

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W96-9001-N**

Applicant: Katzel Nominee Trust & Royce-Smithkins Nominee Trust
Project Location: 437-439 Commercial Street, Provincetown, MA
Scheduled Public Hearing: 18 January 2006
Public Comments Deadline: 13 February 2006

NOTIFICATION DATE: 13 January 2006

Public notice is hereby given of the Waterways application by Katzel Nominee Trust and Royce-Smithkins Nominee Trust to license three existing buildings housing residential rental units, and including decks, and stairs leading to the beach at 437-439 Commercial Street in the municipality of Provincetown in and over Filled 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 18 January 2006, at 12:30 PM in the Provincetown Town Hall, Judge Welch Room, 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 13 February 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) 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: Ben Lynch, Program Chief, DEP Waterways Regulation Program, One Winter Street - 6th Floor, Boston, MA 02108.