

8

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W08-2520-N**

APPLICANT: Cabral Enterprises, Inc, Fisherman's Wharf, Provincetown, MA

APPLICANT'S REPRESENTATIVE: Peter Markunas, Woods Hole Group

81 Technology Park Drive, East Falmouth, MA 02536

PROJECT LOCATION: Fisherman's Wharf, Provincetown, Barnstable County, MA

Scheduled Public Hearing: 17 March 2009

Public Comments Deadline: 11 April 2009

NOTIFICATION DATE: 11 March 2009

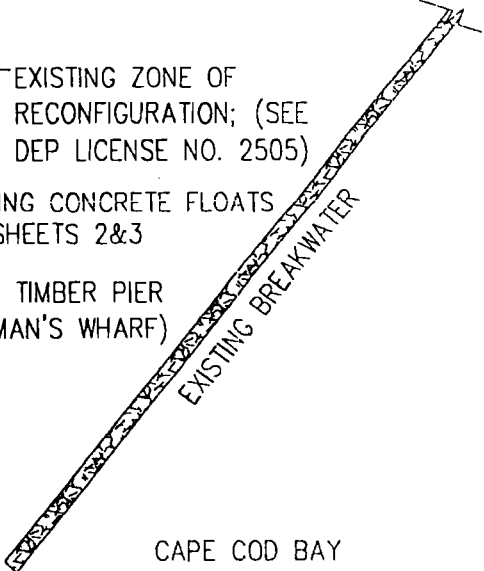
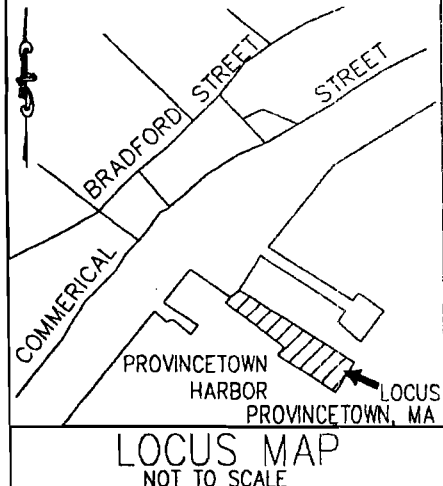
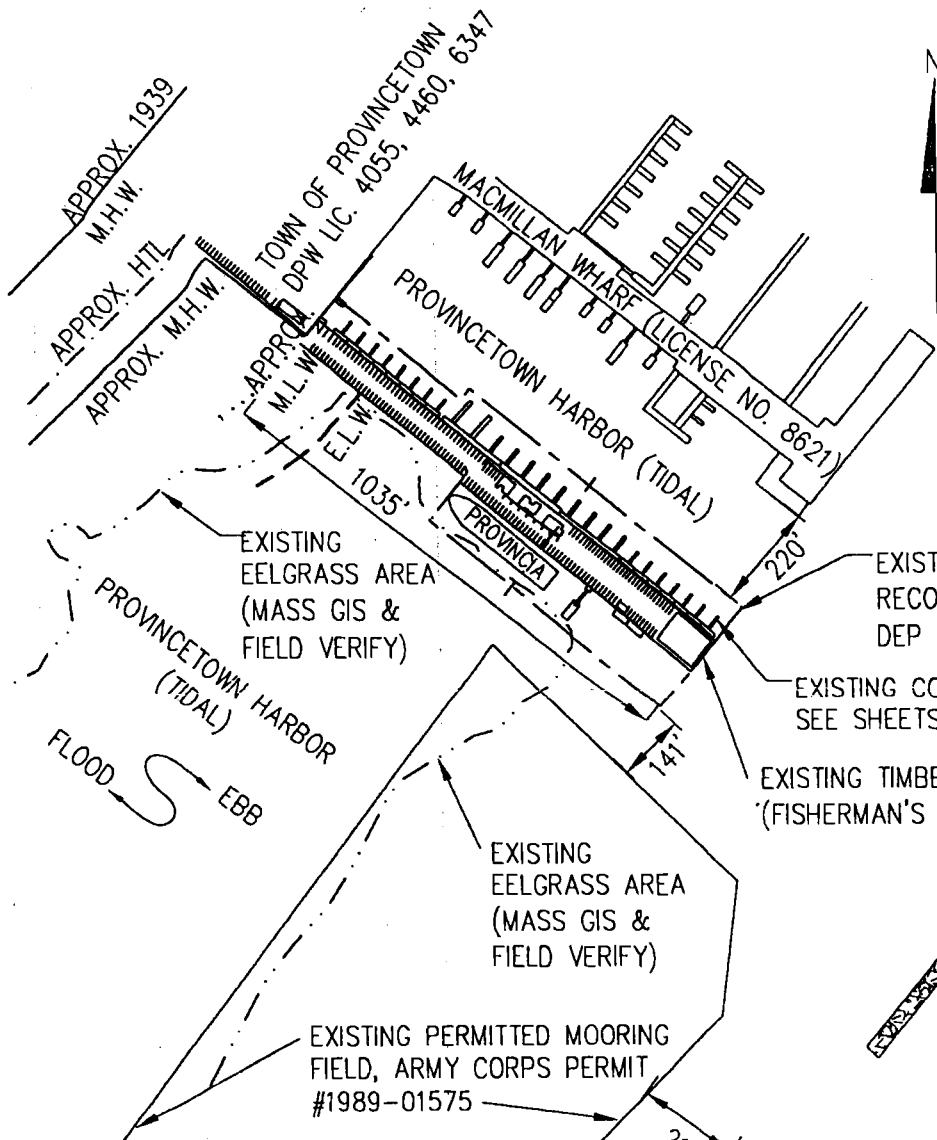
Public notice is hereby given of the Waterways application by Cabral Enterprises, Inc, to include use for nonwater-dependent parking on the existing wharf, licensed under DEP License number 2505 and to make stormwater improvements at Fisherman's Wharf in the town of Provincetown in and over flowed tidelands of Provincetown Harbor. The proposed project has been determined to be nonwater-dependent.

