



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Littleton

City/Town

WPA Form 1- Request for Determination of Applicability

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

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.

**1. Applicant:**

Whiteacre Properties, LLC

Name

150 East Central Street

Mailing Address

Natick

City/Town

508-433-3835

Phone Number

cp@whiteacreproperties.com

E-Mail Address

MA

State

01760

Zip Code

Fax Number (if applicable)

2. Representative (if any):

Civil Solutions, Inc

Firm

Kevin Ritchie

Contact Name

PO Box 107

Mailing Address

Westford

City/Town

978-692-5000

Phone Number

civilsolutionsinc@outlook.com

E-Mail Address

MA

State

01886

Zip Code

Fax Number (if applicable)

B. Determinations

1. I request the Littleton Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Littleton

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

17 Matawanakee Trail

Street Address

U-49

Assessors Map/Plat Number

Littleton

City/Town

Parcel 21A

Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

The area consists of single-family homes with established lawns, light woods, paved driveways and paved streets. The area where the proposed work is to take place consists of a previously disturbed treed lawn area.

c. Plan and/or Map Reference(s):

Sewage Disposal System Plan - 17 Matawanakee Trail, Littleton, MA

Title

4/12/2023 rev 1

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Work consists of replacing a failed sewage disposal system in accordance with 310CMR15.000. All work will be performed in a previously disturbed treed lawn area. The proposed leaching area will be 75 feet from the wetland and the proposed septic tanks will be located 98 feet from the adjacent wetland. All disturbed areas will be reseeded to lawn.



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

MA DEP Policy# BRP/DWM/WWP 99-1 states that projects occurring exclusively in the buffer zone should be allowed to proceed under a negative determination of applicability

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Whiteacre Properties, LLC

Name

150 East Central Street

Mailing Address

Natick

City/Town

MA

State

01760

Zip Code

Signatures:

I also 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 Wetlands Protection Act regulations.

Signature of Applicant

Signature of Representative (if any)

Date

4-12-2023

Date



**TOWN OF LITTLETON
BOARD OF ASSESSORS**
P.O. BOX 1305
LITTLETON, MA 01460
(978) 540-2410
FAX: (978) 952-2321

Date: April 7, 2023

Re: Certified List of Abutters Conservation Commission

Applicant: Kevin Ritchie

Name of Firm: Civil Solutions

Mailing Address P.O. Box 107, Westford, MA 01886

Subject Parcel Location: 17 Matawanakee Trail

Subject Parcel No.: U49-21-A

Subject Owner Name: Whiteacre Properties LLC

M.G.L. Chapter 131: Section 40 "Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land where the activity is proposed, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water. When a notice of intent proposes activities on land under water bodies and waterways or on a tract of land greater than 50 acres, written notification shall be given to all abutters within 100 feet of the proposed project site. For the purposes of this action, "project site" shall mean lands where the following activities are proposed to take place: dredging, excavating, filling, grading, the erection, reconstruction or expansion of a building or structure, the driving of pilings, the construction or improvement of roads or other ways and the installation of drainage, sewerage and water systems, and "land under water bodies and waterways" shall mean the bottom of, or land under, the surface of the ocean or an estuary, creek, river stream, pond or lake. When a notice of intent proposes activity on a linear shaped project site longer than 1,000 feet in length, notification shall be given to all abutters within 1,000 feet of the proposed project site. If the linear project site takes place wholly within an easement through another person's land, notice shall also be given to the landowner. Said notification shall be at the applicant's expense, and shall state where copies of the notice of intention may be examined and obtained and where information regarding the date, time and place of the public hearing may be obtained. Proof of such notification, with a copy of the notice mailed or delivered, shall be filed with the conservation commission."

I hereby certify the attached list of abutter (s) as stated in the M.G.L. Chapter 131, Section 40.

