

Copy given to
Con Comm 1/20/15

Seven Arts Properties, LLC
24 Seven Arts Lane
Monterey, MA 01245

January 12, 2015

Wayne Burkhardt, Chairperson
P.O. Box 308
435 Main Rd
Monterey, MA 01245

Re: Application No.

By: Dr. Marc Bergman of Boca Raton Florida representing the 7 Arts Condominium Association

Dear Mr. Burkhardt,

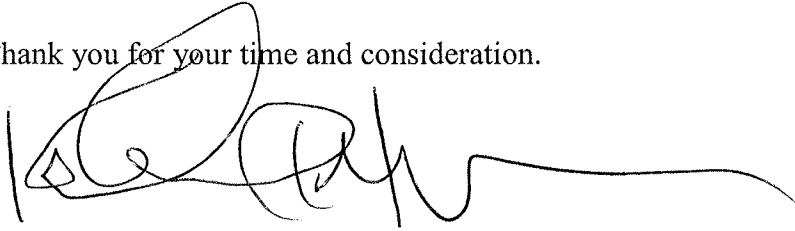
I am writing in response to a notice regarding Chapter 91 application by neighbor on Lake Buel.

We object to the placement of any permanent structure of any type (a permanent structure defined as any structure not removed at the end of the season). The petition sent to us does not clearly show where these proposed structures will be located, or what the nature of their composition might be or if these are seasonal or planned permanent "pipe" structures; there are "pipe" supports identified in the drawing but these details while clearly specified in the drawings do not indicate permanent or seasonal. The sketch does beg the question - are these iron pipes and what is the size and material of these pipes? Are they concrete "pipe" pilings? Will these pipes be of size sufficient to withstand the shifting ice in the winter where we have seen 12 inch concrete filled pilings knocked over by the ice? Will the walkway be removed at the end of the season leaving an unspecified number of unmarked "pipes" dangerously protruding from the lake bed or will the walkway be left in place permanently? It's identified only as "walkway" protruding 30 feet from the shoreline. It is additionally not clear whether the shoreline will be measured from the highest annual point or the lowest point. While the lake is not noticeably effected by tides it is effected by annual rainfall, in recent years the lake level varied by several feet. How will those 30 feet be measured?

My family has owned the adjacent property for over sixty years. There are several property owners with property abutting the lake including a summer camp. In that time we have not one property owner who has seen the need to install a permanent structure from the shoreline into the water. Some of the property owners have deep water permanent anchors for swimming floats but everything with the exception of a small winter marker is removed at the end of the season. To the extent we can keep the look and feel of the lake as we have for decades please to not approve any new non seasonal structure in the lake.

Finally we are concerned that any structure including a number of independent standing pipes would interfere with the ecology of the lake and interfere with the wildlife including the spawning areas of shallow water fish, amphibians, reptiles, mammals and birds. We are also concerned that access would be restricted to these areas from the water by the public, which they are entitled to do under the law on an identified great pond, and could also be very dangerous for off-seasonal boaters and fisherman as support structures with or without the walkway.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read 'Kohel Haver', with a long horizontal flourish extending to the right.

Kohel Haver
Seven Arts Properties

Home Address:
01316 SW Mary Failing Drive
Portland, Oregon 97219

Cc: Ken Haver, Boston MA,
Ross Haver, Media PA,
Barbara Haver, Haverford PA