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18/26



**TOWN OF SEEKONK
CONSERVATION COMMISSION
PUBLIC MEETING**

The Conservation Commission in accordance with Mass. Gen. Law Ch. 131, §40 and the Seekonk Wetland Protection By Laws will open a **PUBLIC MEETING** at the Seekonk Town Hall on **MONDAY, June 15, 2009** after **7:30 P.M.** on a **Request for Determination** made by **Algonquin Gas** for work involving, clearing, grading, and installation of launcher/receiver sites and associated piping **located at 0 Parden Lane (Rear), Plat 8, Lot 26**, within the 100-foot buffer zone of a Bordering Vegetated Wetland.

Plans are available for inspection at the Seekonk Conservation Office. Please call 508-336-2944 to make an appointment.



0 Pamden lane
18/26



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 2 – Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



From:

Seekonk
Conservation Commission

To: Applicant

Algonquin Gas Transmission, LLC - Nikki LaBella
Name
890 Winter Street, Suite 300
Mailing Address
Waltham MA 02451
City/Town State Zip Code

Property Owner (if different from applicant):

Seekonk Land Conservation Trust
Name
P.O. Box 383
Mailing Address
Seekonk MA 02771
City/Town State Zip Code

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

Permitting Plan Algonquin Gas Transmission 2009 Pipeline Integrity Pgm.	06-01-09
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

2. Date Request Filed:

06-02-09

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Clearing of upland hardwood forest and grading of the proposed G-5 & G-12L launchers/receiver site and access road. Phase I: Installation of G-5 24" launcher barrel and G-5 10" receiver barrel and associated piping. Phase II: Installation of G-12 10" launcher barrel and G-12L 24" launcher barrel and associated piping.

Project Location:

0 Pamden Lane Rear (off Meadow Street)
Street Address
AP 8
Assessors Map/Plat Number

Seekonk
City/Town
Lot 26
Parcel/Lot Number



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
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*Completed
copy sent
06-25-09
(R)*

From:

Seekonk
Conservation Commission

To: Applicant

Algonquin Gas Transmission, LLC - Nikki LaBella
Name
890 Winter Street, Suite 300
Mailing Address

Waltham MA 02451
City/Town State Zip Code

Property Owner (if different from applicant):

TRC Environmental (Kelly Kippenberger)
Name
650 Suffolk Street
Mailing Address

Lowell MA 01854
City/Town State Zip Code

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

Permitting Plan Algonquin Gas Transmission 2009 Pipeline Integrity Pgm. 06-01-09
Title Date

Title Date

Title Date

2. Date Request Filed:

06-02-09

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Clearing of upland hardwood forest and grading of the proposed G-5 & G-12L launchers/receiver site and access road. Phase I: Installation of G-5 24" launcher barrel and G-5 10" receiver barrel and associated piping. Phase II: Installation of G-12 10" launcher barrel and G-12L 24" launcher barrel and associated piping.

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Parcel/Lot Number



Massachusetts Department of Environmental Protection

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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 Massachusetts Wetlands Protection Act:

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):

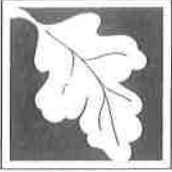
- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, 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 Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the 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 the 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, subject to the following conditions (if any).

4. The work described in the Request is not within an Area subject to protection under the Act (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 Act.



Massachusetts Department of Environmental Protection

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D. Appeals

The applicant, 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 appropriate Department of Environmental Protection Regional Office (see <http://www.mass.gov/dep/about/region.findyour.htm>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see 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 Determination. 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. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.