The Department of Environmental Protection, Waterways Regulation Program, will conduct a public hearing on the aforesaid project proposal on 17 March 2009, at 11:00 AM in room 6, upstairs in the Grace Gouveia Building, 26 Alden Street, Provincetown. The Department will conduct this public hearing in order to receive information to be used in its decision on whether to grant a Waterways License pursuant to M.G.L. Chapter 91.

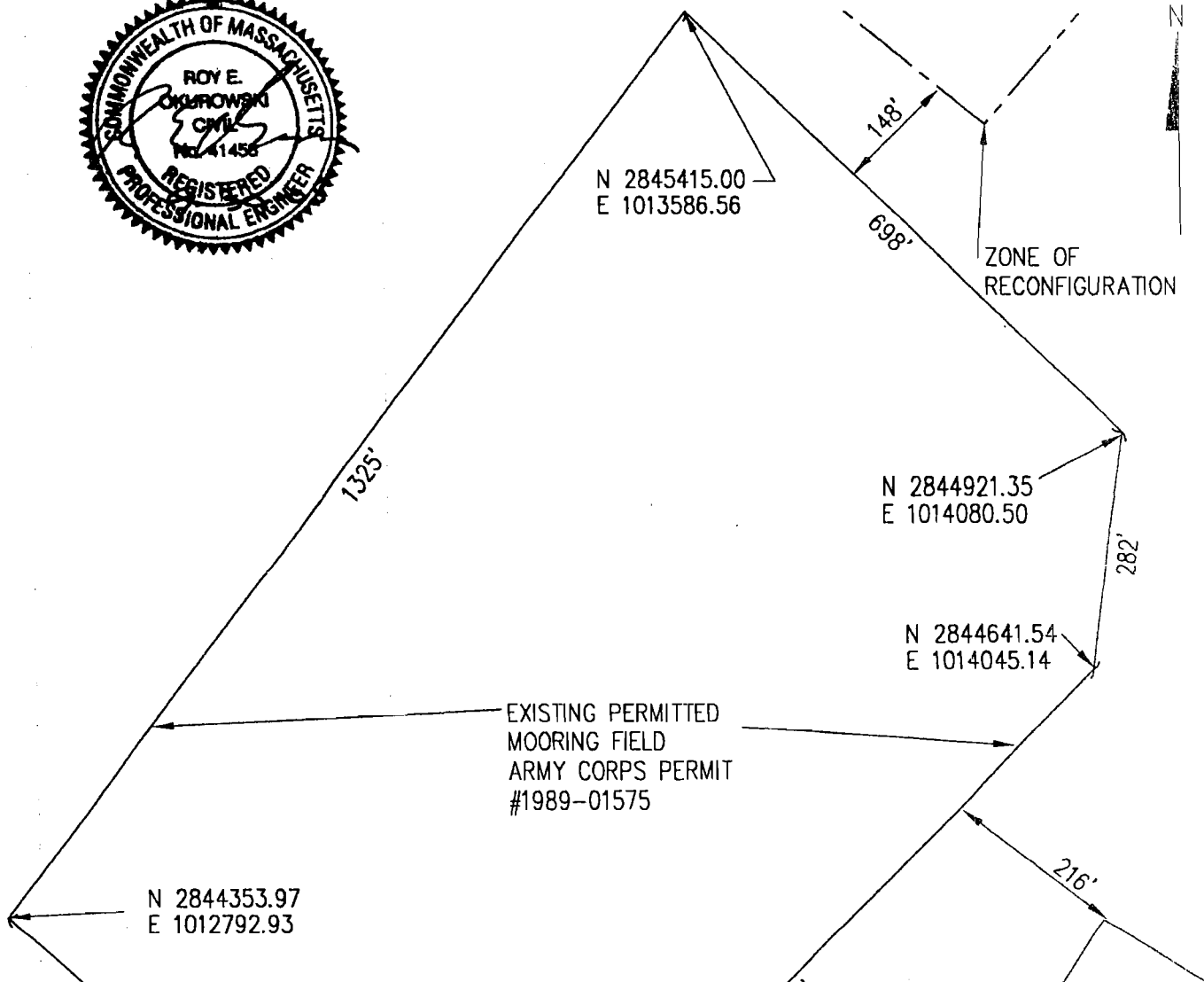
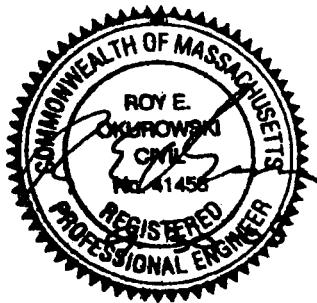
