

Town and County of Nantucket
ROADS AND RIGHT OF WAY COMMITTEE

Posted Meeting of
January 16, 2024, at 4:00 pm
Held by Zoom Videoconferencing and Live in the 131 Pleasant Street Conference Room A

FINAL AND APPROVED MINUTES

1. Call to Order, Approval of the Agenda, Approval of Minutes, and Public Comments.

A. Chair Bill Grieder called the meeting to order at 4:03 pm; he read the public notice about attendance at remote meetings. In attendance were committee members Rick Atherton, Nelson “Snookie” Eldridge, Ed Gillum, Bill Grieder, Nat Lowell, Allen Reinhard, Lee Saperstein, and Phil Smith; there was a quorum at all times. Participants were established by voice roll call. Guests included Mike Burns, Manager of Transportation Planning, PLUS, and Drew Patnode, Director, DPW.

The meeting was recorded and can be viewed on the Town’s You Tube site (on Town’s main web page at “Watch Meetings Live”, select “Playlists” then look for “Roads and Right of Way”), https://www.youtube.com/watch?v=clR7_GCHkUs&list=PL49sKqpy7VAi_AAzhvnU4I5DTnh_iVDj1&index=41.

B. Approval of the Agenda. The agenda was approved unanimously by acclamation.

C. Public Comments on Matters Not on the Agenda.

With no members of the public present, there were no public comments.

As part of the Chair’s comments, Bill Grieder said that the bulk of the meeting’s agenda was in the nature of housekeeping. He is hopeful of bringing the website up to date, as well as the project list found at the end of every agenda. Before, however, he opened up the agenda items, he noted that Drew Patnode, Director, DPW, and Mike Burns, Manager of Transportation Planning, PLUS, were attending on Zoom.

D. Approval of the minutes of the meeting of October 31, 2023, and December 19, 2023.

Just before the close of the meeting, Phil Smith reminded committee members that they had not approved earlier minutes. Lee Saperstein, Secretary, said that he would move approval of both the October 31st and December 19th minutes; once seconded, they could be discussed. With assent from the members, he moved approval of both sets of minutes in one motion; Snookie Eldridge seconded; there were no corrections offered and the motion passed unanimously by roll-call vote.

2. DEP Response to the Committee re:44-46 Easton Street Chapter 91 application.

Bill Grieder noted that he had included in the agenda a portion of the letter from the applicant for a Chapter 91 license at 44-46 Easton Street that responded to Bill Grieder's letter to the DEP (attached). The recent letter was shared on screen and is also attached to these minutes. Allen Reinhard and others commented that they could not find the five-foot pathway amidst the construction and that we should continue to monitor the site. There is a nice beach on the harbor side of the property and it was not clear how it was to be accessed. The best solution would be steps down from the public way on the harborside of the White Elephant Hotel but that License is not at issue here. Bill Grieder also displayed a "Project Compliance Statement" (again, attached) that had been supplied by the applicant to the DEP, who, in turn, sent it to him. He noted a sentence toward the end of the document that said that a walkway along the shorefront was not feasible. He said that a written response to the DEP on that one sentence should state that the committee is interested in pedestrian access to the intertidal shore, not a walkway. The unstated presumption is that the word walkway implies a structure, which is not the committee's goal.

Rick Atherton suggested that, as part of our monitoring of this access point, we should check to see if the White Elephant has a Chapter 91 License. The goal of the Roads and Right of Way Committee is to create, as much as possible, a continuous harbor walk. Voluntary coordination between the two neighbors to provide access to the beach below the subject property would be a good thing.

Rick Atherton said that he had another Chapter 91 issue, which was the status of a License, granted or applied, at 13 Hallowell Lane (a way off Gosnold Road). He will research the issue. He added that if our request to be given copies of Chapter 91 materials were granted, then we would not need to research each property separately.