Number of Abutter (s) 9

Certified by:



Hanna Axon, Office Assistant

16 MATAWANAKEE TL U49 10 0
LUC: 101

MAHONEY III TIMOTHY LEO

JEFFRIES DEBORAH ANN MAZENKO

16 MATAWANAKEE TRAIL

LITTLETON, MA 01460

20 MATAWANAKEE TL U49 11 0
LUC: 101

CUNNIFFE MELISSA

20 MATAWANAKEE TRAIL

LITTLETON, MA 01460

21 MATAWANAKEE TL U49 20 0
LUC: 101

MCDONOUGH HUGH R

MCDONOUGH STEPHANIE A

21 MATAWANAKEE TL

LITTLETON, MA 01460

19 MATAWANAKEE TL U49 21 0
LUC: 101

O'BRIEN KRISTIN LYNN

33 BALDWIN HILL RD

LITTLETON, MA 01460

17 MATAWANAKEE TL U49 21 A
LUC: 101

WHITEACRE PROPERTIES, LLC

150 EAST CENTRAL ST

NATICK, MA 01760

15 MATAWANAKEE TL U49 22 0
LUC: 101

SHEPHERD THOMAS T

MCKEEVER LESLIE B

15 MATAWANAKEE TL

LITTLETON, MA 01460

11 MATAWANAKEE TL U49 22 A
LUC: 101

DAVIS FAMILY 2003 TRUST

DAVIS T F JR & C A

11 MATAWANAKEE TL

LITTLETON, MA 01460

6 SCOTT RD U49 26 6
LUC: 101

WHEELER DONALD W

WHEELER NANCY R

6 SCOTT RD

LITTLETON, MA 01460

8 SCOTT RD U49 26 8
LUC: 101

KALDESTAD OYVIND D

KALDESTAD ASE T

8 SCOTT ROAD

LITTLETON, MA 01460-0366

Notification to Abutters

Request for Determination of Applicability

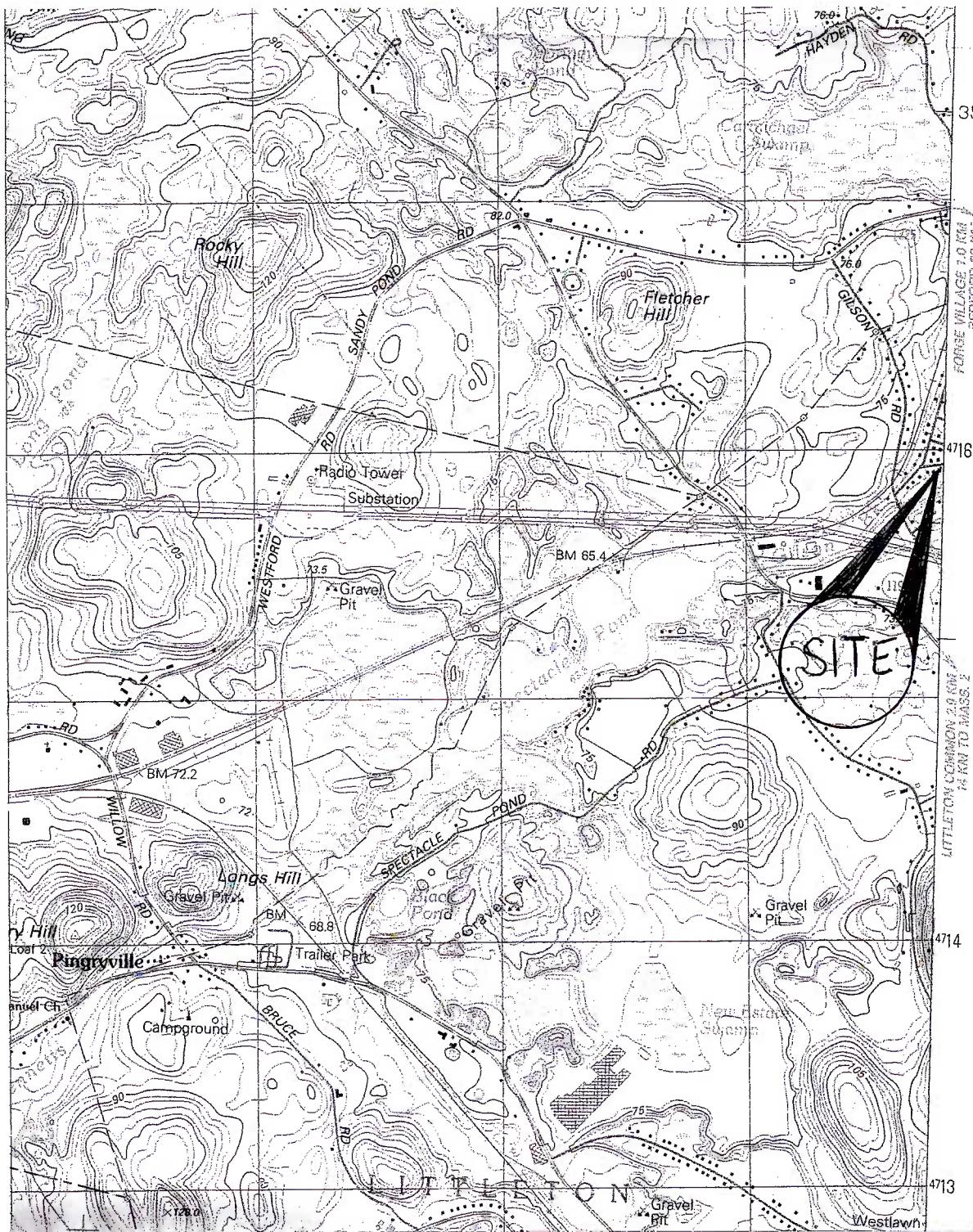
Under Littleton Wetlands Protection Bylaw (chapter 171), this form must be completed and mailed, certified mail return receipt requested, to all abutters at their mailing addresses shown on the most recent Town Assessor's records as well as the owner (if not the applicant).

