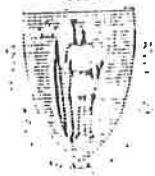


310 CMR 10.99

Form 3

TOWN CLERK'S OFFICE  
SEEKONK, MASS.

AUG 13 9 32 AM '91



Commonwealth  
of Massachusetts



DEP File No. SE69 255  
(To be provided by DEP)

City/Town Seekonk

Applicant Roger and Kim Ellin

*Ms. McAlper*

Notice of Intent  
Under the  
Massachusetts Wetlands Protection Act, G.L. c. 131, §40  
and

Application for a Department of the Army Permit



Part I: General Information

1. Location: Street Address 132 South Wheaton Avenue  
Lot Number Plat 4 Lots 10, 11 & 153

2. Project: Type Buffer Zone Description Construct an inground swimming pool within 44 feet of bordering vegetated wetlands.

3. Registry: County Bristol North Current Book 1989 2556 & Page 4037 326

Certificate (If Registered Land) N/A

4. Applicant Roger Jr. and Kim Ellin Tel. 336-4297

Address 132 South Wheaton Avenue, Seekonk, Mass. 02771

5. Property Owner Same Tel. Same

Address Same

6. Representative Caputo and Wick Ltd. Tel. (401) 434-8880

Address 1150 Pawtucket Avenue, Rumford, RI 02916

7. a. Have the Conservation Commission and the Department's Regional Office each been sent, by certified mail or hand delivery, 2 copies of completed Notice of Intent, with supporting plans and documents?  
Yes  No

b. Has the fee been submitted?  Yes  No

c. Total Filing Fee Submitted \$80.00 55.00

d. City/Town Share of Filing Fee 52.50 40.00 State Share of Filing Fee 27.50 15.00  
(sent to City/Town) (1/2 of fee in excess of \$25, sent to DEP)

e. Is a brief statement attached indicating how the applicant calculated the fee?  Yes  No

8. Have all obtainable permits, variances and approvals required by local by-law been obtained?  
 Yes  No

Obtained: \_\_\_\_\_ Applied For: \_\_\_\_\_ Not Applied For: \_\_\_\_\_

(A building permit is the only permit required.)

9. Is any portion of the site subject to a Wetlands Restriction Order pursuant to G.L. c. 131, §40A or G.L. c. 130, §105? Yes  No

10. List all plans and supporting documents submitted with this Notice of Intent.

Identifying Number/Letter	Title, Date
Exhibit A	Proposed site plan, A.P. 4, Lots 10, 11 and 153, Seekonk, Mass. for Roger Jr. and Kim Ellin
Exhibit B	U.S.G.S. Map (East Prov. Quadrangle)

11. Check those resource areas within which work is proposed:

(a)  Buffer Zone

(b) Inland:

- |  |  |
|--|--|
| <input type="checkbox"/> Bank*                             | <input type="checkbox"/> Land Subject to Flooding. |
| <input type="checkbox"/> Bordering Vegetated Wetland*      | <input type="checkbox"/> Bordering                 |
| <input type="checkbox"/> Land Under Water Body & Waterway* | <input type="checkbox"/> Isolated                  |

(c) Coastal:

- |  |   |
|--|---|
| <input type="checkbox"/> Land Under the Ocean*   | <input type="checkbox"/> Designated Port Area*      |
| <input type="checkbox"/> Coastal Beach*          | <input type="checkbox"/> Coastal Dune               |
| <input type="checkbox"/> Barrier Beach           | <input type="checkbox"/> Coastal Bank               |
| <input type="checkbox"/> Rocky Intertidal Shore* | <input type="checkbox"/> Salt Marsh*                |
| <input type="checkbox"/> Land Under Salt Pond*   | <input type="checkbox"/> Land Containing Shellfish* |
| <input type="checkbox"/> Fish Run*               |   |

\* Likely to involve U.S. Army Corps of Engineers concurrent jurisdiction. See General Instructions for Completing Notice of Intent.

10.99: continued

12. Is the wetland resource area to be altered by the proposed work located on the most recent Estimated Habitat Map (if any) of rare, "state-listed" vertebrate and invertebrate animal species occurrences provided to the conservation commission by the Natural Heritage and Endangered Species Program?

YES                       NO                       Date printed on the Estimated Habitat Map issued  
NO MAP AVAILABLE                       (if any) October 1987

If yes, have you completed an Appendix A and a Notice of Intent and filed them, along with supporting documentation with the Natural Heritage and Endangered Species Program by certified mail or hand-delivery, so that the Program shall have received Appendix A prior to the filing of this Notice of Intent?

YES                       NO

**Part II: Site Description**

Indicate which of the following information has been provided (on a plan, in narrative description or calculations) to clearly, completely and accurately describe existing site conditions.

Identifying  
Number/Letter  
(of plan, narrative  
or calculations)

<u>Exhibit</u>	<u>Natural Features:</u>
<u>N/A</u>	Soils
<u>A</u>	Vegetation
<u>A</u>	Topography
<u>N/A</u>	Open water bodies (including ponds and lakes)
<u>N/A</u>	Flowing water bodies (including streams and rivers)
<u>A</u>	Public and private surface water and ground water supplies on or within 100 feet of site
<u>N/A</u>	Maximum annual ground water elevations with dates and location of test
<u>A</u>	Boundaries of resource areas checked under Part I, item 11 above
<u>N/A</u>	Other
	<u>Man-made Features:</u>
<u>A</u>	Structures (such as buildings, piers, towers and headwalls)
<u>N/A</u>	Drainage and flood control facilities at the site and immediately off the site, including culverts and open channels (with inverts), dams and dikes
<u>A</u>	Subsurface sewage disposal systems
<u>N/A</u>	Underground utilities
<u>A</u>	Roadways and parking areas
<u>A</u>	Property boundaries, easements and rights-of-way
<u>N/A</u>	Other

**Part III: Work Description**

Indicate which of the following information has been provided (on a plan, in narrative description or calculations) to clearly, completely and accurately describe work proposed within each of the resource areas checked in Part I, item 11 above.