3. Review RROW Web Site Content.

Bill Grieder said that, with the Committee's consent, he wanted to consider this item next because he thought that it could be dealt with briefly. He hopes that each committee member will look at the web site and assess whether items under the heading of "Helpful Information" were timely and still relevant. Responses should be directed to him and he will bring back an "editing to do" list at a subsequent meeting. He indicated that the first thing he would add is a link to a Chapter 91 License file. Lee Saperstein suggested that we may first have to create such a file otherwise we could link to the Waterways section of the DEP. Phil Smith asked if a link to the Founders Burial Ground was appropriate; it may be better on the Cemetery Commission web site. Allen Reinhard replied that Roads and Right of Way was instrumental in maintaining access to the cemetery and in creating the Women's Memorial. Nat Lowell said that the list was a good thing and added that the 'Sconset Bluff Footpath report should be added to it.

Several other members had suggestions for additions to the list. Allen Reinhard suggested that there be a link to a directory of street ownership: private, public, and unknown. Mike Burns said that there was an ownership map on the Town's web site and that he knew that such a list exists. He said that he would check on the accuracy of the publicly available map. Lee Saperstein

reminded the group that Phil Smith has been working with Nathan Porter, GIS Coordinator, to provide up-to-date information in the GIS system on points of access to the beach. This map should have a link in the Helpful Information list. Phil Smith suggested to Mike Burns that he and Nathan Porter should get together to ensure that the latest information on beach access and road ways is available on the GIS pages.

4. Review RROW Running Project List.

Bill Grieder explained that the purpose of this agenda item was to review the explanatory notes that have been highlighted on the attached list (placed directly after these minutes). He wants them to reflect actual conditions and proposed actions and not to be un-edited past notes. He said that he hopes, from time to time, to review progress with the DPW, which is why the notes should be current.

Before he could get started, however, several committee members started to speak about actions on the list. Several members noted that the lead items on the projects list included a watching brief for clearing a path to the beach between 51 and 55 Nobadeer Avenue, which is a paper road, and construction clean up around 18 Nonantum Avenue that will restore the public way alongside that property. They hoped that the DPW would deal with these two items.

Allen Reinhard reminded the committee members that installation of the remaining public way monuments will require the purchase of several of the flat ones; there are enough up-rights to complete their installation. As noted (first highlight), he will work with the DPW to place the remaining monuments correctly. In response to a question about a public information session on work to be done on the Polpis Road, Mike Burns noted that the MassDOT is holding one at 6:00 pm on January 25th. He put the registration address into the chat room; it is <https://www.mass.gov/event/nantucket-intersection-improvements-at-milestone-road-and-polpis-road-and-the-extension-of-the-sconset-bikepath-2024-01-25t180000-0500-2024-01-25t200000-0500>. Lee Saperstein volunteered that the committee would be glad to offer advice and testimony for future hearings.

Bill Grieder next took in order the remaining highlighted notes on the projects list. For the Wauwinet Sidepath, Mike Burns indicated that the Eastern Federal Lands Division of the Federal Highway Administration is developing a plan for this path (<https://highways.dot.gov/federal-lands/about>). He will inform the committee when their plan is ready for public review. PLUS has provided two design alternatives for the Pleasant Street project: an one-way scheme between Pleasant Street and Sparks Avenue that will allow the current roadways to accommodate a sidepath versus keeping both roads two way and creating a sidepath from private lands. The Bicycle and Pedestrian Advisory Committee and the Traffic Safety Work Group are studying these alternatives and will present their opinions to the Select Board. Drew Patnode, Director, DPW, commented on the sidewalk project, saying that minor repairs are continuing with Town crews but that major rebuilding of Town sidewalks will be done under contracts authorized by the Annual Town Meeting. Ed Gillum asked if there was a list of street priorities both for sidewalks and for repaving. Drew Patnode answered by saying that the DPW coordinates with the Town's Sewer and Water departments to develop a five-year plan for both. The goal is to

coordinate projects so that, in particular, repaving of roads will occur only after scheduled sewer and water projects are completed. He indicated, also, that Chuck Larson, Special Projects Manager, and Holly Backus, Preservation Planner, are working on identifying the historic materials that were used for sidewalks on upper Main Street.

