

## NOTICE OF INTENT

Filed under the Massachusetts Wetlands Protection Act and the  
Town of Littleton Wetlands Bylaw

for the  
Clearing and Grading of a Yard Area relating to a new  
Single-Family Home.

Located at

Lot 1, Hartwell Avenue, Littleton, Massachusetts

Applicant

Dutchco Builders, LLC

Project Number 33895

Representative

Daniel B. Wolfe, P.E.

David E. Ross Associates, Inc.

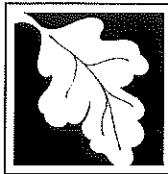
*Civil Engineers, Land Surveyors & Environmental Consultants*

P. O. Box 795

Harvard, MA 01451

October 2023





# Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Littleton

City/Town

**Important:**  
When filling out  
forms on the  
computer, use  
only the tab key  
to move your  
cursor - do not  
use the return  
key.



**Note:**  
Before  
completing this  
form consult  
your local  
Conservation  
Commission  
regarding any  
municipal bylaw  
or ordinance.

### A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Lot 1, Hartwell Avenue	Littleton	01460
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.54440	-71.49500
Map R17	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	a portion of Parcel 3	
	g. Parcel /Lot Number	

2. Applicant:

a. First Name	b. Last Name	
Dutchco Builders, LLC		
c. Organization		
8 Mason Brook Lane		
d. Street Address		
Littleton	MA	01460
e. City/Town	f. State	g. Zip Code
508-254-4673	dutchermason@aol.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

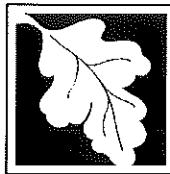
a. First Name	b. Last Name	
Hartwell Hill Homes, LLC		
c. Organization		
8 Mason Brook Lane		
d. Street Address		
Littleton	MA	01460
e. City/Town	f. State	g. Zip Code
508-254-4673	dutchermason@aol.com	
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Daniel	Wolfe	
a. First Name	b. Last Name	
David E. Ross Associates, Inc.		
c. Company		
6 Lancaster County Road, P.O. Box 795		
d. Street Address		
Harvard	MA	01451
e. City/Town	f. State	g. Zip Code
978-772-6232	978-772-6258	
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$110.00	\$42.50	\$67.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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### A. General Information (continued)

#### 6. General Project Description:

This project proposes to clear and grade approximately 900 square feet of area within the buffer zone to create useable yard area around a proposed single family home. A subsurface infiltration system will also be installed along the 100-foot buffer zone line, as part of the overall stormwater management plan. The house itself will be out of the buffer zone.

#### 7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

1. <input checked="" type="checkbox"/> Single Family Home	2. <input type="checkbox"/> Residential Subdivision
3. <input type="checkbox"/> Commercial/Industrial	4. <input type="checkbox"/> Dock/Pier
5. <input type="checkbox"/> Utilities	6. <input type="checkbox"/> Coastal engineering Structure
7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry)	8. <input type="checkbox"/> Transportation
9. <input type="checkbox"/> Other	

#### 7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1.  Yes  No      If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

#### 2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

#### 8. Property recorded at the Registry of Deeds for:

Middlesex - South

a. County

79438

c. Book

b. Certificate # (if registered land)

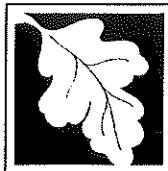
166

d. Page Number

### B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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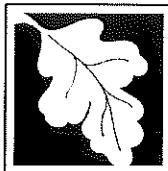
City/Town

### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	N/A	N/A
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. linear feet N/A	2. linear feet N/A
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet N/A 2. cubic yards dredged	2. square feet N/A
<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	N/A 1. square feet N/A 3. cubic feet of flood storage lost	N/A 2. square feet N/A 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	N/A 1. square feet N/A 2. cubic feet of flood storage lost	N/A 3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	N/A 1. Name of Waterway (if available) - specify coastal or inland	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		N/A square feet
4. Proposed alteration of the Riverfront Area:		
N/A a. total square feet	N/A b. square feet within 100 ft.	N/A c. square feet between 100 ft. and 200 ft.
5. Has an alternatives analysis been done and is it attached to this NOI?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
6. Was the lot where the activity is proposed created prior to August 1, 1996?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3. <input type="checkbox"/> Coastal Resource Areas: (See 310 CMR 10.25-10.35)		

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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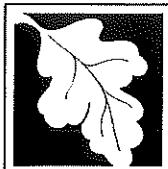
City/Town

### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	N/A 1. square feet	N/A 2. cubic yards dredged
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	N/A 1. square feet	N/A 2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	N/A 1. square feet	N/A 2. cubic yards dune nourishment
f. <input type="checkbox"/> Coastal Banks	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
g. <input type="checkbox"/> Rocky Intertidal Shores	N/A	
h. <input type="checkbox"/> Salt Marshes	1. linear feet	
i. <input type="checkbox"/> Land Under Salt Ponds	N/A 1. square feet	N/A 2. sq ft restoration, rehab., creation
j. <input type="checkbox"/> Land Containing Shellfish	N/A 1. square feet	
k. <input type="checkbox"/> Fish Runs	N/A 2. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
4. <input type="checkbox"/> Restoration/Enhancement	N/A 1. cubic yards dredged	
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.		
	N/A	
a. square feet of BVW	a. square feet of Salt Marsh	
5. <input type="checkbox"/> Project Involves Stream Crossings	N/A	
N/A	b. number of replacement stream crossings	
a. number of new stream crossings		



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### C. Other Applicable Standards and Requirements

This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

#### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

MassGIS - 9/2023

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review\*

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area

N/A

percentage/acreage

(b) outside Resource Area

N/A

percentage/acreage

2.  Assessor's Map or right-of-way plan of site

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

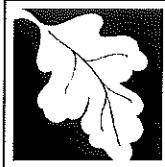
(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

\* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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### C. Other Applicable Standards and Requirements (cont'd)

(c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and *mail to NHESP* at above address

*Projects altering 10 or more acres of land, also submit:*

(d)  Vegetation cover type map of site

(e)  Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1.  Project is exempt from MESA review.

Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing.

N/A

a. NHESP Tracking #

N/A

b. Date submitted to NHESP

3.  Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a.  Not applicable – project is in inland resource area only      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:      North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

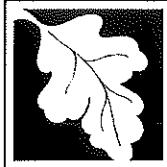
Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

c.  Is this an aquaculture project?

d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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### C. Other Applicable Standards and Requirements (cont'd)

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a.  Yes  No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a.  Yes  No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2.  A portion of the site constitutes redevelopment
3.  Proprietary BMPs are included in the Stormwater Management System.

b.  No. Check why the project is exempt:

1.  Single-family house
2.  Emergency road repair
3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

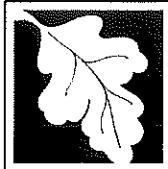
### D. Additional Information

This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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#### D. Additional Information (cont'd)

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

Sewage Disposal System Plan prepared for Dutchco Builders, LLC (Plan No. L-14542)

a. Plan Title

David E. Ross Associates, Inc.

Daniel B. Wolfe, P.E.

b. Prepared By

3-28-23

c. Signed and Stamped by

1"=20'

d. Final Revision Date

e. Scale

Stormwater Management & Erosion Control Plan

9-28-23

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.

6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8.  Attach NOI Wetland Fee Transmittal Form

9.  Attach Stormwater Report, if needed.

#### E. Fees

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

001580

9-28-23

2. Municipal Check Number

3. Check date

001578

9-28-23

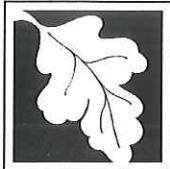
4. State Check Number

5. Check date

T.O. Dutcher Mason Contractor

6. Payor name on check: First Name

7. Payor name on check: Last Name



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### F. Signatures and Submittal Requirements

I hereby certify under the 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. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.



1. Signature of Applicant



2. Date

3. Signature of Property Owner (if different)



5. Signature of Representative (if any)

4. Date



6. Date

#### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

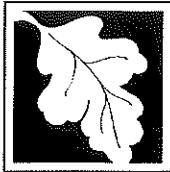
#### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

1. Location of Project:

Lot 1, Hartwell Avenue  
a. Street Address  
001578  
c. Check number

Littleton  
b. City/Town  
\$42.50  
d. Fee amount

2. Applicant Mailing Address:

a. First Name  
Dutchco Builders, LLC  
c. Organization  
8 Mason Brook Lane  
d. Mailing Address  
Littleton  
e. City/Town  
508-254-4673  
h. Phone Number

b. Last Name  
f. State  
01460  
g. Zip Code  
dutchermason@aol.com  
j. Email Address

3. Property Owner (if different):

a. First Name  
Hartwell Hill Homes, LLC  
c. Organization  
8 Mason Brook Lane  
d. Mailing Address  
Littleton  
e. City/Town  
508-254-4673  
h. Phone Number

b. Last Name  
f. State  
01460  
g. Zip Code  
dutchermason@aol.com  
j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

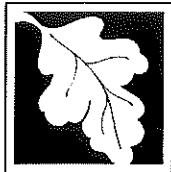
**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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

**B. Fees (continued)**

## **C. Submittal Requirements**

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office (see Instructions):** Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

## WPA Attachment A.

Massachusetts Wetlands Protection Act M.G.L. c. 131 s. 40

### **Proposed Project Description**

**Location: Lot 1, Hartwell Avenue, Littleton, MA.**

**Applicant: Dutchco Builders, LLC**

**Project No. 33895**

The scope of this project is to clear an approximate 900 square foot area within the 100-foot buffer zone that will provide a usable yard area around the proposed house. A subsurface infiltration system will also be installed along the 100-buffer zone line, as part of the overall stormwater management plan. All portions of the house construction are outside of the buffer zone. This area will be graded as specified on the plan, loamed, and seeded.

A siltation barrier is proposed to be placed on the downhill gradient of all disturbed surfaces within or adjacent to the buffer zone. This barrier will also serve as a limit of work area.

### **WETLAND DELINEATION DATA**

By Brandon Ducharme, David E. Ross Associates, Inc., November 17, 2021.

