

310 CMR 10.99

Form 1



Commonwealth
of Massachusetts

TOWN CLERK'S OFFICE
SEEKONK, MASS.

NOV 5 10 16 AM '90

DEP File No.

(To be provided by DEP)

City/Town: _____

Applicant: _____

**Request for a Determination of Applicability
Massachusetts Wetlands Protection Act, G.L. c. 131, §40**

1. I, the undersigned, hereby request that the Seekonk Conservation Commission make a determination as to whether the area, described below, or work to be performed on said area, also described below, is subject to the jurisdiction of the Wetlands Protection Act, G.L. c. 131, §40.
2. The area is described as follows. (Use maps or plans, if necessary, to provide a description and the location of the area subject to this request.)

Location: Street Address 40 Highland Avenue, Seekonk, MA

Lot Number: Plat 8, Lot 48

3. The work in said area is described below. (Use additional paper, if necessary, to describe the proposed work.) Site development and buildings including paved parking areas and landscaped areas as shown on enclosed plans. The use of the buildings will be automobile service and sales, restaurant or general commercial, and possibly a motel in the future.

3. The work described below, which includes all/part of the work described in your request, is within the Buffer Zone as defined in the regulations, and will alter an Area Subject to Protection Under the Act. Therefore, said work requires the filing of a Notice of Intent.

This Determination is negative:

1. The area described in your request is not an Area Subject to Protection Under the Act.
2. The work described in your request is within an Area Subject to Protection Under the Act, 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 your request is within the Buffer Zone, as defined in the regulations, but will not alter an Area Subject to Protection Under the Act. Therefore, said work does not require the filing of a Notice of Intent.
4. The area described in your request is Subject to Protection Under the Act, but since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required: _____

Issued by _____ Seekonk Conservation Commission

Signature(s) _____

Warren Leach
Christy May
B. B. Butler
Paul E. Boyer
Kevin A. Lewis
R. F. Mill

This Determination must be signed by a majority of the Conservation Commission.

On this 26th day of November, 19 90, before me personally appeared Warren Leach, to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

Alicia J. Mendes
 Notary Public

My Commission Expires Feb. 21, 1997.

My commission expires _____

This Determination does not relieve the applicant from complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations. This Determination shall be valid for three years from the date of issuance.

The applicant, the owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the Department of Environmental Protection to issue a Superseeding Determination of Applicability, providing the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form as provided in 310 CMR 10.03(7) within ten days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.