

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

April 3, 2024

Littleton Conservation Commission
37 Shattuck Street
1st Floor, B100
Littleton, MA 01460

Subject: Notice of Intent under the Massachusetts Wetlands Protection Act and Littleton Wetland Protection Bylaw and Bylaw Regulations for: the Proposed Construction of a Commercial Building, Paved Access Driveway, Paved Parking Area, Septic System, Well, and Associated Site Work, located at 4 Spectacle Pond Road (Map R22, Parcel 9-2) Littleton, Massachusetts; Applicant: Steven Breitmayer, Brite Excavating

To the Commission:

Enclosed please find two (2) copies of the Notice of Intent filed under the Massachusetts Wetlands Protection Act and the Littleton Wetlands Protection Bylaw and Bylaw Regulations for the above-referenced property. Also enclosed, please find a check in the amount of \$800.00 to cover the town share of the filing fee under the Act, and a check in the amount of \$1,500.00 to cover the local bylaw filing fee and waiver request fee (\$1,200 + 0.25% for work in Riverfront Area). Please note that EcoTec will pay for the Legal Advertisement promptly upon notification of the cost of the advertisement, at your direction, with information to be provided by the Commission. This filing comprises:

This filing is comprised of:

1. This cover letter;
2. WPA Form 3, Notice of Intent Form; with all required attachments and copies of WPA checks
3. Certified Abutters List, Form of Abutter Notice, see Affidavit of Service below;
4. Wetland Resource Evaluation report by EcoTec dated March 1, 2023 including:
 - a. USGS Map, with site indicated;
 - b. Flood Insurance Rate Map FIRMette, with site indicated;
 - c. NHESP Atlas, including Estimated Habitats of Rare Wetlands Wildlife and Certified Vernal Pools, from MassGIS Datalayer with site indicated; and
 - d. BVW delineation field forms.
5. Project Narrative and Compliance Analysis, by EcoTec, inc., dated April 3, 2024;
6. Site Plan titled “Notice of Intent Plan, 4 Spectacle Pond Road”, paged C1.0, C1.1, C2.0, and C3.0, by Dillis & Roy Civil Design Group dated March 11, 2024, signed and stamped by Francis M. McPartlan, PE, and

7. "Stormwater Report for Brite Excavating", prepared by Dillis & Roy, Civil Design Group, signed and stamped by Francis M. McPartlan, PE;
8. "Pre-development Watershed Plan" by Dillis & Roy Civil Design Group dated March 11, 2024; and
9. Post-development Watershed Plan" by Dillis & Roy Civil Design Group dated March 11, 2024.

One copy of this filing has been submitted by first class mail and by email to the Central Regional Office of the Department of Environmental Protection. A payment of \$775.00 has been sent to the DEP lockbox.

Affidavit of service to abutters: In compliance with the Act and Bylaw, all abutters to the site will be notified of this filing. The list of abutters, and the form by which the abutters were notified, are included in the filing. Proof of mailing will be provided to the Commission.

We look forward to meeting with the Commission regarding this filing. If you have any questions, please feel free to contact me at any time.

Cordially,
ECOTEC, INC.



Paul J. McManus, PWS
President



Kate O'Donnell, WPIT
Environmental Scientist

C: DEP-CERO
Applicant: Steven Breitmayer, Brite Excavating



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):

4 SPECTACLE POND RD

a. Street Address

Latitude and Longitude:

R22

f. Assessors Map/Plat Number

LITTLETON

01460

b. City/Town

c. Zip Code

42.554801,

-71.528843

d. Latitude

e. Longitude

9-2

g. Parcel /Lot Number

2. Applicant:

Steve

a. First Name

Brite Excavating Co. Inc.

c. Organization

14 Patricia Dr

d. Street Address

Ayer

e. City/Town

508-328-6435

h. Phone Number

Breitmaier

b. Last Name

MA

f. State

01432

g. Zip Code

stevebrite51@gmail.com

j. Email Address

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

same as applicant

a. First Name

b. Last Name

-

c. Organization

-

d. Street Address

-

e. City/Town

f. State

g. Zip Code

-

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Paul

a. First Name

McManus, PWS

b. Last Name

EcoTec, Inc.

c. Company

102 Grove Street, Suite 110

d. Street Address

Worcester

e. City/Town

MA

01605

508-752-9666 x1

-

h. Phone Number

f. State

g. Zip Code

pmcmanus@ecotecinc.com

j. Email address

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

\$1,575.00

a. Total Fee Paid

\$775.00

b. State Fee Paid

\$800.00

c. City/Town Fee Paid



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Bureau of Resource Protection - Wetlands

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A. General Information (continued)

6. General Project Description:

Construction of a commercial building, a parking lot, an infiltration system, a well, a septic system, and associated site work.

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

1. <input type="checkbox"/> Single Family Home	2. <input type="checkbox"/> Residential Subdivision
3. <input checked="" 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

a. County

51694,

c. Book

b. Certificate # (if registered land)

449

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.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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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	- 1. linear feet	- 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	- 1. square feet	- 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	- 1. square feet - 3. cubic yards dredged	- 2. square feet
 <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	- 1. square feet - 3. cubic feet of flood storage lost	- 2. square feet - 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	- 1. square feet - 2. cubic feet of flood storage lost	- 3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Bennett's Brook - inland 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 checked="" type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:	105,735 square feet	
4. Proposed alteration of the Riverfront Area:		
+/-24,000 a. total square feet	+/- 3,500 b. square feet within 100 ft.	+/-20,500 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 checked="" 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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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	1. square feet	
	-	
	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	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
 <u>Size of Proposed Alteration</u> <u>Proposed Replacement (if any)</u>		
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	-	
j. <input type="checkbox"/> Land Containing Shellfish	2. cubic yards dredged	
	-	
k. <input type="checkbox"/> Fish Runs	1. square feet	
Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above		
	-	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	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.	
	-	
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	-	
	a. number of new stream crossings	b. number of replacement 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.

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

August 2021

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

+/-24,000 s.f. w/in Riverfront Area = +/-7% of property

percentage/acreage

(b) outside Resource Area

+/- 25,000 s.f. = +/- 7% of property

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/mass-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.



Massachusetts Department of Environmental Protection

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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.

a. NHESP Tracking #

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 North Shore - Hull to New Hampshire border: the Cape & Islands:

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

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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).



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

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City/Town

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

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.



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

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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.

"Notice of Intent Plan, 4 Spectacle Pond Road", pages C1.0, C1.1, C2.0, and C3.0

a. Plan Title

Dillis & Roy

b. Prepared By

March 11, 2024

d. Final Revision Date

See Cover Letter for full list of filing materials.

f. Additional Plan or Document Title

Francis M, McPartlan, PE

c. Signed and Stamped by

1"=20'

e. Scale

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:

1100

2. Municipal Check Number

1101

4. State Check Number

EcoTec, Inc.

6. Payor name on check: First Name

4/2/2024

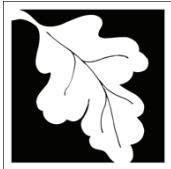
3. Check date

4/2/2024

5. Check date

-

7. Payor name on check: Last Name



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

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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.

Steve Breitmayer PM

1. Signature of Applicant

4/2/2024

2. Date

Paul J. Mullins

5. Signature of Representative (if any)

4. Date

4/2/2024

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:

4 Spectacle Pond Road

a. Street Address

State: 1101 (Local: 1100)

c. Check number

Littleton

b. City/Town

Total: \$1,575.00, State: \$775.00

d. Fee amount

2. Applicant Mailing Address:

Steve

a. First Name

Brite Excavating

c. Organization

4 Patricia Drive

d. Mailing Address

Ayer

e. City/Town

508-328-6435

h. Phone Number

i. Fax Number

MA

f. State

01432

g. Zip Code

stevebrite51@gmail.com

j. Email Address

3. Property Owner (if different):

same as applicant

a. First Name

b. Last Name

-

c. Organization

-

d. Mailing Address

-

e. City/Town

f. State

g. Zip Code

-

h. Phone Number

i. Fax Number

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).



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat.3 (b). building for dev.	1	\$1,050.00	\$1,050.00
0.5x fee for work w/in Riverfront	-	0.5x filing fee	\$525.00
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Step 5/Total Project Fee:			<u>\$1,575.00</u>
Step 6/Fee Payments:			
Total Project Fee:			<u>\$1,575.00</u>
State share of filing Fee:			a. Total Fee from Step 5
			<u>\$775.00</u>
			b. 1/2 Total Fee less \$12.50
			<u>\$800.00</u>
City/Town share of filing Fee:			c. 1/2 Total Fee plus \$12.50

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.)

BAY STATE SAVINGS BANK
AUBURN, MA 01501

1100

53-7102/2113

✓ CHECK ARMOR
FRAUD PROTECTION

ECOTEC INC.
102 GROVE STREET SUITE 110 508-752-9666
WORCESTER, MA 01605

4/2/2024

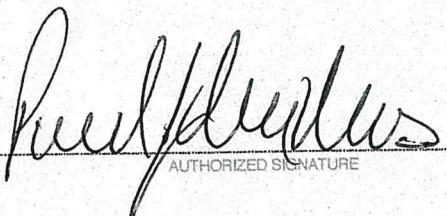
PAY TO THE Town of Littleton

\$ **800.00

ORDER OF Eight Hundred and 00/100*****

DOLLARS

Town of Littleton



AUTHORIZED SIGNATURE

MEMO

NOI - Littleton - 4 Spectacle Pond Road

BAY STATE SAVINGS BANK
AUBURN, MA 01501

1101

53-7102/2113

✓ CHECK ARMOR
FRAUD PROTECTION

ECOTEC INC.
102 GROVE STREET SUITE 110 508-752-9666
WORCESTER, MA 01605

4/2/2024

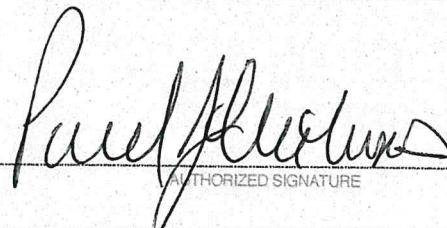
PAY TO THE Commonwealth of Massachusetts

\$ **775.00

ORDER OF Seven Hundred Seventy-Five and 00/100*****

DOLLARS

Commonwealth of Massachusetts



AUTHORIZED SIGNATURE

MEMO

NOI - Littleton - 4 Spectacle Pond Road

Photo Safe Deposit®

Details on Back

Photo Safe Deposit®

Details on Back

BAY STATE SAVINGS BANK
AUBURN, MA 01501

1121

53-7102/2113

 CHECK ARMOR

4/3/2024

ECOTEC INC.
102 GROVE STREET SUITE 110 508-752-9666
WORCESTER, MA 01605

PAY TO THE Town of Littleton
ORDER OF

\$ **1,500.00

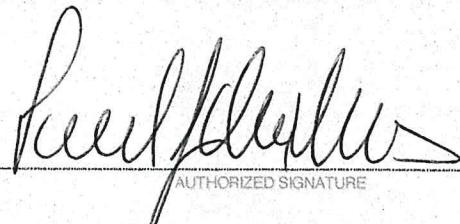
One Thousand Five Hundred and 00/100*****

DOLLARS

Town of Littleton

MEMO

NOI - Littleton - 4 Spectacle Pond Road - BYLAW F



AUTHORIZED SIGNATURE



NP



**TOWN OF LITTLETON
BOARD OF ASSESSORS**

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

Date: March 25, 2024

Re: Certified List of Abutters Conservation Commission

Applicant: Kate O'Donnell

Name of Firm: EcoTec, Inc.

Mailing Address 102 Grove Street, Suite 110, Worcester, MA 01605

Subject Parcel Location: 4 Spectacle Pond Rd.

Subject Parcel No.: R22-9-2

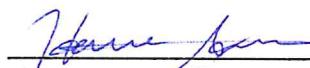
Subject Owner Name: Steven G Breitmaier, Trustee

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

Certified by:



Hanna Axon, Office Assistant

8 SPECTACLE POND RD R22 11 0

LUC: 931

LITTLETON TOWN OF
BOARD OF HEALTH
P.O. BOX 1305
LITTLETON, MA 01460

1 SPECTACLE POND RD R22 13 1

LUC: 402

SPECTACLE POND ROAD ASSOCIATES
1 SPECTACLE POND ROAD
LITTLETON, MA 01460

6 SPECTACLE POND RD R22 9 0

LUC: 440

JEANSON BUILDERS CONTRACTING I
98 CHARTER RD
ACTON, MA 01720

2 SPECTACLE POND RD R22 9 1

LUC: 401

STONEYARD.COM, LLC
2 SPECTACLE POND RD
LITTLETON, MA 01460

4 SPECTACLE POND RD R22 9 2

LUC: 440

BREITMAIER STEVEN G TRUSTEE OF
BENNETTS BROOK REALTY TRUST
14 PATRICIA DR
AYER, MA 01432

SPECTACLE POND RD R22 9 3

LUC: 442

MIDDLESEX MATERIALS MGMT LLC
AKA TMC LEASING LLC
1 SPECTACLE POND RD
LITTLETON, MA 01460

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 Breitmaier, Brite Excavating
- C. The address of the land where the activity is proposed is 4 Spectacle Pond Road, Littleton
- D. The work proposed is Construction of a new commercial building, paved access driveway, paved parking area, and associated site work.
- 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 508-752-9666 x228 during the following times:
M-F 8am -4pm, (or email kodonnell@ecotecinc.com)

G. The public hearing/meeting will be held on _____. 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

9-14-2023

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

March 1, 2023 – Revised April 4, 2024

Steve Breitmaier
Brite Excavating Co., Inc.
14 Patricia Drive
Ayer, MA 01432

RE: Wetland Resource Evaluation, 4 Spectacle Pond Road, Littleton, MA

Dear Mr. Breitmaier:

On February 15, 2023, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the “Act”) and its implementing regulations (310 CMR 10.00 *et seq.*; the “Regulations”); and (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands). Arthur Allen, CPSS, CWS and Kate O’Donnell, WPIT conducted the inspection.