A Bordering Vegetated Wetland was delineated with Blue flags along the edge of a “man-made” pond on the southerly portion of site. This wetland is identified by wetland delineation flags A-1 through A-23. There is a manicured “beach” area and shed along the east side of the pond. There is a 100-foot Buffer Zone that extends landward from the wetland area. The pond is approximately 43,860 S.F. in area. Soil observation points were taken using a hand auger and vegetation was examined to determine the edge of wetland:

#### Hydric Soil Probe OP-1 (A-Series Flags)

0"-3"	A	Fine Sany Loam	10YR 2/2
3"-19"	Bg	Loamy Sand	2.5Y 7/2

Redox features throughout B-Horizon (10YR 5/8) at 20%  
Saturated to Surface  
Groundwater at 6"

#### Trees:

Northern Red Maple (*Acer rubrum*) 60% FAC

#### Shrubs and Saplings:

Northern Red Maple (*Acer rubrum*) 30% FAC

Highbush Blueberry (*Vaccinium corymbosum*) 10% FACW-

## WPA Attachment A.

Massachusetts Wetlands Protection Act M.G.L. c. 131 s. 40

### ***Proposed Project Description***

#### Ground Cover:

Royal Fern ( <i>Osmunda regalis</i> )	15%	OBL
Cinnamon Fern ( <i>Osmunda cinnamomea</i> )	10%	FACW
Pockets of sphagnum moss		

#### Upland Soil Probe OP-2

0" -3"	A	Fine sandy loam	10YR 3/2
3"-18"	Bw	Fine sandy loam	10YR 5/8

No Groundwater or Redox features

#### Trees:

Eastern White Pine ( <i>Pinus strobus</i> )	50%	FACU
Eastern Hemlock ( <i>Tsuga canadensis</i> )	40%	FACU

#### Shrubs & Saplings:

Eastern Hemlock ( <i>Tsuga canadensis</i> )	20%	FACU
Norther Red Oak ( <i>Acer rubrum</i> )	20%	FACU-
Lowbush blueberry ( <i>Vaccinium angustifolium</i> )	20%	FACU-

#### Ground Cover:

New York Fern ( <i>Thelypteris noveboracensis</i> )	15%	FAC
---	-----	-----

#### Supplemental Information:

- This work is located within a NHESP Priority and Estimated Habitat Area. (See letter from Division of Fisheries & Wildlife, dated August 31, 2023)
- No portion of the project is located within an ACEC.
- None of the disturbances are located within the FEMA 100-year flood zone.
- There are no Outstanding Resource Waters on the site.



Littleton, MA

1 inch = 555 Feet

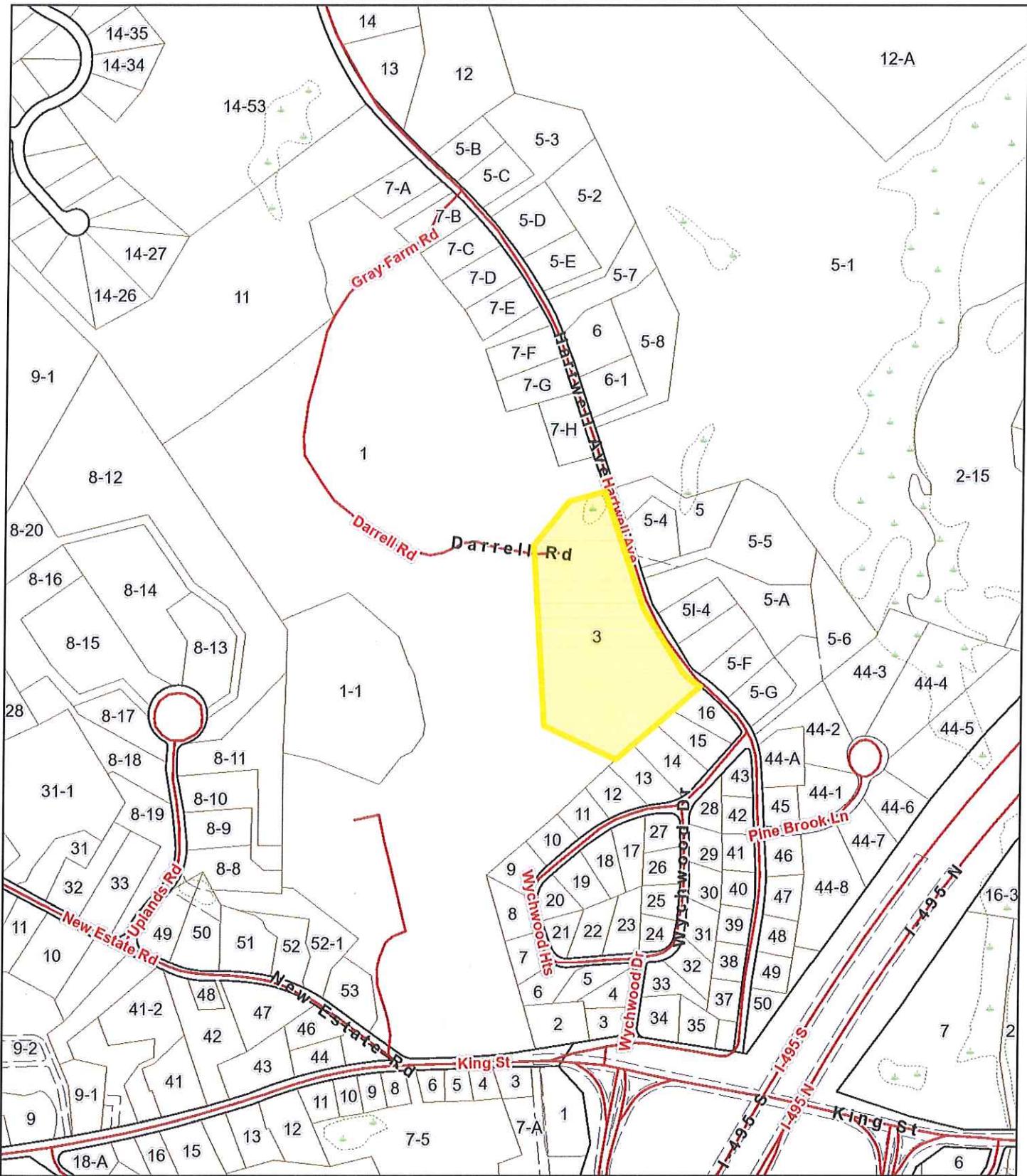
September 11, 2023



CAI Technologies  
Precision Mapping. Geospatial Solutions.

