



RDA
307 Lincoln

Determination of Applicability Seekonk Conservation Commission General Wetlands Protection Bylaw

A. General Information

From:

Seekonk
Conservation Commission

To: Applicant

Madeline & Stephen Oliver
Name
307 Lincoln Street
Mailing Address
Seekonk MA 02771
City/Town State Zip Code

Property Owner (if different from applicant):

Same
Name
Mailing Address
City/Town State Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Certified Plot Plan for C & D Construction: Lincoln St. Seekonk MA	09-15-03
Title	Date
Site Development & Sewage Disposal System for Robert Drohan: Lincoln St.	11-18-02
Title	Date
Title	Date

2. Date Request Filed:

10-27-09

B. Determination

Pursuant to the Seekonk Conservation Commission General Wetlands Protection Bylaw, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

The construction of a deck on the rear of an existing house.

Project Location:

307 Lincoln Street
Street Address
16
Assessors Map/Plat Number

Seekonk MA
City/Town
134
Parcel/Lot Number



Determination of Applicability Seekonk Conservation Commission General Wetlands Protection Bylaw

B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Seekonk Conservation Commission General Wetlands Protection Bylaw and regulations:

Positive Determination

Note: No work within the jurisdiction of the Seekonk Conservation Commission General Wetlands Protection Bylaw may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been issued by the Commission.

1. The area described on the referenced plan(s) is an area subject to protection under the Seekonk Conservation Commission General Wetlands Protection Bylaw. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.
- 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Seekonk Conservation Commission General Wetlands Protection Bylaw and its regulations regarding such boundaries for as long as this Determination is valid.
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- 2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.
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3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Seekonk Conservation Commission General Wetlands Protection Bylaw and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.
4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Seekonk Conservation Commission General Wetlands Protection Bylaw. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).



Determination of Applicability

Seekonk Conservation Commission

General Wetlands Protection Bylaw

B. Determination (cont.)

5. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:
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6. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):
- Alternatives limited to the lot on which the project is located.
 - Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
 - Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
 - Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Seekonk Conservation Commission General Wetlands Protection Bylaw is required by the applicant. However, if an appeal is filed to Superior Court within 60 days of the Commission's decision work may not proceed on this project. Work may proceed at the owner's risk until the 60 day appeal period is over.

1. The area described in the Request is not an area subject to protection under the Seekonk Conservation Commission General Wetlands Protection Bylaw or the Buffer Zone but the following conditions apply.
2. The work described in the Request is within an area subject to protection under the Seekonk Conservation Commission General Wetlands Protection Bylaw, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Seekonk Conservation Commission General Wetlands Protection Bylaw. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).

- NOTICE -

4. The work described in the Request is not within an Area subject to protection under the Bylaw (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Bylaw.



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C. Authorization

This Determination is issued to the applicant and delivered as follows:

by hand delivery on

by certified mail, return receipt requested on

Date

Date

11-19-09

This Determination is valid for **three years** from the date of issuance. This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office and the applicant.

Signatures

[Handwritten signatures of Conservation Commission members]

Date

D. Appeals

A decision of the Commission shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with M.G.L., c. 249, §4.