

## MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

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# **A Notice of Intent 219 Tahattawan Rd Littleton, MA 01460**

**Environmental Analysis Submitted on Behalf of Frank and Lois Mueller**

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December 2023

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## Introduction

### Summary

219 Tahattawan Road is a single-family home sitting on a 1.65 acre lot. The lot abuts a bordering wetland system at the southerly section of the property. There is not a 100 year flood plain on the property as shown in the FEMA FIRMette on page 9 of this Notice of Intent. Analysis of the lot reveals the entire area of proposed work is within the limits of the 100-foot buffer zone of the wetland resource area. The project proposal is for the construction of a replacement subsurface sewage disposal system within the outer 100-foot buffer zone. No work is proposed within 50 feet of the bordering vegetated wetland. This proposal of a replacement septic system within the buffer zone necessitates the filing of a Notice of Intent.

### Specifics of the lot

The lot is a 1.65-acre lot approximately 55% developed with a yard and single-family home, garage and shed (both detached). The lot **does not** contain Flood Plain nor contain certified or potential vernal pools, area of Critical Environmental Concern nor rare species habitat. There is no riparian habitat on the subject property. It does contain a bordering vegetated wetland to the rear southerly portion of the property that was delineated by Marro Environmental Consulting in accordance with DEP policy 95-1. There was no other resource area found on the property. Work within the outer buffer zone would not result in any alteration of wetland as the work would be no closer than 55 feet from the edge of wet (62 feet from the edge of leaching area going down to 55 feet with grading included). The area is currently lawn and will be maintained, post development as lawn. The placement of the system will temporarily alter 957 square feet of buffer zone.

### Commencement of Construction Activities and Timelines:

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

## Proposed Construction Mitigation and Sequencing

The formal plan submitted with this Notice of Intent is entitled “ Subsurface Sewage Disposal System for 219 Tahattawan Road”, by Civil Solutions dated November 15, 2023 and is presented in a 1 inch = 20 feet scale.

The plan details outline a sequence of work as follows:

- Placement of erosion controls proposed is set in a manner to prevent intrusion within the 50-foot portion of the buffer zone. Erosion Protection will be placed as the limit of work.
- Excavate site for placement of sewer service, distribution box, tank and Leach field.
- Installation of system hardware.
- Restore disturbed lawn areas.
- Remove erosion controls once areas are stabilized.

Mitigation Measures:

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

- Minimize newly disturbed areas of approximately 957 square feet of alteration within the outer buffer zone.
- Maintain all structures and permanent work to ensure no encroachment outside the limit of work preventing encroachment into the 50-foot portion of the buffer zone.
- Erosion control installed prior to ground disturbance.
- Minimize construction duration to within three weeks as a maximum.
- Dewatering activities, if necessary, will be pumped out of the buffer zone in the northerly section of the lot by the yard area adjacent to the driveway as shown on the plan. 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.

Alteration totals:

The table below summarizes the total alterations proposed within Outer Buffer Zone.

**Table 1. Summary of Work Area Alterations.**

Area	Square footage	location
The leach field	657 Sq. Ft.	Lawn Area Outer Buffer zone
Tank/main with some over excavation	300 square feet	Lawn Area Outer Buffer Zone
		Total work area Outer Buffer Zone 957 sq ft.

## 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**, a standard Order of Conditions, adopting the construction sequence and mitigation noted on the accompanying plans is appropriate. Respectfully, on behalf of Frank and Lois Mueller, we hope the commission will agree with this assertion and approve a standard Order of Conditions.