[www.cai-tech.com](http://www.cai-tech.com)

0 555 1110 1665



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

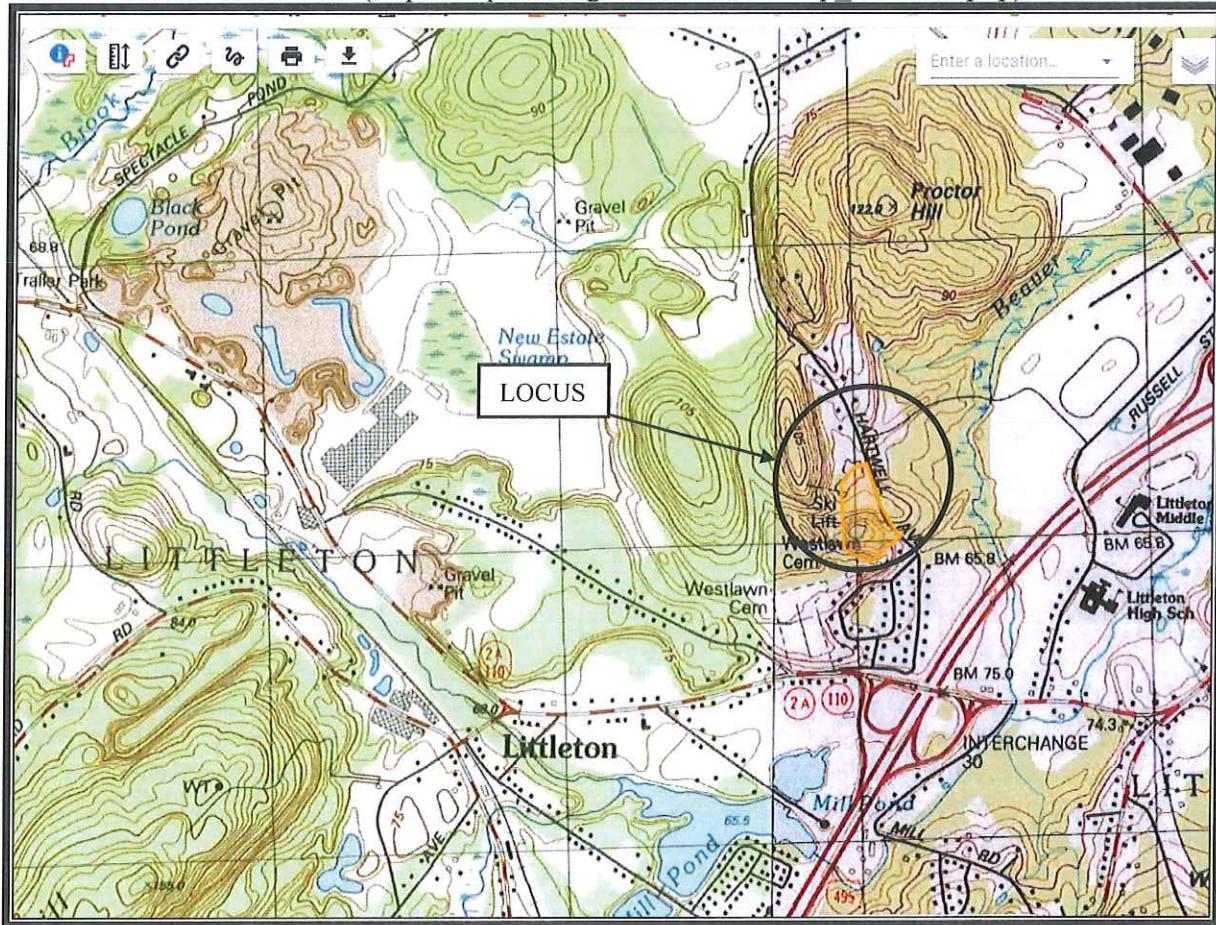
# DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

## USGS

Site: Hartwell Avenue – Littleton, MA 01460  
(Map R17 – Part of Parcel 3))

Source: Current Mass GIS ([http://maps.massgis.state.ma.us/map\\_ol/oliver.php](http://maps.massgis.state.ma.us/map_ol/oliver.php))