The subject site consists of an earth removal operation and storage yard. The upland portions of the site are historically, heavily disturbed by historical excavation and active stockpiling of soil and stone. The wetland resources observed on the site are described below.

Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands was delineated in the field in accordance with the definition set forth in the regulations at 310 CMR 10.55(2)(c). Section 10.55(2)(c) states that “The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.” The methodology used to delineate Bordering Vegetated Wetlands is further described in: (1) the BVW Policy *“BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology,”* issued March 1, 1995; and (2) *“Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook,”* produced by the Massachusetts Department of Environmental Protection, dated March 1995. The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag AA-

38 is attached. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
AA-1 to AA-39 (Culvert at flags AA-5, AA-29 & AA-30; Connect AA-39 to BB-1)	Blue Flags	Boundary of stream Bank and Bordering Vegetated Wetlands located in the easterly and southerly portions of the site that is associated with an unmapped, intermittent stream.
AB-1 to AB-11 (Culvert at AB-1)		Boundary of Bordering Vegetated Wetlands located in the westerly portion of the site that is associated with a mapped, perennial stream (AKA: Bennett's Brook).
BB-1 to BB-23 (Connect BB-1 to AA-39; BB-23 @ Bennett's Brook Culvert)	Blue Flags	Boundary of Bordering Vegetated Wetlands located in the northerly portion of the site that is associated with a mapped, perennial stream (AKA: Bennett's Brook).
R-1 to R-33	Red Flags	Mean Annual High-Water Line/start of Riverfront Area associated with south side Bank of Bennett's Brook
TP-U & TP-W	Orange Flags	Test Plots complete for DEP Data Forms (see attached)

Findings

Wetland AA consists of a wooded swamp located on the south and east sides of the site that is associated with an unmapped, intermittent stream. Plant species observed include red maple (*Acer rubrum*), and black gum (*Nyssa sylvatica*) trees and/or saplings; common greenbrier (*Smilax rotundifolia*) climbing woody vines; highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), arrow-wood (*Viburnum dentatum*), silky dogwood (*Cornus amomum*), and glossy buckthorn (*Rhamnus frangula*) shrubs; and bristly blackberry (*Rubus hispida*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda regalis*), sensitive fern (*Onoclea sensibilis*), skunk-cabbage (*Symplocarpus foetidus*), swamp Jack-in-the-pulpit (*Arisaema triphyllum*) and spotted touch-me-not (*Impatiens capensis*) ground cover. Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, pore linings, evidence of flooding, and drainage patterns, was observed within the delineated wetland. This vegetated wetland borders an intermittent stream; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the intermittent stream would be regulated as Bank and Land Under Water Bodies and Waterways under the Act. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands and Bank under the Act.

Wetland AB and BB consists of a wooded swamp located on the north, northwest, and northeast sides of the site that is associated with a mapped, perennial stream. Plant species observed include similar species to those observed at Wetland AA. Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, pore linings, evidence of flooding, and drainage

patterns, was observed within the delineated wetland. This vegetated wetland borders a perennial stream; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the perennial stream would be regulated as Bank and Land Under Water Bodies and Waterways under the Act. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands and Bank under the Act.

Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that “The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm.” The project engineer should evaluate the most recent National Flood Insurance Program flood profile data to confirm the location and elevation of Bordering Land Subject to Flooding on the site. Bordering Land Subject to Flooding would occur in areas where the 100-year flood elevation is located outside of or upgradient of the delineated Bordering Vegetated Wetlands boundary. Bordering Land Subject to Flooding does not have a Buffer Zone under the Act.

The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map (attached), a named perennial stream (AKA: Bennett’s Brook) is located on the north side of the site. Mapped perennial streams are presumed to be perennial. Riverfront Area would extend 200 feet horizontally upgradient from the mean annual high-water line of the river. Section 10.58(2)(a)2. states that the “Mean annual high-water line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line. Bankfull field indicators include but are not limited to: changes in slope, changes in vegetation, stain lines, top of pointbars, changes in bank materials, or bank undercutts.” Section 10.58(2)(a)2.a. states that “In most rivers, the first observable break in slope is coincident with bankfull conditions and the mean annual high-water line.” The mean annual high-water line of the stream was delineated in the field with the R-series flags based upon the above-referenced regulation. Furthermore, based upon a review of the current USGS Map and observations made during the site inspection, there is one, unmapped stream located within 200 feet of the site. The unmapped stream is a tributary to Bennett’s Brook and has a watershed area of less than 0.1 square miles. Accordingly, except as noted above, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act, but may overlap other wetland resources and their Buffer Zones.

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 15th edition, Priority Habitats and Estimated Habitats from the NHESP Interactive Viewer, valid from

August 1, 2021, and Certified Vernal Pools from MassGIS, there is Estimated Habitat [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], and Priority Habitat [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; “MESA”) and MESA Regulations (321 CMR 10.00 *et seq.*)] on the site. There are no Certified Vernal Pools on or in the immediate vicinity of the site. A copy of this map is attached.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

Cordially,
ECOTEC, INC.



Arthur Allen, CWS, CPSS
Vice President

Attachments (5, 8 pages)

AA/Wetland/Littleton 4 Spectacle Hill Wet Report 3_1_2023

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant	Prepared by: EcoTec, Inc		Project Location: 4 Spectacle Pond Rd., Littleton		DEP File #
Section I. Vegetation		Number: TPU	Transect # AA-30	Date of Delin: 2/15/2023	
A. Sample layer and plant species (Enter largest to smallest % cover by layer)			Percent Cover (or basal area)	Dominant Plant?	Wetland Indicator Category
Tree	Red Oak	Quercus rubra	30	30.0 YES	FACU-
	White Pine	Pinus strobus	70	70.0 YES	FACU
Sapling	White Oak	Quercus alba	10	100.0 YES	FACU-
Shrub	none				
Ground	none				
Vine	none				
Vegetation Conclusions					
Number of dominant wetland indicator plants		0	Number of dominant non-wetland indicator plants		3
Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants?			NO		

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant

Prepared by: EcoTec, Inc

Project Location: 4 Spectacle Pond Rd., Littleton DEP File #

Section II. Indicators of Hydrology

Number: TPU

Transect # AA-30

Date of Delin: 2/15/2023

1. Soil Survey

Is there a published soil survey for this site?

title/date
map number
soil type mapped
hydric soil inclusions

Are field observations consistent with soil survey?

Remarks:

Other Indicators of hydrology (check all that apply):

- Site Inundated
- Depth to free water in observation hole
- Depth to soil saturation in observation hole
- Water marks
- Drift lines
- Sediment Deposits
- Drainage patterns in BVWs
- Oxidized rhizospheres
- Water stained leaves
- Recorded data (stream, lake, or tidal gauge; aerial photo; other):
- Other:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
Litter	2		
A	0-6	10YR 2/2	
Bw	6-15	10YR 5/6	

Remarks Loamy sands

Vegetation and Hydrology Conclusion

Yes No

Number of wetland indicator plants \geq number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology present

Sample Location is in a BVW

3. Other

Conclusion: Is the soil hydric?

No

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant	Prepared by: EcoTec, Inc		Project Location: 4 Spectacle Pond Rd., Littleton		DEP File #
Section I. Vegetation		Number: TPW	Transect # AA-30	Date of Delin: 2/15/2023	
A. Sample layer and plant species (Enter largest to smallest % cover by layer)		Percent Cover (or basal area)	Percent Dominance	Dominant Plant?	Wetland Indicator Category
Tree	Red Oak	Quercus rubra	20	20.0 YES	FACU-
	White Pine	Pinus strobus	60	60.0 YES	FACU
	Red Maple	Acer rubrum	20	20.0 YES	FAC *
Sapling	Black Gum	Nyssa sylvatica	10	33.3 YES	FAC *
	White Pine	Pinus strobus	20	66.7 YES	FACU
Shrub	Highbush Blueberry	Vaccinium corymbosum	30	100.0 YES	FACW- *
Ground	Cinnamon Fern	Osmunda cinnamomea	4	100.0 YES	FACW *
Vine	none				
Vegetation Conclusions					
Number of dominant wetland indicator plants		4	Number of dominant non-wetland indicator plants		3
Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants?				YES	

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant

Prepared by: EcoTec, Inc

Project Location: 4 Spectacle Pond Rd., Littleton DEP File #

Section II. Indicators of Hydrology

Number: TPW

Transect # AA-30

Date of Delin: 2/15/2023

1. Soil Survey

Is there a published soil survey for this site?

title/date
map number
soil type mapped
hydric soil inclusions

Are field observations consistent with soil survey?

Remarks:

Other Indicators of hydrology (check all that apply):

- Site Inundated
- Depth to free water in observation hole 8-inches
- Depth to soil saturation in observation hole 0-inches
- Water marks
- Drift lines
- Sediment Deposits
- Drainage patterns in BVWs
- Oxidized rhizospheres
- Water stained leaves
- Recorded data (stream, lake, or tidal gauge; aerial photo; other):
- Other:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
Litter	2		
Oa	0-24	10YR 2/1	

Remarks Muck

3. Other

Conclusion: Is the soil hydric?

Yes

Vegetation and Hydrology Conclusion

Yes No

Number of wetland indicator plants \geq number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology present

