



CHAPTER 91'S GENERAL LICENSE CERTIFICATION FOR SMALL RESIDENTIAL DOCKS AND PIERS



*MA. Assn. of Conservation Commissions AEC, March 3, 2018
Presented By: Ben Lynch and Nancy Lin*

Chapter 91 Overview

- ❑ C. 91 was established in 1866
- ❑ Rooted in the Public Trust Doctrine
 - ❖ Codified in colonial ordinances in the 1640s.
 - ❖ Public Has Fundamental Rights in the Natural Resources such as the air, the sea, and the shore.
- ❑ MassDEP as Steward of the Public Rights held in Trust, has a duty to preserve these resources and the public's right to use them
- ❑ Regulations protect and promote public's interests in tidelands, great ponds, and navigable rivers & streams
 - ❖ Set application procedures and performance standards

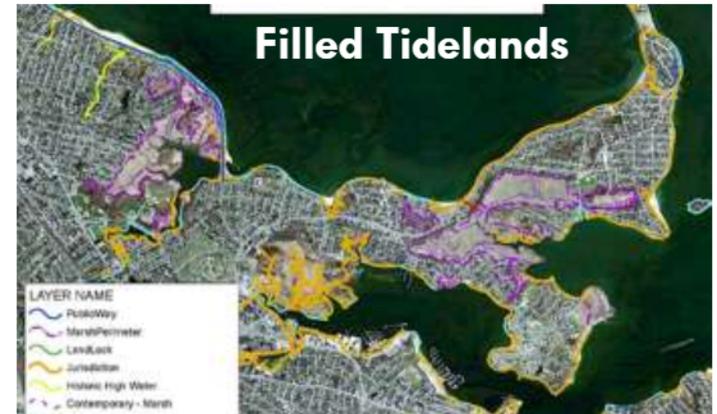
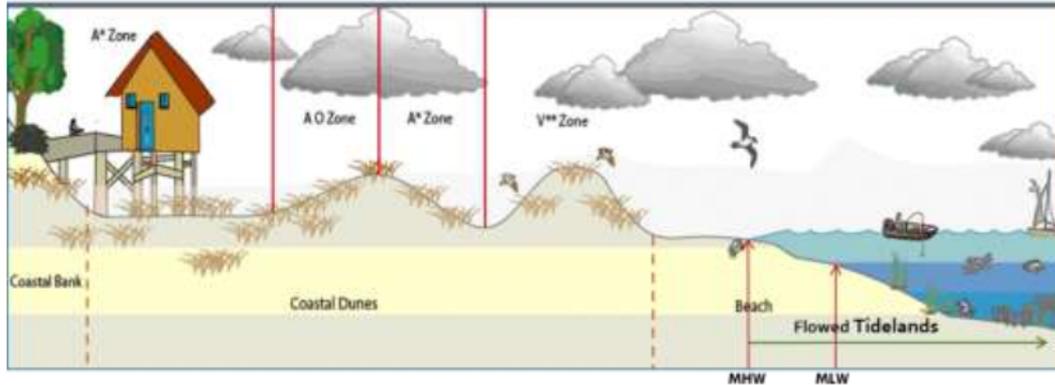


Chapter 91 Overview



- ❑ Purpose of Regulations - 310 CMR 9.00
- ❑ Ensure **tidelands** are utilized for water-dependent uses or otherwise serve a proper public purpose
- ❑ Protect public health, safety & general welfare
- ❑ Revitalize urban waterfront properties
- ❑ Promote public use and enjoyment of the water

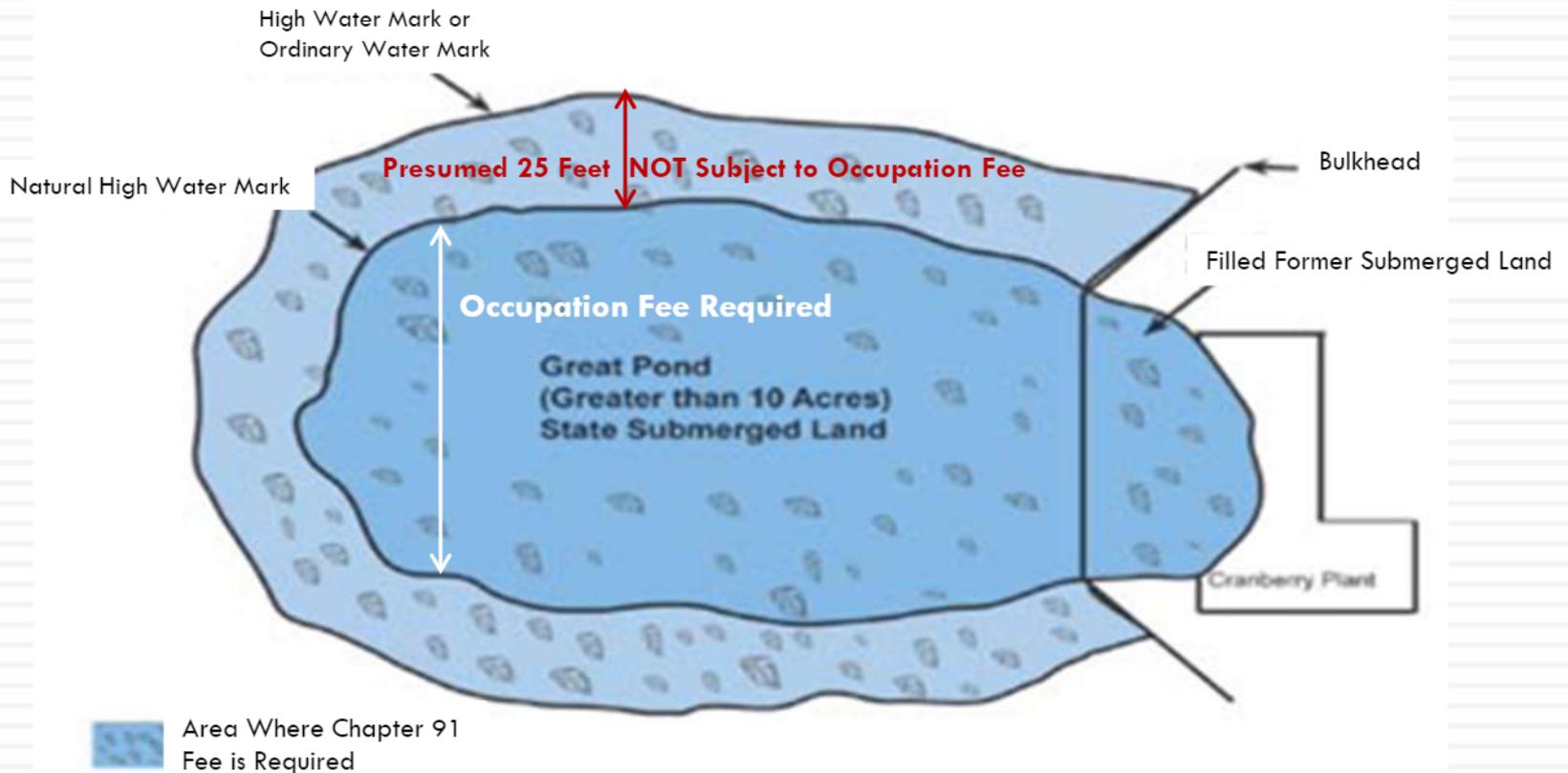
Geographic Jurisdiction



- ❑ Flowed Tidelands
- ❑ Filled Tidelands
- ❑ Great Ponds (see list on DEP website)
- ❑ Navigable Rivers and Streams