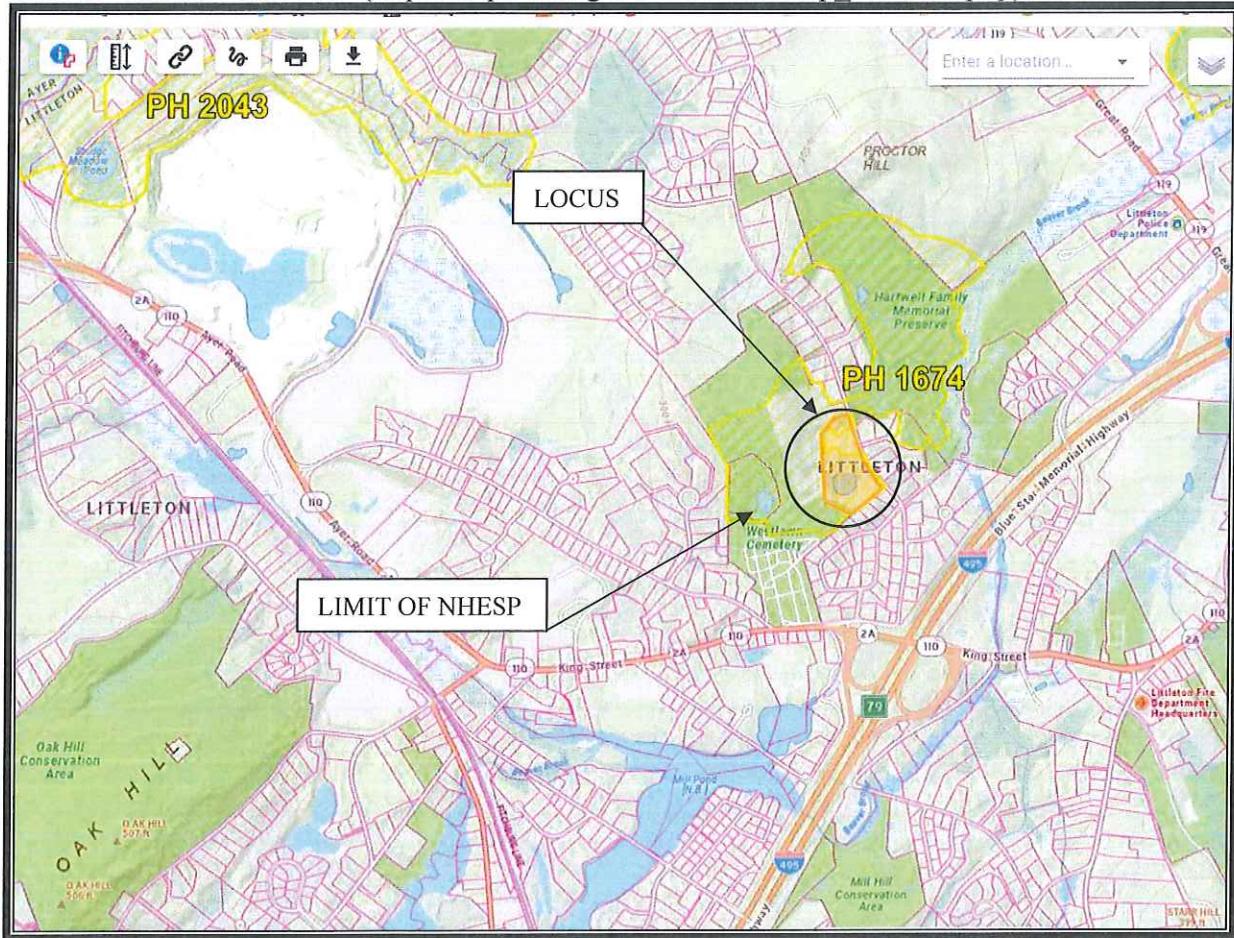
# DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

## NHESP

Site: Hartwell Avenue – Littleton, MA 01460  
(Map R17 – Part of Parcel 3)

Source: Current Mass GIS ([http://maps.massgis.state.ma.us/map\\_ol/oliver.php](http://maps.massgis.state.ma.us/map_ol/oliver.php))



# National Flood Hazard Layer FIRMette



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT	
SPECIAL FLOOD HAZARD AREAS	Regulatory Floodway
Without Base Flood Elevation (BFE) Zone A, V, A99	With BFE or Depth Zone A,E, AO, AH, VE, AR
Regulatory Floodway	

0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone:
Future Conditions 1% Annual Chance Flood Hazard Zone X
Area with Reduced Flood Risk due to Levee, See Notes, Zone X
Area with Flood Risk due to Levee Zone D

