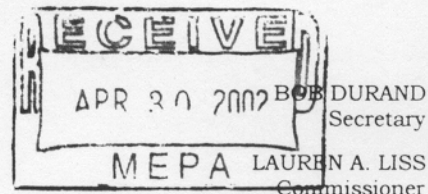




COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

JANE SWIFT
Governor



**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

Notice of License Application and Variance Request pursuant to M. G. L. Chapter 91
Waterways Application Number W00-9906-N
Maintenance of an existing private residence over flowed tidelands of Rockport Harbor

Applicant: Alan Battistelli
Project Location: 5 Dock Square, Rockport
Scheduled Public Hearing: May 20, 2002
Public Comments Deadline: June 10, 2002

NOTIFICATION DATE: May 8, 2002

Public notice is hereby given of the application of Alan Battistelli to renovate and maintain an existing building over the flowed tidelands of Rockport Harbor. No structural alteration or change of use is proposed from those in existence prior to October 4, 1990. This application includes a request for the variance of provisions contained within 310 CMR 9.00, the Waterways Regulations, including 310 CMR 9.32(1)(a) [Categorical Restrictions on Fill and Structures] and 310 CMR 9.51(3)(b) [Conservation of Capacity for Water-Dependent Use] for the purpose of maintaining the existing private residential use. This is a nonwater-dependent use project.

The Department of Environmental Protection, Waterways Regulation Program, will conduct a public hearing on the aforesaid project proposal on Monday, May 20, 2002, at 7:30 p.m. in the Trustees Room, 2nd Floor, Rockport Public Library, 17 School Street, Rockport. 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 June 10, 2002 (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 Alex Strycky of the Waterways Regulation Program at (617) 348-4084. 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: Sharon M. Pelosi, Program Chief, DEP Waterways Regulation Program, One Winter Street - 6th Floor, Boston, MA 02108.

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.

DEP on the World Wide Web: <http://www.state.ma.us/dep>



Printed on Recycled Paper