

By Mr. Cohen of Newton, petition of David B. Cohen, Thomas F. Brownell and Mary Jeanette Murray that certain licenses granted by the Port of Boston Authority to place and maintain fill and structures in the tidewaters in the town of Hull be irrevocable. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT PROVIDING THAT CERTAIN LICENSES GRANTED BY THE PORT OF BOSTON AUTHORITY TO PLACE AND MAINTAIN FILL AND STRUCTURES IN CERTAIN TIDE WATERS IN THE TOWN OF HULL, PLYMOUTH COUNTY, BE IRREVOCABLE.

1 *Whereas*, The deferred operation of this act would tend to defeat
2 its purpose, which is to immediately facilitate the redevelopment
3 and renewal of a portion of the tide waters of the Weir River in
4 Hull, Plymouth county. Therefore, it is hereby declared to be an
5 emergency law necessary for the immediate preservation of the
6 public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any provision of general or spe-
2 cial law to the contrary, the following license and authority hereto-
3 fore granted to fill solid an area in the tide waters of Weir River on
4 the westerly side of the George Washington Boulevard, approxi-
5 mately 280 feet north of the junction of Salisbury Street and said
6 Boulevard in the Town of Hull, in the County of Plymouth, said
7 license having been granted to William M. Bergan by the Port of
8 Boston Authority, being dated April 13, 1948, license number 65,

9 said license being recorded in the Plymouth County Registry of
10 Deeds, Book 1196, Page 172, and referring to an area described on
11 a plan recorded in said Plymouth County Registry of Deeds in
12 Plan Book 7, Page 603, is hereby deemed to be irrevocable; and, in
13 addition, said license is deemed to have been granted in the public
14 interest and to have included the authority to maintain said filled
15 lands, rebuild and extend piers and structures, drive piles as foun-
16 dations for buildings, and to construct and maintain buildings.
17 Provided, however, that any and all such activity as described
18 herein shall be limited to the areas described in section five hereof.

1 SECTION 2. Notwithstanding any provision of general or spe-
2 cial law to the contrary, the license heretofore granted to fill solid
3 an area shown on a plan hereinafter referred to and to drive piles to
4 locate the steamer Mayflower in conformity with said plan, in an
5 area containing approximately 16,807 square feet, including the
6 right to fill said premises to an elevation of approximately 15 feet at
7 mean low water, protect the slope of the bank facing the Weir River
8 by riprap, and excavate a channel from the Weir River to the
9 permanent location of said vessel, and to drive 69 piles with tim-
10 bercaps to support said vessel in said location all as set forth in a
11 license granted by the Port of Boston Authority to William M.
12 Bergan dated November 23, 1948, being license number 96, which
13 license is recorded in the Plymouth County Registry of Deeds in
14 Book 2048, Page 270, is hereby deemed to be irrevocable; and, in
15 addition, said license is deemed to have been granted in the public
16 interest and to have included the authority to maintain said filled
17 lands, rebuild and extend piers and structures, drive piles as foun-
18 dations for buildings, and to construct and maintain buildings.
19 Provided, however, that any and all such activity as described
20 herein shall be limited to the areas described in section five hereof.

1 SECTION 3. In the event of a taking of any land referred to in
2 sections one and two by the Commonwealth or any of its political
3 subdivision the measure of damages recoverable by reason of such
4 taking shall be determined in accordance with the provisions of
5 chapter seventy-nine of the General Laws.

1 SECTION 4. The present and proposes usage of the lands and
2 tide waters referred to in sections one and two hereof is declared to
3 serve the public good. Therefore, any and all rights of the public
4 and of the commonwealth and any political subdivision thereof in
5 and to the flats within the boundaries of those certain parcels of
6 land in the town of Hull, Plymouth County, described in sections
7 one and two hereof are hereby declared extinguished.

1 SECTION 5. The property referred to in sections one and two
2 above and more particularly described as follows:

3 A certain parcel of filled land and riprap bounded:

4 Southwesterly by land shown in Land Court Case No. 8176 on
5 three bounds, to wit: 80.47 feet, 76.63 feet, and 32 feet more or less;
6 then Northerly by a curving line on the Weir River; then Southerly
7 and Southwesterly by George Washington Boulevard on two
8 boundaries to wit: 14.92 feet and 223.07 feet. Said parcel contains
9 17,010 square feet of land more or less.