Thank you for your consideration of this Notice of Intent

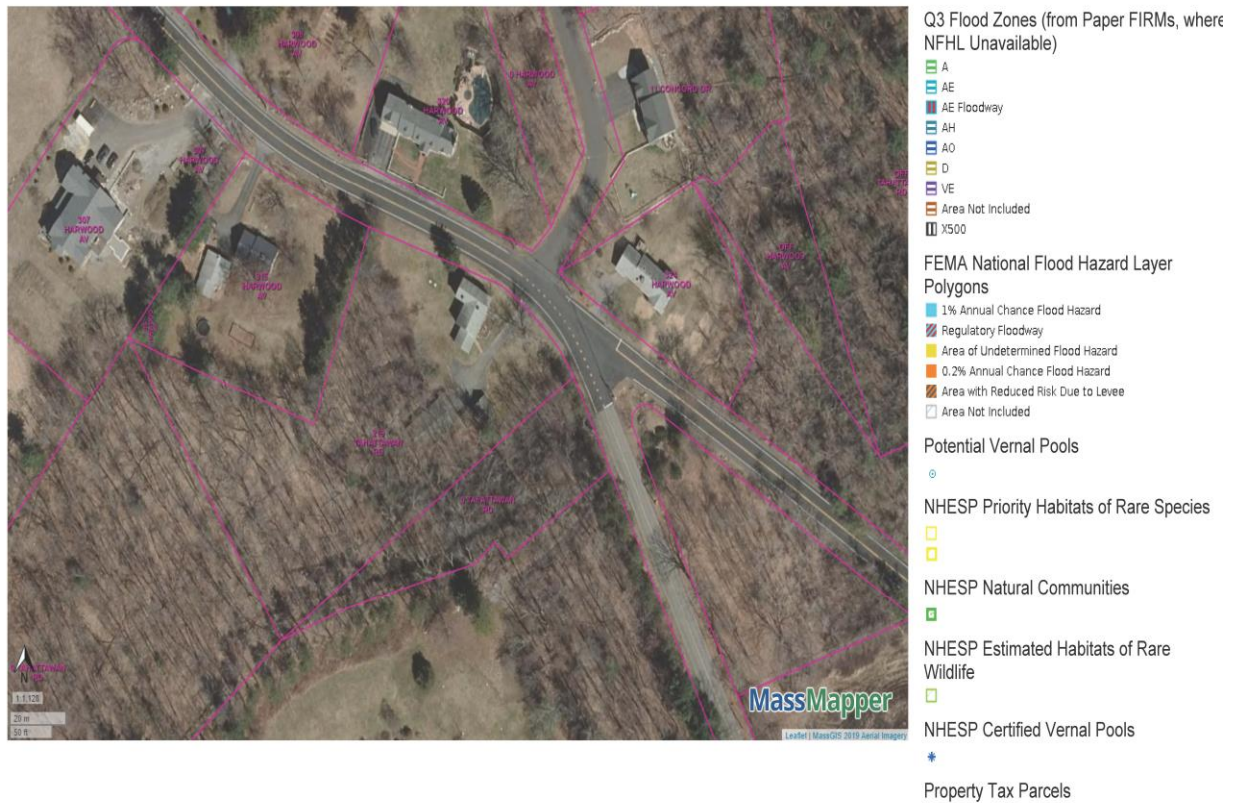
Respectfully Submitted,



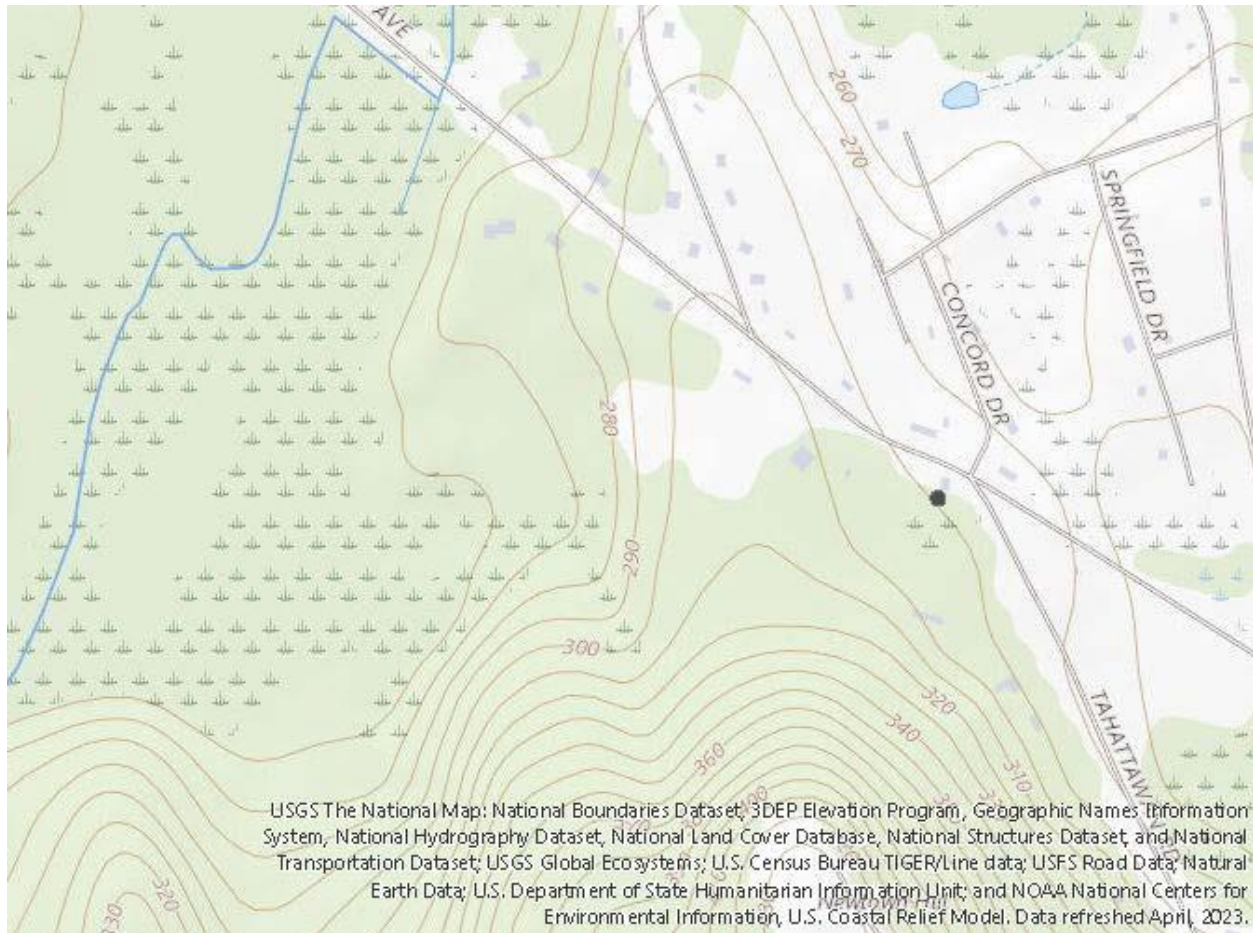
Matthew S. Marro, PWTPO, CSI  
Consulting Agent/Principal  
Cc: File  
Frank and Lois Mueller  
Civil Solutions

## GIS OVERLAY

219 tahattawan



## USGS LOCUS





## FEMA FIRMETTE

## National Flood Hazard Layer FIRMette



## Legend

SEE THE REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANELAYOUT

SPECIAL FLOOD HAZARD AREAS		White, Base Flood Elevation (BFE) Zone A, V, X1		White, BFE Depth Zone A, V, X1, X2, X3		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		Reverse 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 X		
		Area of Minimal Road Hazard, Zone X		Effective 10 MRS		Area of Unconstrained Road Hazard, Zone X				
OTHER AREAS OF FLOOD HAZARD		Channel, Culvert, or Storm Sewer		Levee, Dike, or Retention Wall						
GENERAL STRUCTURES		Cross Sections with 1% Annual Chance Water Surface Elevation		Cross Section						
		Line of Study		Jurisdiction Boundary		Cross Section, Baseline		Profile Baseline		Hydrographic Features
		Digital Data Available		No Digital Data Available						
OTHER FEATURES		Unmapped								
MAP PANELS	<p>The plot displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.</p>									



This map complies with FEMA's standards for the use of digital flood maps. It is the user's responsibility to ensure the basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFI web services provided by FEMA. This map was updated on 12/28/2023 at 7:54 PM and does not reflect changes or information subsequent to this date and time. The NFI and effective information may change or become superseded by new data over time.