Sample Location is in a BVW

National Flood Hazard Layer FIRMette



71°32'4"W 42°33'30"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

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

OTHER AREAS OF FLOOD HAZARD

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRs

OTHER AREAS

Area of Undetermined Flood Hazard Zone D

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

20.2 Cross Sections with 1% Annual Chance

17.5 Water Surface Elevation

8 - - - Coastal Transect

~~~ 513 ~~~ Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Digital Data Available

No Digital Data Available

Unmapped

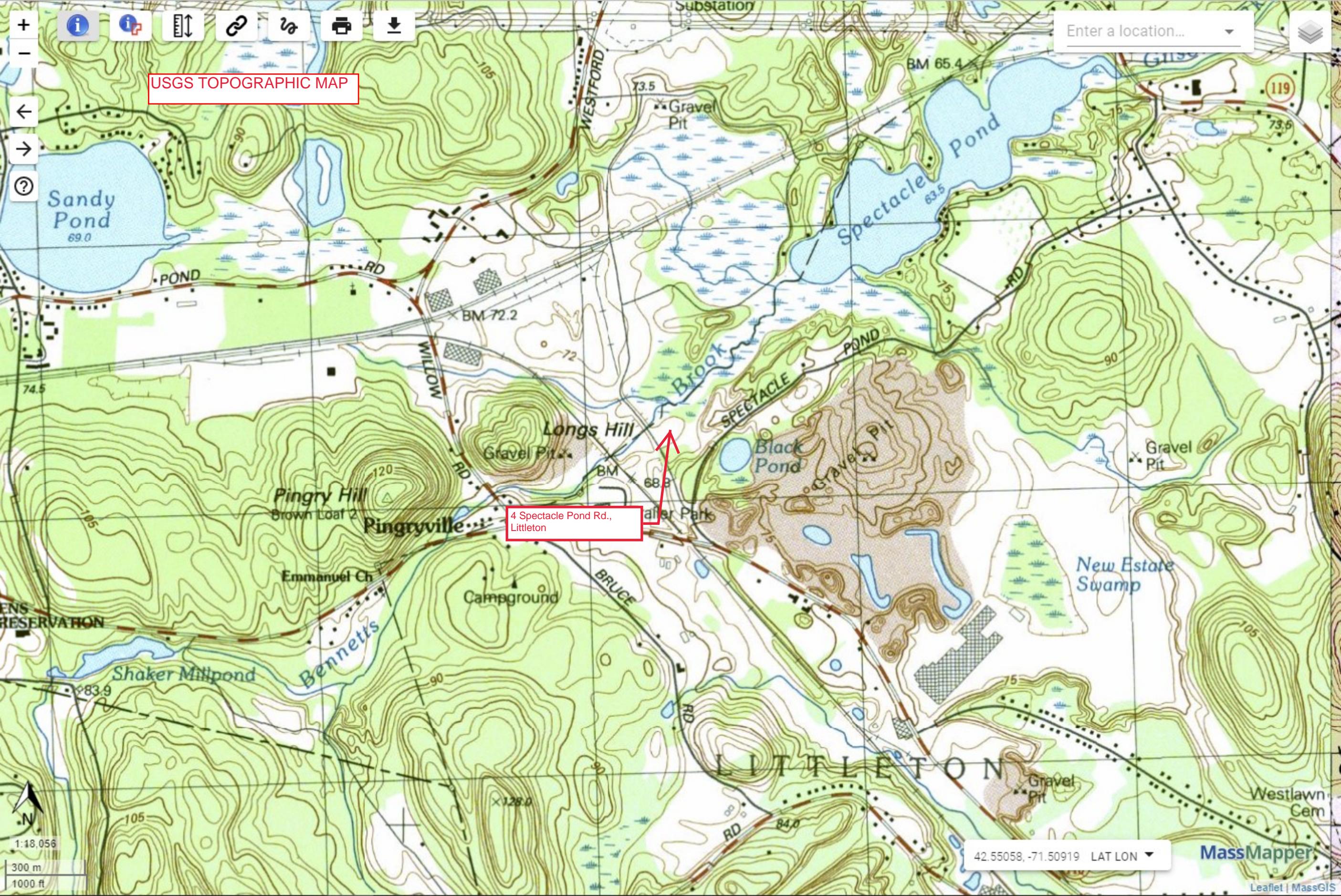


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 2/13/2023 at 11:05 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 imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



# 4 Spectacle Pond Road, Littleton, NHESP



- NHESP Estimated Habitats of Rare Wildlife
- NHESP Priority Habitats of Rare Species
- NHESP Certified Vernal Pools
- \*
- Property Tax Parcels

Natural Heritage Atlas  
Online Data Viewer, 15th  
edition, valid August 1, 2021  
created: 4/3/2024  
4 Spectacle Pond Road,  
Littleton



# EcoTec, Inc.

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ENVIRONMENTAL CONSULTING SERVICES  
102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 / Fax: 508-752-9494

**Arthur Allen, CPSS, CWS, CESSWI**  
**Vice President**  
**Soil & Wetland Scientist**

Arthur Allen is the Vice President of EcoTec, Inc. and has been a senior environmental scientist there since 1995. His work with EcoTec has involved wetland delineation, wildlife habitat evaluation, environmental permitting (federal, state and local), environmental monitoring, expert testimony, peer reviews, contaminated site assessment and the description, mapping and interpretation of soils. His clients have included private landowners, developers, major corporations and regulatory agencies. Prior to joining EcoTec, Mr. Allen mapped and interpreted soils in Franklin County, MA for the U.S.D.A. Natural Resources Conservation Service (formerly Soil Conservation Service) and was a research soil scientist at Harvard University's Harvard Forest. Since 1994, Mr. Allen has assisted the Massachusetts Department of Environmental Protection and the Massachusetts Association of Conservation Commissions as an instructor in the interpretation of soils for wetland delineation and for the Title V Soil Evaluator program.

Mr. Allen has a civil service rating as a soil scientist, an undergraduate degree in Natural Resource Studies and a graduate certificate in Soil Studies. His work on the Franklin County soil survey involved interpretation of landscape-soil-water relationships, classifying soils and drainage, and determining use and limitation of the soil units that he delineated. As a soil scientist at the Harvard Forest, Mr. Allen was involved in identifying the legacies of historical land-use in modern soil and vegetation at a number of study sites across southern New England. He has a working knowledge of the chemical and physical properties of soil and water and how these properties interact with the plants that grow on a given site. While at Harvard Forest he authored and presented several papers describing his research results which were later published. In addition to his aforementioned experience, Mr. Allen was previously employed by the Trustees of Reservations as a land manager and by the Town of North Andover, MA as a conservation commission intern.

**Education:**

1993-Graduate Certificate in Soil Studies, University of New Hampshire  
1982-Bachelor of Science in Natural Resource Studies, University of Massachusetts

**Professional Affiliations:**

Certified Professional Soil Scientist (ARCPACS CPSS #22529)  
New Hampshire Certified Wetland Scientist (#19)  
Registered Professional Soil Scientist – Society of Soil Scientists of SNE [Board Member (2000-2006)]  
Certified Erosion, Sediment & Stormwater Inspector (#965)  
Massachusetts Approved Soil Evaluator (#13764)  
Massachusetts Arborists Association-Certified Arborist (1982 – 1998)  
New England Hydric Soils Technical Committee member  
Massachusetts Association of Conservation Commissions member  
Society of Wetland Scientists member

**Refereed Publications:**

*Soil Science and Survey at Harvard Forest.* A.Allen. In: *Soil Survey Horizons.* Vol. 36, No. 4, 1995, pp. 133-142.  
*Controlling Site to Evaluate History: Vegetation Patterns of a New England Sand Plain.* G.Motzkin, D.Foster, A.Allen, J.Harrod, & R.Boone. In: *Ecological Monographs* 66(3), 1996, pp. 345-365.  
*Vegetation Patterns in Heterogeneous Landscapes: The Importance of History and Environment.* G.Motzkin, P.Wilson, D.R.Foster & A.Allen. In: *Journal of Vegetation Science* 10, 1999, pp. 903-920.

**EcoTec, Inc.**  
ENVIRONMENTAL CONSULTING SERVICES  
102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 – Fax: 508-752-9494

**Project Narrative and Compliance Analysis  
To Supplement Notice of Intent (NOI) and Massachusetts  
Endangered Species Act (MESA) Applications**

**Proposed Construction of a Commercial Building, Parking Lot, Driveway,  
Septic System, Well, and Associated Site Work at  
4 Spectacle Pond Road,  
Littleton, Massachusetts, 01460**

Prepared for:  
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President

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**INTRODUCTION**

The following assessment has been prepared by EcoTec, Inc., on behalf of the applicant, T. Reardon Builders, Inc. to supplement the Notice of Intent and a Massachusetts Endangered Species Act (“MESA”) application under 1.) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the “Act”) and its implementing regulations (310 CMR 10.00 et seq.; the “Regulations”), 2.) the Massachusetts Endangered Species Act (M.G.L. Ch. 131A; “MESA”) and MESA Regulations (321 CMR 10.00 et seq.)] and 3.) the Littleton Wetland Protection Bylaw and its implementing regulations.

The project is located at 4 Spectacle Pond Road, Littleton (Map R22, Parcel 9-2) (a.k.a., “the site”). The project will require an Order of Conditions under the Massachusetts Wetlands Protection Act and Regulations [310 CMR 10.00], including the Riverfront Area (RFA)

redevelopment regulations at 310 CMR 10.58(5) and under the Littleton Wetland Protection Bylaw and its implementing regulations.

