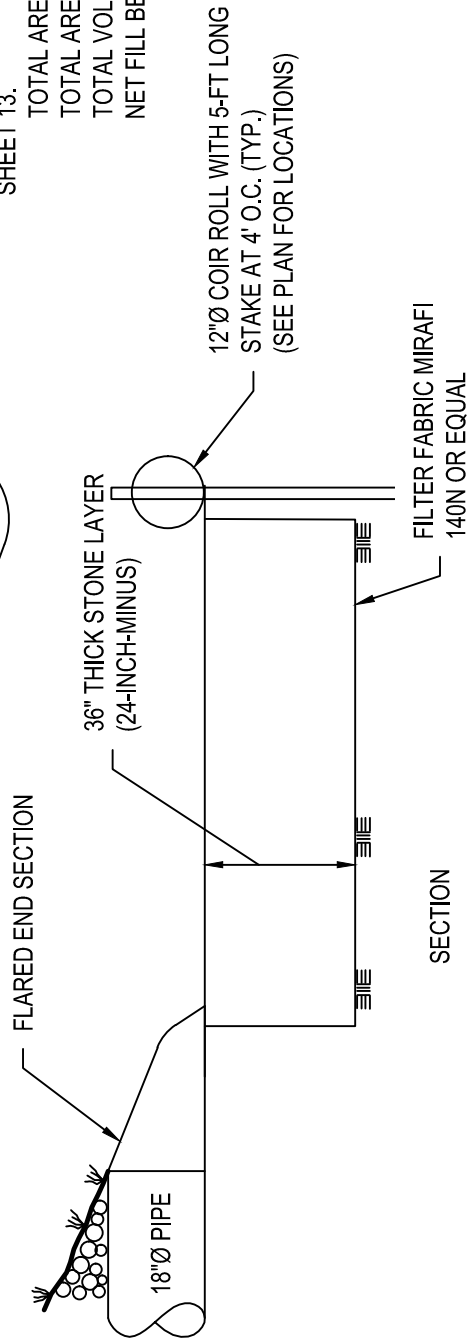
12"Ø COIR ROLL WITH 5-FT LONG STAKE AT 4' O.C. AT SEAWARD LIMIT OF RIPRAP OUTLET PROTECTION. ADDITIONAL COIR ROLL TO BE PLACED HALFWAY BETWEEN RIP RAP OUTLET PROTECTION AND TOE OF VEGETATED SHORELINE SLOPE. (SEE PLAN FOR LOCATIONS)



OUTFALL	RIPRAP OUTLET PROTECTION DIMENSIONS			EXCAVATION (CY)
	A (FT)	B (FT)	C (FT)	
FES-1	4.5	17.5	22.0	±27
FES-2	4.5	18.2	22.7	±30
FES-3	4.5	19.8	24.3	±33

**EXCAVATION AND DREDGE AREAS NOTES:**

1. MAJORITY OF WORK INDICATED ON SHEETS 9 THROUGH 14 INCLUDES EXCAVATION OF MATERIAL AND FILLING LANDWARD OF MEAN HIGH WATER.  
TOTAL AREA OF EXCAVATION = ±9,055 SF  
TOTAL AREA OF FILL = ±9,055 SF
2. DREDGING OF MATERIAL SEAWARD OF MHW IS LIMITED TO THE SALT MARSH PLANTING AREA DEPICTED ON SECTION E-E ON SHEET 13.  
TOTAL AREA OF DREDGE = ±283 SF  
TOTAL AREA OF FILL BELOW MHW = ±283 SF  
TOTAL VOLUME OF DREDGE AND FILL BELOW MHW = ±16 CY  
NET FILL BELOW MHW = 0 CY



