

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W06-1616-N**

Applicant: Bourne Counting House, LLC
C/o PRIME Engineering, Inc.
P.O. Box 1088
Lakeville, MA 02347
Attn: Bob Phelps
Project Location: 1 Merrill's Wharf
Scheduled Public Hearing: 05-17-06
Public Comments Deadline: 06-09-06

NOTIFICATION DATE: 05-10-06

Public notice is hereby given of the Waterways application by Bourne Counting House, LLC to license existing changed uses, including 1) providing general health care services, 2) providing care for the elderly and others, 3) a public restaurant, and 4) providing public national park interpretive use space, at 1 Merrill's Wharf, in the municipality of New Bedford in and over filled Tidelands of the New Bedford Harbor, and which is located within a Designated Port Area. 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 Wednesday, May 17 2006, at 11:00 am in the New Bedford Main Public Library (613 Pleasant Street) in New Bedford. 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 Friday, June 9, 2006 (Public Comments Deadline). Failure of any aggrieved person or group of ten citizens or more 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) 292 - 5500. 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: Ben Lynch, Program Chief, DEP Waterways Regulation Program, One Winter Street - 6th Floor, Boston, MA 02108.