

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 4 – Abbreviated Notice of Intent

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

DEP File Number:

Provided by DEP

Town

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:

John & Karen McNamara

Name

69 Matawanakee Trail

Street Address

Littleton

City/Town

978-486-3762

Phone Number

the2macs#verizon.net

E-Mail Address

MA

State

01460

Zip Code

Fax Number (if applicable)



2. Representative (if any):

Firm

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

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. Property Owner (if different from applicant):

Same

Name

Mailing Address

City/Town

State

Zip Code

4. Total Fee:

\$110.00

(from NOI Wetland Fee Transmittal Form)

5. Project Location:

69 Matawanakee Trail

Street Address

Littleton

City/Town

Latitude and Longitude:

Latitude

Longitude

Assessors Map/Plat Number

Parcel /Lot Number

6. General Project Description:

Replace & repair existing boathouse (garage structure on land). Fix & replace with new material back to original use.



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A. General Information (cont.)

7. Registry of Deeds:

Middlesex County	59476 Book	199 Page
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Certificate (if Registered Land)

B. Site and Activities Subject to Regulation

Complete any of the following sections that apply to the proposed work and project site.

1. Complete for proposed activities located, in whole or in part, in Buffer Zone.

a. Check all the following borders to the Buffer Zone:

Inland Resource Areas

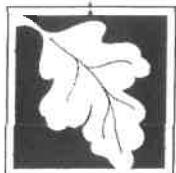
- Inland Bank
- Bordering Vegetated Wetland (BVW)

Coastal Resource Areas

- Coastal Beach
- Barrier Beach
- Rocky Intertidal Shore
- Coastal Dune
- Salt Marsh
- Coastal Bank

b. Check all the methods used to delineate the Bordering Vegetated Wetland boundary:

- Final Order of Resource Area Delineation issued by Conservation Commission or DEP (attached)
- DEP BVW Field Data Form (attached)
- Final Determination of Applicability issued by Conservation Commission (attached)
- Other Method of Determining BVW boundary (attach documentation):
 - 50% or more wetland indicator plants
 - Saturated/inundated conditions exist
 - Groundwater indicators
 - Direct observation
 - Hydric soil indicators
 - Credible evidence of conditions prior to disturbance.



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B. Site and Activities Subject to Regulation (cont.)

c. Describe, with reference to supporting plans and calculations where necessary, the size, type, and location of the proposed work and mitigating measures and designs to insure that the proposed work will not alter the resource area and Buffer Zone borders. Attach additional sheets, if necessary.

Replace & repair an existing boathouse: a garage structure on a hill, 19 feet from the water. See attached pictures and work description.

2: Complete for proposed activities located, in whole or in part, in Land Subject to Flooding.

a. Resource area description:

Bordering Land Subject to Flooding:

Isolated Land Subject to Flooding:

Volume of Flood Storage Lost (cubic feet)

Volume of Flood Storage Lost (cubic feet)

Volume of Flood Storage Compensation (cubic feet)

Volume of Flood Storage Compensation (cubic feet)

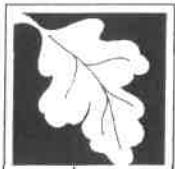
b. Describe, with reference to supporting plans and calculations where necessary the size, shape, location, and type of work, mitigating measures, and designs proposed to meet the performance standards set forth in 310 CMR 10.57(4) and 10.60. Attach additional sheets, if necessary.

See attached pictures and work description

3. Complete for proposed activities located, in whole or in part, in the Riverfront Area.

a. Name of Waterway (if available):

Forge Pond



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B. Site and Activities Subject to Regulation (cont.)

b. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

c. Describe how the Mean Annual High-Water Line was determined:

d. Distance of proposed activity closest to the Mean Annual High-Water Line:

Feet

e. Total area of Riverfront Area on the site of the proposed project:

Square Feet

f. Proposed alteration of the Riverfront Area:

Total Square Feet

Square Feet within 100 ft.