The Department will consider all written comments on this Waterways application received by 11 April 2009 (Public Comments Deadline). Failure of any aggrieved person or group of ten (10) residents or more of the Commonwealth, with at least five (5) of these residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

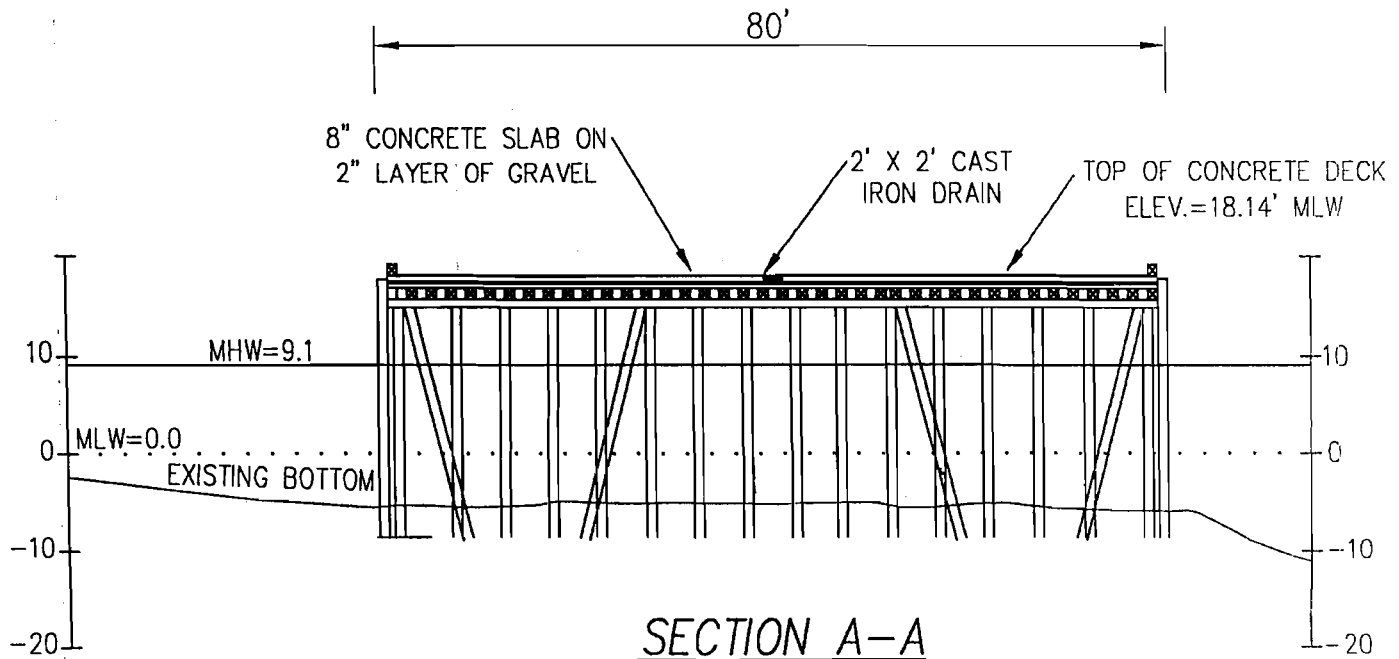
Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (617) 556-1192. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Louis Gitto, Regional Planner, DEP Waterways Regulation Program, One Winter Street - 5th Floor, Boston, MA 02108.



