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Leominster, Ma
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A Request for A Determination of Applicability:

**18 Mill Lane
Littleton, MA 01460**

Environmental Analysis Submitted on Behalf of Henry Christle

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Environmental
Consulting
(MSMEC)
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Leominster, MA
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November 2023

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Introduction

Summary

18 Mill Lane is a single-family home sitting on a 1.05-acre lot. The lot contains a wetland system to the southerly and easterly sections of the property. The project proposal is for the construction of a replacement septic system. Analysis of the lot reveals a portion of the leach field, added pump chamber and a small section of main with limited grading to accommodate the system is within the limits of the 100-foot buffer zone. No work is proposed within a bordering vegetated wetland. This proposal of the septic system within the outer portion of the buffer zone necessitates the filing of a Request for a Determination.

Specifics of the lot

The lot is a 1.05-acre lot with approximately 60% of the lot being developed. The lot does not contain a flood plain overlay visible on Mass GIS. The lot does not contain certified or potential vernal pools, an area of Critical Environmental Concern nor rare species habitat. Work within the buffer zone would only result in minimal excavation with little post development changes in elevation, therefore, impact is limited to temporary soil disturbances during construction. ***The closest point of the Bordering Vegetated Wetland present is 91 feet.*** Erosion protection on the Northeasterly side of the yard at the limits of the inner 75 foot section of the buffer zone (75 feet from edge of wetland) is proposed to prevent any chance of an erosion event entering into the wetland resource area. It is noteworthy that the proposed placement is directly behind the single-family home which is currently used as a yard area. This proposed system is maximally sited to allow for placement away from the resource area. There is no over-story removal that would be required as the septic system would be placed on the existing lawn area. The area would be loomed and seeded and re-established as yard. The total of the work within the buffer zone for the leach field is 150 square feet.

Commencement of Construction Activities and Timelines:

All proposed construction is estimated to be completed through stabilization in a two-week maximum construction schedule. This schedule of course, may be adjusted due to weather related conditions.

Bordering Vegetated Wetland

The following outlines the mix of BVW vegetation that was noted on the site by Matthew S. Marro Environmental Consulting and was noted by Wetland flags on site WF 1A-15A.

The Bordering Vegetated Wetland, has among the following in place within the limits of the wetland:

Botanical Name	Common Name	Wetland Indicator Status ⁱ
<i>Onoclea sensibilis</i>	Sensitive Fern	FACW
<i>Osmundastrum cinnamomeum</i>	Cinnamon Fern	FACW
<i>Acer Rubrum</i>	Red Maple	FAC
<i>Symplocarpus foetidus</i>	Skunk Cabbage	OBL
<i>Quercus rubra</i>	Northern Red Oak	FACU
<i>Vaccinium corymbosum</i>	High Bush Blueberry	OBL

Proposed Construction Mitigation and Sequencing

The proposed sequence of work is as follows:

- Placement of erosion controls proposed on the easterly side of the property. Erosion Protection will be placed closer to the limit of work to ensure work will not traverse within 75 feet of the wetland resource area.
- Excavate site for placement of the leach field and tank.
- Installation of any remaining hardware.
- Restoration of disturbed lawn areas.
- Remove erosion controls once areas are stabilized and approved by the Conservation Commission.

Mitigation Measures:

The following mitigation measures are proposed and noted on the accompanying plan:

- Minimize newly disturbed areas of the buffer zone.
- Maintain all structures and permanent work to ensure no encroachment within the remaining portion of the buffer zone.
- Erosion control installed prior to ground disturbance.
- Minimize construction duration to within two weeks as a maximum.
- Dewatering activities, if necessary, will be pumped out of the buffer zone in the northerly section of the lot out of the buffer zone. The decant water will be pumped into a lined sump hole. This will ensure that no decant water that may have silt in it will make its way to the buffer zone or bordering vegetated wetland.

Conclusion.

With the considerations of a limited and minimized work area, optimally located and proposed mitigation for the protection of the resource area, it is the opinion of Marro Environmental Consulting, the proposal protects the resource areas from alteration. It is noteworthy the work is within an existing developed area. By adopting the construction sequence and mitigation noted on the accompanying plans, respectfully, on behalf of Henry Christle, we hope the commission will agree allow a Negative Determination to be issued.

Thank you for your consideration of this Request for a Determination.