C. 91 Jurisdiction: Inland Enlarged Great Pond



Overlaps in C. 91 and Wetland Review

- ❑ Similar Geographic Areas
- ❑ Waterways Protects Public Rights
 - ❖ Navigation, public access, public use and enjoyment
- ❑ Wetlands Protects Natural Resources
 - ❖ Prevent Pollution, Water Quality, Flood Control, Wildlife, Fisheries, etc.
- ❖ Same Requirements for Structural Soundness
 - ❖ Professional Design, Storm Damage Prevention

Overlaps in C. 91 and Wetland Review

- ❑ Non-Commercial Docks & Piers are the
 - ❖ Most Common Structure permitted over the water
 - ❖ General License provides best example of how to build



C. 91 General License is a Statutory Revision

- ❑ C.91 Amended by Legislature with new Section 18C that allows MassDEP to:
 - ❖ Create a General License and
 - ❖ New Self-Certification Procedure for the General License
- ❑ Applies to Non-Commercial, Water-Dependent, Small Scale, Residential Docks, Piers & Similar Structures
- ❑ Eliminates Individual State Review & Governor Signature of Individual Licenses
- ❑ General Licenses are recorded in Each Registry of Deeds across the State
- ❑ Annual Audits for Compliance



The General License provides

- ❑ **Clear eligibility standards**
- ❑ **Separate standards** for inland and coastal waters
- ❑ Limits eligible structure to **1 per property**
- ❑ Limits **DEP Review** to Acknowledge and Affirm



DEP's Review



- ❑ **Acknowledges Receipt** of the Self-Certification
- ❑ **Reviews the Self-Certification; Does it Meet:**
 - ❖ All Eligibility Requirements
 - ❖ Jurisdictional Location
 - ❖ Conditions & Construction Conditions
- ❑ **Affirms the Certificate** if Appropriate
- ❑ **Note:** Since January 2018 ALL Eligible Structures **MUST** Apply for a General License Certification. No other options is available under Chapter 91.

What's in each General License (GL)?

❑ Eligibility Requirements

❑ Locations Identified

- ❖ Inland GL applies to Great Ponds, Navigable Rivers and Streams
- ❖ Coastal GL applies to Flowed Tidelands

❑ General Conditions & Construction Conditions

- ❖ Allow public access along the shore over, under or around structure (see a copy of a sample Inland & Coastal General License)
- ❖ Wherever feasible, all structures shall be placed perpendicular to the shoreline.
- ❖ Must not significantly interfere with littoral or riparian property owners' rights to access and egress their property from the waterway
- ❖ Limit Size and Location on Lot

What's in each General License (GL)?

❑ General Conditions & Construction Conditions

(cont.)

- ❖ Install Public Access Sign (template)
- ❖ Limit Size and Location on Lot



- ✓ Abutter Setbacks, no closer than 25' (Coastal) 15' (Inland)
- ✓ Safe Berthing Depths not less than 18", or if shellfish, 30"
- ✓ Minimum Length Needed for Safe Berthing
- ✓ No Longer than 25% of the width of water body
- ✓ Maximum Width of 4'

What's in each General License (GL)?

- ❑ Compliance – Record at Registry of Deeds
 - ❖ Must Build Structure within 5 Years of MassDEP Affirmation
 - ❖ With Written Request, MassDEP Can Extend 1 year with one more additional year without Public Notice
 - ❖ Annual Audits
- ❑ Fees must be paid before MassDEP Review
- ❑ License Term based on Issuance Date



Eligibility Criteria

- ❑ Non-Commercial
- ❑ Water-dependent use
- ❑ Accessory to Residential Property
- ❑ Pile-Supported Structure
- ❑ One Structure per Property
- ❑ **Not** in Area of Critical Environmental Concern or Designate Port Area



Eligibility Criteria (continued)

- ❑ **No** Roofed Structures
- ❑ **No** Filling or Dredging
- ❑ **Do** Preserve Public Trust Rights to Commonwealth Tidelands
- ❑ **Do** Preserve Public Rights of Access on Private Tidelands & Great Ponds for Fishing, Fowling and Navigation Preserved



General License Conditions

COASTAL STRUCTURES

- ❑ Permanent structure allowed
- ❑ No larger than 600 square feet
- ❑ Pile supported structure $\leq 4'$ wide excl. piles
- ❑ Property line setback at least 25'
- ❑ Hand drawn plans accepted, Professional engineer plans preferred
- ❑ 30-year term – expires April 13, 2045

INLAND STRUCTURES

- ❑ Seasonal, removed annually
- ❑ No larger than 300 square feet
- ❑ Pile supported structure $\leq 4'$ wide excl. piles
- ❑ Property line setback preferably 25' BUT at least 15'
- ❑ Hand drawn plans accepted
- ❑ 15-year term – expires April 13, 2030

