



Littleton Conservation Commission
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MEMORANDUM
195 Tahattawan Road
Healy Corner

From: Amy Green (Conservation Coordinator)

To: Maren Toohill, Town Planner

Date: May 5, 2020

I was asked to comment on the (1) the probability of a Conservation Commission Order of Conditions, under both the Massachusetts Wetlands Protection Act and the Littleton Wetlands Protection Bylaw, for the lots on the density yield plan and (2) the public benefit of Healy Corner open space. My comments below are mine and do not necessarily reflect the Conservation Commission's. The Commission has not been asked to review this plan and they would clearly have any final wetlands permitting authority on this; as well as acceptance of the Conservation Restriction if the process goes that way.

With regard to the density yield plan (dated January 2020), I believe that many of the proposed lots would be difficult to permit through the Conservation Commission. I've attached a spreadsheet that summarizes the issues with each lot and some idea of difficulty. I caveat this with the fact that the plans are certainly preliminary and could be tweaked to some degree, as well as the fact that grading is not shown.

With regard to the benefit of the open space, I refer to the Sudbury Valley Trustees (SVT) letter of May 1, 2020, particularly with regard to the ecological value of the property both in and of itself as well as in consideration to adjacent protected parcels. With the Town Forest to the west and the Town and Littleton Conservation Trust parcels to the east, the Healy Corner Open Space concept would significantly add to the public interests of the area for wildlife habitat and corridors, water quality protection, and climate resiliency, among other natural values. **With public access**, the area would provide a frankly breathtaking ability for hikers to enjoy hundreds of acres of protected land and, ultimately, allow for a bike commuter trail to the train station. I have not been able to walk the proposed Conservation Restriction (CR) areas, but I am concerned with the ability to have year-round trails and their locations. Whether for hikers or bikers,

trails around the perimeter of the property (Conservation Restriction “C”) would need to go into the CR Area “A”. To be usable year round, trails need to be able to wend their way around obstacles (most importantly wetlands) and that may not be possible in this narrow fringe. The Conservation Commission/Town of Littleton has recent experience with “private” CRs. The most recent private CR the Commission holds is for the Kinghorn property. No public access is allowed, but the CR was set up as a permit condition from the Natural Heritage and Endangered Species Program, so public use was not a consideration. A private CR had been placed on the Smith property on Whitcomb Avenue which protected the land but allowed no public access on an amazing piece of land. SVT recently purchased the entire area so that the public can access the area and, just as importantly, the area can be managed for conservation purposes. In general, though, CRs typically include provision for public access as well as conservation management.

I believe that the current trail use happening in Town is showing how important public access is. MA Audubon Losing Ground: Nature’s Value in A Changing Climate (February 2020) ranks Littleton only 244th out of 351 towns in the Commonwealth for overall percent of permanently conserved land but 6th in the state for the total area of newly developed land from 2012 to 2107, standardized by town size (acres per square mile). Clearly the town should have more conserved and publically available open space.

Conservation Coordinator Comments (this does not reflect any Conservation Commissioner input) 4/30/2020
 Healy Corner: Review of Density Yield Plan (Jan 2020)

Lot	wetland impact	50-foot No Disturb Area Impact	50-100 foot BZ Impact	Permit approval difficulty assessment
1	0	0	0	ok
2	0	0	0	ok
3	0	0	0	ok
4	0	0	0	ok
5	0	0: assuming basin grading is limited	basin contraction; possible septic system grading	assume ok
6	815 sf crossing for Lot 6 access	driveway and turn around near house; not clear how house and septic can be built without disturbance to 50-foot NDA; concern will need future tree cutting in NDA to protect house	House, drive and septic; would have lawn only over septic system	exceedingly difficult
7	0	0: assuming basin grading is limited	basin contraction; possible septic system grading	assume ok
8	0	0 (except for Lot 6 and 9 driveway)	minimal, possibly 0 (except for Lot 6 and 9 driveway)	assume ok, Lot 6 and 9 driveway aside
9	0	driveway through Lot 8 does not appear constructable without work in 50-foot NDA; not clear how house and septic can be built without disturbance to the 50-foot NDA; additional driveway work for drive to Lot 6; concern will need future tree removal in NDA to protect house	Almost entire lot is in 100 foot BZ; would have lawn only over septic system; long length of driveway impact in BZ	difficult; didn't consider wetland mitigation site
10	0	0: assuming cul-de-sac and Lot 12 driveway grading can be kept out of 50-foot NDA	driveway stub; possibly corner of house and grading (and cul-de-sac)	Assume ok
11	0	0	0	ok
12	0	Similar to Lot 9; driveay in 50-foot NDA; house is shown in 50-foot NDA but perhaps could be moved; not clear how house and perhaps septic could be built without disturbance to the 50-foot NDA; concern will need future tree removal to protect house; drainage connection to basin is thru 50-foot NDA and very close to wetland, asume would move	Almost entire lot is in 100 foot BZ; proposed basin would cut significant amounts of BZ; possible vernal pool impacts to consider; long length of driveway impact in BZ	difficult
13	0	House drive and septic in Riverfront Area; not clear how house and septic could be built without disturbance to the 50-foot NDA; concern will need future tree removal to protect house; if not for driveway to Lot 14 could move work further from the wetland	Almost all work is in the BZ and Riverfront Area; majority of work would remove remaining BZ in the area	difficult
14	0	Driveway is through 50-foot NDA;	House is outside 100-foot BZ; septic system is in 100-foot BZ but assume could be moved; basin is immediately adjacent to 50-foot NDA but assume could be constructed further away and with no disturbance of 50-foot NDA; possible vernal pool impacts to consider	difficult

For all work in wetlands, 50-foot NDA and possibly Riverfront Area they would need to show that there is a public benefit and that there is no less damaging practicable alternative, including the No Build