



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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:

Steven Newcombe

JNewc4130@gmail.com

Name

19 woodland Dr.

E-Mail Address

Mailing Address

LITTLETON

MA

City/Town

978.339.9320

01460

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

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:

Name of Municipality

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

C. Project Description

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

19 Woodland Dr.
Street Address
U17
Assessors Map/Plat Number

Littleton
City/Town
259-0
Parcel/Lot Number

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

Tree near a small stream, within 15' of
corner of my house

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

19 Woodland Plan
Title 2/2/2024
Date

Title
Date

Title
Date

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

take tree Down, avoiding Stream by using
Crane to lift tree over house

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).

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.)

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:

Steven James Newcombe

Name

19 Woodland Dr.

Mailing Address

Littleton

City/Town

MA

State

01460

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.

Joe J. Newcome

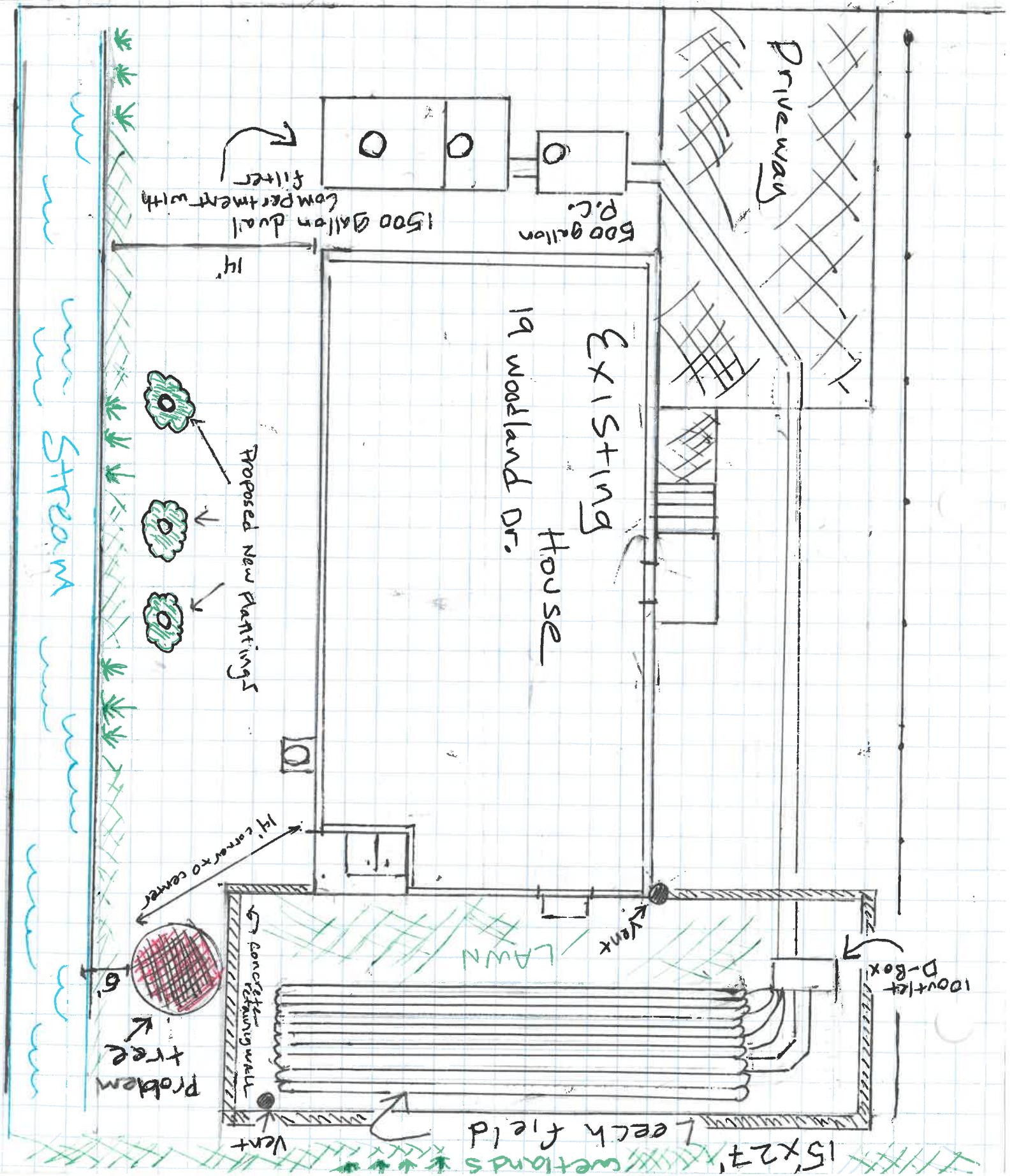
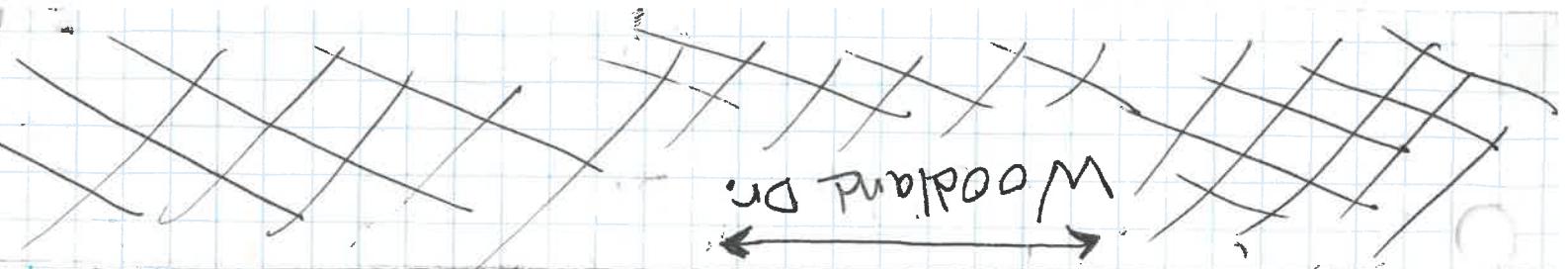
Signature of Applicant