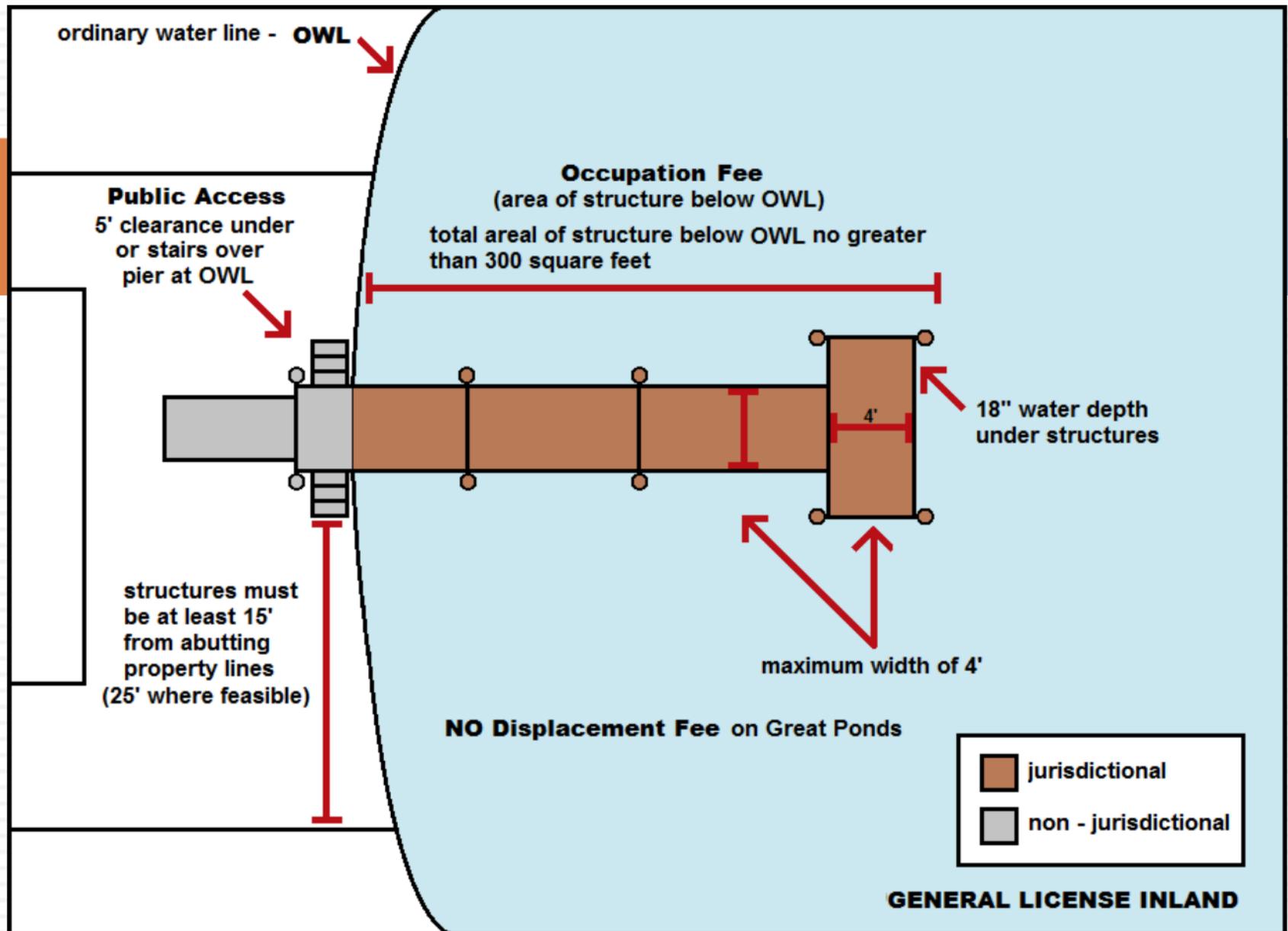
Standard Conditions for All GLs



- ❖ Allow Public Access on Commonwealth Property
- ❖ Setbacks from Abutting Property
 - Coastal – 25' minimum
 - Inland – 15' minimum for freshwater; 25' for Great Ponds, Navigable Rivers & Stream, where feasible
- ❖ Minimum Depth & Length needed for Safe Berthing
 - Water depth minimum 18" or, if shellfish, 30" minimum depth
 - No more than 25% of the width of water body

