

STAMSKI AND MCNARY, INC.

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PRINCIPALS

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June 13, 2025

Town of Littleton
Conservation Commission
33 Shattuck Street
Littleton, MA 01460

Re: Waiver Request
18 Pleasant Street
Map U39, Parcel 23-0

Members of the Commission:

On behalf of our client, Paul Dudley, we request the following waiver to the Town of Littleton Wetlands Protection Regulations that is necessary from the Conservation Commission for the proposed new onsite sewage disposal system.

The lot contains a single-family existing dwelling, paved driveway, shed and an onsite sewage disposal system in failure. There is a Bordering Vegetated Wetland (BVW) that projects the 100-foot Buffer Zone onto the property. A portion of the lot lies within the Flood Plain Conservancy District. The vegetative site coverage is comprised of lawn and lightly wooded areas. Most of the lot is located within the 100' Buffer Zone. The existing sewage disposal system is in failure and must be replaced.

The project includes construction of a new onsite sewage disposal system with the 100-foot Buffer Zone. The proposed septic tank, pump chamber, leach field are located outside of the 50-foot No-Disturb Zone. The limit of work/siltation barrier extends into the 50-foot No-Disturb Zone because the existing septic tank is proposed to be pumped dry, bottom ruptured and backfilled with clean in accordance with Title 5, Section 15.354 "Abandonment of Systems" or disposed offsite.

Town of Littleton Wetlands Protection Bylaw:

1.4 Waiver from Regulations

(1) 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.

A waiver is necessary to decommission the existing septic tank located within the 50-foot No-Disturb Zone, and it will be an improvement over existing conditions.

4.2 Wetland Setbacks for New Activities and Structures

(2) In the judgment of the Commission, any new activity (other than travel by foot or nonmotorized vehicle or removal of invasive vegetation using proper methods) or structure within 50 feet of a Bank or BVW is likely to alter the Bank or BVW. No new activity or structure (other than the aforesaid travel or removal of invasive vegetation) shall be allowed within the No-Disturbance Area(s) set forth below except under a Waiver as provided in Section 1.4 of these Regulations (or as otherwise provided in these Regulations). This is the minimum distance for the No-Disturbance Area; the distance may be extended further by the Commission if deemed necessary for the protection of the Interests of the Bylaw, up to the outer extent of the Buffer Zone as established in the Bylaw.

a) No-Disturbance Area: This is any area within the BVW or Bank and the first 50 feet of the Buffer Zone from BVW or Bank. No activities or work is permitted other than passive (foot or non-motorized vehicle)

passage and removal of invasive vegetation if done in compliance with these Regulations. Except as noted, no vegetation may be disturbed, and the area should remain unchanged from its pre-project state.
b) Marking the No-Disturbance Area: The commission may require the limits of No-Disturbance be marked prior to construction.

Work within the 50-foot No-Disturb Zone involves the decommissioning of the existing septic tank and temporary impacts in the Buffer Zone associated with the installation of the new septic tank. A waiver is necessary because the existing septic tank is located within 50 feet of the BVW, so it is not possible to decommission it without working in this area. The existing septic tank is proposed to be pumped dry, the bottom ruptured, and then backfilled with clean sand in accordance with Title 5, Section 15.354 “Abandonment of Systems” or disposed offsite. A new septic tank and pump chamber are proposed onsite and are entirely located outside the 50-foot No-Disturb Zone. This will result in an improvement over current conditions within this Buffer Zone because the sewage disposal system is located more than 50 feet from the edge of the Bordering Vegetated Wetlands.

In accordance with the Town of Littleton Wetlands Protection Regulations, it is our belief that the granting of the waiver will provide the most environmentally sensitive design for this site.

Thank you for your attention to this matter, please call with any questions or concerns.

Respectfully,

Stamski and McNary, Inc.

Montgomery Nsamba

Montgomery Nsamba



George Dimakarakos, P.E.

Waiver Request Form

First Name*

Last Name*

Date*

Map/Lot*

Project Address*

Project purpose and need*

The project includes construction of a new onsite sewage disposal system with the 100-foot Buffer Zone. The proposed septic tank, pump chamber, leach field are located outside of the 50-foot No-Disturb Zone. The limit of work/siltation barrier extends into the 50-foot No-Disturb Zone because the existing septic tank is proposed to be pumped dry, bottom ruptured and backfilled with clean in accordance with Title 5, Section 15.354 "Abandonment of Systems" or disposed offsite.

In order to request a waiver, this provides a guidance for required information

Attach additional text, plans, photos, or graphics if needed

no file selected

What specific action(s) is the waiver being asked for?*

Work within the 50-foot No-Disturb Zone involves the decommissioning of the existing septic tank and temporary impacts in the Buffer Zone associated with the installation of the new septic tank. A waiver is necessary because the existing septic tank is located within 50 feet of the BVW, so it is not possible to decommission it without working in this area. The existing septic tank is proposed to be pumped dry, the bottom ruptured, and then backfilled with clean material or disposed offsite in accordance with Title 5, Section 15.354 "Abandonment of Systems" or disposed offsite. A new septic tank and pump chamber are proposed onsite and are entirely located outside the 50-foot No-Disturb Zone.

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

This will result in an improvement over current conditions within this Buffer Zone because the sewage disposal system is located more than 50 feet from the edge of the Bordering Vegetated Wetlands.

How is the action(s) consistent with the intent and purpose of the bylaw?*

The proposed disturbance within the 50-foot No-Disturb Zone is temporary.

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

Refer to Sewage Disposal Plan

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

Refer to Sewage Disposal Plan

Analysis of less environmentally damaging practicable alternative*

There is no less environmentally damaging practicable alternative because the existing septic tank must be abandoned in accordance to Title 5, Section 15.345 "Abandonment of Systems"

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

A siltation barrier is provided to demarcate the limit of work and prevent indirect alteration of the wetlands during construction (Refer to Sewage Disposal Plan).

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

No.

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

No.

Other factors for consideration

Electronic Signature Agreement*

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

I agree.

Electronic Signature

Project*