For the ‘Sconset Bluff footpath, subcommittee members continue to review encroachments, both of private land into the footpath and meanders of the footpath that encroach into private property. Ed Gillum reported that he had learned from members of the ‘Sconset Civic Association that their members are willing to support a private security guard for the Bluff path but that issues of housing are intruding.

Although not highlighted, Lee Saperstein took the opportunity to suggest a “White” paper on improving the public’s knowledge of the Nantucket Railroad. Specifically, he suggested that an addition to this item would read, “develop signage that identifies Nantucket Railroad important locations and that lead to historic walking trails on the road bed.” Allen Reinhard said that a lot of the route is on Nantucket Island Land Bank land and that they may cooperate in this effort. Ed Gillum said that he, too, would like to help. He mentioned that Bermuda has a cross-island trail that is on an abandoned rail bed and that this situation is very similar to ours:

<https://www.gotobermuda.com/inspiration/article/walk-run-or-cycle-bermuda-railway-trail-national-park>.

5. Other Business and Member Comments.

In response to Bill Grieder’s request for other business items, Snookie Eldridge said that he would like for the committee to discuss placing Bunker Hill Road in ‘Sconset on the Potential Takings list. Bill Grieder said that he would put it on the agenda for the next meeting. He also said that he gets the occasional request to put Cato Lane on the list. Lee Saperstein volunteered that it had come up some time ago and that there was no support from the Town for the potential taking of the gap between the two paved portions of the Lane.

6. Adjournment.

Before reaching adjournment, Bill Grieder asked the committee’s preference for the next meeting, hybrid or entirely remote. The decision was hybrid and, because he will be away, Bill Grieder asked the Vice-Chair to chair the meeting

Adjournment came at 5:35pm by motion of Allen Reinhard, seconded by Snookie Eldridge, and approved unanimously.

Next meeting: 4:00 pm, February 20, 2024.

Roads & ROW Ongoing Projects List as of 1/11/24

Public Way Monument Project: *(Lee & Allen & Snookie)*

Update file of existing monuments

- In progress as of 7/25/2023

Install remaining monuments at Sconset Footpath, Hulbert Ave., and other locations

- Need scheduling with DPW as of 7/25/2023

Land Bank to install monuments at Westchester St. Ext. & Crooked Lane

- Land Bank to install monuments when they complete their access project as of 7/25/2023

Public Way Access Maintenance

- DPW work orders have been issued for the maintenance of the public path between 51 and 55 Nobadeer Ave, including brush cutting, and also to restore access to the public access path at 18 Nobadeer Avenue. Allen Reinhart to assist DPW the exact to avoid any encroachment on private property. as of 1/16/2024
- Reestablish access at 18 Nobadeer Avenue To be completed by homeowner as of 7/25/2023

Sidewalk Projects: *(Lee & Allen)*

Wauwinet Road Side Path

- This project under way by DPW as of 1/16/2024

Tom Nevers Side Path

- This project is being reviewed by the Bicycle and Pedestrian Advisory Committee (BPAC) and DPW as of 7/25/2023

Cliff Road Coffin Park to bike path at Sherburne Turnpike

- Request sent to Selectboard to add to future sidewalk list. as of 7/25/2023

Pleasant St. Gardner Perry Lane to Williams St.

- Project back for additional possible redesign as of 12/19/2023

Lovers Lane Bike path/ road reconstruction

This project is being managed by Town Administration and DPW. Staff meets each week with the engineer, GPI, to discuss steps to advance the design from preliminary to final design now that funding for permitting and construction has been approved. as of 7/25/2023

Follow implementation of downtown sidewalk improvements

- DPW continuing to reset bricks and curbing in the downtown area as of 12/19/2023

Bike/Pedestrian connection from Surfside to Hummock Pond to Madaket paths

- Land takings completed – needs Town Meeting funding as of 7/25/2023

Prospect Street sidewalk from Milk Street to Madaket bike path

- Unfeasible to complete past Quaker Cemetery footprint - need to develop alternative route, possible down Vestal St to Wynn Street to Madaket Road. as of 7/25/2023