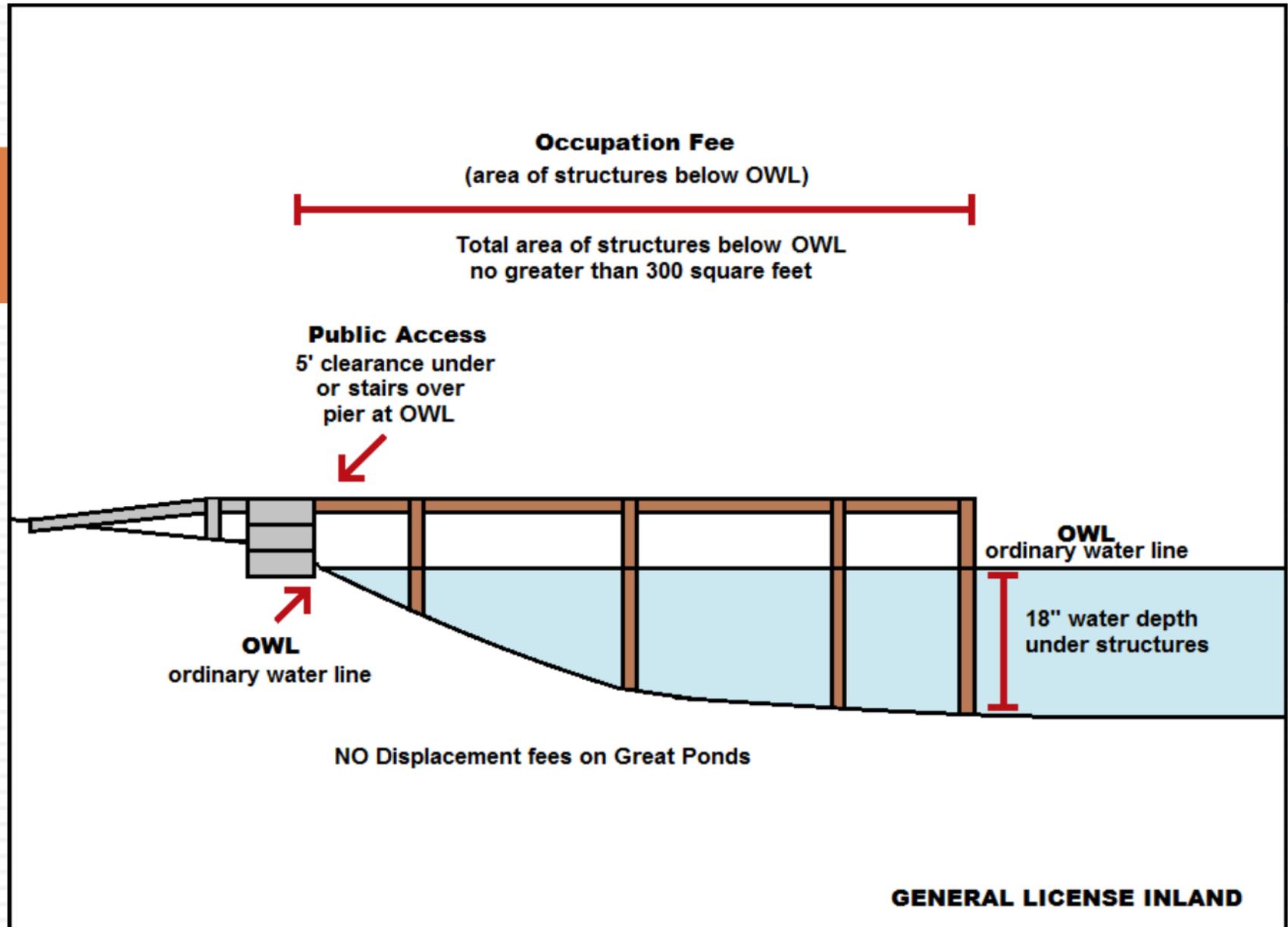


C. 91 Inland Jurisdiction & Certain Eligibility/Construction Requirements



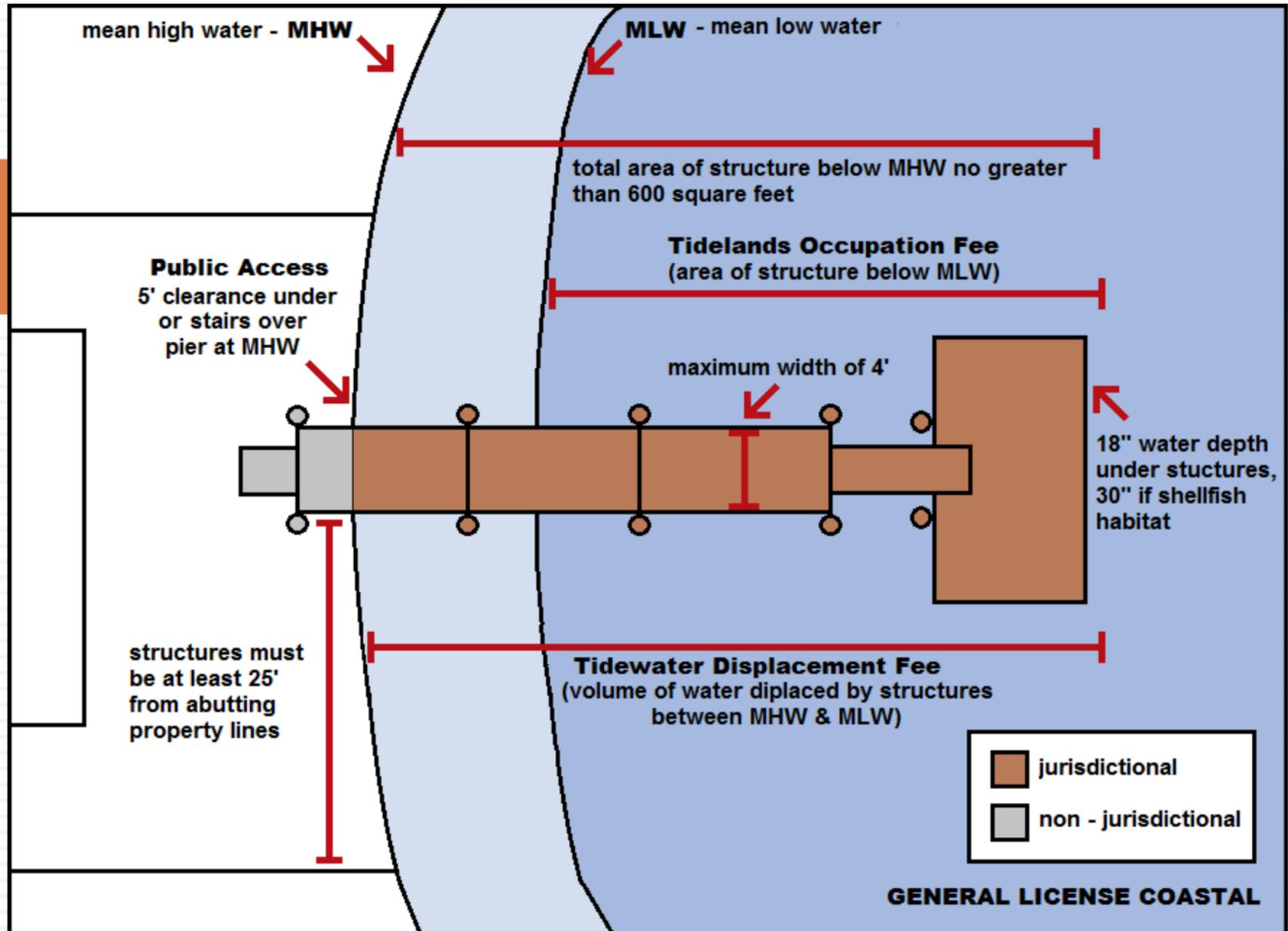


C. 91 Inland Jurisdiction & Certain Eligibility/Construction Requirements





C. 91 Coastal Jurisdiction & Certain Eligibility/Construction Requirements







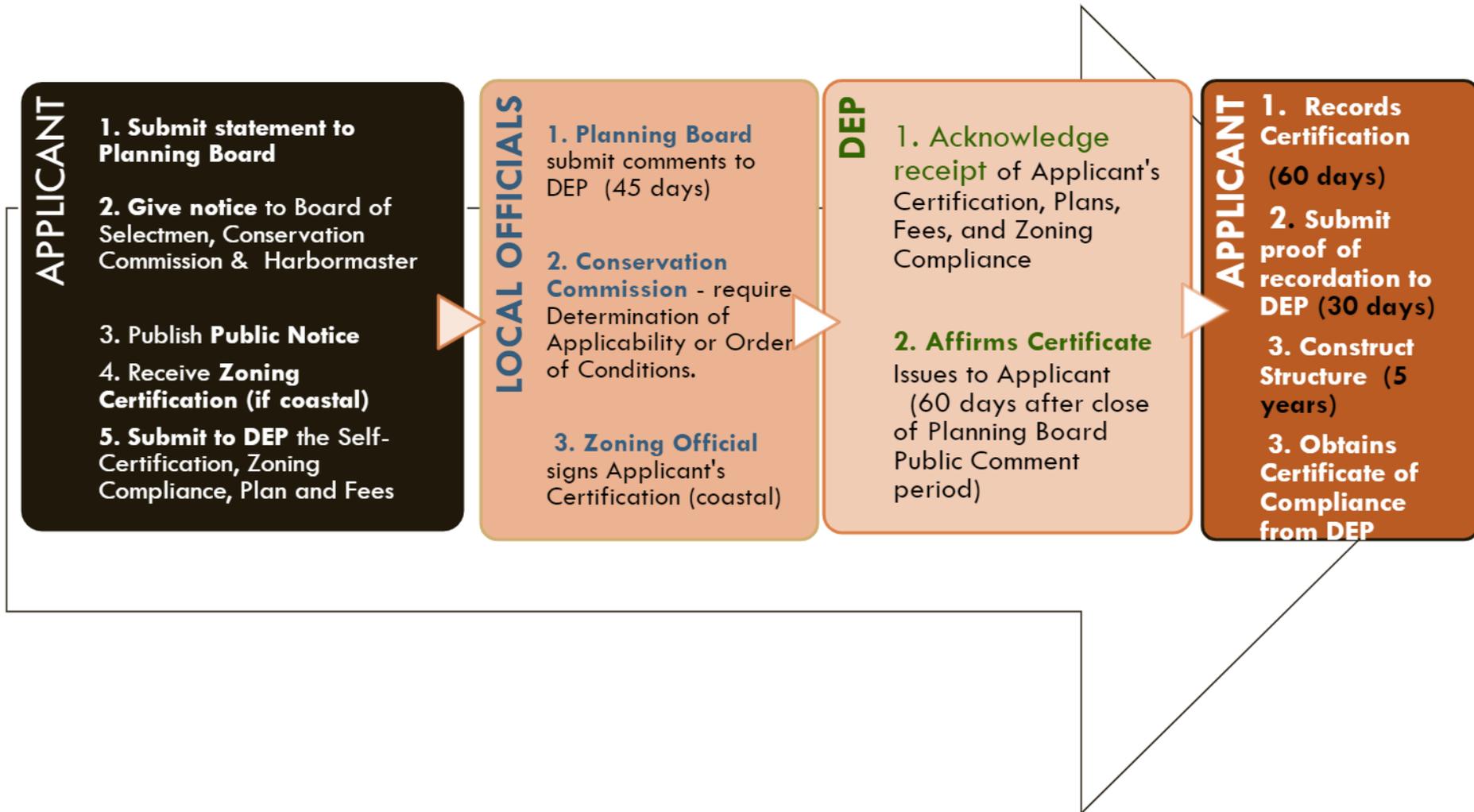


Other Permitting Options

- ❑ Must Use General License Certification if a Project is Eligible.
- ❑ Simplified License
 - ❖ Walls and Fill NOT allowed
 - ❖ Existing Simplified Licenses Effective until Expiration.
 - ❖ 15 year term; Hand Drawn Plans
- ❑ Standard License
 - ❖ 30 year term; professionally drawn plans
- ❑ Harbormaster Approval
 - ❖ Annual Term; Bottom Anchored Only



