



# WPA Form 1- Request for 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.



1. Applicant:

Grand Union Markets c/o Bohler Engineering, P.C. jswerling@bohlereng.com  
 Name E-Mail Address

1023 Route 146  
 Mailing Address

Clifton Park NY 12065  
 City/Town State Zip Code

(518) 371-5117 (518) 371-7490  
 Phone Number Fax Number (if applicable)

2. Representative (if any):

Bohler Engineering, P.C.  
 Firm

Joshua Swerling, P.E. jswerling@bohlereng.com  
 Contact Name E-Mail Address

352 Turnpike Road  
 Mailing Address

Southborough MA 01772  
 City/Town State Zip Code

508-480-9900 508-480-9080  
 Phone Number Fax Number (if applicable)

## B. Determinations

1. I request the Town of Seekonk make the following determination(s). Check any that apply:  
 Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

The Town of Seekonk  
 Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).

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## C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

1475 Newman Avenue

Street Address

Seekonk

City/Town

Plat 29

Assessors Map/Plat Number

Lots 1&2

Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

13.4+/- acrea parcel located along the easterly side of Newman Avenue currently consists of a 7,811 s.f. "CVS" and a 40,778 s.f. "Ro-Jack's" with associated parking and landscaped areas (see plans).

c. Plan and/or Map Reference(s):

Local Septic Upgrade Plans

Title

11/1/04

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The proposed work consists of replacing and repairing several components of the existing failed septic system that services the "CVS" and "Ro-Jack's". The proposed work includes replacing the existing 1,000 gallon grease trap with a new 3,000 gallon grease trap, resetting several tank invert, installing a new 3" force main from the existing pump chamber to the new leaching facility, and installing a new pressure dosed leaching facility to replace the existing failed leach field. Note that the only proposed work within the 100 foot buffer zone includes the work associated with the new 3,000 gallon grease trap, resetting tank invert, and installing approximately 95 feet of force main. All other work, including installing the new leaching facility, will be outside of the 100 foot buffer zone. The proposed sewage disposal (leach) field will be located outside of the 100 foot buffer. The proposed system will significantly enhance the facility's ability to protect the abutting bordering vegetated wetland resource area.



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### C. Project Description (cont.)

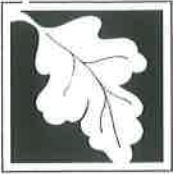
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The proposed septic system is replacing the existing failed system, therefore, the project is presumed to comply with the requirements as stated in 310 CMR 10.03(3). In addition, the new system does not propose any increase in design flow from the existing system.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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### D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office (see Attachment) were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

ALM Supermarkets 3, LLC c/o GU Markets attention Janet

Name

1 Oxford Crossing Suite 1

Mailing Address

New Hartford

City/Town

NY


State

13413

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

  
Signature of Applicant (AGENT)

11/15/04

Date

  
Signature of Representative (if any)

11/15/04

Date