

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W06-1600-N**

**Applicant: Alan Pinkerson
Project Location: 49A Commercial Street, Provincetown, MA
Scheduled Public Hearing: 16 May 2006
Public Comments Deadline: 10 June 2006**

NOTIFICATION DATE: 10 May 2006

Public notice is hereby given of the Waterways application and request for a variance from several sections of the Chapter 91 Regulations (310 CMR 9.00) by Mr. Alan Pinkerson to license – the raising in place by approximately two and one half feet the existing, unlicensed, two-story, single unit residence and the associated deck to get them out of the flood zone, to expand the footprint of the residence mostly within Commonwealth Tidelands by 128 square feet, from 874 to 1002 square feet in order to accommodate an expanded residential use on both floors and a new enclosed set of stairs to the second floor, to add a second floor porch and a set of stairs to the deck below, and to add three porches and stairs to accommodate entrance to the newly raised residence, to put a new concrete perimeter foundation under the current and proposed residence perimeter, to raise the ceiling height of the first floor of the existing residence by approximately one and one half feet, to replace the existing bulkhead and to construct a 19 foot long addition to the bulkhead, to add fill behind the bulkhead and to replace the current deck and support piles at 49 Commercial Street in the municipality of Provincetown in and over Filled and Flowed Tidelands of Provincetown Harbor. These combined actions will raise the roof height of the existing residence by four (4) feet. 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 **16 May 2006, at 1:00 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 **10 June 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.