Identifying  
Number/Letter  
(of plan, narrative  
or calculations)

	<u>Plan, View and Cross Section of:</u>
<u>A</u>	Structures (such as buildings, piers, towers and headwalls)
<u>N/A</u>	Drainage and flood control facilities, including culverts and open channels (with inverts), dams and dikes
<u>N/A</u>	Subsurface sewage disposal systems & underground utilities
<u>A</u>	Filling, dredging and excavating, indicating volume and composition of material
<u>N/A</u>	Compensatory storage areas, where required in accordance with Part III, Section 10:57 (4) of the regulations
<u>N/A</u>	Wildlife habitat restoration or replication areas
<u>N/A</u>	Other
	<u>Point Source Discharge</u>
<u>N/A</u>	Description of characteristics of discharge from point source (both closed and open channel), when point of discharge falls within resource area checked under Part I, item 11 above, as supported by standard engineering calculations, data and plans, including but not limited to the following:

1. Delineation of the drainage area contributing to the point of discharge;
2. Pre- and post-development peak run-off from the drainage area, at the point of discharge, for at least the 10-year and 100-year frequency storm;
3. Pre- and post-development rate of infiltration contributing to the resource area checked under Part I, item 11 above;
4. Estimated water quality characteristics of pre- and post-development run-off at the point of discharge.

**Part IV: Mitigating Measures**

1. Clearly, completely and accurately describe, with reference to supporting plans and calculations where necessary:
  - (a) All measures and designs proposed to meet the performance standards set forth under each resource area specified in Part II or Part III of the regulations; or
  - (b) why the presumptions set forth under each resource area specified in Part II or Part III of the regulations do not apply.

<input type="checkbox"/> Coastal    Resource Area Type: <input type="checkbox"/> Inland	Identifying number or letter of support documents

<input type="checkbox"/> Coastal    Resource Area Type: <input type="checkbox"/> Inland	Identifying number or letter of support documents

10.99: continued

<input type="checkbox"/> Coastal <input type="checkbox"/> Inland	Resource Area Type:	Identifying number or letter of support documents

2. Clearly, completely and accurately describe, with reference to supporting plans and calculations where necessary:
- (a) all measures and designs to regulate work within the Buffer Zone so as to ensure that said work does not alter an area specified in Part I, Section 10.02(1) (a) of these regulations; or
  - (b) if work in the Buffer Zone will alter such an area, all measures and designs proposed to meet the performance standards established for the adjacent resource area specified in Part II or Part III of these regulations.

<input type="checkbox"/> Coastal <input checked="" type="checkbox"/> Inland	Resource Area Type Bordered By 100-Foot Discretionary Zone: Bordering Vegetated Wetlands	Identifying number or letter of support documents
<p>An inground swimming pool will be constructed within 44 feet of bordering vegetated wetlands. Staked hay bales will be placed prior to construction and will be maintained in place until all work has been completed. All disturbed areas will be loamed and seeded. Since no additional storm water runoff will be generated there should be no adverse effect on the resource area.</p>		<p>A</p>

Part V: Additional Information for a Department of the Army Permit

1. COE Application No. \_\_\_\_\_ 2. \_\_\_\_\_  
(to be provided by COE) (Name of waterway)

3. Names and addresses of property owners adjoining your property:

4. Document other project alternatives (i.e., other locations and/or construction methods, particularly those that would eliminate the discharge of dredged or fill material into waters or wetlands).

5. 8 1/2" x 11" drawings in planview and cross-section, showing the resource area and the proposed activity within the resource area. Drawings must be to scale and should be clear enough for photocopying.

Certification is required from the Division of Water Pollution Control before the Federal permit can be issued. Certification may be obtained by contacting the Division of Water Pollution Control, 1 Winter Street, Boston, Massachusetts 02108.

Where the activity will take place within the area under the Massachusetts approved Coastal Zone Management Program, the applicant certifies that his proposed activity complies with and will be conducted in a manner that is consistent with the approved program.

Information provided will be used in evaluating the application for a permit and is made a matter of public record through issuance of a public notice. Disclosure of this information is voluntary, however, if necessary information is not provided, the application cannot be processed nor can a permit be issued.

I hereby certify under the pains and penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents and supporting data are true and complete, to the best of my knowledge.

Roger C. Collins Jr \_\_\_\_\_ Date 8-8-91  
Signature of Applicant

Anthony P. Papad \_\_\_\_\_ Date 8/8/91  
Signature of Applicant's Representative

HED FORM 100 (TEST)  
1 MAY 82

"Exception to ENG Form 4345 approved by HQUSACE, 6 May 1982"  
"This document contains a joint Department of the Army and State of Massachusetts application for a permit to obtain permission to perform activities in United States waters. The Office of Management and Budget (OMB) has approved those questions required by the US Army Corps of Engineers, OMB Number 0702-0036 and expiration date of 30 September 1983 applies. This statement will be set in 6 point type."