In accordance with the Town of Littleton's Non-zoning Wetlands Bylaw Section 171-2.D, you are hereby notified of a public meeting on the matter described below:

- A. The applicant has filed a Request for Determination of Applicability (RDA) with the Conservation Commission for the Municipality of Littleton for work in an area subject to protection under the Massachusetts Wetlands Protection Bylaw.
- B. The name of the applicant is Whiteacre Properties, LLC.
- C. The address of the lot where the activity is proposed is 17 Matawanakee Trail, Littleton, MA.
- D. The work proposed is the installation of a subsurface sewage disposal system to replace an existing failed system. A portion of the proposed work is located within the 100 foot buffer zone to a vegetated wetland.
- E. Due to the Commonwealth and Town of Littleton's Covid-19 Emergency Response, it is anticipated that paper copies of the Request for Determination will not be available for inspection. Copies of the Request for Determination may be examined at the Conservation Commission webpage at <https://www.littletonma.org/conservation>, under "Conservation Calendar" at least 48 hours before the meeting. If you click on the day of the meeting in the calendar, you will be lead to a link showing posted project information. If you have any questions you can contact the Littleton Conservation Commission (contact information at the end of this notice).
- F. Due to the Commonwealth and Town of Littleton's Covid-19 Emergency Response, it is anticipated that paper copies of the Request for Determination will not be available for distribution. Copies of the Request for Determination may be obtained electronically from the applicant's representative by calling 978-692-5000 Monday through Friday 9:00 a.m. to 4:00 p.m.
- G. The public hearing will be held on May 2, 2023 at X:XX p.m.. Information regarding the date and time of the public hearing may be obtained from the Littleton Conservation Commission (see information at the end of this notice).

H. Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance of the meeting in a paper of local circulation. The agenda, noting times will be posted at the Town Hall and at <https://www.littletonma.org/conservation> under "Conservation Calendar at least forty-eight (48) hours in advance of the meeting. It is currently anticipated that this meeting will be held entirely remotely, pursuant to Governor Baker's March 12, 2020 Order suspending Certain Provisions of the Open Meeting Law and Governor Baker's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place. If the meeting is held remotely, instructions for remote viewing of, and participation in the meeting will be included in the agenda and may also be obtained from the Littleton Conservation Commission.