### **EXISTING CONDITIONS**

The site consists of 7.0± acres of land located to the west of Spectacle Pond Road in Littleton, Massachusetts. The site contains existing degraded areas (i.e. areas lacking topsoil) consisting of a gravel pit. Based upon aerial imagery, the gravel pit appears to have existed prior to August 7, 1996. Accordingly, the degraded areas qualify as “existing degraded Riverfront Area” under 310 CMR 10.58(5). Wetland resource areas on and near the site consist of a vegetated wetland, delineated with an AA, B, and BB flagging series, that is associated with a perennial stream, Bennet’s Brook. The Mean Annual High-water Line of the perennial stream, Bennet’s Brook, was delineated in the field with red flags labeled R1 to R33. The perennial stream would be regulated as Bank and Land Under Water Bodies and Waterways under the Act and the wetland would be regulated as a Bordering Vegetated Wetland under the Act. A 200-foot Riverfront Area is associated with the perennial stream under the Act and Bylaw. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands under the Act and Bylaw. Additional details regarding the wetland delineation are included in the Wetland Resource Evaluation report by EcoTec, Inc., dated March 1, 2023, which is included with the NOI filing materials.

### **PROJECT DESCRIPTION**

The proposed project consists of the construction of a commercial building, with an associated paved parking area, and stormwater infiltration system, septic system, well, and associated site work. The proposed work is depicted on the Site Plans titled “Notice of Intent Plan, 4 Spectacle Pond Road, Littleton” prepared by Dillis & Roy, Civil Design Group, dated March 11, 2024, which is included with the NOI package submitted to the Littleton Conservation Commission. The project consists of RFA redevelopment [310 CMR 10.58(5)] which is discussed in further detail below.

### **NATURAL HERITAGE AND ENDANGERED SPECIES**

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the Massachusetts Natural Heritage Atlas, 15th edition, Priority Habitats and Estimated Habitats from the NHESP Interactive Viewer, valid from August 1, 2021, and Certified Vernal Pools from MassGIS, there are no Certified Vernal Pools on or in the immediate vicinity of the site. However, the site is located within or near an Estimated Habitat and Priority Habitat (PH-2043) [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; “MESA”) and MESA Regulations (321 CMR 10.00 *et seq.*)]. A copy of this map is attached.

The Regulations at 310 CMR 10.59 state that projects proposed within an Estimated Habitat as indicated on the most recent map published by the Natural Heritage and Endangered Species Program require a fully completed copy of any required Notice of Intent filed under the Act and Regulations (including all plans, reports, and other required materials) to be submitted to the Natural Heritage and Endangered Species Program no later than the date of filing with the issuing authority. In addition, in July 2005, the Massachusetts Endangered Species Act (M.G.L.

Ch. 131A; “MESA”) regulations (321 CMR 10.00 et seq.; the “MESA Regulations”) were revised to provide formal review procedures for projects and activities proposed within a Priority Habitat. For nonexempt projects or activities proposed within a Priority Habitat, an additional filing beyond that required under 310 CMR 10.59 for a project proposed within an Estimated Habitat, or a consolidated filing that meets the requirements under 321 CMR 10.20 and 310 CMR 10.59, must be made with the Natural Heritage and Endangered Species Program to allow the project or activity to be reviewed under MESA and the Act, respectively. Accordingly, this report is provided to supplement the Project Review Checklist and the Notice of Intent submission. To aid in the MESA review the required attachments have been appended to this report.

#### **RIVERFRONT AREA: GENERAL STANDARDS 310 CMR 10.58(5)**

The RFA Regulations at 310 CMR 10.58(4) “General Performance Standard” contain four subsections (a-d) that regulate activities in the 200-foot Riverfront Area:

- a) “Protection of Other Resource Areas”: The Project complies with the performance standards for all resource areas. The proposed project proposes work in RFA and only the buffer zone of other resource areas. The proposed work is located approximately 25 feet from the vegetated wetland associated with the stream at its closest point. The project includes measures to protect and enhance protection of resource areas associated with the perennial stream including erosion control barriers. The Project satisfies this provision.
- b) “Protection of rare species”: Based upon a review of the Massachusetts Natural Heritage Atlas, 15th edition, Priority Habitats and Estimated Habitats from the NHESP Interactive Viewer, valid from August 1, 2021, and Certified Vernal Pools from MassGIS, there are no Certified Vernal Pools on or in the immediate vicinity of the site. However, the site is located within or near an Estimated Habitat and Priority Habitat (PH-2043) [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; “MESA”) and MESA Regulations (321 CMR 10.00 et seq.)]. A copy of this map is attached. Accordingly, a Project Review Checklist and a copy of the Notice of Intent will be submitted to be reviewed under MESA and the Act, and a determination of whether the project will result in impacts to rare species will be provided.
- c) “Practicable and Substantially Equivalent Economic Alternatives” are considered: This provision, which defines “practicable” and “substantially equivalent” alternatives and also establishes the required scope of an alternatives analysis, applies to undeveloped RFA [see 10.58(5) discussion below]. This Project involves a developed and degraded Riverfront Area.
- d) “No Significant Adverse Impact” of the Riverfront Area: This provision establishes the 10% or 5,000 sf threshold, whichever alteration is larger, and includes a general prohibition on work in the Inner Riparian Area, for new projects in undeveloped RFA [see 10.58(5) discussion below].

### **RIVERFRONT AREA: REDEVELOPMENT STANDARDS- 310 CMR 10.58(5)**

Proposed work within the previously altered and degraded RFA includes the proposed commercial building, paved parking lot, a septic system, a well, a stormwater infiltration system, grading, utility connections, and landscaping. The existing RFA on the site consists of  $71,885\pm$  square feet of degraded areas consisting of the areas formerly excavated for a gravel mining operation, which qualifies as degraded RFA under the RFA redevelopment regulations at 310 CMR 10.58(5). The proposed project includes  $71,885\pm$  square feet of degraded areas within the RFA. Approximately  $58,876\pm$  square feet of the existing degraded area (the existing gravel pit) is proposed to remain in its existing condition. In accordance with the regulations:

- the proposed work shall be located further from the perennial stream than the existing limit of development;
- the closest proposed structure is located approximately 100 feet from stream, which is further from the perennial stream than the existing closest degraded area (approximately 25 feet from stream);
- the stormwater management system has been designed in accordance with Mass DEP Stormwater Management Standards; and
- the proposed work, including the enhanced stormwater management and infiltration, shall result in an improvement to the existing conditions of the capacity of the RFA to protect the interests of the Act.

The proposed project has been designed in accordance with the RFA redevelopment regulations at 310 CMR 10.58(5)(a-g). The provisions of these regulations are cited below with an assessment of the project's compliance with each provision:

*(5) Redevelopment Within Previously Developed Riverfront Areas; Restoration and Mitigation.* **Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d),** the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:

*(a) At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.*

The proposed work shall result in an improvement over the existing condition of the site. The project proposes a stormwater infiltration system which reduces peak runoff as detailed in the Stormwater Report prepared by Dillis & Roy Civil Design Group, which is included in the Notice of Intent filing materials.

*(b) Stormwater management is provided according to standards established by the Department.*

The proposed project provides stormwater management via a stormwater infiltration system to reduce peak runoff associated with the roof of the proposed building and the parking lot. A Stormwater Report was prepared by Dillis & Roy Civil Design Group, which is included in the Notice of Intent filing materials.

*(c) Within 200-foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25-foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).*

The proposed project is not closer to the stream than the existing conditions. Under existing conditions, the closest degraded area on the site to the stream is located at the limit of the existing gravel pit, which is located approximately 25 feet from the Mean Annual High-Water Line of the perennial stream. Under proposed conditions, the limit of the existing gravel pit will remain the same, but the closest structure to the stream is the edge of proposed parking area in the northern portion of the site which is located approximately 100 feet from the Mean Annual High-Water Line of the stream.

*(d) Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).*

The proposed development is located as far from the perennial stream as feasible. The entire parking lot and building structure are located outside of the 100-foot Inner Riparian Zone and portions are located outside of the 200-foot Outer Riparian Zone.

*(e) The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).*

The total Riverfront Area on the property is  $105,735\pm$  square feet. The total existing degraded area at the site is  $71,885\pm$  square feet, which is greater than 10% of the total Riverfront Area on the lot. The existing site includes  $71,885\pm$  square feet of existing degraded area consisting of the existing gravel pit areas, which lack topsoil. The project is proposing  $71,885\pm$  square feet of degraded area within the Riverfront Area. Approximately  $58,876\pm$  square feet of the existing degraded area (i.e. the existing gravel pit) is proposed to remain in its existing condition, while  $13,009\pm$  sf of the existing degraded area will be converted to the proposed degraded areas consisting of the proposed building and parking lot. The total allowable RFA alteration under the redevelopment provision at 310 CMR 10.58(5)(e) is  $71,885\pm$  square feet, but the project proposes approximately  $24,000\pm$  square feet of alteration within the RFA, which is significantly less than the total existing degraded area.

*(f) When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration*

*not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:*

1. *removal of all debris, but retaining any trees or other mature vegetation;*
2. *grading to a topography which reduces runoff and increases infiltration;*
3. *coverage by topsoil at a depth consistent with natural conditions at the site; and*
4. *seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site;*

As the project complies with the applicable performance standards described above, the project does not propose restoration of degraded Riverfront Area.

(g) *When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 to 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Environmental Affairs.*

As the project complies with the applicable performance standards described above, the project does not propose mitigation within the Riverfront Area.

**Summary - Riverfront Area Redevelopment:** As outlined above, the project is in conformance with the Riverfront Area Regulations for previously developed/degraded sites.

### **WAIVER REQUEST UNDER THE LITTLETON WETLAND PROTECTION BYLAW REGULATIONS**

Section 4.2 of the Littleton Wetland Bylaw Regulations establishes a 50-foot No-Disturbance Zone to wetland resource areas. The project proposes a small area of grading in the southern portion of the site which is located within the 50-foot No-Disturbance Zone (“NDZ”) to the vegetated wetland in the southern portion of the site.

Section 1.4 of the Littleton Wetland Bylaw Regulations states that “*Strict compliance with these Regulations may be waived when, in the judgment of the Commission, such action is a) in the public interest, necessary to avoid a taking, necessary to prevent a safety hazard, or water dependent; and b) consistent with the intent and purpose of the Bylaw; and c) the least environmentally damaging practicable alternative.*”

