

HOUSE No. 03402

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus and

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relocating certain harbor lines in the Fairhaven and New Bedford Harbors.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

.....
William M. Straus

.....
10th Bristol

.....
Mark C. Montigny

.....
Second Bristol and Plymouth

HOUSE No. 03402

By Mr. Straus of Mattapoisett and Senator Montigny, a joint petition (subject to Joint Rule 9) (accompanied by bill, House, No. 3402) of Mark Montigny and William M. Straus for legislation to relocate certain harbor lines in the Fairhaven and New Bedford harbors. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relocating certain harbor lines in the Fairhaven and New Bedford Harbors.

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. Section 1 of chapter 80 of the acts of 1929 is hereby amended by striking out the
2 second paragraph, as most recently amended by section 1 of chapter 341 of the acts of 2004, and
3 inserting in place thereof the following paragraph:-
4 Beginning at a point A in latitude six hundred fifty-one and seventy-one hundredths feet north
5 and longitude eight hundred sixty and thirty-seven hundredths feet west, said point A being north
6 fifty-two degrees, fifty-one minutes, twenty-five seconds west, true bearing, one thousand
7 seventy-nine and thirty-three hundredths feet from above described mark 1; thence north one
8 degree, fifty minutes, seven seconds west, true bearing, one thousand, eight hundred twenty feet
9 to point B in latitude, two thousand, four hundred seventy and seventy-seven hundredths feet
10 north and longitude nine hundred eighteen and sixty-five hundredths feet west, said point B
11 being located north twenty-two degrees, thirty-four minutes, thirty seconds west, true bearing,

12 six hundred and fifty-one hundredths feet from mark 2 on the southwesterly corner of Atlas Tack
13 Company's wharf in Fairhaven; thence north thirty-six degrees, forty-four minutes, nineteen
14 seconds west, true bearing, one thousand four hundred forty-four and ninety-three hundredths
15 feet to point C1, in latitude three thousand, six hundred twenty-eight and seven tenths feet north
16 and longitude one thousand, seven hundred eighty-two and ninety-six hundredths feet west, said
17 point C1, being located north forty-nine degrees, fifty-four minutes, twelve seconds west, true
18 bearing, three hundred seventy-two and eleven hundredths feet from mark 3 on the northwesterly
19 corner of Central Wharf in Fairhaven; thence north four degrees, nineteen minutes, two seconds
20 west, true bearing, along the westerly side of the battered pile of Rodman Candle Works LLC
21 pier as shown on the hereinafter described plan, six hundred sixty-seven and ninety one
22 hundredths feet to point D1 in latitude four thousand, three hundred three and thirty-nine
23 hundredths feet north and longitude one thousand eight hundred thirty-three and twenty-four
24 hundredths feet west; thence north seventy-eight degrees, thirty-two minutes, 45 seconds east,
25 true bearing, sixty-one and six hundredths feet to point D2, in latitude four thousand three
26 hundred fifteen and fifty-two hundredths feet north and longitude one thousand seven hundred
27 seventy-three and thirty-nine hundredths feet west; thence north thirty six degrees, thirty
28 minutes, thirty seconds, east, true bearing, five hundred sixty-three and thirty-one hundredths
29 feet to point E in latitude four thousand seven hundred sixty-eight and twenty-nine one
30 hundredths feet north and longitude one thousand four hundred thirty-eight and twenty-six one
31 hundredths feet west, said point E being located north seventy-five degrees, forty-one minutes,
32 forty-six seconds west, true bearing, three hundred sixty-eight and sixty-one one hundredths feet
33 from a stone monument at the southeast corner of Washington street and Water street in
34 Fairhaven; thence north twelve degrees, ten minutes, fifty-seven seconds west, true bearing, two