Certification Process



GLC Self Certification

DEP Role – Boston Office

- ❑ **Acknowledges** Receipt of the Self-Certification
- ❑ Expeditious Review focused on administrative completeness
- ❑ **Affirms the Certificate** if it meets Eligibility Requirements & Conditions

Local Review

- ❑ Full Review by Conservation Commission
- ❑ Provide Public Input
- ❑ Coordinate through Planning Board
- ❑ Recommend Eligibility Requirements are Met - Location, Access & Construction Conditions
- ❑ Identify Site Conditions that justify DEP perform **Standard License Review**

The Certification Process

- ❑ **Before Submitting the Certification to DEP the Applicant must**
- ❖ **Submit Statement to Planning Board** with copy of Public Notice.
- ❖ **Publish Public Notice-** Issued before or at same time as Notice to municipal officials listed below.
 - ✓ Board of Selectmen
 - ✓ Conservation Commission (option to coordinate with NOI public notice (notice template is in the instructions.))
 - ✓ Harbormaster
- ❖ **Receive Zoning Certification** from Zoning Official (Coastal Only)
- ❖ Obtain from Conservation Commission a Determination of Applicability or Order of Conditions.
- ❖ Other Local Board reviews or notification may apply.

General License Certification: Checklist & Joint Public Notice Template



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Waterways Program
**BRP WW 24 Chapter 91 General License Certification
Instructions and Supporting Materials**

Certification Completeness Checklist

Please answer all questions in the General License Certification form. If a question does not apply to your project write "not applicable" (N/A) in that block. Please print or type all information provided on the form. Use black ink (blue ink or pencil are not accepted). If additional space is needed, attach extra 8-1/2" x 11" sheets of paper.

GET the [MassDEP Transmittal Number](#) and insert number into your BRP WW24 and Fee Calculator Forms.

PLANS: Prepared in accordance with the applicable instructions in this document. For initial filing, meet the requirements of 310 CMR 9.29(4)(a).

APPLICANT CERTIFICATION: All Certification applications must be signed by "the landowner if other than the applicant. In lieu of the landowner's signature, the applicant may provide other evidence of legal authority to submit an application for the project site." If the project is entirely on land owned by the Commonwealth (e.g. most areas below the current low water mark in tidelands and below the historic high water mark of Great Ponds), you may simply state this in lieu of the "landowner's signature".

PUBLIC NOTICE: Proof has been submitted that the public notice requirement at 310 CMR 9.29 (4)(C) has been met (include copy of the dated newspaper notice).

THE CERTIFICATION FORM HAS BEEN SUBMITTED TO THE FOLLOWING OFFICIALS FOR THE MUNICIPALITY IN WHICH THE PROJECT IS LOCATED:

PLANNING BOARD NOTIFICATION: Applicants shall submit to the planning board a statement and plan that includes the proposed use, location, dimensions and limits and mode of work to be performed, and describes the proposed project with sufficient detail for the planning board to determine if the proposed project complies with the eligibility criteria and applicable standards and conditions of the General License.

CONSERVATION COMMISSION: The applicant shall provide to the Department adequate documentation with the Certification package that the project complies with the Wetlands Protection Act, in the form of an Order of Conditions (OoC), negative or conditionally negative Determination of Applicability, or Certificate of Compliance (CoC). If approval is granted, the applicant must provide, in Section E of the Certification Form, the date of issuance and, if the approval is an OoC or CoC, the MassDEP file number.

MUNICIPAL ZONING CERTIFICATION: In Section E of the Certification Form, the applicant shall include a certification from the local Zoning Enforcement Officer that the project complies with applicable zoning ordinances and bylaws.

- Board of Selectman Mayor and City Council Harbormaster
 Landowner (if not applicant) Zoning Enforcement Officer (Required for Coastal Structures ONLY)

TO SUBMIT THE PACKAGE:

- Checklist items above have been completed.
 Send a copy of the GLC along with one copy from the Inland or Coastal Fee Calculator and check to: MassDEP Waterways Regulation Program, One Winter Street- 5th floor, Boston, MA. 02108.
 FEES: Send a copy of your fee calculations, copy of the GLC, and the appropriate fee of \$ _____ as a check or money order made payable to: "The Commonwealth of Massachusetts", to:

Massachusetts Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Waterways Program
**BRP WW 24 Chapter 91 General License Certification
Instructions and Supporting Materials**

Joint Public Notice Template for a General License Certification and Wetlands Protection Permit Application Review

DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

Notice of Certification Application pursuant to 310 CMR 9.29 General License Certification Number [Your Transmittal #]
[Project Name]

NOTIFICATION DATE: [Date of Publication]*

Public notice is hereby given of the application for Certification to the General License by [Applicant's name] to construct and maintain a noncommercial dock for access to navigable waters of [Name of waterbody] at [Site address of structures, City/Town, County State,].

The [municipality] Planning Board will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date".

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at 617-292-5929 or by email at DEP.Waterways@massmail.state.ma.us. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: The [municipality] Planning Board located at [insert mailing address and e-mail address of the appropriate municipal office].

(Name of Municipal) CONSERVATION COMMISSION

Notice of Public Hearing

Pursuant to Mass General Laws, Chapter 131, Section 40, Massachusetts Wetlands Protection Act, the (name of municipal) Conservation Commission will hold a Public Hearing on (Date) at (Time) in the (Location of Hearing) on a Notice of Intent filed by (Applicant's Name) on (brief description of work). The work falls within the (describe the wetland resource area(s) and/or 100-foot buffer zone). The application is on file and is available for public inspection in the Conservation Office at (address).

The Certification Process

Submit to DEP:

- ❑ Certification (WW 24)with Plan
- ❑ Proof of Zoning Compliance -**Coastal** only
- ❑ Proof of Notification/Permit to Municipal Officials
- ❑ Fee Payment (Use Inland/Coastal Fee Calculator and provide proof of Payment to DEP Lockbox)



Term, Fees, Transmittal Number

- ❑ General License Terms
 - Coastal Structures – 30 years starting from April 13, 2015
 - Inland Structures – 15 years starting from April 13, 2015
- ❑ Inland and Coastal Structure Fee Calculators are in Excel
 - Staff may need to help Applicants input Calculations & send a PDF version to the Applicant
- ❑ Transmittal Number Required to Input into GLC (WW 24) & Fee Calculator. Transmittal Form **NOT** required.

