

310 CMR 10.99

Form 2



Commonwealth of Massachusetts

DEP File No.   
 (To be provided by DEP)  
 City/Town Seekonk  
 Applicant Heritage Homes  
 Date Request Filed 6-12-90

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

From Seekonk Conservation Commission Issuing Authority

To Mr. Roger DesVergnes Heritage Homes of Attleboro, Inc.  
 (Name of person making request) (Name of property owner)  
 P. O. Box 73  
 Address Chartley, MA 02712 Address Same

This determination is issued and delivered as follows:

- by hand delivery to person making request on \_\_\_\_\_ (date)
- by certified mail, return receipt requested on June 26, 1990 (date)

Pursuant to the authority of G.L. c. 131, §40, the Seekonk Conservation Commission has considered your request for a Determination of Applicability and its supporting documentation, and has made the following determination (check whichever is applicable):

Location: ~~Street Address~~ Plat 5, Lots 101, 102, 103, 104, 106 and 107  
~~XXXX XXXXX~~ between Miller Street and Willard Avenue

1.  The area described below, which includes all/part of the area described in your request, is an Area Subject to Protection Under the Act. Therefore, any removing, filling, dredging or altering of that area requires the filing of a Notice of Intent.
2.  The work described below, which includes all/part of the work described in your request, is within an Area Subject to Protection Under the Act and will remove, fill, dredge or alter that area. Therefore, said work requires the filing of a Notice of Intent.  
  
Single family homes and septic systems, filling, grading, and stabilization of banks.

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, create, 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 R. Leach

Bruce Britton

Paul E. Boyer

Harold E. Doran

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

On this 25<sup>th</sup> day of June 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 L. Lyzardes  
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 Superseding 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.

List of Direct Abutters and Abutters to Abutters within 300 feet of Ap 5, Lot 106 in Seekonk Massachusetts. To accompany Notice of Intent under Seekonk Conservation Commission General Wetlands Protection Bylaw and the Massachusetts Wetland Protection Act.

Locus Property

<u>AP</u>	<u>Lot</u>	<u>Owner/Address</u>
5	106	Heritage Homes of Attleboro, Inc. P.O. Box 73 Chartley, MA 02712

Abutting Properties

<u>AP</u>	<u>Lot</u>	<u>Owner/Address</u>
5	71, 98-105, 107, 112-114	Heritage Homes of Attleboro, Inc. P.O. Box 73 Chartley, MA 02712
5	38	Richard J. & Hazel P. Williams 73 Miller Street Seekonk MA 02771
5	57	Arthur J. Jr & Veril Allen 49 Miller Street Seekonk MA 02771
5	58	George & Miriam A. Munson 55 Miller Street Seekonk MA 02771
5	59	Guilherme & Joan Alexandre 61 Miller Street Seekonk MA 02771
5	67	Marc E. & Linda Impagliazzo 85 Miller Street Seekonk MA 02771
5	68	Richard F. Jr., & Barbara A. Andrews & Barbara A. Oconnell 97 Miller Street Seekonk MA 02771
5	69	Antonio D & Marjorie J. Santiago 109 Miller Street Seekonk MA 02771
5	72	David J. & Deborah M. Perry 145 Miller Street Seekonk MA 02771

<u>AP</u>	<u>Lot</u>	<u>Owner/Address</u>
5	108	Randy A. & Pamela A. Salguiero 134 Marehaven Drive Seekonk MA 02771
5	109	Michael F. & Donna J. Dunn 122 Marehaven Drive Seekonk MA 02771
5	110	Gerald W. Sr. & Gloria A. Potter 110 Marehaven Drive Seekonk MA 02771
5	111	Mark J. & Carolyn A. Poole 98 Marehaven Drive Seekonk MA 02771
6	5	Faith Christian Center 52 Olney Street Seekonk MA 02771