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TOWN OF CHILMARK CHILMARK, MASSACHUSETTS

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March 21, 2019

David E. Hill, Environmental Engineer
Wetlands and Waterways Program
Massachusetts Department of environmental Protection
South east Regional Office
20 Riverside Drive
Lakeville, MA 02347

RE: Waterways License Application No. W18-5196 Brian Vanderhoop, Menemsha Harbor

Dear Sir:

At their regular meeting on March 19th 2019 the Chilmark Board of Selectmen reviewed the draft Chapter 91 Waterways License that you sent them dated March 1, 2019. The Selectmen discussed the various conditions proposed in the draft license.

This land is subject to Chapter 485, Acts of 1965 of the Massachusetts General Court. The legislature commanded that this land "shall be reserved for and made available to commercial fishermen and shall in no event be sold or conveyed."

The town of Chilmark would like to state for the record that the three free standing "spiles" shown on "Sheet 1 of 2 Sheets", and Northeast triangular corner of proposed licensed pier (dock) are both located in the Town of Chilmark. Neither was ever located in the town of Aquinnah. The Chilmark Board of Selectmen has never leased this area to Mr. Vanderhoop, authorized the construction of the dock, or the use of these pilings in Chilmark waters.

The town is particularly concerned with "Special Waterway Conditions 3" regarding the three spiles and that any permitted pier (dock) be reserved for Commercial Fishermen. The Board of Selectmen requests that the DEP amend Special Waterway Conditions 3 by inserting the following at the end of the paragraph. "No vessels will be allowed to moor on the outside (east side) of the three spiles in Chilmark waters without the written authorization of the Menemsha Harbor Master." The Selectmen voted to write the DEP and Mr. Vanderhoop that no vessels shall be affixed to the outside the three of pilings in Chilmark waters.

Sincerely,

Timothy Carroll
Town Administrator

Cc: Harbor Master, Brian Vanderhoop