

WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
& Seekonk General Wetland Protection By-Laws

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

This Issuance is for (check one):

- Order of Resource Area Delineation
 Amended Order of Resource Area Delineation

To: Applicant:

Stonegate Builders, LLC
Name
477 Milford Road
Mailing Address
Swansea MA 02777
City/Town State Zip Code

Property Owner (if different from applicant):

(Same)
Name
(Same)
Mailing Address
City/Town State Zip Code

1. Project Location:

Intersection of Brook St. & Newman Ave. Seekonk
Street Address City/Town
25 3
Assessors Map/Plat Number Parcel /Lot Number

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

Abbreviated Notice of Resource Delineation Plan, Brook St., Seekonk, MA August 31, 2004
Title Date

Title Date

Title Date

3. Dates:

July 7, 2004 September 13, 2004 September 13, 2004
Date Notice of Intent Filed Date Public Hearing Closed Date of Issuance



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SELA-544
Provided by DEP

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

B. Order of Delineation

The Conservation Commission has determined the following (check whichever is applicable):

Accurate: The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

Mean Annual High Water Line (Riverfront)

Modified: The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

Inaccurate: The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

The boundaries were determined to be inaccurate because:



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B. Order of Delineation (cont.)

This Order of Resource Area Delineation determines the boundaries of those resource areas noted above and is binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00) regarding such boundaries. This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see Appendix A)

Signatures:

[Handwritten signatures: Paul D. Welch, David Bagnari, R. F. Hill, Christopher Cleary, Kenneth M. Scoppa, Robert J. McKenna]

This Order is valid for three years from the date of issuance.

This Order is issued to the applicant and the property owner (if different) as follows:

by hand delivery on

by certified mail, return receipt requested on

Date

Date

September 23, 2004

C. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, 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 DEP Regional Office (see Appendix A) to issue a Superseding Order of Resource Area Delineation. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Appendix E: 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 Order. 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 Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.