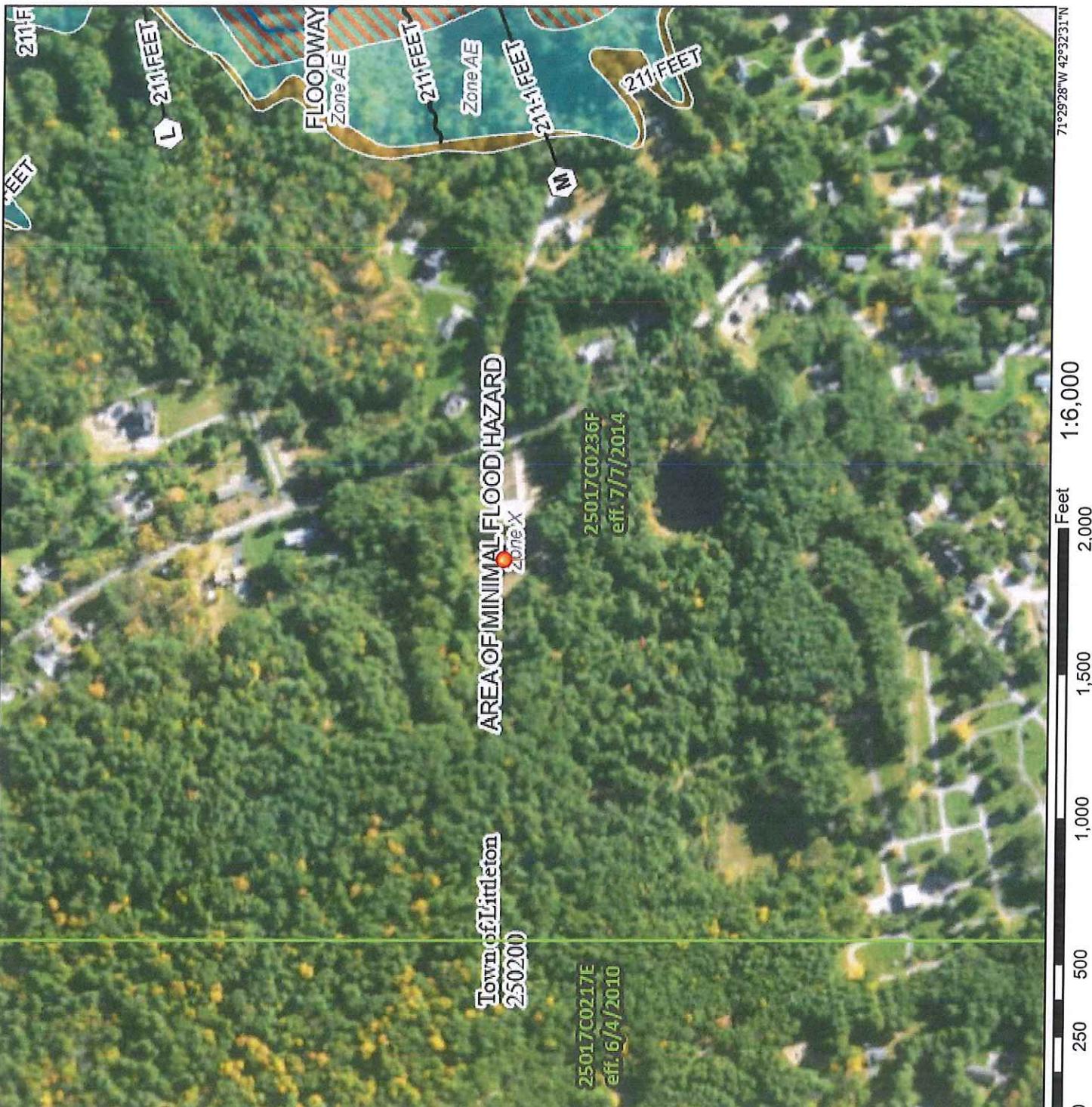
NO SCREEN Area of Minimal Flood Hazard Zone X
Effective LOMRS
Area of Undetermined Flood Hazard Zone
GENERAL
OTHER AREAS
STRUCTURES
OTHER FEATURES
MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **9/12/2023 at 6:46 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap image, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRMS effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





**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 August 15, 2023)

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 (paper or by eDEP) must be filed with Department of Environmental Protection at:

Department of Environmental Protection  
8 New Bond Street  
Worcester, Massachusetts 01608

It is also helpful if MADEP gets 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: DUTCHCO BUILDERS, LLC DATE: 10-2-23  
LOT 1, HARTWELL AVE

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>TODD DUTCHER</u>
Company (if applicable)	<u>DUTCH CO BUILDERS, LLC</u>
Mailing Address	<u>8 MASON BROOK LANE, LITTLETON, MA 01460</u>
E-mail	<u>DUTCHER.MASON@AOL.COM</u>
Phone	<u>508-254-4673</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: DUTCH CO BUILDERS LLC DATE: 10-2-23  
LOT 1, HARTOSEL AVE.

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

(2) Title Block with Following Information:

X Plan Title

NOI Applicant's Name(s), address & phone

NOI Property Owner Name(s), address & phone

X Location/street name & number

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

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

X Date plan prepared, last revised, and revision notes

(3) X Existing contours

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

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

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

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

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

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

(10) X Wetland resource area boundaries with flag numbers

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

(12) NOI Notations identifying all wetland types and delineation methodology

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

PROJECT NAME/ADDRESS: DUTCH BUILERS, LLC DATE: 10-2-23  
LOT 1, HARTSELL AVE.

- (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)  N/A Conservation post detail and plaque detail
- (22)  \* Location of temporary stockpiles w/notation of content (e.g. excavated soils)
- (23)  N/A Location of snow storage areas
- (24)  N/A Location of dumpster(s)
- (25)  N/A Cross-sections, particularly at key areas of slopes near wetland resource areas
- (26)  N/A Mitigation plans as needed
- (27)  N/A Construction sequencing
- (28)  Details as applicable, including type of erosion controls

\* SEE STORMWATER REPORT &  
STORMWATER MANAGEMENT / EROSION CONTROL PLAN

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: DUTCHCO BUILDERS, LLC DATE: 10-2-23  
Lor 1, HARTWELL AVE.

## AFFIDAVIT OF SERVICE

*Under Massachusetts Wetlands Protection Act and the Littleton Wetlands Protection ByLaw (Chapter 171), this form must be completed and submitted with the Notice of Intent, Abbreviated Notice of Resource Area Delineation or Request for Determination of Applicability.*

I, DANIEL B. WOLFE (name of applicant or representative) certify under the pains and penalties of perjury that on 10-2-23 (date) I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, DEP requirements for Abutter Notification and with the Littleton Wetlands ByLaw 171-2.D in connection with the following matter:

A (choose one of below)

Abbreviated Notice of Resource Area Delineation

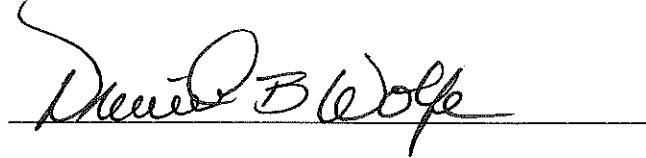
Request for Determination of Applicability

Notice of Intent / Abbreviated Notice of Intent

Request for Amended Order of Conditions (MADEP File # 204-\_\_\_\_\_)

has been filed under the Massachusetts Wetlands Protection Act and Littleton Wetlands Protection ByLaw by DUTCHCO BUILDERS LLC (name of applicant) with the Littleton Conservation Commission on 10-2-23 (date) for the property located at LOT 1, HARTFORD AVE (address of land where work is proposed).