Square Feet between 100 ft. and 200 ft.

g. Indicate project purpose:

Single family house

Commercial development

Transportation

Residential subdivision

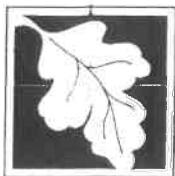
Industrial development

Other (describe):

h. Was the lot where the activity is proposed created prior to August 1, 1996?

Yes

No



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B. Site and Activities Subject to Regulation (cont.)

i. Describe how the project will meet all performance standards set forth in 310 CMR 10.58(4) for the Riverfront Area, including standards requiring consideration of alternative project design or location. Attach additional sheets, if necessary.

4. Is the project exempt from the DEP Stormwater Management Policy?

Yes

If yes, explain why the project is exempt:

No

If no, stormwater management measures are required. Applicants are encouraged to complete the Stormwater Management Form and submit it with this Abbreviated Notice of Intent.

5. a. Is any portion of the proposed project located within estimated habitat as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program?

Yes

If yes, include proof of mailing or hand delivery of Abbreviated Notice of Intent to :

Natural Heritage and Endangered Species Program
 Division of Fisheries and Wildlife
 1 Rabbit Hill Road
 Westborough, MA 01581-3336

No

Date of Map

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

Yes

If yes, provide name of ACEC (see the Area of Critical Concern list for ACEC locations):

No

ACEC Name



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B. Site and Activities Subject to Regulation (cont.)

c. 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)?

Yes

No

6. If any activity within Land Subject to Flooding, the Riverfront Area, or Buffer Zone is exempt from performance standards in accordance with any provision of the wetlands regulations, 310 CMR 10.00, identify the appropriate exemption:

Exemption

C. Additional Information

Applicants must include the following with this Abbreviated Notice of Intent (ANOI):

- 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.
- Plans identifying the location of proposed activities relative to the boundaries of each affected resource area.
- Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
- List the titles and final revision dates for all plans and other materials submitted with this ANOI.

D. Fees

The fees for work proposed under each Abbreviated Notice of Intent must be calculated and submitted to the Conservation Commission and DEP (see Instructions and NOI Wetland Fee Transmittal Form).

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:

4255

Check Number

Karen & John McNamara

Payer name on check

Oct 25, 2023

Check date

Karen McNamara

Applicant name on check



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NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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do not use the
return key.



A. Applicant Information

1. Applicant:

a. First Name 69 Matawanakee Trail	b. Last Name McNamara	c. Company
d. Mailing Address Littleton	e. City/Town 978-486-3762	f. State MA
g. Zip Code 01460	h. Phone Number	i. Zip Code g. Zip Code

2. Property Owner (if different):

a. First Name	b. Last Name	c. Company
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number		

3. Project Location:

a. Street Address 69 Matawanakee Trail	b. City/Town Littleton
	b. City/Town

B. Fees

Notice of Intent (Form 3) or Abbreviated Notice of Intent (Form 4):

The fee should be calculated using the following six-step process and 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
WPA Form 4
(Abbreviated
Notice of Intent).



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NOI Wetland Fee Transmittal Form
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 pages 1 and 2 of this form; and the city/town fee payment.
- c.) **To DEP Regional Office** (see Instructions): Send the Notice of Intent or Abbreviated Notice of Intent; a copy of pages 1 and 2 of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

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 John & Karen McNamara
- C. The address of the land where the activity is proposed is 69 Matsawanakoe Trail
- D. The work proposed is Replace boathouse

- 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 978-484-3762 during the following times:

G. The public hearing/meeting will be held on 11/14/23. 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=&CIDs=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; 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



Littleton Conservation Commission

37 Shattuck Street / Room 303

Phone: 978 540-2428

Fax: 978 952-2321

Littleton Wetland Protection Regulations

Waiver Request Requirement Information (Section 1.4)

Date: 10/25/23 Applicant/Owner: John & Karen McNamara

Map/Lot: _____ Project Address: 69 Matawanzkee Trail

In order to request a waiver, the following provides a guidance for required information (attach additional text, plans, photos or graphics if needed):

Project purpose and need: Repair & replace, where needed, existing boat house (garage on a hill)

What specific action(s) is the Waiver being asked for? The existing boat house is being repaired.

