

September 29<sup>th</sup>, 2025

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Littleton Conservation Commission  
37 Shattuck Street  
1<sup>st</sup> Floor, B100  
Littleton, MA 01460

**RE:    Notice of Intent (DEP File #204-1018 & 204-1019)**  
**Requested Waiver**  
**64 Beaver Brook Road, Lot 1 & 3**  
**Littleton, MA**

Dear Commission Members:

On behalf of the Applicant, Hannah & Michael Gruar, we have prepared this letter to provide additional information to document compliance with the provisions of Section 1.4 within the Town of Littleton Wetland Protection Regulations. The Commission had raised concerns during the September 23<sup>rd</sup> public hearing that the requested relief did not include sufficient evidence that the proposed actions met the criteria required to grant such a waiver. The following provisions are from the Town of Littleton Wetland Protection Regulations.

*Section 1.4 Waivers from Regulations*

*(1) Strict compliance with these Regulations may be waived when, in the judgment of the Commission, such action is*

- a) in the public interest, necessary to avoid a taking, necessary to prevent a safety hazard, or water dependent; and*
- b) consistent with the intent and purpose of the Bylaw; and*
- c) the least environmentally damaging practicable alternative.*

The project proposes a 16-foot-wide paved driveway including a wetland crossing to provide access to approximately 5 acres of upland on the subject property (64 Beaver Brook Road). The proposed access will provide new entrance to (2) proposed ANR Lots 1 & 3. The existing wetland bisects the property entirely and as such there is no other means of alternative access to the upland area.

The selected locations for the proposed site features were studied extensively through multiple site visits from Dillis & Roy. The proposed wetland crossing has been located at the narrowest portion of the wetland to reduce BVW area impacts to the maximum extent practicable. The existing channel was formed by scouring caused by channelized overland flow. The channel includes steep embankments on either side of the wetland. The proposed wetland crossing has been improved to span the channel entirely with a 3-sided, open bottom box culvert with prefabricated wing walls. The crossing has been designed in full compliance with Massachusetts Stream Crossing Standards which will provide an improvement over existing conditions. The culvert will provide structural stability to the steep existing bank slopes which are susceptible to further erosion within the resource area.

The proposed crossing would result in an overall disturbance of 306 SF of direct BVW area disturbance. A wetland replication area (1,050 S.F) has been included within this proposed scope of work. The wetland replication area has been designed in compliance with the Town of Littleton Wetland Protection Regulations Section 5.2 exceeding a 3:1 ratio of replacement wetlands to wetlands proposed to be altered. Micro-topology and site-specific native plantings have been incorporated into the design of the replication area to ensure success. It is our understanding that this will be an overall improvement over existing conditions as the project results in the creation of more wetlands.

64 Beaver Brook Road is chiefly undeveloped and almost entirely wooded other than the existing single-family dwelling where the owners / applicants reside. As such, the proposed work to construct the shared driveway and (2) single family dwellings in the upland area located in the rear of the site would result in the removal of 47 trees from the 100-Foot Buffer Zone. To mitigate these losses a Tree Mitigation Plan has been incorporated into the set of permit documents. The public document "Tree Guidelines for the Town of Littleton" was applied to incorporate appropriate plantings within the buffer zone. A total of 30 trees and 60 shrubs are proposed as mitigation within the buffer zone. Additionally, all disturbed areas within the 100-Foot Buffer Zone outside of the stormwater basins are to be restored with 6" of topsoil and overseeded with New England Wet Plants Conservation Mix. The entire wetland replication area is to be overseeded with New England Wet Plants Wet Mix to introduce a diverse variety of natural vegetation. Seed list specifications for each mix have been submitted with this letter.

The proposed project has been designed in full compliance with Massachusetts Stormwater Standards. The project requires a Stormwater Management Permit pursuant to the Stormwater Bylaw which involves a peer review process to review compliance with the provisions of the Bylaw. No existing stormwater controls or treatment devices exist on site today. Bringing the site into full compliance with the Massachusetts Stormwater Standards will be an overall improvement to existing conditions by implementing the proposed best management practices.

We believe, based on the proposed strategies mentioned above, the requested waiver for such actions is of public interest because they would result in significant net environmental improvement in the conditions of the Buffer Zone. The proposed measures include the structural reinforcement of a potentially eroding channel, restoration of disturbed areas to a natural condition, creation of more wetlands, and improvement of existing stormwater conditions. The proposed scope of work has been designed to meet all other performance standards to the maximum extent practical other than the relief being sought for the proposed wetland crossing.

We trust this meets your needs at this time. If you have any questions or require any additional information, please do not hesitate to contact me.

Regards,

**DILLIS & ROY**  
**CIVIL DESIGN GROUP, INC.**



Ryan Vickers, E.I.T.  
Civil Engineer



Gregory S. Roy, P.E.  
Principal

cc: Tim Pearson, Littleton Conservation Agent  
Hannah Gruar, Applicant  
Michael Gruar, Applicant