The Chapter 91 General License Certification



Massachusetts Department of Environmental Protection
Bureau of Water Resources – Waterways Program

BRP WW 24

Chapter 91 General License Certification
Transmittal Number: _____

Fee Registry of Deeds Use

3

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Certification Information

- I am applying for Certification under:
 - the General License for Coastal Structures
 - the General License for Inland Structures
- The applicable General License for my structure dated _____ is recorded at the _____ [Name of Registry of Deeds](#)
Book _____ Page _____
- My structure meets the eligibility requirements of:
 - General License Section 1(A) and (B) and General License Section 3.2 for Great Ponds and navigable rivers/streams

B. Applicant Information

Printed Name of Applicant _____
 Mailing Address / City / State / Zip Code _____
 Phone Number _____ Email Address _____
 Printed Name of Authorized Agent (if any) _____ Contact Information _____

C. Project Location

Printed Name of Property Owner (if different from Applicant) _____
 Project Street Address / City / State / Zip Code _____
 Using Section C in the Instructions, provide the following geographic coordinates:
 Latitude _____ Longitude _____
 Tax Assessor Map/Parcel Number _____ Parcel Lot Number _____ County _____
 Property Recorded at [Registry of Deeds](#)
 Book _____ Page _____
 Or Certificate of Title Number _____ Or Probate Number _____
 Type of waterbody, as described on page 6 of the instructions, the type of water body in which the project site is located (check all that apply):
 Private Tidelands Great Pond
 Commonwealth Tidelands (seaward of MLW) Non-tidal Navigable River or Stream (Inland)
 Name of the water body the project site is located on _____

D. Project Plans

I have attached plan(s) drawn in accordance with the locations shown and details that meet the list of Requirements for my coastal or inland structure (page 11 of Instructions).

- Hand-drawn Plans Professional Engineering Plans

Number of pages: _____



Massachusetts Department of Environmental Protection
Bureau of Water Resources – Waterways Program

BRP WW 24

Chapter 91 General License Certification
Transmittal Number: _____

Fee Registry of Deeds Use

3

E. Certification

I hereby make application for certification under the General License authorized by the Department and signed by the Governor on April 13, 2015. Upon my signature, I agree to allow the duly authorized representative of the Massachusetts Department of Environmental Protection to enter upon the premises of the project site at reasonable times for the purpose of inspection.

I hereby certify that the information submitted in this Certification and on the attached plans is true and accurate to the best of my knowledge, and is in conformance with the eligibility requirements as outlined in Section 1(A) and (B) and Section 3.2 of the General License. And, upon my signature, that I have read the General License and agree to the terms and conditions set forth therein.

I hereby certify that any change in use or structural alteration of the project described herein will require that I request recertification in accordance with 310 CMR 9.29(4)(e).

I hereby certify that I have sent the required fee to MassDEP, and have attached a copy of the completed fee calculation (Check all that apply):

- Ch 91 Applicant Fee Tidewater Displacement Fee
 Tideland Occupation Fee Great Pond Occupation Fee

I hereby certify I have submitted this certification, and provided the opportunity to comment, to the following officials for the municipality in which the project is located (check all that apply):

- Planning Board _____ Notification Date _____
 Conservation Commission: If approved, identify _____ Date of Order or Determination _____ DEP File #, if issued _____
 Board of Selectmen Mayor and City Council Harbormaster
 Landowner (if not applicant) Zoning Enforcement Officer (for Coastal Structures only)

In accordance with 310 CMR 9.29(4)(c) a public notice was published on _____ Date _____ in _____ Name of publication _____

Original signatures required for all applicants, property owners, authorized agents, and zoning officer (if applicable). The authorized agent may sign all future application correspondence for applicant or property owner.

Applicant's Original Signature _____
 Property Owner's Original Signature (if different from applicant) _____
 Authorized Agent's Original Signature (if applicable) _____
 (For Coastal Structures only) I hereby certify that the project described above and in the attached plans is not in violation of local zoning ordinances and bylaws.
 Printed Name of Zoning Enforcement Officer / Title / Date _____

Original Signature of Zoning Enforcement Officer _____ Municipality _____

For MassDEP Use Only

Failure to record this Certification within 60 days of the date of approval will render this Certification void.

The Chapter 91 General License Certification

3

General License Plan Template (Required for Certification)

General License Certification No. Approved by Department of Environmental Protection Date:	For Registry of Deeds Use Only	
This plan conforms to the requirements of the <u>Best Indexing Standards for the Commonwealth of Massachusetts</u> - January 1, 2008, Section 6-4: Plans as Attachments to Other Documents.	Plan accompanying petition of: _____ _____ _____	Project Description: _____ _____ In: _____ At: _____ County of: _____ Sheet ____ of ____ Date: _____

- ❖ 3 Page Form includes a Mandatory Plan Template
- ❖ Fee Calculator & Payment
- ❖ Proof/confirmation that Municipal Boards (*including Conservation Commission*) has reviewed the Project

A Look at the General License Webpage

- ❑ Look up for each GL available at all Registry of Deeds
 - ❖ Book& Page @ Each Registry
- ❑ Certification Form: BRP WW24
- ❑ Explicit Instructions
- ❑ Fee Calculators
- ❑ Fact Sheet



<https://www.mass.gov/how-to/ww-24-general-license-certification>

WW 24: General License Certification

This certification provides owners of small docks and piers with a simplified process for licensing these structures.

THE DETAILS

CONTACT

What you need

What you need

Fees

How to apply

Next steps

More info

Downloads

Contact

The General License Certification provides a simplified process for owners of small docks and piers to license them.

If you own:

- a proposed structure
- a previously-unauthorized structure
- or a previously-licensed structure up for renewal

And if your structure is eligible under the Chapter 91 regulations, you may need to apply for a General License Certification.

See also: [Fact Sheet: WW 24 General License Certification](#)

MassDEP Waterways Program

Phone

617-292-5929

Online

DEPWaterways@state.ma.us

RELATED

[Massachusetts Registry of Deeds](#) →

[310 CMR 9.00: The Massachusetts Waterways Regulation](#) →

Next steps

1 Review the Instructions

Read these instructions for details on eligibility, where to find deed information, how to calculate fees, and how to submit your application.

Use the fee calculators to determine the total amount of your fees.



BRP WW 24 General License Certification Instructions

(PDF 726.17 KB)



Coastal Fee Calculator (XLSM 40.35 KB)



Inland Fee Calculator (XLSM 71.04 KB)

2 Complete the General License Certification Application

Download this form to your computer and fill it out.



WW 24: Chapter 91 General License Certification

(DOC 280.5 KB)

Application Form

From MassDEP's General License Certification Webpage

Fees

For all General License Certifications, the fee is \$75.00. In addition to the fee, Chapter 91 licenses are subject to Tidewater Displacement fees and Commonwealth Tidelands Occupation fees for coastal structures, and Commonwealth Occupation fees for some inland structures. Applicants can use MassDEP's fee calculators for Inland or Coastal Structures:

[Inland Fee Calculator](#)

[Coastal Fee Calculator](#)

Calculators use Microsoft Excel. Includes applicable Tidewater Displacement and Tideland Occupation fees

If you cannot use these calculators, contact Waterways staff for assistance.