The list of abutters with their addresses and a copy of the Notification Abutter form as sent to the abutters is attached to this Affidavit of Service.

  
Name

10-2-23  
Date

## NOTIFICATION TO ABUTTERS

Pick one:

**Notice of Intent/Abbreviated NOI**

**Abbreviated Notice of Resource Area Delineation**

**Request for Determination of Applicability**

**Request to Amend an Order of Conditions (MADEP File # 204\_\_\_\_\_)**

### Modification for Virtual Meetings

*Under MA Wetlands Protection Act and 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 applicant).*

In accordance with the MA Wetlands Protection Act and Littleton Wetlands Protection ByLaw Chapter 171-2D, you are hereby notified of a public hearing on the matter described below:

- A. The applicant has filed a permit application with the Littleton Conservation Commission for work in an area subject to protection under the Massachusetts Wetlands Protection Act and Littleton Wetlands Protection ByLaw.
- B. The name of the applicant is DUTCHCO BUILDERS, LLC
- C. The address of the land where the activity is proposed is LOT 1, HARTWELL AVE
- D. The work proposed is CLEARING, GRADING, AND INSTALLATION OF AN INFILTRATION SYSTEM WITHIN THE 100' BUFFER ZONE
- E. Copies of the filing may be examined at the Conservation Commission office at 37 Shattuck Street Monday through Thursday; 9:00 – 1:00 (please call first to ensure the Conservation Agent is available and not out on site visits). The office phone number is 978-540-2428.
- F. Copies of the filing may be obtained electronically from (check one) the  applicant or  the applicant's representative by calling 978-772-6232 during the following times: MONDAY - FRIDAY 8AM - 4:30 PM.

G. The public hearing/meeting will be held on 17<sup>TH</sup>. <sup>OCT</sup> Information regarding the date and time of the public hearing/meeting may be obtained from the Littleton Conservation Commission (see contact info at the end of this notice).

H. Notice of the public hearing/meeting, including date and time will be published at least five business days in advance in a paper of local circulation. The agenda, noting times will be posted at Town Hall and at <https://ma-littleton.civicplus.com/AgendaCenter/Search/?term=&IDs=13,&startDate=&endDate=&dateRange=&dateSelector=> at least 48 hours in advance of the meeting. It is currently anticipated that this meeting will be held entirely remotely, pursuant to "An Act Relative to Extending Certain State of Emergency Accommodations" (July 16, 2022) and the extension of that Act through March 21, 2025. 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 staff ([Conservation@littletonma.org](mailto:Conservation@littletonma.org); 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



**TOWN OF LITTLETON  
BOARD OF ASSESSORS**

P.O. BOX 1305  
LITTLETON, MA 01460  
(978) 540-2410  
FAX: (978) 952-2321

Date: September 13, 2023

Re: Certified List of Abutters Conservation Commission

**Applicant:**

Name of Firm: David E Ross Associates  
Mailing Address 6 Lancaster Rd, Harvard, MA 01451

**Subject Parcel Location: 46 Hartwell Ave**

**Subject Parcel No.: R17 3 0**

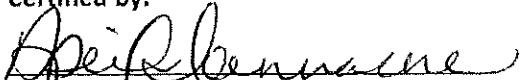
**Subject Owner Name: Hartwell Hill Homes LLC**