Respectfully Submitted,



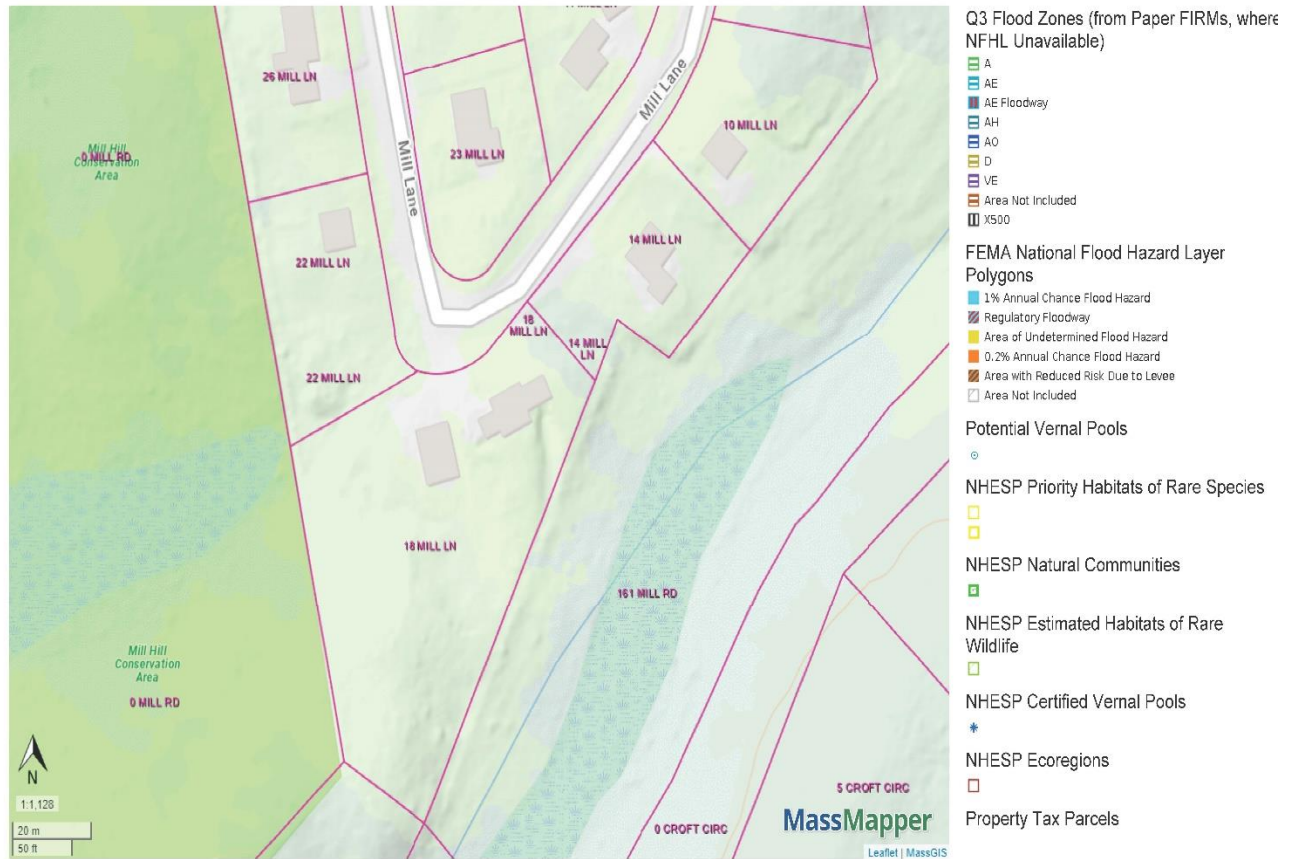
Matthew S. Marro,
Consulting Agent/Principal

