



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4B - Order of Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:
 MassDEP File #:069-0694
 eDEP Transaction #:125626
 City/Town:SEEKONK

A. General Information

1. Conservation Commission SEEKONK

2. This Issuance is for (Check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant Details

a. First Name	DAVID	b. Last Name	TRACY
c. Organization	C/O HINCKLEY ALLEN & SNYDER 1338 FALL RIVER AVENUE		
d. Mailing Address	50 KENNEDY PLAZA, SUITE 1500		
e. City/Town	PROVIDENCE	f. State	RI
		g. ZIP	02903-2319

4. Property Owner (if different from applicant):

a. First Name	SEE OWNER'S LIST ATTACHED OR MAILED SEPARATELY	b. Last Name	
c. Organization			
d. Mailing Address			
e. City/Town	f. State		g. ZIP

5. Project Location

a. Street Address	1338 FALL RIVER AVENUE		
b. City/Town	SEEKONK	c. Zip	02771
d. Assessors Map/Plat#	7	e. Parcel/Lot#	27, 30, 75
f. Latitude	41.78912N	g. Longitude	71.31962W

6. Dates

a. Date ANRAD Filed	9/15/2010	b. Date Public Hearing Closed	11/1/2010	c. Date Of Issuance	11/4/2010
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7. Final Approved Plans and Other Documents

Plan Title	Plan Prepared By	Plan Signed By	Plan Final Date	Plan Scale
EXISTING CONDITIONS PLAN, ASSESSOR'S PLAT 7, VANASSE HANGEN LOTS 27, 75 AND A PORTION OF LOT 30	BRUSTLIN, INC.	PATRICK W. MCCOURT	June 7, 2010	1" = 20'

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable)

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically
 - a. ISOLATED LAND SUBJECT TO FLOODING

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically
 - a.



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c. **Inaccurate::** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands
2. Other resource area(s), specifically
 - a.
3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, S 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation. This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination. The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, S 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



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E. Signatures

Richard C. Wallace

Robert McKenna

Christopher Clegg

Warren Leach

1. Date of Original Order

2. No. of Signatures required 4

R.F. Hill

Kevin Brousseau

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, and the Amended Order will expire on the date of the Original Final Order unless extended in writing by the Department.

This Order is issued to the applicant and the property owner (if different) as follows:

3. By hand delivery on

4. By certified mail, return receipt requested on

a. Date _____

a. Date 11/4/10

EH



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Provided by MassDEP:

MassDEP File Number

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E. Signatures

Date of Issuance

Please indicate the number of members who will sign this form.

1. Number of Signers

Robert McKenna
Signature of Conservation Commission Member

Robert McKenna
Signature of Conservation Commission Member

Christy Clegg
Signature of Conservation Commission Member

Warren P. Leach
Signature of Conservation Commission Member

R. F. Williams
Signature of Conservation Commission Member

John J. Beaudin
Signature of Conservation Commission Member

Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____

3. By certified mail, return receipt requested on _____

a. Date

a. Date 11/4/10

eDEP Transaction #125626			
Order of Resource Area Delineation			
DEP File #SE69-694			
1338 Fall River Avenue			
Property Owner List			
Property	Property Address	Owner	Mailing Address
A.P. 7 Lot 75	1338 Fall River Avenue	Coaster Properties, LLC	25 Anthony Street, Seekonk, MA 02771
A.P. 7 Lot 30	1350 Fall River Avenue	Antone T. & Sylvia A. Oliveria	1324 Emerald Dunes Drive, Sun City Center, FL 33575
A.P. 7 Lot 27	24 Anthony Street	Jason R. & Lisa M. Rossignol	24 Anthony Street, Seekonk, MA 02771

Mailed page
to DEP
11/5/10
EM