

MEMORANDUM

TO: Carol Adams, Executive Secretary, Mattapoisett

FROM: Joseph E. Costa, Executive Director, BBP

DATE: October 20, 1999

RE: Public uses of properties and the Coastal Access Grants Program

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Earlier today you called me to ask whether acceptance of a state coastal access grant for improvements on a town property would require a town to abandon any local regulations or bylaws that restrict the use of a particular town property to residents of a town only. To answer your question, I have reviewed the state’s grant application package for the EOEA/DEM Coastal Access Grant Program and made inquiries.

First it is worth noting that the use of any municipally owned land is open to the public, including residents from any other Commonwealth municipality, unless regulations, bylaws, or other restrictions are in place. For example, if the town owns a boat ramp, any resident in the Commonwealth can use the boat ramp unless the town has a bylaw or regulations prohibiting their use. If a town requires resident stickers for parking at a boat ramp, nonresidents can still use the boat ramp unless the town has a specific bylaw or regulation that requires a sticker to use the ramp.

With regard to your question, the first page of the grant application form specifically states that the intent of the program is to fund projects “for the general public, as opposed to only local residents or deeded private access.” Therefore it is unlikely a town would receive funding for a boat ramp that can be used solely by residents of that town. This is probably true also for boat ramps where parking is restricted to only town residents since these state funds are meant to benefit the “general public” of the Commonwealth of Massachusetts.

If you have additional specific questions about the Coastal Access Grant Program you should call the program Coordinator Geordie Vining at 617.626.1398.