35 hundred seventy-five feet to a point "E1", in latitude five thousand thirty-seven and one tenth feet
36 north and longitude one thousand four hundred ninety-six and twenty-nine one hundredths feet
37 west; thence south seventy-nine degrees, thirty-four minutes, fifteen seconds west, true bearing,
38 two hundred seventy-five and thirteen one hundredths feet to point "E2" in latitude four thousand
39 nine hundred eighty-seven and twenty-nine one hundredths feet north and longitude one
40 thousand seven hundred sixty-six and eighty-eight one hundredths feet west; thence north twelve
41 degrees, ten minutes, fifty-seven seconds west, true bearing, seven hundred twenty-four and
42 twenty-six one hundredths feet to a point "E4" in latitude five thousand six hundred ninety-five
43 and twenty-four one hundredths feet north and longitude one thousand nine hundred nineteen
44 and seventy-one one hundredths feet west; thence south sixty-four degrees, twenty-four minutes,
45 forty seconds, west, true bearing, one thousand five hundred fourteen and twenty-three one
46 hundredths feet to a point "PG1" in latitude five thousand forty-one and ten one hundredths feet
47 north and longitude three thousand two hundred eighty-five and sixty-nine one hundredths feet
48 west; thence north eighty-one degrees, twenty-one minutes, seven seconds west, true bearing,
49 four hundred thirty-two and fifty-two one hundredths feet to a point "PG2" in latitude five
50 thousand one hundred six and thirteen one hundredths feet north and longitude three thousand
51 seven hundred thirteen and twenty-nine one hundredths feet west; thence north thirty-nine
52 degrees, nineteen minutes, one second west, true bearing, six hundred two and ninety-seven one
53 hundredths feet to a point "PE2" in latitude five thousand five hundred seventy two and sixty-
54 two one hundredths feet north and longitude four thousand ninety-five and thirty-four one
55 hundredths feet west; thence north twenty-four degrees, fifty-six minutes, twelve seconds west,
56 true bearing, two hundred ninety-six and seventy-six one hundredths feet to a point "PE1" in
57 latitude five thousand eight hundred forty-one and seventy-one one hundredths feet north and

58 longitude four thousand two hundred twenty and forty-six one hundredths feet west; thence north
59 seventeen degrees, eleven minutes, twenty-three seconds west, true bearing, four hundred three
60 and seventy one hundredths feet to a point "PE4" in latitude six thousand two hundred twenty-
61 seven and thirty-eight one hundredths feet north and longitude four thousand three hundred
62 thirty-nine and seventy-seven one hundredths feet west; thence north fifteen degrees thirty-four
63 minutes, eight seconds east, true bearing, one thousand twenty-two and thirty one hundredths
64 feet to a point "PD1" in latitude seven thousand two hundred twelve and seventeen one
65 hundredths feet north and longitude four thousand sixty-five and thirty-nine one hundredths feet
66 west; thence north eighty-three degrees, forty-three minutes, nineteen seconds east, true bearing,
67 five hundred eighty and eighty-six one hundredths feet to a point "PC" in latitude seven thousand
68 two hundred seventy-five and sixty-nine one hundredths feet north and longitude three thousand
69 four hundred eighty-eight and one one hundredth feet west, said point "PC" being north forty
70 degrees, twenty-five minutes, five seconds east, true bearing, nine hundred two and thirty-five
71 one hundredths feet from aforesaid "Mark 20"; thence south forty-six degrees, sixteen minutes,
72 forty-one seconds east, true bearing, one thousand four hundred thirty-four and sixty-six one
73 hundredths feet to point "PB" in latitude six thousand two hundred eighty-four and eleven one
74 hundredths feet north and longitude two thousand four hundred fifty-one and eighteen one
75 hundredths feet west; said point "PB" being located north fourteen degrees, fifty-one minutes,
76 fifty-five seconds west, true bearing, seventy and four tenths feet from "Mark 19" on the
77 southerly side of the New Bedford and Fairhaven bridge near the east end of Popes Island;
78 thence north seventy-three degrees, twenty-three minutes, nineteen seconds east, true bearing,
79 three hundred ninety-six and forty-two one hundredths feet to a point "F2" in latitude six
80 thousand three hundred ninety-seven and forty-three feet north and longitude two thousand

