



Seekonk Conservation Commission By-Laws and Regulations

Determination of Applicability

A. General Information

From:

Seekonk
Conservation Commission

To: Applicant

Edward Brady
Name
10 Rosemarie Drive
Mailing Address
Seekonk MA 02771
City/Town State Zip Code

Property Owner (if different from applicant):

n/a
Name
Mailing Address
City/Town State Zip Code

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

Title	Date
Sewage Disposal System Repair Plan, 10 Rosemarie Dr. Plat 6, lot 332	5/13/04

2. Date Request Filed:

June 14, 2004

B. Determination

Pursuant to the authority of the Seekonk Conservation Commission By-Laws and Regulations, the Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Repair failed septic system in the 100-foot buffer zone of an isolated vegetated wetland.

Project Location:

10 Rosemarie Dr.
Street Address
6
Assessors Map/Plat Number

Seekonk
City/Town
332
Parcel/Lot Number



Seekonk Conservation Commission By-Laws and Regulations

Determination of Applicability

B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Seekonk Conservation Commission By-Laws and regulations:

Positive Determination

Note: No work within the jurisdiction of the Seekonk Conservation Commission By-Laws may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

1. The area described on the referenced plan(s) is an area subject to protection under the By-Laws. 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 By-Laws and its regulations regarding such boundaries for as long as this Determination is valid

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.

3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the By-Laws 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 By-Laws. Therefore, said work requires the filing of a Notice of Intent.

5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Name

Ordinance or Bylaw Citation



Seekonk Conservation Commission By-Laws and Regulations

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B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Seekonk Conservation Commission By-Laws:
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7. 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 By-Laws is required by the applicant.

1. The area described in the Request is not an area subject to protection under the By-Laws or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the By-Laws, 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 By-Laws. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
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4. The work described in the Request is not within an Area subject to protection under the By-Laws (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 By-laws.



Seekonk Conservation Commission By-Laws and Regulations

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B. Determination (cont.)

- 5. The area described in the Request is subject to protection under the By-laws. Since the work described therein meets the requirements for the following exemption, as specified in the By-laws and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

- 6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name

Ordinance or Bylaw Citation

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

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). 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.

Signatures:

[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]

[Handwritten Signature]

Date

6/28/04