NOTE: THE "PROVINCIA" IS A





EXISTING PERMANENTLY
DOCKED VESSEL UNDER
SEPARATE FILING

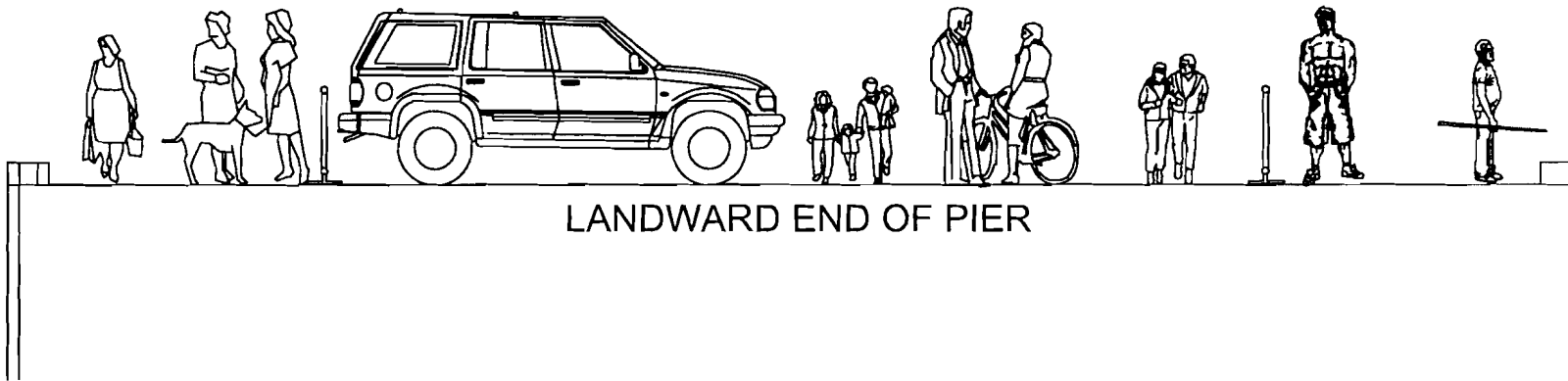
M.V. PROVINCIA BOW DRAFT=3.0'
STERN DRAFT=6.0'

12" STEEL PILE FENDER
PILE WITH 12" WALE
TOP OF CONCRETE DECK
ELEV.=18.14' MLW

PEDESTRIAN
EXCLUSIVE
USE
ZONE

VEHICULAR WAY AND PARKING

PEDESTRIAN
EXCLUSIVE
USE
ZONE



LANDWARD END OF PIER

SK-1

SKETCH PLAN SHOWING
PEDESTRIAN EXCLUSIVE
ZONE ON FISHERMAN
WHARF, PROVINCETOWN
FOR
CABRAL ENTERPRISES, INC.
7-16-07

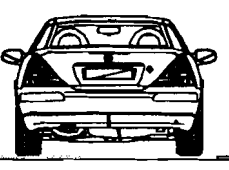
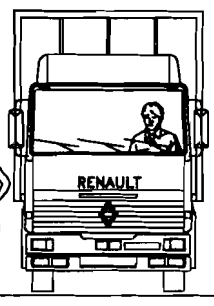
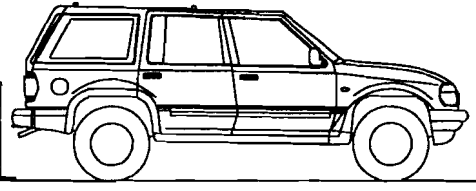