You may contact the Littleton Conservation Commission Coordinator (Amy Green); agreen@littletonma.org or at 978-540-2428, or the Massachusetts Department of Environmental Protection/Central Region (508-792-7650) at 8 New Bond Street, Worcester, MA 01606 for information about this application.

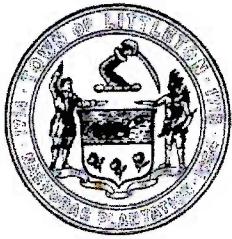


LOCUS PLAN

**17 MATAWANAKEE TRAIL
LITTLETON, MASSACHUSETTS**

APRIL 12, 2023

CIVIL SOLUTIONS, INC.
P.O. BOX 107, 285 LITTLETON ROAD, SUITE 2, WESTFORD, MA
PHONE: (978) 692-5000 FAX: (978) 692-0386

**Littleton Conservation Commission**

37 Shattuck Street / Room 303

Phone: 978 540-2428

Fax: 978 952-2321

Filing Procedure Summary
Submit this checklist with application
(rev December 20, 2021)

The following procedures must be followed when filing under M.G.L. c. 131, §40 or the Littleton Wetlands Protection, Chapter 171 for a wetland permit. The procedure applies to Notice of Intents, Abbreviated Notice of Intents, Request for Determinations, and Abbreviated Notice of Resource Area Determinations.

This summary is not to be considered all inclusive and in no way should an applicant misconstrue its contents to replace any part of M.G.L. c. 131, §40 or the Littleton Wetlands Protection, Chapter 171.

(1) one electronic file of complete submittal emailed to the Conservation Agent and 2 hard copies (with full sized, color plans) filed with the Conservation Commission hand delivered or mailed and received in the office before noon of filing deadline. Additional copies may be required of some projects. Please call ahead to determine meeting dates and filing deadlines.

(1) one complete copy of the application must be filed with Department of Environmental Protection at:
Department of Environmental Protection
8 New Bond Street
Worcester, Massachusetts 01608

During COVID Emergency Provisions, MADEP also requires an electronic file sent to [CERO NOI@mass.gov](mailto:CERO_NOI@mass.gov) (underscore between CERO and NOI)
With the Subject line based on this format "LITTLETON -xxx-STREET ADDRESS –
APPLICANT NAME. The "xxx" will be NOI, ANRAD or RDA

The applicant must include a certified list of abutters (including those in adjacent Towns) located within 100 feet of the property boundaries, according to the most recent records of the Town Assessors, or as determined by MADEP policy on abutter notification. If a Town line is within 300 feet of the Limit of Work, then that Town's Conservation Commission must also be notified.

The applicant, at the applicant's expense, shall post to each abutter (and owner if owner is not applicant) by Certificated Mail (Return Receipt Requested), or by hand delivery with signature of abutter a copy of the Abutter Notification Form. An Affidavit of Service of such notification shall also be provided. Abutters' signed acknowledgement of notification (ie, green Return Receipt cards) shall be provide at the first public meeting/hearing. See the Littleton Conservation Commission website for the Abutter Notification Form or call the Agent.

PROJECT NAME/ADDRESS: 17 MATAWANAKEE TRAIL DATE: 4-12-2023

At the applicant's expense, the Commission shall publish a legal notice in a newspaper of local circulation announcing the public hearing. The Notice will be published at least five (5) working days prior to the meeting and will include the date, time and location of the public hearing. The newspaper will bill the applicant directly. This bill must be paid before the legal notice will be published. **Please provide information on who will pay the newspaper (owner, applicant and/or representative) with the application.**

Name	<u>KEVIN RITCHIE</u>
Company (if applicable)	<u>CIVIL SOLUTIONS, INC</u>
Mailing Address	<u>P.O. Box 107, WESTFORD, MA 01886</u>
E-mail	<u>civilsolutionsinc@outlook.com</u>
Phone	<u>978-692-5000</u>

Filing fees for MADEP and Town of Littleton under the MA Wetlands Protection Act regulations, as well as the Littleton Wetlands Protection ByLaw filing fee.