81 seventy-one and thirty-one one hundredths feet west; thence north twelve degrees, ten minutes,
82 fifty-seven seconds west, true bearing, three hundred ninety-nine and nine one hundredths feet to
83 point "F1" in latitude six thousand seven hundred eighty-seven and fifty-four one hundredths feet
84 north and longitude two thousand one hundred fifty-five and fifty-three one hundredths feet
85 west; thence north forty-six degrees, sixteen minutes, forty-one seconds west, true bearing, two
86 thousand nine hundred fifteen and eight tenths feet to point G in latitude eight thousand eight
87 hundred two and eighty-two one hundredths feet north and longitude four thousand two hundred
88 sixty-two and seventy-eight one hundredths feet west, said point G being located south twelve
89 degrees, twenty minutes, forty-one seconds west, true bearing, one thousand and five one
90 hundredths feet from Mark 6 on Marsh island so-called in Fairhaven; thence north, ten degrees,
91 twenty-three minutes, fifty-three seconds west, true bearing, one thousand two hundred sixteen
92 and ninety-two one hundredths feet to point H in latitude nine thousand nine hundred ninety-nine
93 and seventy-six one hundredths feet north and longitude four thousand four hundred eighty-two
94 and forty-two one hundredths feet west, said point H being located north sixty-three degrees, five
95 minutes, sixteen seconds west, true bearing, four hundred eighty-six and eight one hundredths
96 feet from Mark 6 on Marsh island in Fairhaven; thence north twenty-four degrees east, true
97 bearing, eighteen hundred feet to point I in latitude eleven thousand six hundred forty-four and
98 fourteen one hundredths feet north and longitude three thousand seven . hundred fifty and
99 twenty-nine one hundredths feet west, said point I being located south fourteen degrees, seven
100 minutes, twenty-nine seconds west, true bearing, nine and ninety-eight one hundredths feet from
101 Mark 7 on the southerly side of Coggeshall street bridge near the Fairhaven end; thence north
102 two degrees, four minutes, thirty-nine seconds east, true bearing, two thousand seventy-seven
103 and twenty-eight one hundredths feet to point J in latitude thirteen thousand seven hundred

104 twenty and five one hundredths feet north and longitude three thousand six hundred seventy-four
105 and ninety-nine one hundredths feet west, said point J being located north fifty-four degrees,
106 thirty-nine minutes, seventeen seconds west, true bearing, eight hundred sixty-four and twenty-
107 eight one hundredths feet from Mark 8 near the westerly end of Veranda street in Fairhaven;
108 thence north eleven degrees, thirty-two minutes, twenty seconds west, true bearing, two thousand
109 eight hundred twenty-five and twenty-two one hundredths feet to point K in latitude sixteen
110 thousand four hundred eighty-eight and seventeen one hundredths feet north and longitude four
111 thousand two hundred forty and thirteen one hundredths feet west, said point K being located
112 north seventy degrees, thirty-six minutes, twenty-two seconds west, true bearing, five hundred
113 ninety-two and thirty-three one hundredths feet from Mark 9, the above described point K being
114 the northerly end of the harbor line hereby established in the easterly side of Acushnet river.

115 SECTION 2. The metes and bounds inserted by section one, being relocation of the harbor lines
116 encompassing Popes Island in Fairhaven and New Bedford Harbors between harbor line points
117 "C1" and "E" as shown on a plan dated August 12, 2010, LAST REVISED December 28, 2010,
118 drafted by CLE Engineering, Inc., 15 Creek Road, Marion, MA 02738, shall be filed with the
119 division of waterways within the department of environmental management, the division of
120 wetlands and waterways within the department of environmental protection and with the
121 engineer of the city of New Bedford.

122 SECTION 3. This act shall take effect upon its passage.