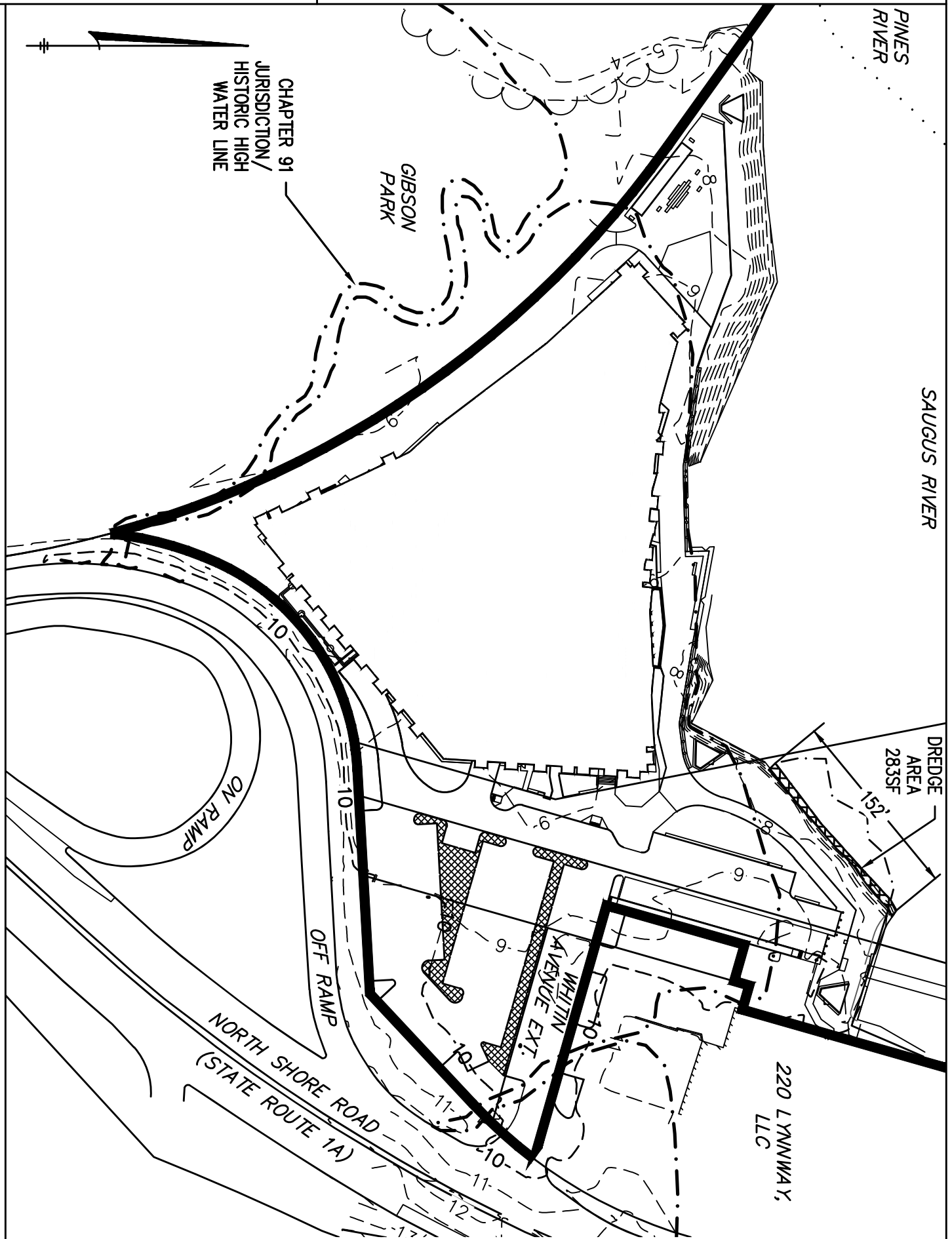
TYPICAL OUTFALL ENERGY DISSIPATION  
1"=3' (UNLESS OTHERWISE NOTED)

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

I CERTIFY THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

PROFESSIONAL ENGINEER



**DREDGING PLAN**