Chapter 91 Monitor Project: *(Lee, Rick, Phil)*

GIS department head Nathan Porter making available online (Phil Smith reviewing) as of 7/25/2023

Chapter 91 Licenses

- Requested ConCom to copy RROW on any received applications or notices as of 7/25/2023
- Nantucket and Madaket Harbors Action Plan Update Committee Identify licenses along route for the Harbor Walk
 - Committee conducting public survey (Phil Smith reviewing) as of 7/25/2023

Nantucket Greenway and Trail System Project: *(Allen, Lee)*

Nantucket Central Railroad trail map of existing portions of route

- Locations identified at Easy Street, Washington Street extension, Naushop development and Bayberry Commons to Surfside as of 7/25/2023

Sconset Bluff Walk Subcommittee Review: *(Allen, Ed, Nat)*

- Identified (2) locations for monument installation as of 7/25/2023
- Identifying encroachments as of 12/19/2023

Attachment: Chapter 91 Correspondence for 44-46 Easton Street.

From: Bill Grieder <bill.grieder@gmail.com>
Subject: Waterways License Application Number 23-WW16-0002-APP
Date: November 22, 2023 at 12:48:01 PM EST
To: frank.taormina@mass.gov
Cc: Reinhard Allen <allenreinhard@yahoo.com>

Waterways License Application Number 23-WW16-0002-APP
Applicant: Auburn Cottage, LLC & Forty-Four Easton Street
Project Location: 44-46 Easton Street, Nantucket, Nantucket County
Notification Date: October 23, 2023
Public Hearing: October 30, 2023
Public Comments Deadline: November 22, 2023

Frank Taormina
frank.taormina@mass.gov
(617) 292-5551

November 22, 2023

Dear Mr. Taormina,

Responding to a request for comments from RROW on the 44-46 Easton Street c 91 application.

The 2023 draft plot plan for 44-46 shows a 5ft public access path on the north side of 42-44 from Easton Street to the water. What sort of signage or marking will be placed at the Easton Street end? Will there be required verbiage on the posting and who will install the marker?

There is an established Chap. 91 Access from Harbor View Way across the waterside length of the property on 50 Easton Street. It is our understanding there is also public access across the waterside of 42B Easton Street through 16 Easton Street. It would seem appropriate to install steps at the East end of 50 Easton Street to connect the public's ability to walk from 50 Easton Street onto the beach at 44-46 Easton Street to facilitate the public access.

The Nantucket Roads and Right of Way Committee (RROW) is working to improve and maintain the public access to the waterway from the Greater Harbor Yacht Club property on Washington Street extension to Brant Point on Easton Street. The above-mentioned suggestions will help us achieve that goal.

Bill Grieder
RROW Chairman
E bill.grieder@gmail.com

From: "Taormina, Frank (DEP)" <frank.taormina@mass.gov>
Subject: RE: Waterways License Application Number 23-WW16-0002-APP
Date: November 22, 2023 at 1:21:58 PM EST
To: Bill Grieder <bill.grieder@gmail.com>
Cc: Reinhard Allen <allenreinhard@yahoo.com>

Mr. Grieder,

Thank you for submitting written comments to the Department on the referenced Chapter 91 Waterways License Application for 44-46 Easton St, Nantucket. The Applicant is required to provide the Department with a written response to all public comments received during the public comment period, and sent a copy of such to all people/parties that submitted public comments. Then Department will then consider all public comments, and the Applicant's responses thereto, when drafting our decision.

The Department will copy you on any future decision rendered on this waterways application.

Thank you and hope you have a great
Thanksgiving! Frank



Frank Taormina

Department of Environmental Protection
Waterways Regulation Program
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Admitted in: MA

January 3, 2024

Frank Taormina
Waterways Program
Department of Environmental Protection
100 Cambridge Street
Boston, MA 02114

Re: Waterways License Application Number 23-WW16-0002-APP
44 and 46 Easton Street, Nantucket

Dear Mr. Taormina,

I am writing in response to a public comment submitted in connection with the abovereferenced Waterways Application.