PROJECT NAME/ADDRESS: 17 MATAWANAKEE TRAIL DATE: 4-12-2023

Plans Checklist to accompany application for Notice of Intent (NOI). This is a Bylaw Supplemental form to aid you in submitting complete and appropriate information on your plans. These are suggested/expected items to be shown on the plans but will not necessarily be applicable to all projects. Note that the Commission generally requires a colored plan for presentation purposes.

All lines must be marked X or identified as Not Applicable ("N/A"), or noted as to where the information can be found.

(1) North arrow Locus insert Bar scale (preferably 1 in = 20 to 40 ft.)

(2) Title Block with Following Information:

Plan Title

Applicant's Name(s), address & phone

Property Owner Name(s), address & phone

Location/street name & number

Assessor map, lot, Registry book, page on all lots w/activity

Plan preparer's name, title, stamp, company name, address phone & fax

Date plan prepared, last revised, and revision notes

(3) Existing contours

(4) Existing structure(s) with natural and man-made features, including stone walls and trails

(5) Trees over 8-inch diameter breast height within resource areas and buffer zones

(6) Property lines; clearly mark limits of review area if entire property is not under review

(7) Existing utilities, rights-of-way, easements, ancient ways or other deeded ways

(8) Name of wetland scientist responsible for identifying wetland boundaries

(9) Date wetland was flagged (must be no more than 3 years prior to current date)

(10) Wetland resource area boundaries with flag numbers

(11) 100 foot buffer zone limits and 50-foot No Disturb limit

(12) Notations identifying all wetland types and delineation methodology

(13) Shortest distance to all resource areas from closest proposed structure (use arrow)

PROJECT NAME/ADDRESS: 17 NATAWANAKEE TRAIL DATE: 4-12-2023

- (14) Shortest distance to all resource areas from closest point of erosion control materials
- (15) Proposed contours (one foot increments)
- (16) Proposed location of utility lines
- (17) Proposed structure(s) (including driveway work, septic components, etc)
- (18) Existing and proposed stormwater management features (including temporary controls)
- (19) Watersheds and drainage areas
- (20) Test pit, boring holes and logs
- (21) Conservation post detail and plaque detail
- (22) Location of temporary stockpiles w/notation of content (e.g. excavated soils)
- (23) Location of snow storage areas
- (24) Location of dumpster(s)
- (25) Cross-sections, particularly at key areas of slopes near wetland resource areas
- (26) Mitigation plans as needed
- (27) Construction sequencing
- (28) Details as applicable, including type of erosion controls

PROJECT NAME/ADDRESS: 17 MATAWANAKEE TRAIL DATE: 4-12-2023

One full sized color plans (and presentation plan) should be colored as follows.

Check if present	Feature	Line Type
✓	Existing tree line	Green solid
	Proposed tree line	Green dashed
✓	Bordering Vegetated Wetlands*	Dark blue solid
	Bank/Land Under Water	Light blue dashed
✓	100 foot buffer from BVW and/or Bank	Yellow solid
✓	50 foot No Disturb limit from BVW and/or Bank	Yellow dashed
	Vernal Pool	Purple solid
	Vernal Pool 100 foot	Purple dashed
	Bordering Lands Subject to Flooding	Orange solid
	Isolated Lands Subject to Flooding	Orange dashed
	Mean Annual High Water	Light red solid
	100 foot and 200 foot Riverfront Area	Light red dashed
	Bank, Wetland, Land Under Water, Riverfront Area and Floodplain	Red solid with differentiated stippling/cross hatching
	Mitigation Area	Red dashed line with differentiated stippling/cross hatching
✓	Erosion controls	Brown dashed
	Limit of work	Brown solid

*Note locations of any federal, non-state isolated vegetated wetlands

PROJECT NAME/ADDRESS: 17 MATAWANAKEE TRAIL DATE: 4-13-2023