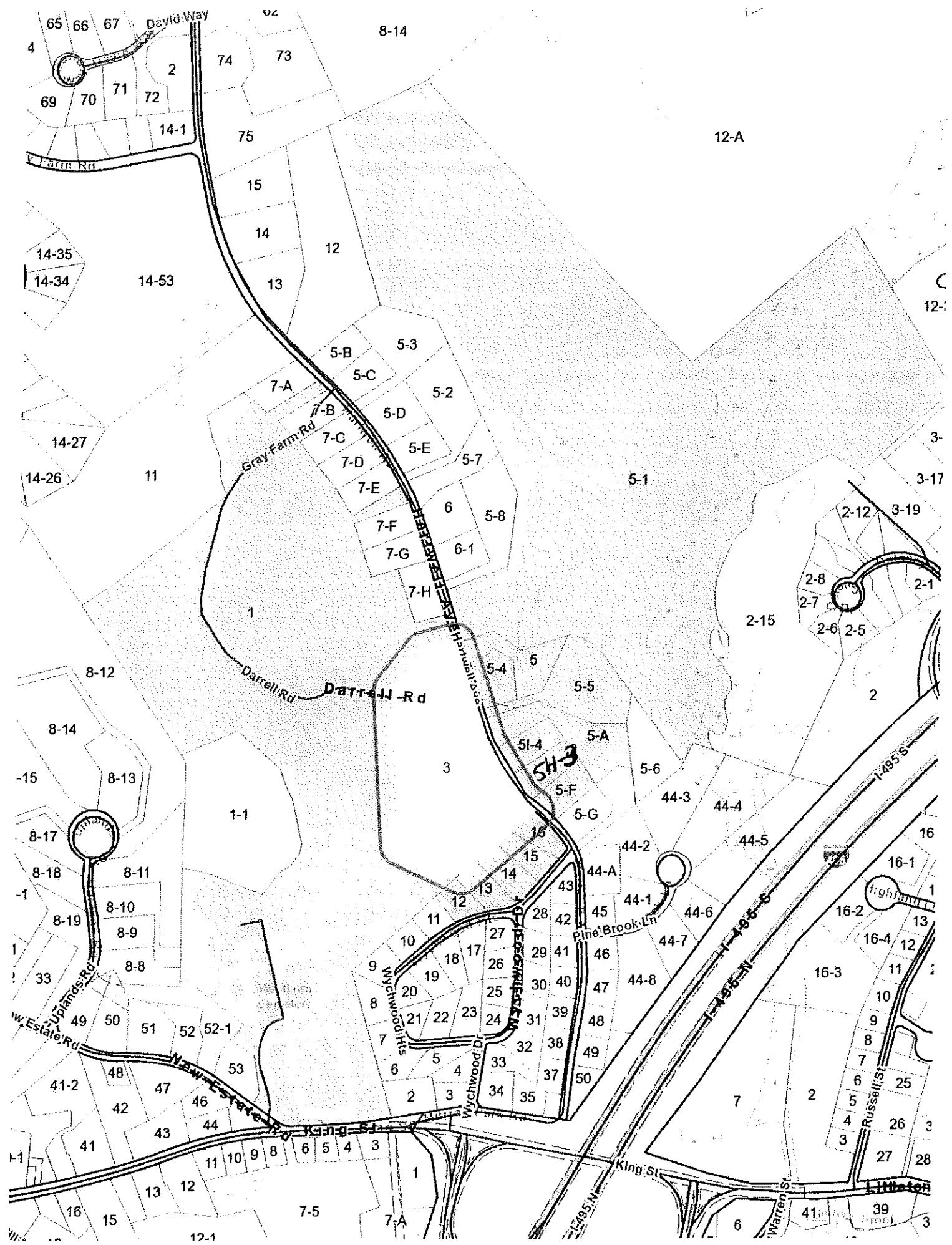
M.G.L. Chapter 131: Section 40 ..... "Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land 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) 15 including the subject parcels + 1 Applicant Requesting Abutter's List.

**Certified by:**

  
April Ianncone, Assistant Assessor



46 HARTWELL AV	R17 3 0	44 WYCHWOOD HEIGHTS	U37 12 0
HARTWELL HILL HOMES, LLC	LUC: 101	NAYLOR III WILLIAM G,	LUC: 101
8 MASON BROOK LANE		NAYLOR TASHA + MENULER ELAINE	
LITTLETON, MA 01460		44 WYCHWOOD HEIGHTS	
		LITTLETON, MA 01460	
53 HARTWELL AV	R17 5 0	40 WYCHWOOD HEIGHTS	U37 13 0
MCMAHON JEREMY M	LUC: 101	BEACH REALTY TRUST	
MCMAHON JENNIFER L		BEACH STEPHANIE R - TRUSTEE	
53 HARTWELL AVE		40 WYCHWOOD HEIGHTS	
LITTLETON, MA 01460		LITTLETON, MA 01460	
HARTWELL AV	R17 5 1	36 WYCHWOOD DR	U37 14 0
LITTLETON TOWN OF	LUC: 932	ERRICO PR & CM FAMILY TRUST	
CONSERVATION COMMISSION		ERRICO PAUL & CAROLE TRS	
PO BOX 1305		36 WYCHWOOD DR	
LITTLETON, MA 01460		LITTLETON, MA 01460	
55 HARTWELL AV	R17 5 4	32 WYCHWOOD DR	U37 15 0
REINHERZ DAVID J	LUC: 101	HARLOW JENNIFER L	LUC: 101
REINHERZ ANA M		32 WYCHWOOD DR	
55 HARTWELL AVE		LITTLETON, MA 01460	
LITTLETON, MA 01460			
51 HARTWELL AV	R17 5 5	44 HARTWELL AV	U37 16 0
FLORES ALEXANDRE & LILIA LIVI	LUC: 101	DURKIN JOHN C	
FLORES ALEXANDRE & LILJA -TRS		44 HARTWELL AV	
51 HARTWELL AVE		LITTLETON, MA 01460	
LITTLETON, MA 01460			
49 HARTWELL AV	R17 5 A		
HARTWELL DEBRA A	LUC: 101		
49 HARTWELL AV			
LITTLETON, MA 01460			
43 HARTWELL AV	R17 5 F		
TIERNAN PAUL J	LUC: 101		
CODY ELIZABETH V			
43 HARTWELL AVE			
LITTLETON, MA 01460			
45 HARTWELL AV	R17 5H 3		
GREEN JR DAVID H/VALERIE P TRU	LUC: 101		
GREEN INVESTMENT TRUSTS			
45 HARTWELL AVE			
LITTLETON, MA 01460			
47 HARTWELL AV	R17 5I 4		
MANNING STEVEN	LUC: 101		
MANNING ANNE J			
47 HARTWELL AV			
LITTLETON, MA 01460			
7 NEW ESTATE RD	U37 1 0		
LITTLETON TOWN OF	LUC: 931		
CEMETERY DEPT			
P.O. BOX 1305			
LITTLETON, MA 01460			