Name	Fee	Unit
Processing Fee	\$75	per structure

From MassDEP's General License Certification Webpage

3 Obtain a MassDEP Transmittal Number

Applicants must obtain a Transmittal Number; however, this certification **does not require** the submittal of a Transmittal Form.

[Transmittal Form & Number for MassDEP Permit Application & Payment](#) →

4 Submit Your Application and Fee Payment

Send a copy of the completed General License Certification, along with one copy from the Inland or Coastal Fee Calculator, and a COPY of your check to:

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

Do not send checks to this address.

To submit the fees, send a copy of your fee calculations, a copy of the completed General License Certification Form, and the appropriate fee in the form of a check or money order made payable to "The Commonwealth of Massachusetts", to this address:

Massachusetts Department of Environmental Protection
PO Box 4062
Boston, MA 02211



The Official Website of the Executive Office of Energy and Environmental Affairs

Energy and Environmental Affairs

Search... in Energy & Environment SEARCH

Agriculture

Energy & Utilities

Environmental Protection

Fisheries, Wildlife & Habitats

Recreation & Conservation

Services & Assistance

Agencies

EEA Home > Agencies > MassDEP > Permit & Reporting Forms > Transmittal Form for Payment

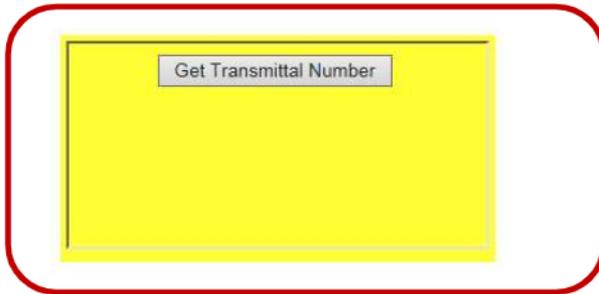
Transmittal Form & Number for Permit Application & Payment

Please follow these instructions for a complete transmittal form:

Step 1

In the box below, click the button "Get Transmittal Number."

Note: You must have a different transmittal number for each permit application. Click the "Get Transmittal Number" button again for a new number.



Step 2

Write down your unique, 4 to 7 character transmittal number.

Step 3

Download the [Transmittal Form for Application & Payment](#).

Step 4

Enter your number in the upper right corner as shown:



A to Z Quick Links

Service Center Index

Permitting Assistance

Billing Questions and Assistance

Fees and Payments

Frequently Asked Questions

Transmittal Form and Number

Fast Track Permitting

Find Your Regional Office

Put Transmittal Number in GL Certificate and in Fee Calculator

5 Record your Certification at the Registry of Deeds

The General License Certification for your property must be recorded at the appropriate Registry of Deeds. Each Registry of Deeds has a General License already on file. Some Registries will have both Coastal and Inland General Licenses.

[Chapter 91 General Licenses by Registry of Deeds →](#)

More info

If you have a small inland residential dock pier, or similar water-dependent structure that is not on the Great Pond list you do not need a Chapter 91 License. Other small residential water-dependent structures may be eligible for a Chapter 91 General License. See the list of Great Ponds provided here.

Downloads



[Massachusetts Great Ponds List](#) (PDF 176.6 KB)

GUIDE

Chapter 91 General Licenses by Registry of Deeds

The General License Certification, WW 24, requires a reference to the recorded General License for the project location. Use this listing to look up the appropriate Chapter 91 General License.



IN THIS GUIDE

- Chapter 91 General Licenses by Registry of Deeds

Chapter 91 General Licenses by Registry of Deeds

The General Licenses are listed alphabetically by county name and Registry. Counties with coastal areas have both coastal and inland General Licenses. County or District names also link to their Registries.

Berkshire, Bristol, Essex, Middlesex, and Worcester Counties have multiple Registries. If you do not know which Registry covers your town, look it up at <https://www.sec.state.ma.us/rod/rodgde/gdeidx.htm>

Barnstable

Barnstable County General License - Coastal

(Book 28978, Page 213)

Book and Page Number and copy of the Coastal or Inland General License provided

From MassDEP's General License Certification Webpage

Massachusetts Great Ponds List

Any project located in, on, over or under the water of a great pond is within the jurisdiction of Chapter 91. A great pond is defined as any pond or lake that contained more than 10 acres in its natural state. Ponds that once measured 10 or more acres in their natural state, but which are now smaller, are still considered great ponds.

This is a county-by-county listing of great ponds in Massachusetts, according to a 1996 Waterways Program Study. This listing was last revised in September 2017 (updating ponds in Hopkinton, Milford, and Upton).

Barnstable County

Barnstable:

Garretts Pond
Hambin Pond
Hathaway Pond (lower portion)
Long Pond
Lovell's Pond
Middle Pond
Mystic Pond
Red Lily Pond/Lake Elizabeth (added 1/30/2014)
Round Pond
Rushy Marsh Pond (originally tidal)
Shubael Pond
Wequaquet Lake (includes Bearse Pond)

Brewster:

Baker's Pond
Black Pond (Harwich)
Blueberry pond
Cahoon Pond (Harwich)
Cance Pond
Cliff Pond
Cobbs Pond
Elbow Pond
Flax pond
Grassy Pond (Harwich)
Greenland Pond
Griffith's Pond
Higgin's Pond
Little Cliff Pond
Long Pond (Harwich)
Lower Mill Pond
Pine Pond
Seymour Pond/Bangs Pond (Harwich)
Sheep Pond
Slough Pond
Smalls Pond
Smith Pond

Upper Mill Pond
Walkers Pond

Bourne:

Great Herring Pond (Plymouth) [Added to Bourne 2006]

Chatham:

Emery Pond
Goose Pond
Lovers Lake
Mill Pond
Schoolhouse Pond
Stillwater Pond
White Pond

Dennis:

Baker's Pond
Eagle Pond
Flax Pond
Fresh Pond
Grassy Pond
Run Pond
Scargo Pond
Simmons Pond
White Pond (Harwich)

Eastham:

Depot Pond
Great Pond
Herring/Coles Pond
Minister Pond



MA Great Pond List Provided



Fee Calculators



- ❑ Inland Fee Calculator
- ❑ Coastal Fee Calculator
- ❑ Calculators Require Microsoft Excel Software
- ❑ If you do not have Excel – call the MassDEP Waterways Staff for Assistance 617-292-5929 or by email at DEP.Waterways@massmail.state.ma.us

Top Portion of the Inland Structure Fee Calculator

**Inland Structure(s) General License Fee Calculator -
Great Ponds, Lakes or Nontidal Rivers**

This Fee Calculator is provided for your convenience. You can choose to submit your own calculation worksheet or contact the Waterways Regulation Staff at: (617) 556-1154 or dep.waterways@state.ma.us.

Mandatory Baseline General License Processing Fee: \$75.00

Directions: Sections that you need to fill out for this Fee Calculator are highlighted in Yellow.

Step 1) Remainder of Term Ending on 4/13/2030: Click "Calendar Year" and use the drop-down list to select the year that you are submitting the GL Certification Application.