How is the action(s) in the public interest, necessary to avoid a taking, necessary to prevent a safety hazard or water dependent? _____

Repair of existing structure

How is the action(s) consistent with the intent and purpose of the Bylaw? _____

We need to prevent the structure from degrading further for safety. Storm water runoff will be managed. Erosion controls will be provided

Existing and proposed site conditions (ie, impervious, lawn & disturbed areas) (square feet; show on plan):

See attached pictures

Existing and proposed distances of land uses from wetland resource areas (show on plan):

19 feet from shore, on hill

Analysis of less environmentally damaging practicable alternative:

None

Proposed short term and long term protection of wetland resource areas:

Erosion controls will be provided; wet tiles

Is the site in a Zone I, II or III (groundwater) or Zone A, B or C (surface water) water supply area:

NO

Are there critical, unique or sensitive resource areas in the area (ie, NHESP mapped habitat, vernal pools, unusual wetland types, cold water fisheries, outstanding resource waters, Core Habitat, Conservation land, etc); show on plan:

None

Other factors for consideration:

None

Signature:



Project:

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, Karen Duggan McNamee (name of applicant or representative) certify under the pains and penalties of perjury that on Oct 25, 2023 (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 John & Karen McNamee (name of applicant) with the Littleton Conservation Commission on Oct 25, 2023 (date) for the property located at 69 Matawakie Trail (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.

John Duggan McNamee

Name

Oct 25, 2023

Date



**TOWN OF LITTLETON
BOARD OF ASSESSORS**

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

Date: October 25, 2023

Re: Certified List of Abutters Conservation Commission

Applicant: John & Karen McNamara

Name of Firm:

Mailing Address 69 Matawanakee Trl, Littleton, MA 01460

Subject Parcel Location: 69 Matawanakee Trl

Subject Parcel No.: U47 36 0

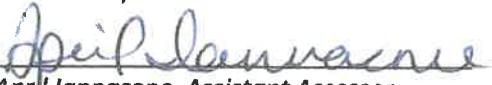
Subject Owner Name: John & Karen McNamara

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) 7 including the subject parcels + 1 Applicant Requesting Abutter's List.

Certified by:


April Lannacone, Assistant Assessor

73 MATAWANAKEE TL U47 33 0

LUC: 101

BENNETT MICHAEL T + CAROL A
ROCHE JOHN W
73 MATAWANAKEE TRAIL
LITTLETON, MA 01460

71 MATAWANAKEE TL U47 35 0

LUC: 101

JESENSKY ANTHONY
71 MATAWANAKEE TL
LITTLETON, MA 01460

69 MATAWANAKEE TL U47 36 0

LUC: 101

MCNAMARA JOHN+KAREN DUGGAN TRS
MCNAMARA INVESTMENT TRUST
69 MATAWANAKEE TL
LITTLETON, MA 01460

67 MATAWANAKEE TL U47 37 0

LUC: 101

HRONIK MARY E
67 MATAWANAKEE TL
LITTLETON, MA 01460

63 MATAWANAKEE TL U47 38 0

LUC: 101

ELLINGBOE KARIN TRUSTEE OF
63 MATAWANAKEE TRAIL RLTY TR
63 MATAWANAKEE TL
LITTLETON, MA 01460

70 MATAWANAKEE TL U47 85 0

LUC: 101

CRAIG POLLY A
70 MATAWANAKEE TL
LITTLETON, MA 01460

72 MATAWANAKEE TL U47 86 0

LUC: 101

BERSANI RICHARD A
BERSANI MARY ELLEN
72 MATAWANAKEE TRAIL
LITTLETON, MA 01460

Project, existing boathouse / garage.

Work to be done, demo roof and old deck, and all wood framing +2 windows, one side door and one garage door.