On November 22, 2023, Bill Grieder, the Chairman of the Nantucket Roads and Right of Way Committee (RROW) submitted an email to the Department. Mr. Grieder asks two questions:

1. What sort of signage will be placed on the Easton Street end of the five-foot public access path?
2. Will there be required verbiage on the posting and who will install the marker?

There will be signage on the property, adjacent to the sidewalk. The signage will be the standard public access signage required by the Department of Environmental Protection. The following are the Department's ordinary sign requirements:

1. All signs shall utilize durable materials and methods of construction and be a minimum of 18" by 18" in size. Letter height shall be a minimum of 1/2".
2. Sign shall conform to all local laws and regulations.
3. If the site is located on a formal waterfront public pathway, a minimum area of 5" diameter shall be reserved for any identifying state or municipal logo.
4. The Licensee shall maintain all signs in good condition and repair.
5. The signs shall encourage public patronage and access of all of the facilities required by the license conditions (using directional graphics, if necessary) and state the hours of public access.

Frank Taormina

Waterways Program

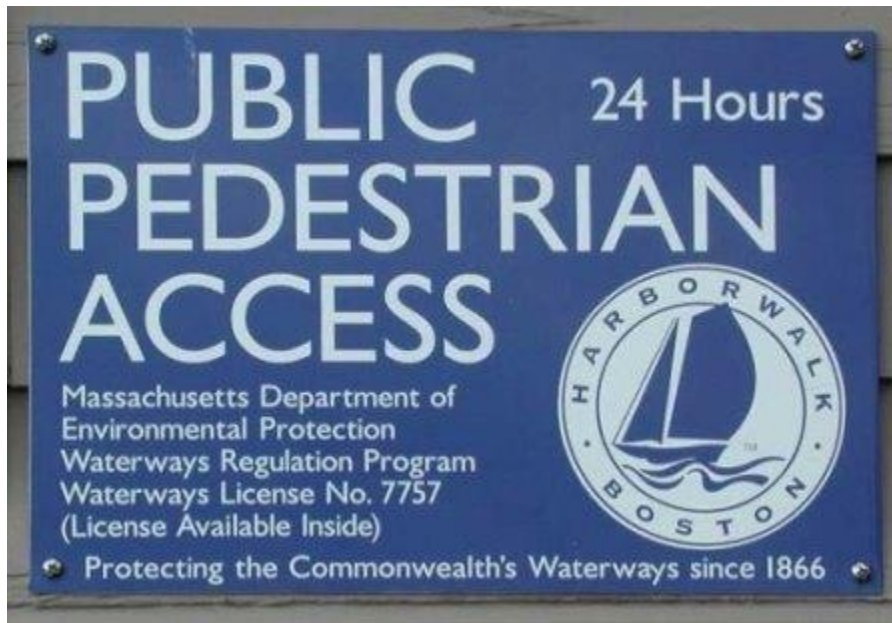
Department of Environmental Protection

January 3, 2024

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6. At least one sign shall be placed in a prominent location stating that the walkway facilities were required by the MassDEP, the waterways license number of the project, and the location where the public may inspect a copy of the license.
7. Signage shall be permanently posted and unobstructed from the view of a passerby.

Below is an example of an acceptable sign.



Signage at 44-46 Easton Street must be approved by the Nantucket Historic District Commission, so the signage may vary slightly from the Department's requirements. The sign will be installed and maintained by the property owner.

Mr. Grieder also states that there is existing chapter 91 access across the waterside of 50 Easton Street (the White Elephant Hotel), and across the waterside at 42B Easton Street. He suggests that steps be installed at the east end of 50 Easton Street to facilitate public access to allow public access from 50 Easton Street, across 44-46 Easton Street, and onto 42B Easton Street.