2/2/24

Date

Signature of Representative (if any)

Date





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: _____ Applicant/Owner: Steven Newcombe

Map/Lot: _____ Project Address: 19 Woodland Dr.

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: taking down problem tree that could overflow Septic System

What specific action(s) is the Waiver being asked for? taking down problem tree that could overflow Septic System

How is the action(s) in the public interest, necessary to avoid a taking, necessary to prevent a safety hazard or water dependent? The tree could back up my Septic System, which would flow into Long Lake. The tree has also been dropping Limbs on my house

How is the action(s) consistent with the intent and purpose of the Bylaw? Public interest, Hazardous to Septic System. Replanting for mitigation for ecological value.

Existing and proposed site conditions (ie, impervious, lawn & disturbed areas) (square feet; show on plan): Once tree is down, I will plant bushes to replace it a couple feet from stream bank. The tree is directly next to retaining wall, which holds septic.

Existing and proposed distances of land uses from wetland resource areas (show on plan):
a couple feet from stream bank

Analysis of less environmentally damaging practicable alternative: Stump will remain to provide stability of stream bank

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

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: NO

Other factors for consideration: _____

Signature: Andy Hale Project: 19 woodland

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.

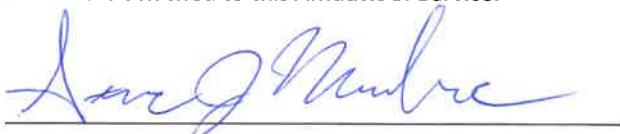
I, Steven J. Newcombe (name of applicant or representative) certify under the pains and penalties of perjury that on 2/7/2024 (date) I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, DEP requirements for Abutter Notification and with the Littleton Wetlands ByLaw 171-2.D in connection with the following matter:

A (choose one of below)

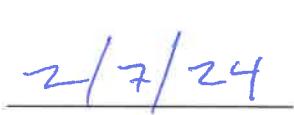
Abbreviated Notice of Resource Area Delineation
 Request for Determination of Applicability
 Notice of Intent / Abbreviated Notice of Intent
 Request for Amended Order of Conditions (MADEP File # 204-_____)

has been filed under the Massachusetts Wetlands Protection Act and Littleton Wetlands Protection ByLaw by Steven J. Newcombe (name of applicant) with the Littleton Conservation Commission on 2/7/2024 (date) for the property located at 19 Woodland Dr. (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



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 Steven J Newcombe

C. The address of the land where the activity is proposed is 19 woodland Dr.

D. The work proposed is taking down tree

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 978 339-9320 during the following times:
8am - 5pm

G. The public hearing/meeting will be held on 3/5. 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