The proposed grading within the 50-foot NDZ under the Bylaw Regulations is necessary to prevent a safety hazard associated with the proposed building, parking lot, and stormwater infiltration system. To avoid work in the 50-foot NDZ, grades would result in a very steep slope installed at the edge of the building and parking lot, which would be a safety hazard to the individuals who will utilize the proposed parking lot and building. The proposed grading within the 50-foot NDZ will result in a more gradual slope, which will pose a significantly lower safety hazard. The project as proposed is consistent with the intent a purpose of the Bylaw as the grading work is temporary in nature, is partially located within the existing degraded areas of the site, and erosion control barriers are proposed to prevent siltation into the adjacent wetland resource areas. The proposed grading within the 50-foot NDZ is required as described above and the project does not have any practicable alternatives that would result in less environmental impact, as moving the location of the proposed building would result in greater impacts to Riverfront Area and further impacts within the 50-foot NDZ.

### **SUMMARY AND CONCLUSION**

Based on the above RFA analysis, as well as the information in the NOI plans, it is EcoTec's opinion that the proposed project satisfies the requirements of the Riverfront Area Redevelopment Regulations and the under the Act. The project shall improve the natural capacity of the Riverfront Area to protect the interests of the Act.

### **SITE PHOTOS**



Photo 1. Northerly view.



Photo 2. Northeasterly view.



Photo 3. Easterly view.



Photo 4. Westerly view from rear of lot.



Photo 5. Southwesterly view from rear of lot.



Photo 6. Southerly view from center of lot.

**MESA Application Attachments:**

1. Site Plan – “Notice of Intent Plan”
2. USGS Map
3. NHESP Map
4. FEMA Map
5. Assessors Map
6. Assessors Card

KO/E/P/LittletonSpectaclePondRd4\_ProjectNarrative

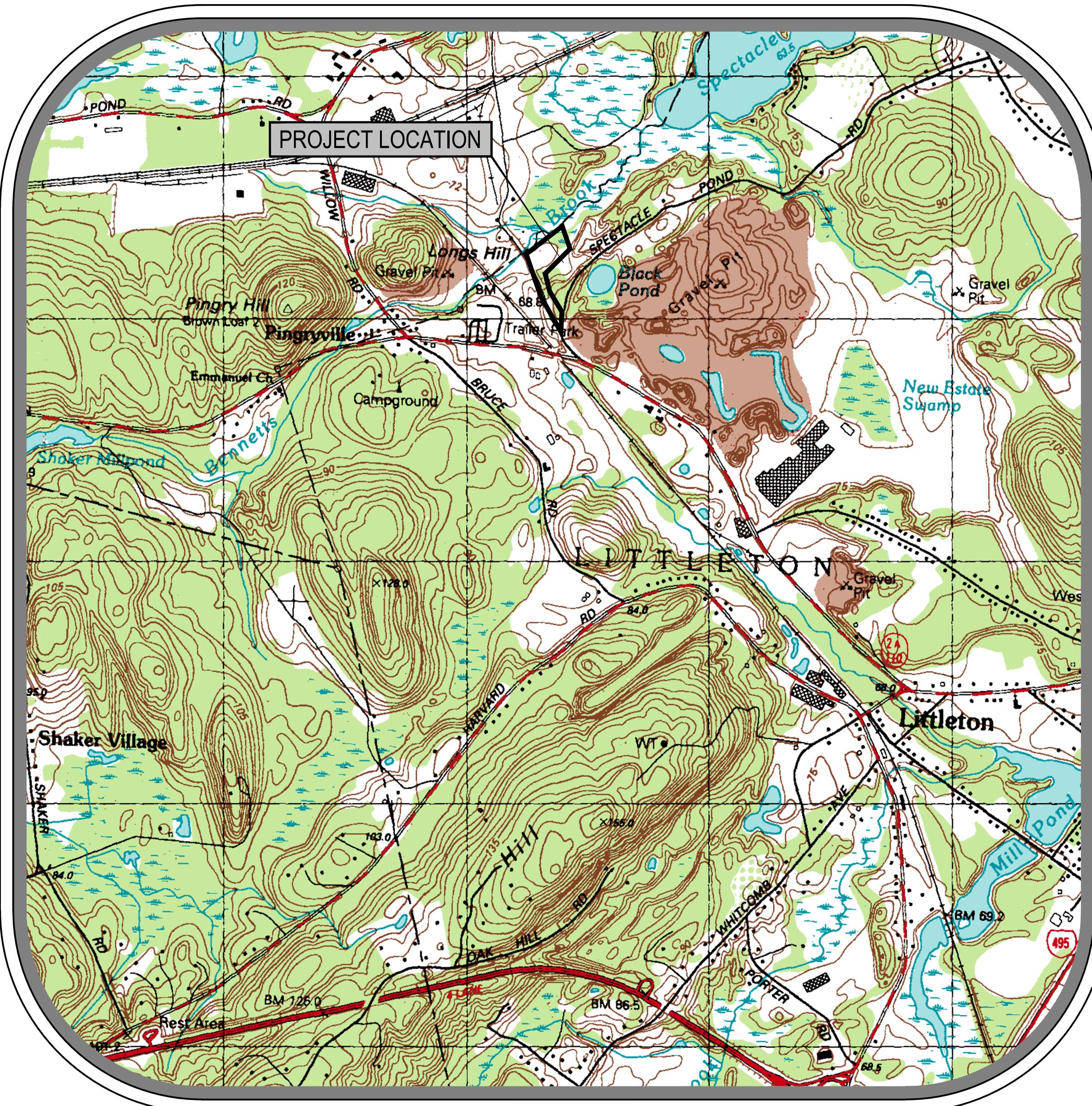
# NOTICE OF INTENT PLAN

## 4 SPECTACLE POND ROAD

### TITLE SHEET

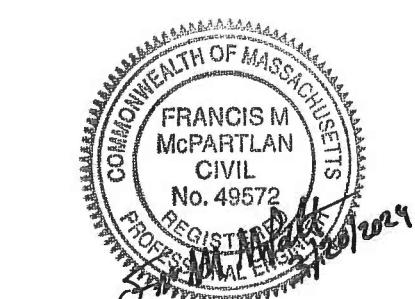
#### ZONING INFORMATION

|                                           |                                  |             |
|-------------------------------------------|----------------------------------|-------------|
| ZONING DISTRICT: I-A                      | OVERLAY DISTRICT: WATER RESOURCE |             |
| <hr/>                                     |                                  |             |
| DESCRIPTION                               | REQUIRED                         | EXISTING    |
| MIN. LOT AREA                             | NR                               | 261,360± SF |
| MIN. FRONTAGE                             | NR                               | 49.87 FT    |
| MIN. FRONT YARD                           | 80 FT                            | N/A         |
| MIN. SIDE YARD                            | 50 FT                            | N/A         |
| MIN. REAR YARD                            | 50 FT                            | N/A         |
| MAX. LOT COVERAGE BY BUILDINGS            | 30%                              | 0.0%        |
| MAX. LOT COVERAGE BY BUILDINGS & PAVEMENT | 80%                              | 0.0%        |
| MAX BUILDING HEIGHT                       | 40 FT                            | N/A         |



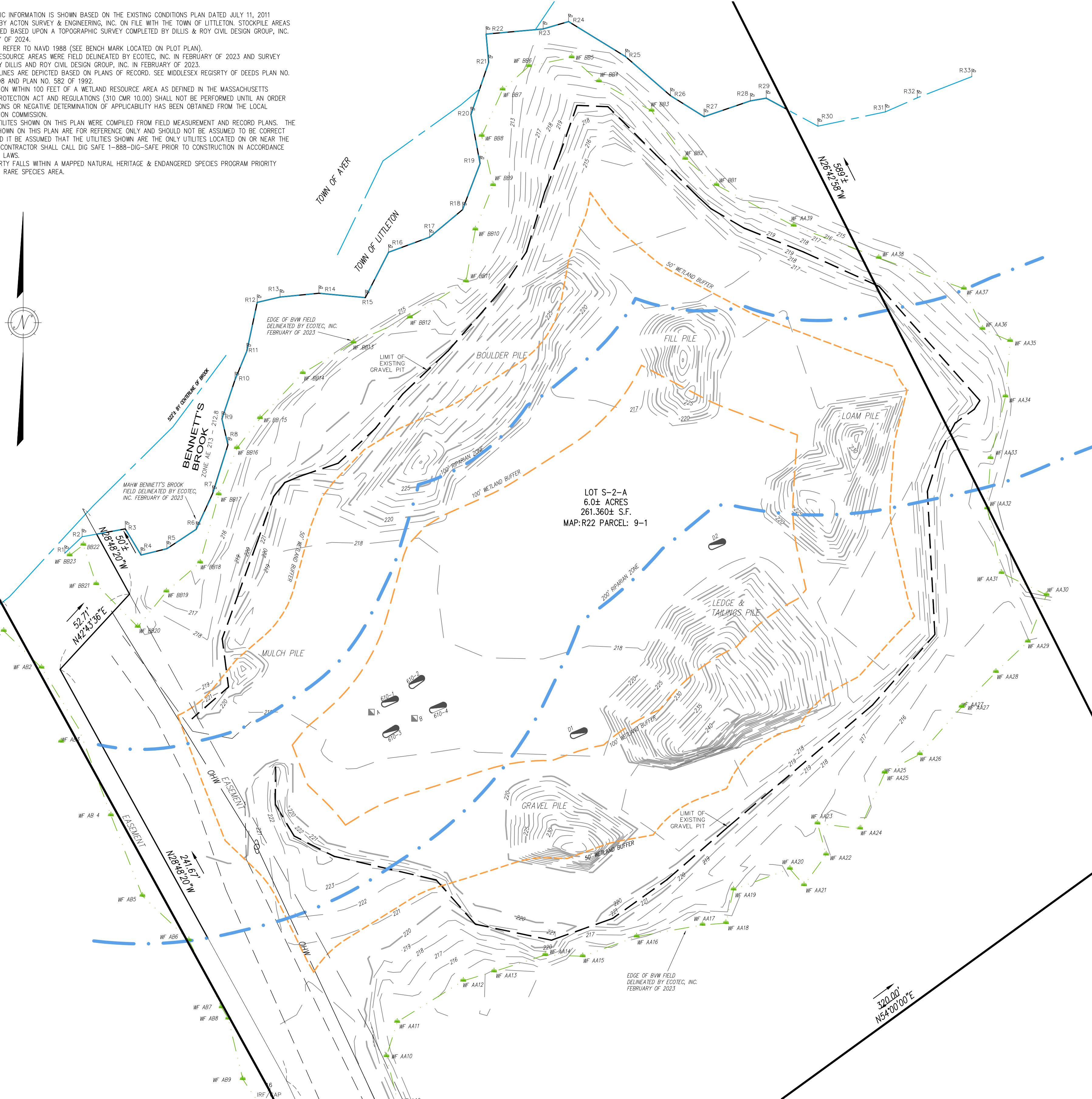
#### SHEET INDEX

|      |                                      |           |
|------|--------------------------------------|-----------|
| C1.0 | TITLE SHEET                          | 3/11/2024 |
| C1.1 | EXISTING CONDITIONS PLAN             | 3/11/2024 |
| C2.0 | GRADING, UTILITY, & DRAINAGE PLAN    | 3/11/2024 |
| C3.0 | EROSION & SEDIMENTATION CONTROL PLAN | 3/11/2024 |



## GENERAL NOTES:

- TOPOGRAPHIC INFORMATION IS SHOWN BASED ON THE EXISTING CONDITIONS PLAN DATED JULY 11, 2011 PREPARED BY ASTOR SURVEY & ENGINEERING, INC. ON FILE WITH THE TOWN OF LITTLETON. STOCKPILE AREAS ARE DEPICTED BASED UPON A TOPOGRAPHIC SURVEY COMPLETED BY DILLIS & ROY CIVIL DESIGN GROUP, INC. IN JANUARY OF 2024.
- ELEVATIONS REFER TO NAVD 1988 (SEE BENCH MARK LOCATED ON PLOT PLAN).
- WETLAND RESOURCE AREAS ARE FIELD DELINEATED BY ECOtec, INC. IN FEBRUARY OF 2023 AND SURVEY LOCATED BY DILLIS & ROY CIVIL DESIGN GROUP, INC. IN FEBRUARY OF 2023.
- PROPERTY LINES ARE DEPICTED BASED ON PLANS OF RECORD SEE MIDDLESEX REGISTRY OF DEEDS PLAN NO. 670 1997 PLAN NO. 382 of 1992.
- CONSTRUCTION WORK IN FEET OF A WETLAND RESOURCE AREA AS DEFINED IN THE MASSACHUSETTS WETLAND PROTECTION ACT AND REGULATIONS (310 CMR 10.00) SHALL NOT BE PERFORMED UNTIL AN ORDER OF CONDITIONS OR NEGATIVE DETERMINATION OF APPLICABILITY HAS BEEN OBTAINED FROM THE LOCAL CONSERVATION COMMISSION.
- EXISTING UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM FIELD MEASUREMENT AND RECORD PLANS. THE UTILITIES SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND SHOULD NOT BE ASSUMED TO BE CORRECT NOR SHOULD IT BE ASSUMED THAT THE UTILITIES SHOWN ARE THE ONLY UTILITIES LOCATED ON OR NEAR THE SITE. THE CONTRACTOR SHALL CALL DIG-SAFE 1-888-DIG-SAFE PRIOR TO CONSTRUCTION IN ACCORDANCE WITH STATE LAW.
- THE PROPERTY FALLS WITHIN A MAPPED NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM PRIORITY HABITAT OF RARE SPECIES AREA.



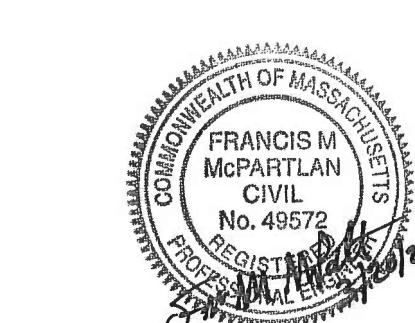
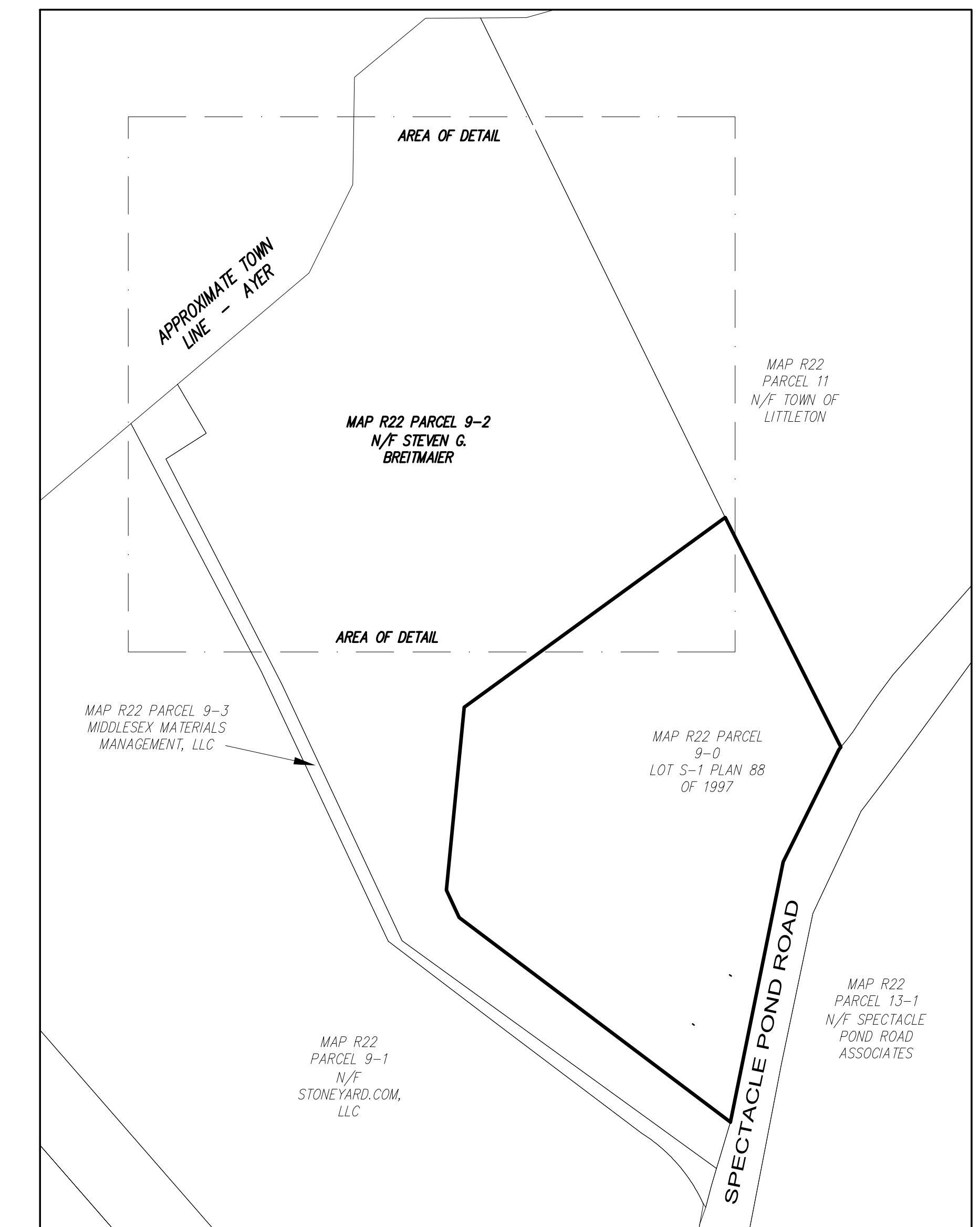
| NAME OF APPROVING AUTHORITY: LITTLETON BOARD OF HEALTH JAMES GARREFFI, AGENT |                      | NAME OF P/L EVALUATOR: MARK DONGSON, PLS. ACTON SURVEY & ENGINEERING, INC. |                         |
|------------------------------------------------------------------------------|----------------------|----------------------------------------------------------------------------|-------------------------|
| IN-SEASON GROUND WATER TESTING - (IF REQ'D)                                  |                      | PERCOLATION TEST DATA                                                      |                         |
| TEST PT. NO.                                                                 | DATE                 | SURFACE ELEVATION                                                          | DEPTH TO GROUNDSWATER   |
|                                                                              |                      |                                                                            | GROUNDWATER ELEVATION   |
| TEST PT. NO.                                                                 | DATE                 | TOP OF 12" OF WATER FROM SURFACE                                           | PERIOD MINUTES PER INCH |
| 610-A                                                                        | 6/8/10               | 37"                                                                        | 218.4                   |
| 818-B                                                                        | 6/8/10               | 39"                                                                        | 218.6                   |