There is a steel bulkhead along the property line between 50 Easton Street and 44-46 Easton Street. I have not done any new research, but my recollection is that the bulkhead is licensed to the owner of 50 Easton Street. There is a considerable distance between the top of the bulkhead and the beach on my client's property. Mr. Grieder is correct that steps would be required to pass from 50 Easton Street to 44-46 Easton Street. Those steps would have to be connected to the existing bulkhead owned by 50 Easton Street, and that would require that 50 Easton Street grant an easement to my client to fix those steps to the bulkhead. Accordingly, my client does not have the legal authority to install steps connecting the properties.

Frank Taormina
Waterways Program
Department of Environmental Protection
January 3, 2024
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The proposed project includes a five-foot-wide pedestrian walkway from Easton Street to the high-water mark. This type of pedestrian access is consistent with the Department's access requirements for residential properties. Public access along the entire shoreline, above the highwater mark, would be an inappropriate intrusion on my client's property, and is not required by the Chapter 91 Regulations.

Sincerely yours,

[Daniel J. Bailey](#)
Daniel J. Bailey

DJB/smg

cc: Calvin Fayard
Bill Grieder

From: Susan Godfrey <sgodfrey@PierceAtwood.com>
Subject: 44-46 Easton St, Nantucket (23-WW16-0002-APP)
Date: January 3, 2024 at 8:46:03AM EST
To: "frank.taormina@mass.gov" <frank.taormina@mass.gov>, "bill.grieder@gmail.com" <bill.grieder@gmail.com>
Cc: Daniel Bailey dbailey@PierceAtwood.com

Good morning, please find attached correspondence from Dan Bailey in connection with the above-mentioned matter. Please let me know if you need any additional information at this time. Thank you.

Susan Godfrey Legal Assistant
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PROJECT COMPLIANCE STATEMENT

46 Easton Street, Nantucket

As detailed below, the Project complies with the requirements of 310 CMR 9.51, 9.52 and 9.53.

1. 310 CMR 9.51 Requirements – Conservation of Capacity for Non-Water Dependent Use

Non-water dependent use projects must comply with the following requirements of 310 CMR 9.51(3):

(a) new pile-supported structures for nonwater-dependent use shall not extend beyond the footprint of existing, previously authorized pile-supported structures or pile fields, except where no further seaward projection occurs and the area of open water lost due to such extension is replaced, on at least a 1:1 square foot basis, through the removal of existing, previously authorized fill or pile-supported structures or pile fields elsewhere on the project site; as provided in 310 CMR 9.34(2)(b)1., the Department shall waive the on-site replacement requirement if the project conforms to a municipal harbor plan which, as determined by the Secretary in the approval of said plan, specifies alternative replacement requirements which ensure that no net loss of open water will occur for nonwater-dependent purposes, in order to maintain or improve the overall capacity of the state's waterways to accommodate public use in the exercise of water-related rights, as appropriate for the harbor in question.

Not applicable. The Project does not include any new pile-supported structures in areas of open water.

(b) Facilities of Public Accommodation, but not nonwater-dependent Facilities of Private Tenancy, shall be located on any pile-supported structures on flowed tidelands and at the ground level of any filled tidelands within 100 feet of a project shoreline. The Department may allow any portion of the equivalent area of a Facility of Public Accommodation to be relocated within the building footprint, or in other buildings owned, controlled or proposed for development by the applicant within the Development Site if the Department determines the alternative location would more effectively promote public use and enjoyment of the project site. As provided in 310 CMR 9.34(2)(b)1., the Department shall waive the above use limitations if the project conforms to a municipal harbor plan which, as determined by the Secretary in the approval of said plan, specifies alternative limitations and other requirements which ensure that no significant privatization of waterfront areas immediately adjacent to the water-dependent use zone will occur for nonwater-dependent purposes, in order that such areas will be generally

free of uses that conflict with, preempt, or otherwise discourage water-dependent activity or public use and enjoyment of the water-dependent use zone, as appropriate for the harbor in question;

The Project is limited to a small expansion of an existing, unlicensed residential structure. The expansion is not a Substantial Structural Alteration, so the Applicant is eligible for licensing, but will need a variance because the existing first floor residential use is within 100 feet of the project shoreline. A Variance Supplement is included with this Application. The proposed expansion is more than 100 feet from the mean high water mark, so the expansion itself is not subject to FPA requirements, but because the expansion triggers a licensing requirement, the entire structure is subject to the Waterways Regulations.