Technology Park Dr. E. Falmouth, MA 02536
Phone: 508-540-8080 Fax: 508-540-1001

PEDESTRIAN
EXCLUSIVE
USE
ZONE

VEHICULAR WAY AND PARKING

PEDESTRIAN
EXCLUSIVE
USE
ZONE

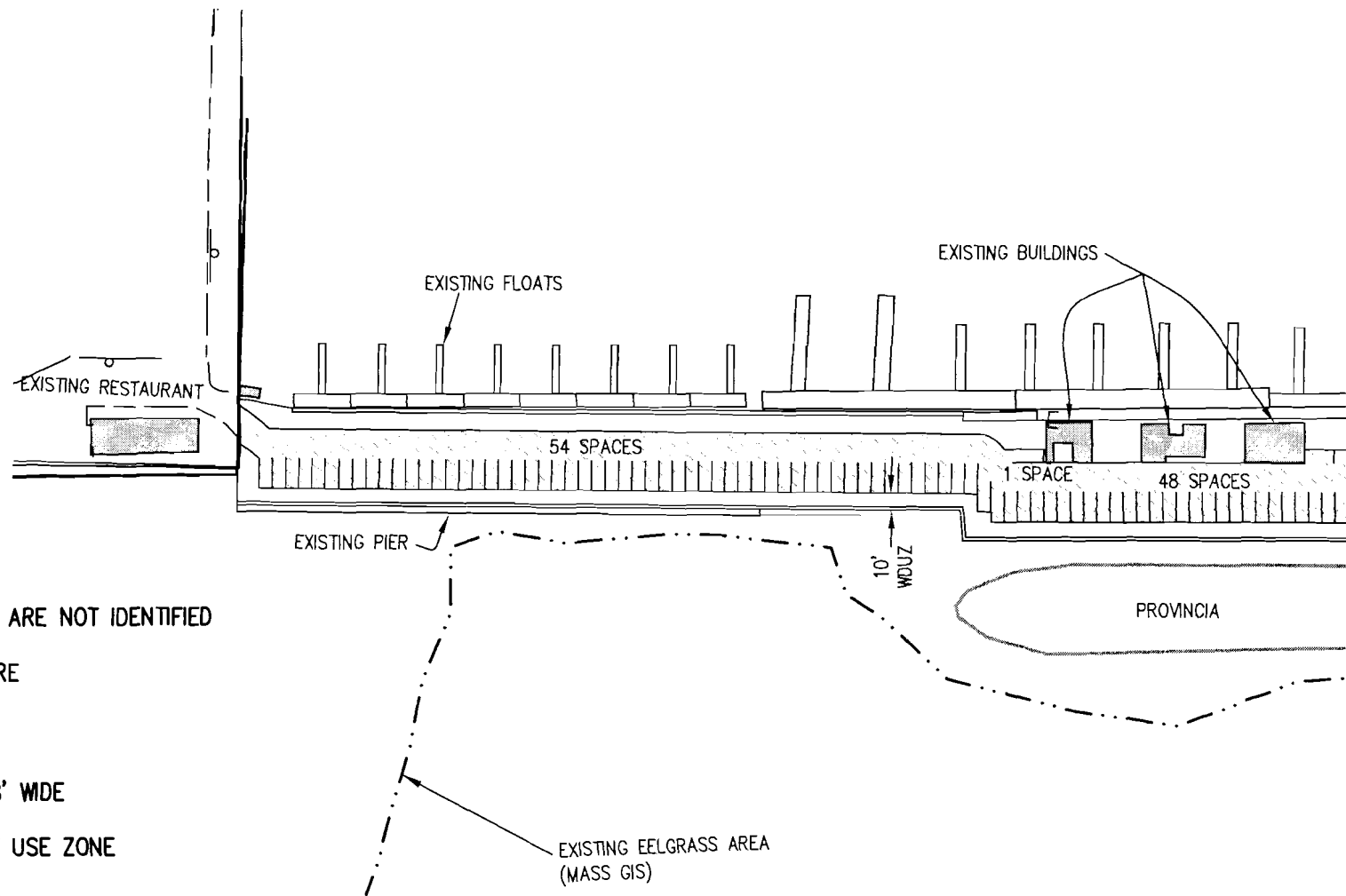


SEAWARD END OF PIER

SK-2

SKETCH PLAN SHOWING
PEDESTRIAN EXCLUSIVE
ZONE ON FISHERMAN
WHARF, PROVINCETOWN
FOR
CABRAL ENTERPRISES,
7-16-07

000\C12406\C12406-final parking plan 1-31-07.dwg Feb 20, 2007 - 5:19pm



NOTES:

1. HANDICAP PARKING SPACES ARE NOT IDENTIFIED
2. PARKING SPACES SHOWN ARE
PERPENDICULAR: 8'x18'
PARALLEL: 8'x18'
3. TWO WAY TRAVEL WAY: 18' WIDE
4. WDUZ = WATER DEPENDENT USE ZONE
5. OPEN SPACE CALCULATIONS:
TOTAL AREA OF PIER = 71384± SF
TOTAL AREA OF BUILDINGS = 8269± SF
TOTAL OPEN SPACE AREA = 63115± SF
TOTAL AREA OF PARKING AND TRAVEL WAY = 31432± SF
TOTAL AREA OF PEDESTRIAN EXCLUSIVE OPEN SPACE = 31683± SF, OR
50% OF TOTAL OPEN SPACE

PARKING LAYOUT:

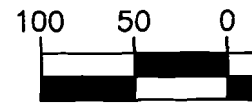
USE EXISTING PIER AND DEP WATER DEPENDENT USE ZONE (WDUZ) PER 310 CMR 9.51 (3)(C)

END OF PIER: THE LESSER OF 100' OR 25% OF THE TOTAL LENGTH:

TOTAL LENGTH = 1030'± 25% = 257'
THE LESSER IS 100' FOR WDUZ

SIDES OF PIER: THE LESSER OF 50' OR 15% OF WIDTH, BUT NO LESS THAN 10'.

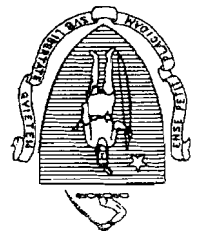
WIDTH AT NARROW PORTION = 65'± 15% = 9.8'
10' WDUZ IS USED



PARKING SPACES:

EXISTING SPACES = 186 TOTAL

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500



DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary
LAURIE BURT
Commissioner

Mailing List: Notice of License Application pursuant to M. G. L. Chapter 91

Provincetown Board of Selectmen
Provincetown Planning Board
Provincetown Conservation Commission
Provincetown Building and Zoning Department
Provincetown Harbor Planning Committee
Provincetown Harbormaster

U.S. Army Corps of Engineers, New England Division
New England District, 696 Virginia Road, Concord, MA 01742-2751

Coastal Zone Management
251 Causeway Street, Suite 800, Boston, MA 02114

DEP SERO, DWW
Mitch Ziencina, 20 Riverside Drive, Lakeville, MA 02347

Division of Fish & Wildlife and Law Enforcement
Pat Huckery, Field Headquarters, 1 Rabbit Hill Road, Westboro, MA 01581

Division of Marine Fisheries
838 South Rodney French Blvd., New Bedford, MA 02744

Massachusetts Historical Commission
220 Morrissey Blvd., Columbia Point, Boston, MA 02125

Department of Conservation and Recreation
251 Causeway Street, Suite 600, Boston MA 02114-2104

Massachusetts Environmental Policy Act Office
100 Cambridge Street, Suite 900, Boston, MA 02114

Abutters – For Chapter 91 purposes, an abutter is defined as the owner of land that shares a common boundary or corner with a project site, as well as the owner of land that lies within 50' across a waterbody from such site, see 310 CMR 9.02
Town of Provincetown, Attention David Guertin, 260 Commercial Street,
Provincetown

WRP Files