| DEEP TEST PIT 610-1                                                          | DEPTH: 0-22"         | HORIZON: FILL                                                              | TEXTURE: LS             |
| REFUSAL AT: 22-72"                                                           | DATE OF TEST: 6/8/10 | REFUSAL AT: 22-72"                                                         | DEPTH: 2.516/6          |
| OBSERVED                                                                     | REFUSAL AT: 22-72"   | REFUSAL AT: 22-72"                                                         | 60"                     |
| (SURFACE ELEV. = 218.5)                                                      | (ELEVATION = 213.5)  |                                                                            |                         |
| DEEP TEST PIT 610-2                                                          | DEPTH: 0-40"         | HORIZON: FILL                                                              | TEXTURE: S              |
| REFUSAL AT: 40-80"                                                           | DATE OF TEST: 6/8/10 | REFUSAL AT: 40-80"                                                         | DEPTH: 2.516/3          |
| OBSERVED                                                                     | REFUSAL AT: 40-80"   | REFUSAL AT: 40-80"                                                         | 56"                     |
| (SURFACE ELEV. = 217.5)                                                      | (ELEVATION = 212.8)  |                                                                            |                         |
| ESTIMATED SEASONAL HIGH GROUND WATER AT 81" (ELEVATION = 211.9)              |                      |                                                                            |                         |
| DEEP TEST PIT 610-3                                                          | DEPTH: 0-18/30"      | HORIZON: FILL                                                              | TEXTURE: CS             |
| REFUSAL AT: 30-108"                                                          | DATE OF TEST: 6/8/10 | REFUSAL AT: 30-108"                                                        | DEPTH: 2.515/3          |
| OBSERVED                                                                     | REFUSAL AT: 30-108"  | REFUSAL AT: 30-108"                                                        | 87"                     |
| (SURFACE ELEV. = 218.8)                                                      | (ELEVATION = 213.5)  |                                                                            |                         |
| ESTIMATED SEASONAL HIGH GROUND WATER AT 77" (ELEVATION = 212.0)              |                      |                                                                            |                         |
| DEEP TEST PIT 610-4                                                          | DEPTH: 0-24"         | HORIZON: FILL                                                              | TEXTURE: CS             |
| REFUSAL AT: 24-104"                                                          | DATE OF TEST: 6/8/10 | REFUSAL AT: 24-104"                                                        | DEPTH: 2.515/3          |
| OBSERVED                                                                     | REFUSAL AT: 24-104"  | REFUSAL AT: 24-104"                                                        | 75"                     |
| (SURFACE ELEV. = 218.5)                                                      | (ELEVATION = 212.3)  |                                                                            |                         |

| NAME OF SOIL EVALUATOR: RICHARD J. HARRINGTON, DILLIS & ROY CIVIL DESIGN GROUP, INC. |                      |
|--------------------------------------------------------------------------------------|----------------------|
| DEPTH: 0-22"                                                                         | HORIZON: FILL        |
| REFUSAL AT: 22-72"                                                                   | DATE OF TEST: 2/7/24 |
| OBSERVED                                                                             | REFUSAL AT: 22-72"   |
| (SURFACE ELEV. = 218.5)                                                              | (ELEVATION = 213.5)  |
| ESTIMATED SEASONAL HIGH GROUND WATER AT 60" (ELEVATION = 213.5)                      |                      |
| DEPTH: 0-40"                                                                         | HORIZON: FILL        |
| REFUSAL AT: 40-80"                                                                   | DATE OF TEST: 2/7/24 |
| OBSERVED                                                                             | REFUSAL AT: 40-80"   |
| (SURFACE ELEV. = 217.5)                                                              | (ELEVATION = 212.8)  |

## 200-FOOT RIVERFRONT AREA SUMMARY TABLE

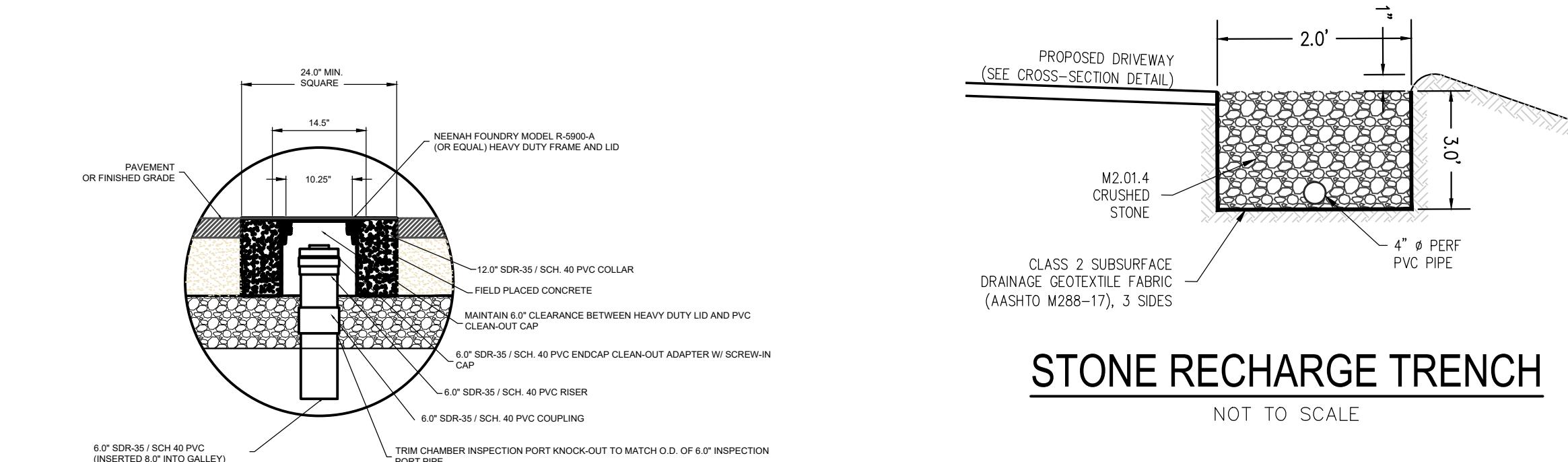
| EXISTING (SF)    | PROPOSED (SF) |
|------------------|---------------|
| DEGRADED AREA    | 71,885        |
| NATURALIZED AREA | 33,850*       |
| ROOF AREA        | 0             |
| PAVED AREA       | 5,640         |
| TOTAL:           | 105,735 SF    |
|                  | 105,735 SF    |

\*NOTE: NO NON-DEGRADED PORTION OF THE SITE WILL BE ALTERED (I.E. THE PROPOSED LIMIT OF WORK WILL BE LIMITED TO THE EXISTING DISTURBED PORTIONS OF THE SITE.)



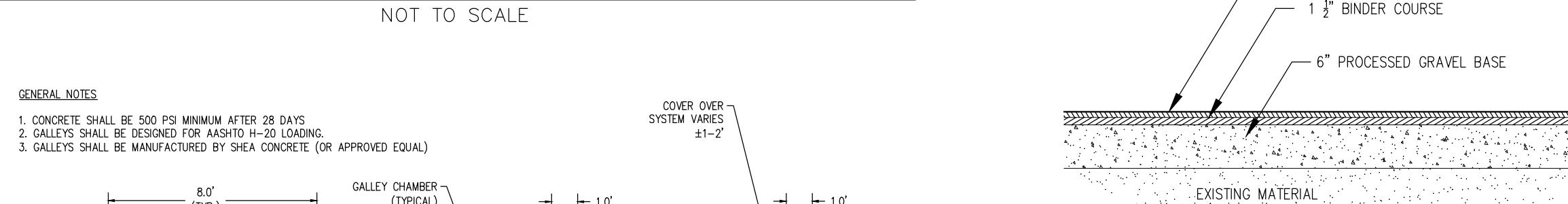
## GRADING & DRAINAGE NOTES:

1. GRADES SHOWN ON THIS PLAN REFER TO FINAL FINISHED GRADES.
2. REFER TO DETAIL SHEET (SHEET 8) FOR DETAILS PERTAINING TO TYPICAL CROSS SECTION, CATCH BASIN, AND OTHER PERTINENT DETAILS.
3. STORM DRAIN PIPE TO BE SMOOTH LINER HDPE PIPE AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEMS, INC. OR APPROVED EQUAL.
4. MANHOLES SHALL BE 4-FOOT DIAMETER PRECAST CONCRETE STRUCTURES FOR H-20 LOADING UNLESS OTHERWISE NOTED. SEE DETAILS ON SHEET 8.
5. ALL CATCH BASINS SHALL BE 4-FOOT DIAMETER PRECAST CONCRETE CATCH BASINS FOR H-20 LOADING. SEE DETAIL ON SHEET 8.
6. SUBSURFACE INFILTRATION AREAS SHALL BE LEACHING GALLEYS AS MANUFACTURED BY SHEA CONCRETE (OR EQUAL AS APPROVED BY ENGINEER).
7. THE CONTRACTOR SHALL USE ALL MEANS NECESSARY TO MINIMIZE COMPACTION OF SOILS IN RECHARGE AREAS BOTH DURING AND AFTER CONSTRUCTION.
8. UNIT ENTRANCES SHALL BE GRADED FLUSH WITH THE PROPOSED GRADE. FOUNDATIONS SHALL BE DESIGNED TO ACCOMMODATE FLUSH GRADE AT ENTRANCES.
9. ROOF HEADERS SHALL BE 4" PVC. UNLESS OTHERWISE NOTED, STORM DRAIN LINES SHALL BE 12" ADS N-12 DRAINAGE PIPE.

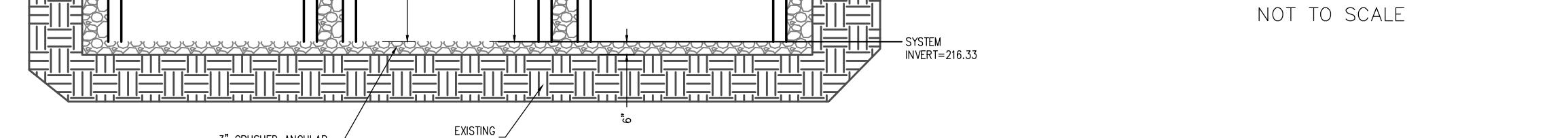