(c) new or expanded buildings for nonwater-dependent use, and parking facilities at or above grade for any use, shall not be located within a water-dependent use zone; except as provided below, the width of said zone shall be determined as follows: 1. along portions of a project shoreline other than the edges of piers and wharves, the zone extends for the lesser of 100 feet or 25% of the weighted average distance from the present high water mark to the landward lot line of the property, but no less than 25 feet; and 2. along the ends of piers and wharves, the zone extends for the lesser of 100 feet or 25% of the distance from the edges in question to the base of the pier or wharf, but no less than 25 feet; and 3. along all sides of piers and wharves, the zone extends for the lesser of 50 feet or 15% of the distance from the edges in question to the edges immediately opposite, but no less than ten feet. The expansion is not located within the water dependent use zone. There are no parking facilities within the water dependent use zone.

(d) at least one square foot of the project site at ground level, exclusive of areas lying seaward of a project shoreline, shall be reserved as open space for every square foot of tideland area within the combined footprint of buildings containing nonwater-dependent use on the project site; in the event this requirement cannot be met by a project involving only the renovation or reuse of existing buildings, ground level open space shall be provided to the maximum reasonable extent; as provided in 310 CMR 9.34(2)(b)1.

The Project provides more than 50% open space on the lot.

(e) new or expanded buildings for nonwater-dependent use shall not exceed 55 feet in height if located over the water or within 100 feet landward of the high water mark; at greater landward distances, the height of such buildings shall not exceed 55 feet plus ½ foot for every additional foot of separation from the high water mark; as provided in 310 CMR 9.34(2)(b)1.

The height of the Project is under 55 feet.

2. 310 CMR 9.52 Requirements – Utilization of Shoreline for Water Dependent Purposes

Non-water dependent projects that include a water dependent use zone must provide facilities to encourage activation of the waterfront. 310 CMR 9.52 provides:

(1) In the event the project site includes a water-dependent use zone, the project shall include at least the following: (a) one or more facilities that generate water-dependent activity of a kind and to a degree that is appropriate for the project site, given the nature of the project, conditions of the water body on which it is located, and other relevant circumstances; in making this determination, the Department shall give particular consideration to: 1. facilities that promote active use of the project shoreline, such as boat landing docks and launching ramps, marinas, fishing piers, waterfront boardwalks and esplanades for public recreation, and waterbased public facilities as listed in 310 CMR 9.53(2)(a); and 2. facilities for which a demonstrated need exists in the harbor in question and for which other suitable locations are not reasonably available; and

(b) a pedestrian access network of a kind and to a degree that is appropriate for the project site

and the facility(ies) provided in 310 CMR 9.52(1)(a); at a minimum, such network shall consist of:

1. walkways and related facilities along the entire length of the water-dependent use zone; wherever feasible, such walkways shall be adjacent to the project shoreline and, except as otherwise provided in a municipal harbor plan, shall be no less than ten feet in width; and 2. appropriate connecting walkways that allow pedestrians to approach the shoreline walkways from public ways or other public access facilities to which any tidelands on the project site are adjacent. Such pedestrian access network shall be available to the public for use in connection with fishing, fowling, navigation, and any other purposes consistent with the extent of public rights at the project site.

The Project includes a five-foot wide pedestrian access path on the east side of the property from Easton Street to the existing bulkhead. There will be signage on Easton Street identifying this public access path. **It is not feasible to have a walkway along the shorefront because this is a single family home, and such a walkway would create a safety and security hazard.**

310 CMR 9.53: Activation of Commonwealth Tidelands for Public Use

310 CMR 9.53 is not applicable. No part of the site is on Commonwealth Tidelands