Clean up debris around the garage and inside garage.

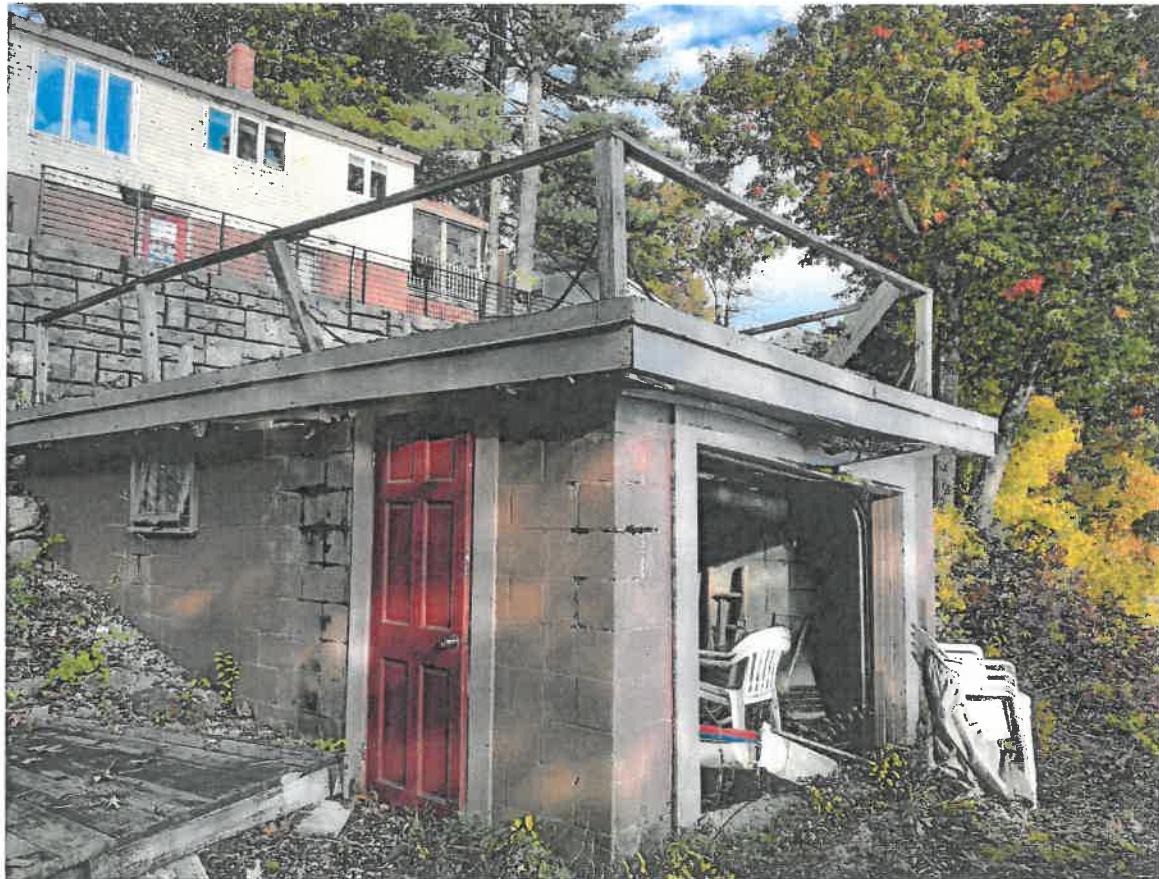
The the two side block walls need to be repaired and or replaced.

One side of the structure has a drainage issue. We would dig out a foot of dirt all the way down to the bottom course of the block wall and fill it full of gravel and a pipe for drainage.

Once the block walls are complete, we will install new framing for the roof and then once the rubber roof is done we will install a new deck with railings at 42 inches high and also install the garage door the side door and two windows. That will complete the project that we are contracted for.

Project existing boat house/garage.

Some demo repair and fix and replace with new Material back to original use.







Plan for Replacing Brookover CG Matowandee Trail