This map image is valid if the one or more of the following map elements are present: basemap imagery, flood zone labels, legend, scale bar, map boundary lines, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unreviewed areas cannot be used for regulatory purposes.



## NATIONAL WETLANDS INVENTORY MAP



219 Tahattawan Road



December 27, 2023

### Wetlands

Estuarine and Marine Deepwater	Freshwater Emergent Wetland	Lake
Estuarine and Marine Wetland	Freshwater Forested/Shrub Wetland	Other
	Freshwater Pond	Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper

## Assessor Record



**TOWN OF LITTLETON  
BOARD OF ASSESSORS**

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

Date: December 7, 2023

Re: Certified List of Abutters Conservation Commission

Applicant: Matthew Marro

Name of Firm: Matthew S. Marro Environmental Consulting

Mailing Address 45 Lisa Dr., Leominster, MA 01453

Subject Parcel Location: 219 Thattawan Rd

Subject Parcel No.: U31 9 0

Subject Owner Name: Frank & Lois Mueller

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

Certified by:

A handwritten signature in blue ink, appearing to read "April Iannacone", is written over a horizontal line.

*April Iannacone, Assistant Assessor*

195 TAHATTAWAN RD	R07 1 0	308 HARWOOD AV	U32 22 0
GLAVEY FAMILY IRREVOCABLE TRUS	LUC: 101	LYNCH PETER	LUC: 101
GLAVEY PAUL J - TRUSTEE		VANSLETTE ROXANNE	
PO BOX 381		308 HARWOOD AVE	
LITTLETON, MA 01460		LITTLETON, MA 01460	
307 HARWOOD AV	R07 1 2	320 HARWOOD AV	U32 24 0
HOMELIT REALTY TRUST	LUC: 101	VASCONCELOS POLIANA	LUC: 101
GALLAGHER MARK P - TRUSTEE		LIN ALEX L	
307 HARWOOD AV		320 HARWOOD AV	
LITTLETON, MA 01460		LITTLETON, MA 01460	
TAHATTAWAN RD	U31 10 0	HARWOOD AV	U32 25 0
LITTLETON CONSERVATION TRUST	LUC: 950	VASCONCELOS POLIANA I	LUC: 132
P O BOX 594		LIN ALEX L	
LITTLETON, MA 01460		320 HARWOOD AV	
		LITTLETON, MA 01460	
315 HARWOOD AV	U31 11 0		
WEITEKAMP AARON M	LUC: 101		
WEITEKAMP JULIE E			
315 HARWOOD AVE			
LITTLETON, MA 01460			
324 HARWOOD AV	U31 12 0		
PARVANOV DANIEL+DIMITRAVO KREM	LUC: 101		
TRS OF THE DANKYD LIVING TRUST			
324 HARWOOD AVE			
LITTLETON, MA 01460			
TAHATTAWAN RD	U31 59 0		
LITTLETON CONSERVATION TRUST	LUC: 950		
P O BOX 594			
LITTLETON, MA 01460			
237 TAHATTAWAN RD	U31 7 0		
FITZGERALD RICHARD	LUC: 101		
FITZGERALD COLLEEN			
237 TAHATTAWAN RD			
LITTLETON, MA 01460			
TAHATTAWAN RD	U31 8 0		
LITTLETON CONSERVATION TRUST	LUC: 950		
P O BOX 594			
LITTLETON, MA 01460			
219 TAHATTAWAN RD	U31 9 0		
MUELLER FRANK E L/E	LUC: 101		
MUELLER LOIS A L/E			
219 TAHATTAWAN RD			
LITTLETON, MA 01460			
11 CONCORD DR	U32 145 2		
DELEON JASON	LUC: 101		
DELEON TERI			
11 CONCORD DR			
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 Frank and Lois Mueller
- C. The address of the land where the activity is proposed is 219 Tahattawan Road
- 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 x 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 2/6/24. 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 ALSO REQUEST A FREE PDF COPY OF THE NOTICE OF INTENT BY EMAILING: [irene@marro-consulting.com](mailto:irene@marro-consulting.com) .**