**STONE RECHARGE TRENCH**  
NOT TO SCALE

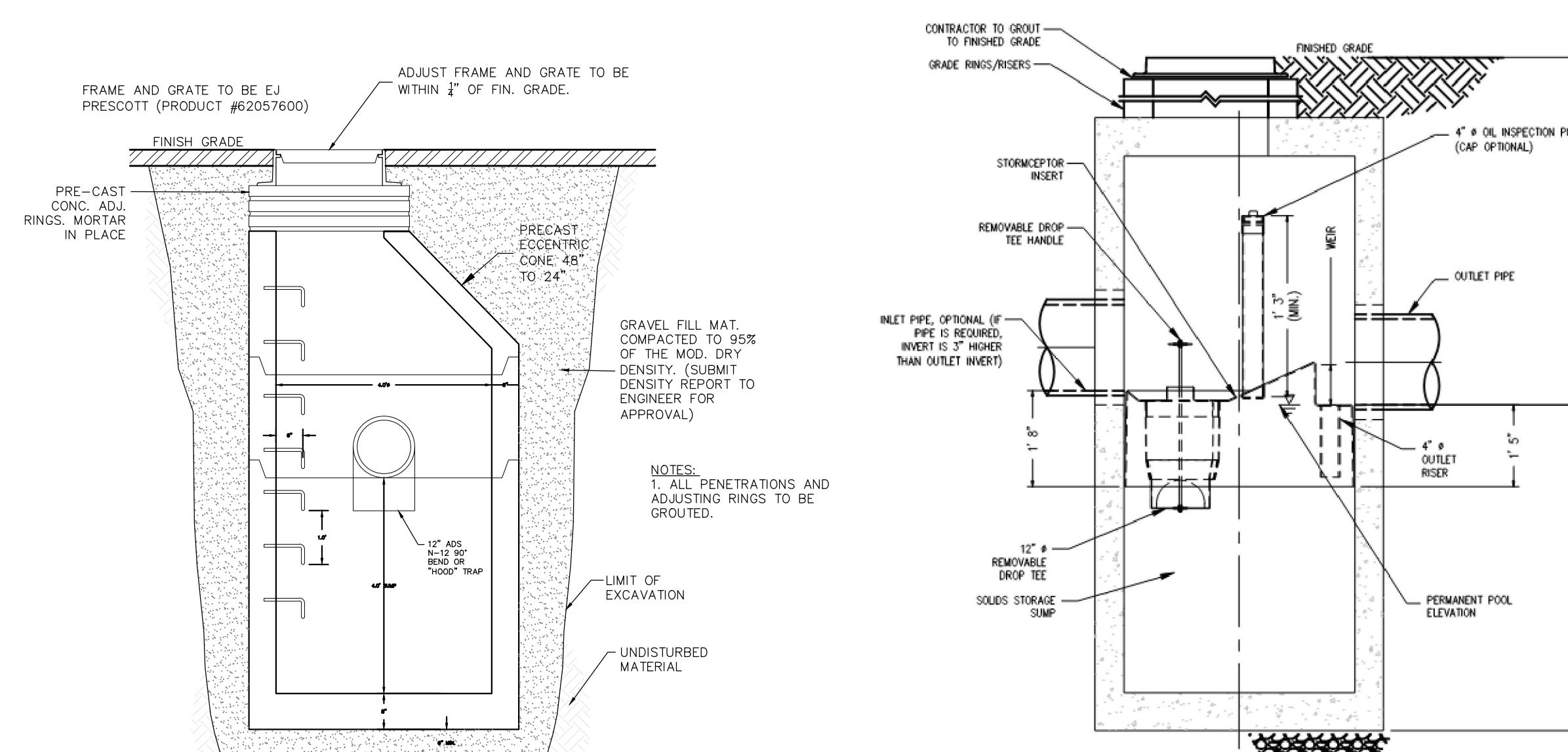
## STORMWATER GALLEY INSPECTION PORT DETAIL



## PAVEMENT CROSS-SECTION (TYP.)



## SUBSURFACE INFILTRATION SYSTEM DETAIL



## CATCH BASIN DETAIL



## EROSION & SEDIMENTATION CONTROL NOTES:

### 1.1 GENERAL REQUIREMENTS

- 1.1.2 CONSTRUCTION SHALL BE SEQUENCED SO THAT GRADING OPERATIONS CAN BEGIN AND END AS QUICKLY AS POSSIBLE.
- 1.1.3 EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY DISTURBANCE ON SITE.
- 1.1.4 AREAS WHICH ARE NOT TO BE DISTURBED SHALL BE CLEARLY MARKED BY FLAGS, SIGNS, ETC. RETAIN EXISTING VEGETATION WHERE FEASIBLE.
- 1.1.5 THERE SHALL BE NO STORAGE OF ANY KIND OF ANY CHEMICALS, PESTICIDES, FUELS AND OTHER POTENTIALLY TOXIC OR HAZARDOUS MATERIALS ON SITE.
- 1.1.6 NO DEBRIS, JUNK, RUBBISH OR OTHER WASTE MATERIALS SHALL BE BURIED ON THE SITE.
- 1.1.7 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROL PRACTICES.

### 1.2 MAINTENANCE / PERFORMANCE STANDARDS

- 1.2.1 ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED WEEKLY AND AFTER EACH RAINFALL WITH AN ACCUMULATION OF 1/2" OR MORE. THE FOLLOWING ITEMS SHALL BE CHECKED IN PARTICULAR:
  - 1.2.1.1 THE SILT FENCE BARRIERS SHALL BE CHECKED REGULARLY FOR TEARS, DETERIORATION AND UNDERMINING AND SHALL BE REPAIRED AS REQUIRED.
  - 1.2.1.2 ALL SEEDED AREAS SHALL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHOULD BE RESEEDED AS NEEDED.
- 1.2.2 THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD, DIRT DEBRIS, ETC... ONTO THE PUBLIC ROAD. THIS MAY REQUIRE PERIODIC UP KEEP/RECONSTRUCTION OF THE TOP DRESSING WITH 2 INCH STONE AS CONDITIONS DEMAND AND OR CLEANOUT/REPLACEMENT OF STONE IF CLOGGING OR SEDIMENTATION OCCURS. ALL MATERIALS SPILLED DURING CONSTRUCTION OR CLEANUP SHALL BE REMOVED DAILY AND DISPOSED OF PROPERLY DAILY BY SWEEPING OR OTHER SUITABLE MEANS. REFER TO THE TEMPORARY CONSTRUCTION ENTRANCE DETAIL (THIS SHEET).
- 1.2.3 ALL AREAS ON SITE SUBJECT TO EROSION/SEDIMENTATION SHALL BE INSPECTED ON A REGULAR BASIS. ALL ITEMS SPECIFIED ON THIS AND OTHER PLANS SHALL BE INSPECTED TO VERIFY THAT THEY ARE OPERATING AS DESIGNED AND INTENDED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN AND REPAIR ALL STRUCTURES.
- 1.2.4 THE ENTIRE DRAINAGE SYSTEM SHALL BE INSPECTED ON A REGULAR BASIS AND PRIOR TO AND IMMEDIATELY AFTER ANY RAINFALL EVENT WHILE THE SITE IS DISTURBED. POST CONSTRUCTION INSPECTIONS & MAINTENANCE SHALL BE PERFORMED IN ACCORDANCE WITH THE OPERATION & MAINTENANCE MANUAL IN APPENDIX G OF THE STORMWATER REPORT.

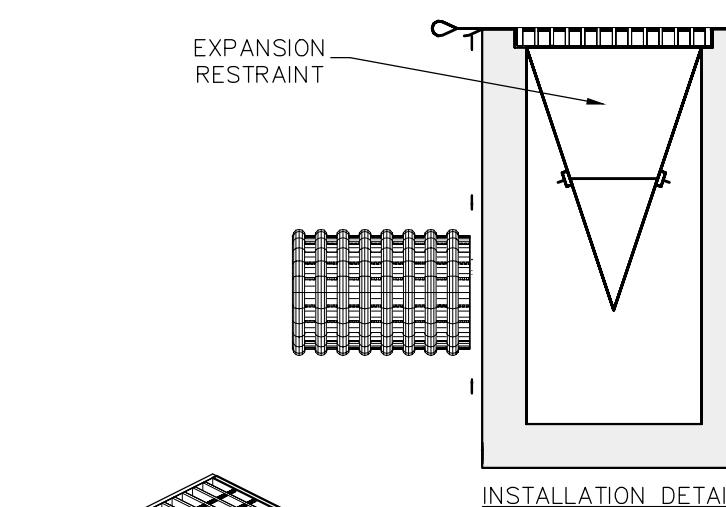
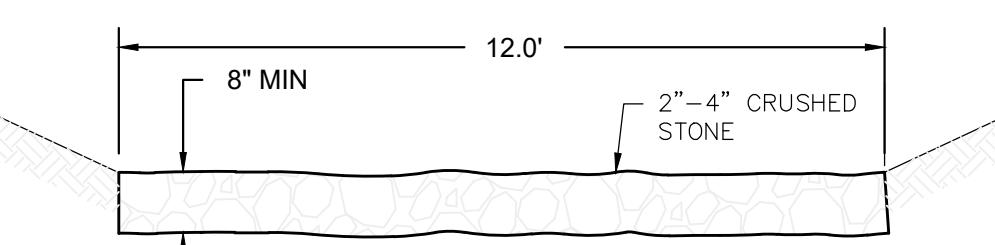
### 1.3 TEMPORARY MEASURES

- 1.3.1 PLACE STRAW WATTLES AS SHOWN ON THE EROSION CONTROL PLAN.
- 1.3.2 IF LOAM IS PLACED OUTSIDE OF THE NORMAL GROWING SEASON SILT FENCE OR STRAW WADDLES SHALL BE PLACED BETWEEN THE LOAM AND THE GROUND SURFACE.
- 1.3.3 CONSTRUCT TEMPORARY STONE PAD AT EXIT TO THE SITE AS SHOWN ON THIS PLAN.
- 1.3.4 DURING DRY PERIODS, PROVIDE MEANS FOR MITIGATION OF DUST, SUCH AS WATERING OF EXPOSED AREAS.
- 1.3.5 STOCKPILE LOCATIONS SHALL BE WITHIN THE PROPOSED LIMIT OF WORK AND OUTSIDE ALL RESOURCE AREAS. SOIL STOCKPILES STORED FOR 24 HOURS OR LONGER WILL BE PROVIDED WITH ANY NECESSARY EROSION CONTROL. PILES LEFT FOR 21 DAYS OR MORE SHALL BE SEEDED.
- 1.3.6 WASTE DISPOSAL RECEPTACLES AND TRAILERS SHALL BE USED FOR THE DISPOSAL OF CONSTRUCTION DEBRIS, WHICH SHALL BE REMOVED FROM THE SITE ACCORDING TO STATE, LOCAL AND FEDERAL GUIDELINES. CONSTRUCTION DEBRIS INCLUDES PAVEMENT, UTILITY, EARTH AND BUILDING MATERIALS THAT CANNOT BE REUSED. THE RECEPTACLES SHALL BE LOCATED ON-SITE OUTSIDE OF ALL RESOURCE AREAS AND COVERED.
- 1.3.7 THE TEMPORARY MEASURES SHALL NOT BE REMOVED UNTIL PERMANENT STABILIZATION HAS OCCURRED AND ONLY AFTER APPROVAL BY THE LITTLETON CONSERVATION COMMISSION AND THE ENGINEER.

### 1.4 PERMANENT STABILIZATION

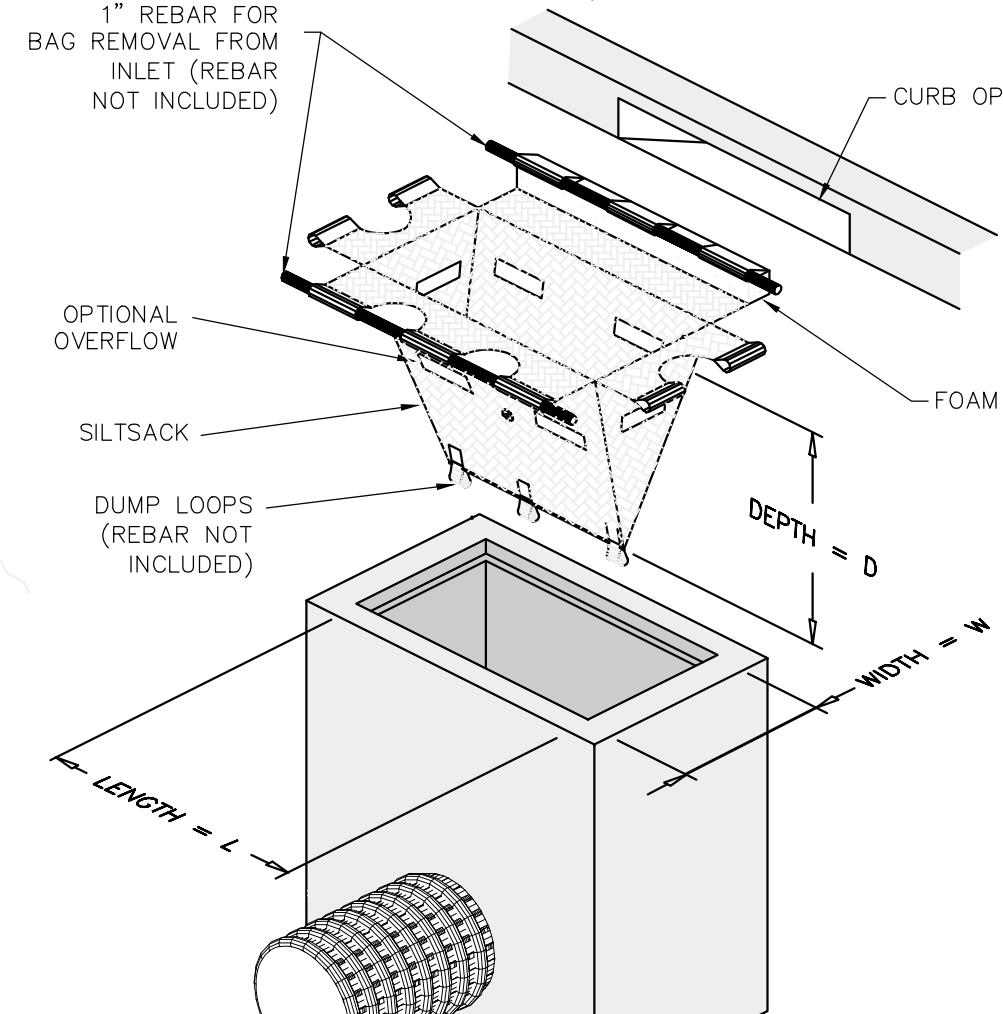
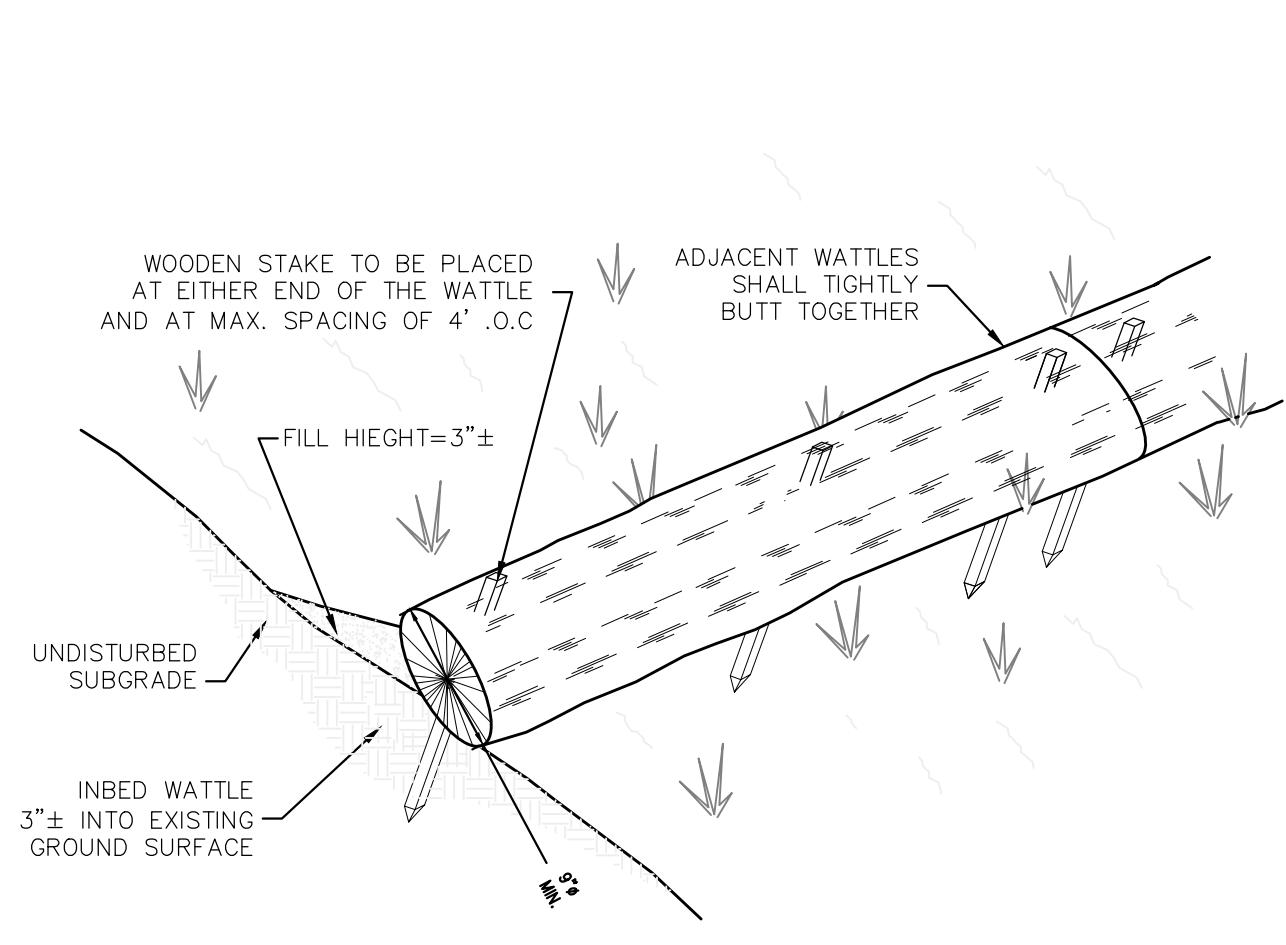
- 1.4.1 SLOPES IN EXCESS OF 3 TO 1 SHALL BE HYDRO-MULCHED. LOAMED (4" MIN.) AND SEEDED SLOPES SHALL BE PROTECTED FROM WASHOUT BY MULCHING OR OTHER ACCEPTABLE SLOPE PROTECTION UNTIL VEGETATION IS ESTABLISHED.
- 1.4.2 UNLESS OTHERWISE INDICATED HEREON ALL DISTURBED AREAS SHALL BE LOAMED (4" MIN.) AND SEEDED WITH AN APPROPRIATE MIXTURE OF GRASSES SUITABLE FOR THE AREA. AREAS NOT STABILIZED BEFORE THE END OF THE FALL PLANTING SEASON SHALL BE HYDRO-MULCHED AND SEDED IN THE SPRING. ALL DISTURBED AREAS DURING THE WINTER MONTHS WILL BE STABILIZED BY LIMITING THE SLOPES TO 3 TO 1 OR HYDRO-MULCHED, AS DESCRIBED ABOVE.

NOTE:  
LENGTH = 30' MINIMUM  
SEE PLAN FOR LOCATION(S)



### TEMP. CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

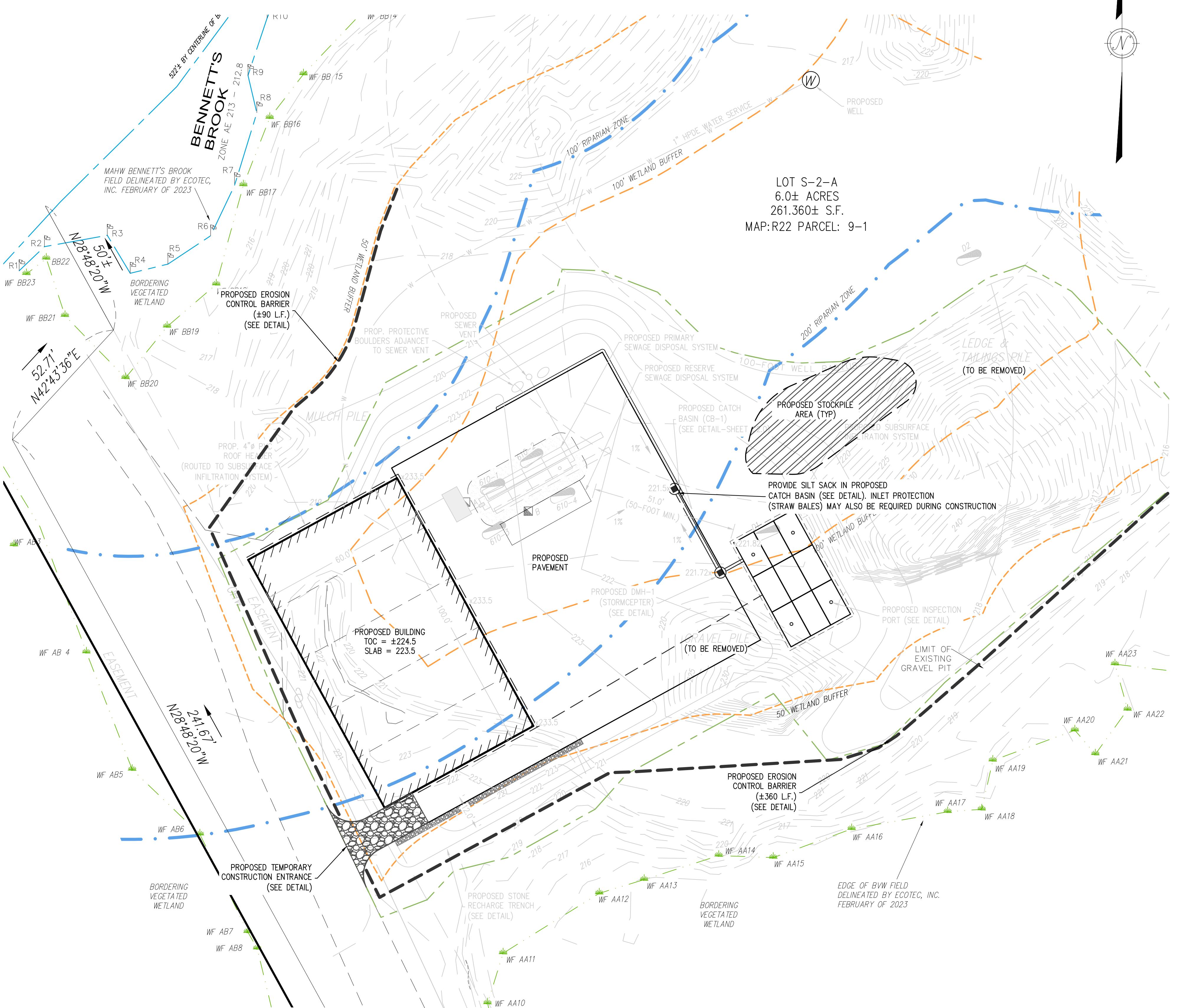


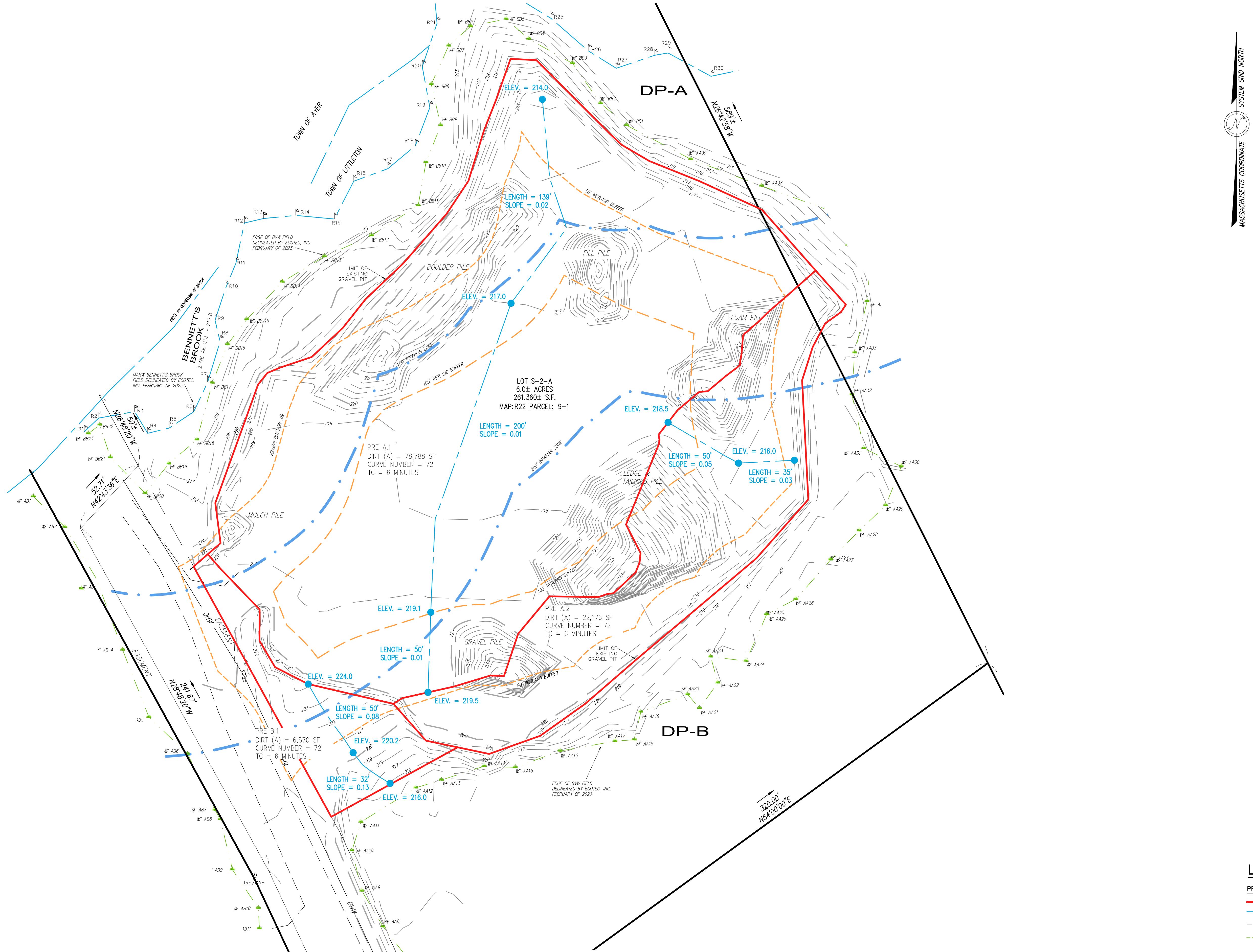
### STRAW WATTLE

NOT TO SCALE

### SILT SACK

NOT TO SCALE





PREPARED BY:  
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OWNER: STEVEN BREITMAIER  
 4 SPECTACLE POND ROAD  
 LITTLETON, MASSACHUSETTS  
 CONCORD OFFICE: 100 MAIN ST., SUITE 310 CONCORD, MA 01742

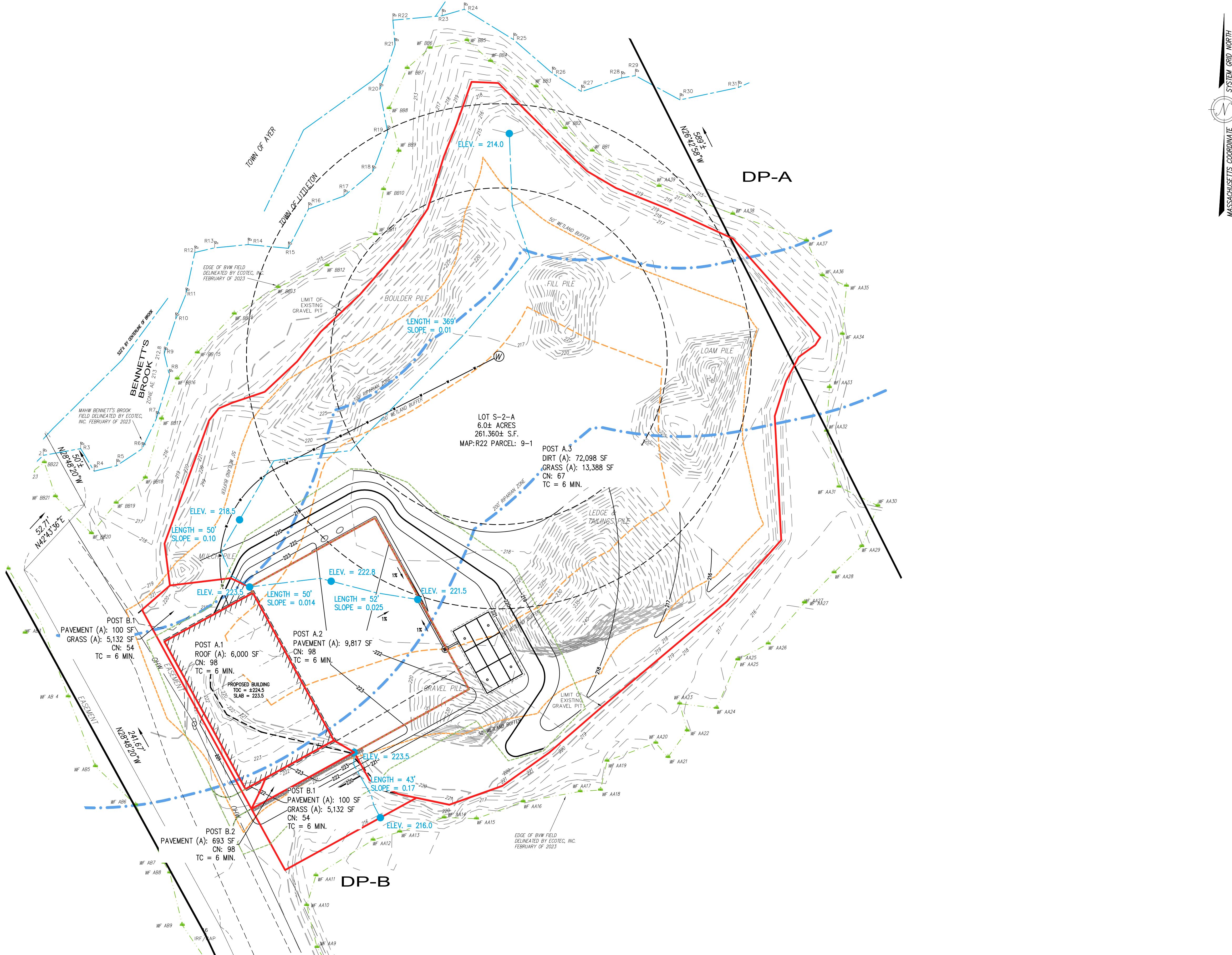
APPLICANT: BRITE EXCAVATING  
 14 PATRICIA DRIVE  
 AYER, MASSACHUSETTS

SCALE: 30 0 15 30 60 120  
 1 in. = 30 ft.  
 \*SCALE: 1 IN. = 30 FT. WHEN PRINTED ON 24"X36"  
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PRE-DEVELOPMENT WATERSHED PLAN  
 4 SPECTACLE POND ROAD  
 LITTLETON, MASSACHUSETTS

| NO. | DATE | DESCRIPTION | BY |
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JOB NO. 6233  
 DRAWING NO. 6233-PRE  
 SHEET NO. 1



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| OWNER:                                                                                                              | STEVEN BREITMAIER<br>4 SPECTACLE POND ROAD<br>LITTLETON, MASSACHUSETTS |
| APPLICANT:                                                                                                          | BRITE EXCAVATING<br>14 PATRICIA DRIVE<br>AYER, MASSACHUSETTS           |
| SCALE:<br><br>*SCALE: 1 IN. = 30 FT. WHEN PRINTED ON 24"X36"<br>COPYRIGHT DILLIS & ROY CIVIL DESIGN GROUP, INC 2024 |                                                                        |

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| DRAWN BY:                                                                                   | RWP         |
| CHECKED BY:                                                                                 | GSR         |
| <b>POST-DEVELOPMENT WATERSHED PLAN</b><br>4 SPECTACLE POND ROAD<br>LITTLETON, MASSACHUSETTS |             |
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