

**TOWN OF LANESBOROUGH
GENERAL BY-LAW ON DOCKS, RAFTS, AND MOORINGS
AT RESIDENTIAL PROPERTIES AND RIGHTS OF WAY**

SECTION 1-PURPOSE

The purpose of this By-Law is to set out the requirements for the installation of docks, rafts, and moorings at residential properties and rights-of way. This By-Law applies only to Pontoosuc Lake which is the only great pond partially or totally within the Town.

This By-Law imposes additional restrictions on dock placement and size beyond those in the Massachusetts Department of Environmental Protection (“DEP”) regulations. The By-Law also regulates rafts and moorings, which are permitted by the local Harbormaster.

SECTION 2-DEFINITIONS

1. DOCK- A platform supported by wooden or metal posts or floating. A floating dock is connected to the shore via a ramp for access from land, otherwise it is a raft.
2. RAFT- a floating platform anchored to the lake bottom, used for swimming.
3. MOORING- a floating object anchored to the lake bottom for attaching a boat.
4. NARROW RIGHT-OF-WAY- A right-of-way which has less than 20 feet of shoreline

SECTION 3-PERMITTING PROCESS

1. All docks shall be licensed, pursuant to Mass. Gen. Laws Chapter 91, and shall have an Order of Conditions from the Lanesborough Conservation Commission. Moorings and rafts may be permitted only by the local Harbormaster, and permits are valid for one year only. A dock license application must be approved by the Harbormaster confirming that the design meets local restrictions before the DEP will act on a license application.
2. An exception to this by-law may be granted by the Lanesborough Selectboard. A public hearing must be held before granting an exception, and abutters must be notified and invited to participate in the hearing.
3. Although commercial dock licenses are not the subject of this by-law, any application for a Chapter 91 license for commercial property will also require review by the Harbormaster.

SECTION 4- DOCKS FOR RESIDENTIAL PROPERTIES

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1. No dock should be longer than needed to provide water access, but in no case may a dock extend more than 50 feet offshore. No dock may exceed 200 square feet in area.
2. No dock shall be closer than 25 feet from a boundary of an adjoining property, if possible, and, in no case, closer than 5 feet unless there is an agreement, in writing, between the adjoining property owner(s). The angle of the dock into the lake shall be such as to not impede access to the lake from abutter's property. No portion of a boat at a dock can extend beyond the property line. Abutters can share a dock on the property line if in agreement.
3. No more than one large dock is allowed on a single shoreline property, except properties with long shoreline are allowed a total number of large docks not to exceed one large dock per 100 feet of shoreline. Two or more small docks are allowed instead of a large dock. The total area of such small docks shall not exceed 200 square feet and all other requirements of this section apply to the combined dimensions of said small docks.
4. No dock can restrict the public right of lateral passage along the perimeter of a lake. The public must be allowed to traverse across the dock owner's property where the dock blocks reasonable ease of traverse around the lake perimeter.
5. All docks must be maintained in a safe structural condition.
6. It is recommended that docks be removed from the lake during winter to avoid damage by ice. In any case, no dock section may be left in the lake over the winter which blocks passage along the shore within 5 feet of the shoreline which exists when the lake is drawn down by a depth of 3 feet.
7. Any dock with a valid chapter 91 license from the DEP on the date this By-Law is adopted and any dock with a license application being considered by the DEP on said date is exempt from the requirements of this By-Law.

SECTION 5-FLOATING RAFT / MOORING FOR RESIDENTIAL PROPERTIES

1. No raft may exceed 200 square feet in area.
2. The placement of the anchor(s) for a raft or mooring shall not be more than 100 feet from the shoreline.
3. The swing circle for a moored boat or raft shall not be less than 25 feet from a licensed dock or other conforming structure, or from the shoreline. The swing circle is defined as the perimeter of the area to which any portion of the moored boat or dock will extend under the influence of wind and other conditions.

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4. All sides of a raft must be equipped with reflective material.
5. Rafts must be removed over the winter. Moorings must be removed, or sunk below the water surface over the winter.

SECTION 6-USE OF RIGHTS-OF-WAY FOR DOCKS, RAFTS, AND MOORINGS

1. All the above restrictions on location and size apply to docks located on rights-of-way, except at a narrow right-of-way (less than 20 feet), the dock may be located at the boundary of an adjoining property to keep shoreline on the right-of-way free for swimming and fishing access.
2. No boat may be berthed overnight at the dock on a narrow right-of-way.
3. The owner of the right-of-way must give permission for installation.
4. If the Town is the owner of the right-of-way, then the Harbormaster may provide owner permission.
5. The dock, raft, or mooring shall not interfere with the lake access by others who have the right to use the right-of-way.
6. A dock or raft on a right-of-way must be shared with others who have use of the right-of-way. It is recommended that the applicant solicit interest from others who use the right-of-way, and enlist their help in designing and building the dock or raft.