Cc: File

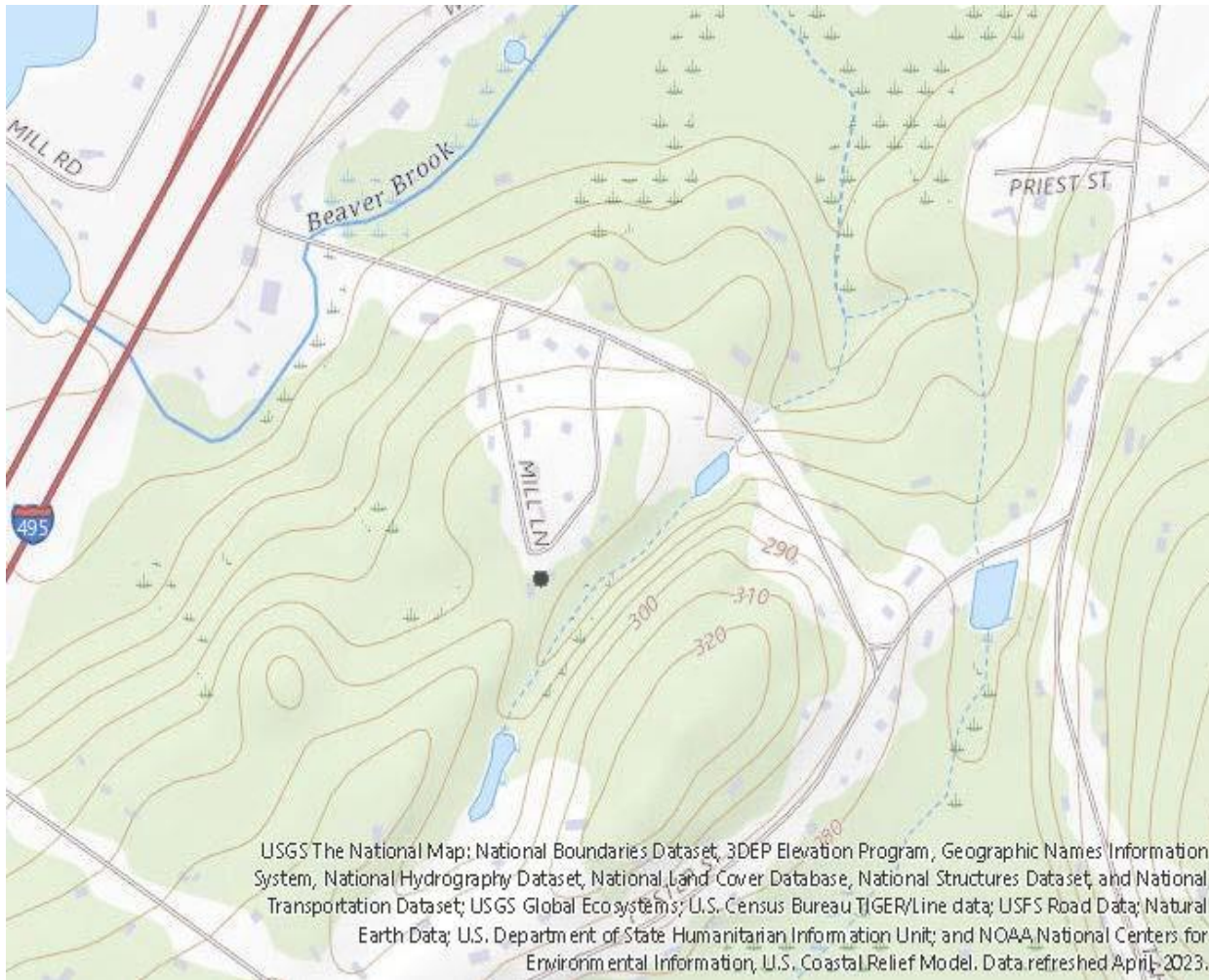
Client

MassDEP

18 Mill Ln



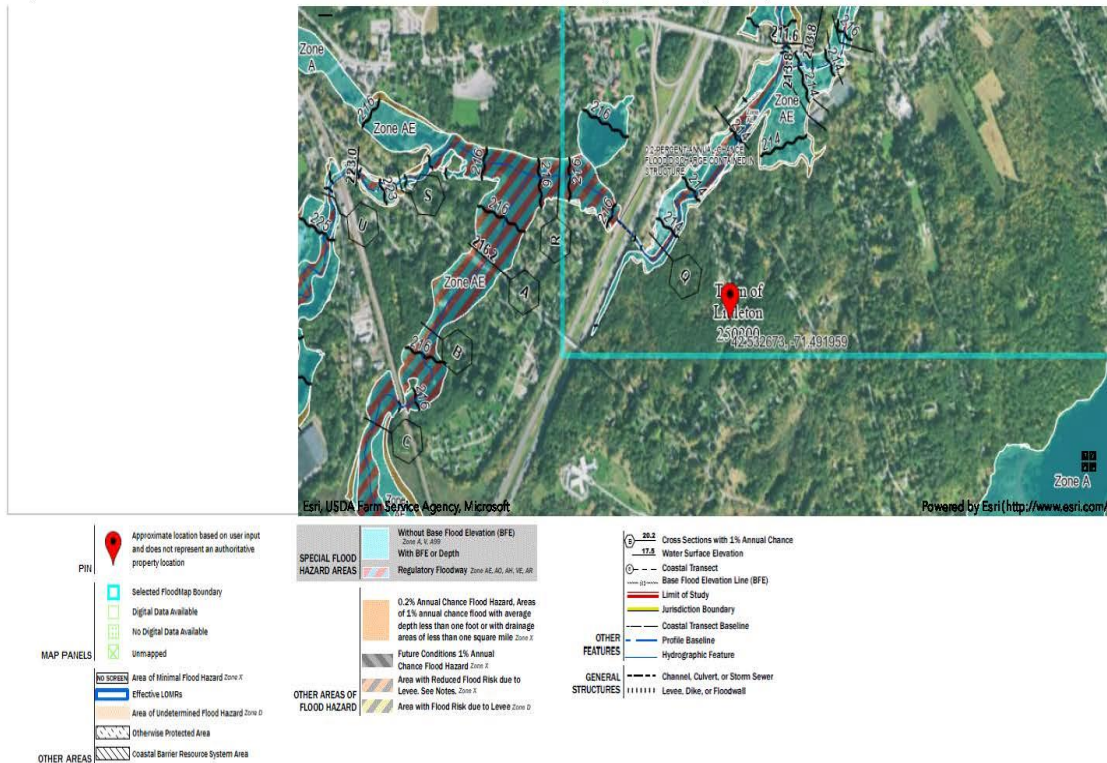
USGS LOCUS MAP



FEMA FIRMETTE

10/25/23, 7:19 PM

FEMA Flood Map Service Center | Search By Address



2/3

WPA FORM 1



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

A. General Information

Important:
When filling out
forms on the
computer, use only
the tab key to move
your cursor - do not
use the return key.



1. Applicant:	
Henry	Christle
First Name	Last Name
18 Mill Lane	
Address	
Littleton	MA
City/Town	State
978-501-4705	01460
Phone Number	Zip Code
hgcsenior@gmail.com	
Email Address	
2. Property Owner (if different from Applicant):	
First Name	
Last Name	
Address	
City/Town	
State	
Zip Code	
Phone Number	
Email Address (if known)	
3. Representative (if any)	
Matthew	Marro
First Name	Last Name
Matthew S. Marro Environmental Consulting	
Company Name	
45 Lisa Drive	
Address	
Leominster	MA
City/Town	State
978-314-7858	01453
Phone Number	Zip Code
matt@marro-consulting.com/irene@marro-consulting.com	
Email Address (if known)	

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):	
18 Mill Lane	Littleton
Street Address	City/Town
42.53252	-71.49208
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
U35	22
Assessors' Map Number	Assessors' Lot/Parcel Number
b. Area Description (use additional paper, if necessary):	
Refer to Narrative	
c. Plan and/or Map Reference(s): (use additional paper if necessary)	
Sewage Disposal System Plan for 18 Mill Lane	9/12/2023
Title	Date
Title	Date

[How to find Latitude
and Longitude](#)

[and how to convert
to decimal degrees](#)



Massachusetts Department of Environmental Protection
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WPA Form 1- Request for Determination of Applicability

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

Municipality _____

B. Project Description (cont.)

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

Refer to Narrative

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

N/A

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

N/A



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality

C. Determinations

1. I request the Littleton make the following determination(s). Check any that apply:
Conservation Commission

☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.

☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.

☒ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.