Step 2) Great Pond or Tidal River: Click the Municipality/Town to select from the drop down menu that name of your town.

Step 3) Name of Great Pond/Nontidal River: Click the Waterbody tab and select the name of the waterbody associated with your structure.

Step 4) Commonwealth Waters Occupied (piles/posts): Select from drop down menu on the right after clicking the box and select the size and shape of your structure's piles/posts. If you have a mixture of pile sizes, choose the largest size for all the piles & posts. Click "Add Row for Additional Pile/Post" if you have additional piles/posts of different shapes.*

Step 5) Commonwealth Waters Occupied (piles/posts): Enter the number of piles for your structure. Add additional rows if necessary.*

Step 6) Commonwealth Waters Occupied (Type of structure(s) Piers, Ramps, Floats, etc.): Click the box and select your structure from the drop down menu. Add additional rows if necessary.*

Step 7 & 8) Commonwealth Waters Occupied (Types of structures - Piers, Ramps, Floats, Other): In each yellow box - enter the length and width of the proposed structure(s) that is below Ordinary Water line (generally where the water line is observed in average conditions). Add additional rows if necessary.* Waterward means going in the direction of the water or waterbody.

Remainder of Term Ending on 4/13/2030

Select Year You Are Applying (Step 1)	Remaining Years
Calendar Year - Click for Dropdown	

Great Pond or Nontidal River

After selecting a town, Pond/Lake/NonTidal River Name will automatically populate with available choices.

Municipality (Select Town)(Step 2)	Name of Great Pond, Lake, or Nontidal River (Step 3)
Town - Click for Dropdowns Menu ---	Water Body - Click for Dropdowns Menu -->

Transmittal Number tracks Project

Step by Step Directions

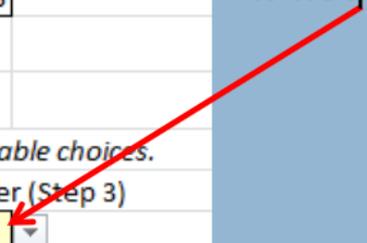
Remaining Years of Your License Term

Town & Waterbody

Fee Calculator Automatically Determines if there is an Occupation Fee is Required Depending on Whether the Great Pond was Enlarged (e.g. Dammed)

7		
8	Remainder of Term Ending on 4/13/2030	
9	Select Year You Are Applying (Step 1)	Remaining Years
10	2017	13
11		
12	Great Pond or Nontidal River	
13	<i>After selecting a town, Pond/Lake/NonTidal River Name will automatically populate with available choices.</i>	
14	Municipality (Select Town)(Step 2)	Name of Great Pond, Lake, or Nontidal River (Step 3)
15	Ashland	Shakum Pond/Waushakum Pond
16		

Occupation Fee is Required



6		
7		
8	Remainder of Term Ending on 4/13/2030	
9	Select Year You Are Applying (Step 1)	Remaining Years
10	2017	13
11		
12	Great Pond or Nontidal River	
13	<i>After selecting a town, Pond/Lake/NonTidal River Name will automatically populate with available choices.</i>	
14	Municipality (Select Town)(Step 2)	Name of Great Pond, Lake, or Nontidal River (Step 3)
15	Andover	Ballards Pond
		NO OCCUPATION FEE REQUIRED

Bottom Portion of the Inland Structure Fee Calculator

Commonwealth Waters Occupied (Piles/Posts)			
Pile/Post (Select Type) (Step 4)	Number of Piles (You Enter #) (Step 5)	Occupation Area (ft ²)	
Piles/Posts- Click for Dropdown Menu ---->		0	
Add Row for Additional Pile/Post			
Total Piles/Posts Occupation Area (ft ²)		0	
Commonwealth Waters Occupied (Structures - Piers, Ramps, Floats, Other)			
Structure (Select Type) (Step 6)	ordinary water line (You Enter #)(Step 7)	ordinary water line (You Enter #)(Step 8)	Occupation Area (ft ²)
Structures- Click for Dropdown Menu ---->			0
Add Row for Additional Structure			
Total Structures Occupation Area (ft ²)			0
Total Occupation Area (ft ²)			0
Total Occupation Area (yd ²)			0
Occupation Fee Rate			\$1.00/yd ² /year
Total Commonwealth Waters Occupation Fee Due			\$75.00
Mandatory Baseline General License Processing Fee			\$75.00
in Your Check/Money Order Number		Total Fee Paid	\$150.00

Print this page and submit a copy of this calculator that includes the transmittal number, applicant/owner name, a copy of your completed General License Certification and your check or money order payable to Commonwealth of Massachusetts
 Massachusetts Department of Environmental Protection
 P.O. Box 4062
 Boston, MA 02211

Make an additional copy of this completed calculator, a copy of your check payment and the original GL Certification Application Form and send to:
 MassDEP's Waterways Regulation Program
 One Winter Street, 5th Floor
 Boston, MA 02108

Size, Type & Number of Posts/Piles

Size & Dimensions of Pier, Ramp or Float Waterward of the Ordinary Water Line

Baseline GL Processing Fee

The Calculator Will Automatically Make Sure the Structure Meets Eligibility Requirements

2017	13				
Great Pond or Nontidal River					
After selecting a town, Pond/Lake/NonTidal River Name will automatically populate with available choices.					
Municipality (Select Town)(Step 2)	Name of Great Pond, Lake, or Nontidal River				
New Marlborough	Lake Buel				
Commonwealth Waters Occupied (Piles/Posts)					
Pile/Post (Select Type) (Step 4)	Number of Piles (You Enter #) (Step 5)		Occupation Area (ft ²)		
8-inch Diameter Circular	10		3.5		
Add Row for Additional Pile/Post		Total Piles/Posts Occupation Area (ft ²)		3.5	
Commonwealth Waters Occupied (Structures - Piers, Ramps, Floats, Other)					
Structure (Select Type) (Step 6)	Length in feet farthest waterward from ordinary water line (You Enter #)(Step 7)	Width in feet farthest waterward from ordinary water line (You Enter #)(Step 8)	Occupation Area (ft ²)		
Ramp/Gangway	100	6	0		
Add Row for Additional Structure		Total Structures Occupation Area (ft ²)		0	
Total Occupation Area (ft ²)			3.5		
Total Occupation Area (yd ²)			0.4		
Occupation Fee Rate			\$1.00/yo ² /year		
Total Commonwealth Waters Occupation Fee Due			\$5.20		
Mandatory Baseline General License Processing Fee			\$75.00		
Type/Write in Your Check/Money Order Number	Total Fee Paid		\$80.20		

Invalid Width or Occupation Area

The General License is only valid for structures less than or equal to 4 feet in width and less than or equal to 300 square feet in area. Please contact MassDEP at (617) ###-####.

Retry Cancel Help

Questions?



Contact Nancy Lin: Nancy.Lin@state.ma.us or at
617-556-1109

Or Ben Lynch: Ben.Lynch@state.ma.us or at
617-292-5615

Or MassDEP Waterways staff: 617-292-5929 or by
email at DEP.Waterway@massmail.state.ma.us