

10.99: Forms

Form 1

Commonwealth
of Massachusetts

DEP File No

(To be provided by DEP)

City/Town: SEEKONKApplicant: ROBERT COSTA

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

1. I, the undersigned, hereby request that the SEEKONK
Conservation Commission make a determination as to whether the area, described below, or work to
be performed on said area, also described below, is subject to the jurisdiction of the Wetlands
Protection Act, G.L. c. 131, §40.
2. The area is described as follows. (Use maps or plans, if necessary, to provide a description and the
location of the area subject to this request.)

Location: Street Address 308 ELM STREETLot Number: PLAT 16 LOT 67

3. The work in said area is described below. (Use additional paper, if necessary, to describe the
proposed work.)

The owner wishes to construct an inground swimming pool
within 70.00 feet of wetland vegetation. Staked hay bales
will be installed prior to construction at the limit of
disturbance and no work will be done beyond the hay bales.

10.99: continued

4. The owner(s) of the area, if not the person making this request, has been given written notification of this request on N/A (date)

The name(s) and address(es) of the owner(s):

ROBERT COSTA
308 ELM STREET
SEEKONK, MASS. 02771

5. I have filed a complete copy of this request with the appropriate regional office of the Massachusetts Department of Environmental Protection july 14, 1993 (date)

DEP Northeast Regional Office
5 Commonwealth Avenue
Woburn, MA 01801

DEP Southeast Regional Office
Lakeville Hospital
Route 105
Lakeville, MA 02347

DEP Central Regional Office
75 Grove Street
Worcester, MA 01605

DEP Western Regional Office
State House West, 4th Floor
436 Dwight Street
Springfield, MA 01103

6. I 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 regulations by the Conservation Commission and that I will be billed accordingly.

Signature 

Name ROBERT COSTA

Address 308 ELM STREET SEEKONK, MASS. Tel 336-4644

10.99: continued

310 CMP 10.99

Form 2



Commonwealth of Massachusetts

DEP File No.
(To be provided by DEP)

City/Town _____

Applicant _____

Date Request Filed _____

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

From _____ Issuing Authority

To _____
(Name of person making request) (Name of property owner)

Address _____ Address _____

This determination is issued and delivered as follows:

- by hand delivery to person making request on _____ (date)
- by certified mail, return receipt requested on _____ (date)

Pursuant to the authority of G.L. c. 131, §40, the _____
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 _____

Lot Number: _____

This Determination is positive.

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.

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

10.99: continued

- 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, dredge, 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 _____ Conservation Commission

Signature(s) _____

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

On this _____ day of _____ 19_____, before me personally appeared _____, 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.

Notary Public

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.