☒ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Town of Littleton

Name of Municipality

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

MS Marro

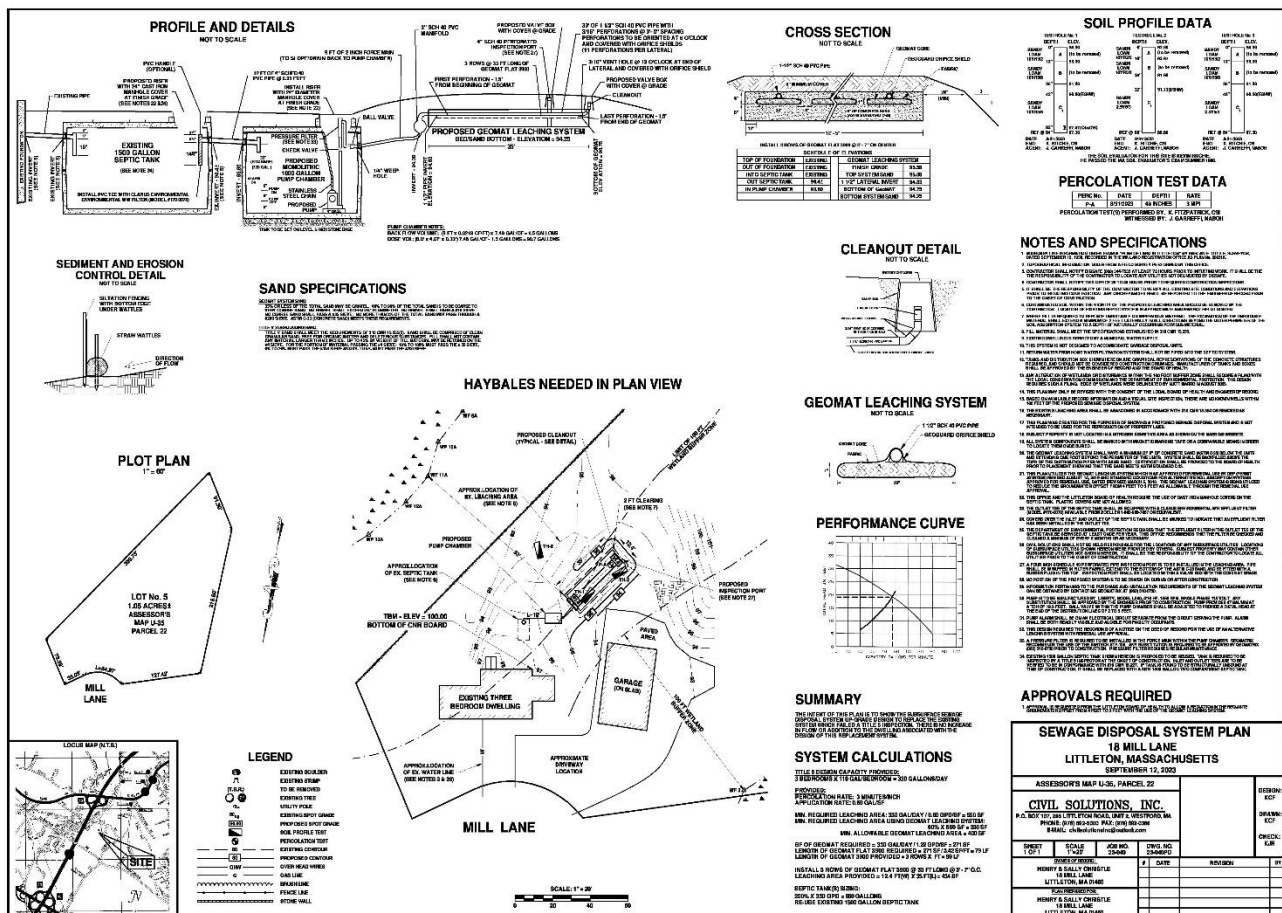
11/1/2023

Signature of Representative (if any)

Date

SITE PLAN

Site Plan by Civil Soutions



Abutter materials

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 Henry Christle
- C. The address of the land where the activity is proposed is 18 Mill Lane
- D. The work proposed is Replacement of a septic system
- E. Copies of the filing may be examined at the Conservation Commission office at 37 Shattuck Street Monday through Thursday; 9:00 – 1:00 (please call first to ensure the Conservation Agent is available and not out on site visits). The office phone number is 978-540-2428.
- F. Copies of the filing may be obtained electronically from (check one) the ☐ applicant or ☒ the applicant's representative by calling 978 - 314 -7858 during the following times:
Mon Through Fri 9 am to 3 PM or by emailing irene@marro-consulting.com for a pdf copy.

- G. The public hearing/meeting will be held on 11/28/23. Information regarding the date and time of the public hearing/meeting may be obtained from the Littleton Conservation Commission (see contact info at the end of this notice).
- H. Notice of the public hearing/meeting, including date and time will be published at least five business days in advance in a paper of local circulation. The agenda, noting times will be posted at Town Hall and at <https://ma-littleton.civicplus.com/AgendaCenter/Search/?term=&CIDs=13,&startDate=&endDate=&dateRange=&dateSelector=> at least 48 hours in advance of the meeting. It is currently anticipated that this meeting will be held entirely remotely, pursuant to “An Act Relative to Extending Certain State of Emergency Accommodations” (July 16, 2022) and the extension of that Act through March 21, 2025. If the meeting is held remotely, instructions for remote viewing of, and participation in, the meeting will be included in the agenda and may also be obtained from the Littleton Conservation Commission.

You may contact the Littleton Conservation Commission staff (Conservation@littletonma.org; 978-540-2428), or the Massachusetts Department of Environmental Protection/ Central Region (508-792-7650) at 8 New Bond Street, Worcester, MA 01606) for information about this application

9-14-2023

AFFIDAVIT OF SERVICE

Under Massachusetts Wetlands Protection Act and the Littleton Wetlands Protection ByLaw (Chapter 171), this form must be completed and submitted with the Notice of Intent, Abbreviated Notice of Resource Area Delineation or Request for Determination of Applicability. I, Matthew S.

Marro _____ (*name of applicant or representative*) certify under the pains and penalties of perjury that on Novmeber 7, 2023 (*date*) I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, DEP requirements for Abutter Notification and with the Littleton Wetlands ByLaw 171-2.D in connection with the following matter:

A (*choose one of below*)

 Abbreviated Notice of Resource Area Delineation

 Request for Determination of Applicability

 x Notice of Intent

 Request for Amended Order of Conditions (MADEP File # 204-_____)

has been filed under the Massachusetts Wetlands Protection Act and Littleton Wetlands Protection ByLaw by Henry Christle (*name of applicant*) with the Littleton Conservation Commission on 11/7/23 (*date*) for the property located at 18 Mill Lane

The list of abutters with their addresses and a copy of the Notification Abutter form as sent to the abutters is attached to this Affidavit of Service.

<u>MS Marro</u>	<u>11/7/2023</u>
Name	Date

Rev 9-14-2023



**TOWN OF LITTLETON
BOARD OF ASSESSORS**

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

Date: October 27, 2023

Re: Certified List of Abutters Conservation Commission

Applicant: Matthew S. Marro

Name of Firm: Matthew S. Marro Environmental Consulting

Mailing Address 45 Lisa Drive, Leominster, MA 01453

Subject Parcel Location: 18 Mill Lane

Subject Parcel No.: U35 22 0

Subject Owner Name: Henry & Sally Christle

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

Certified by:

A handwritten signature in blue ink, appearing to read "April Iannacone".

April Iannacone, Assistant Assessor

CROFT CIRC	U35 12 A	133 FOSTER ST	U35 9 6
	LUC: 132		LUC: 101
HOMES AT CROFT COMMON HOMEOWNE ASSOCIATION TRUST 148 PARK STREET NORTH READING, MA 01864-2555		WONG WAI MING LEE WAI LIN 133 FOSTER ST LITTLETON, MA 01460	
161 MILL RD	U35 17 0		
	LUC: 101		
FITZGERALD DARIEN WHEELER KATHERINE 161 MILL RD LITTLETON, MA 01460			
14 MILL LN	U35 21 0		
	LUC: 101		
TERRELL WARREN W TERRELL VIRGINIA A 14 MILL LN LITTLETON, MA 01460			
18 MILL LN	U35 22 0		
	LUC: 101		
CHRISTLE HENRY G CHRISTLE SALLY E 18 MILL LANE LITTLETON, MA 01460-1547			
22 MILL LN	U35 23 0		
	LUC: 101		
CHRISFIELD CURTIS CHRISFIELD JANE M 22 MILL LN LITTLETON, MA 01460			
MILL RD	U35 30 0		
	LUC: 932		
LITTLETON TOWN OF CONSERVATION COMM. PO BOX 1305 LITTLETON, MA 01460			
23 MILL LN	U35 35 0		
	LUC: 101		
CARL JAMES A CARL NANCY P 19 MILL LN LITTLETON, MA 01460			
11 MILL LN	U35 36 0		
	LUC: 101		
ARCADIPANE THOMAS ARCADIPANE MICHELLE L 11 MILL LN LITTLETON, MA 01460			
170 HARWOOD AV	U35 5 1		
	LUC: 101		
PATEL RASHMIN 170 HARWOOD AVE LITTLETON, MA 01460			
137 FOSTER ST	U35 9 4		
	LUC: 101		
SULLIVAN SARAH BUTLER MICHAEL P JR 137 FOSTER ST LITTLETON, MA 01460			

Notes Section For Reader