You may contact the Littleton Conservation Commission staff ([Conservation@littletonma.org](mailto: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, .I, \_Matthew S.*

Marro\_\_\_\_\_ (*name of applicant or representative*) certify under the pains and penalties of perjury that on 1/2/2024 (*date*) I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, DEP requirements for Abutter Notification and with the Littleton Wetlands ByLaw 171-2.D in connection with the following matter:

*A (choose one of below)*

\_\_\_\_ Abbreviated Notice of Resource Area Delineation

\_\_\_\_ Request for Determination of Applicability

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 Frank and Lois Mueller (*name of applicant*) with the Littleton Conservation Commission on 1/2/2024 (*date*) for the property located at 219 Tahattawan Road

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.

MS Marro

1/2/2024

Name

Date

Rev 9-14-2023

## WPA FORM 3



**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):

219 Tahattawan Road  
a. Street Address  
Latitude and Longitude:  
U31  
f. Assessors Map/Plat Number  
Littleton  
b. City/Town  
42.51948  
d. Latitude  
9  
g. Parcel /Lot Number  
01462  
c. Zip Code  
-71.47611  
e. Longitude

2. Applicant:

Frank and Lois  
a. First Name  
Mueller  
b. Last Name  
c. Organization  
219 Tahattawan Road  
d. Street Address  
Littleton  
e. City/Town  
MA  
f. State  
01460  
g. Zip Code  
h. Phone Number  
i. Fax Number  
j. Email Address

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

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):

Matthew S.  
a. First Name  
Marro  
b. Last Name  
Matthew S. Marro Environmental Consulting  
c. Company  
45 Lisa Drive  
d. Street Address  
Leominster  
e. City/Town  
MA  
f. State  
01453  
g. Zip Code  
978-314-7858  
h. Phone Number  
775-521-7083  
i. Fax Number  
matt@marro-consulting.com/virene@marro-consulting.com

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

110  
a. Total Fee Paid  
42.50  
b. State Fee Paid  
67.50  
c. City/Town Fee Paid



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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**A. General Information (continued)**

6. General Project Description:

See enclosed narrative

7a. Project Type Checklist:

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home     | 2. <input type="checkbox"/> Residential Subdivision                   |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial                     |
| 5. <input type="checkbox"/> Dock/Pier                         | 6. <input type="checkbox"/> Utilities                                 |
| 7. <input type="checkbox"/> Coastal Engineering Structure     | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation                    | 10. <input type="checkbox"/> Other                                    |

7b. Is any portion of the proposed activity eligible to be treated as a 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:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

51204

c. Book

b. Certificate # (if registered land)

421

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

1. ☒ 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.
2. ☐ 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.

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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	2. square feet
	3. cubic yards dredged	



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

<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	2. square feet
	3. cubic feet of flood storage lost	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 type="checkbox"/> Riverfront Area	1. Name of Waterway (if available)	
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 type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		square feet
4. Proposed alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	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 type="checkbox"/> No		
6. Was the lot where the activity is proposed created prior to August 1, 1996? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3. <input type="checkbox"/> Coastal Resource Areas: (See 310 CMR 10.25-10.35)		

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



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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#### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

	<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	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	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

#### C. Other Applicable Standards and Requirements

##### 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://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/priority\\_habitat/online\\_viewer.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_viewer.htm).

a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

Mass GIS  
December 2023

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
100 Hartwell Street, Suite 230  
West Boylston, MA 01583





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:

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

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.1.d, 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).*

#### 1. c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

3. ☐ 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

(c) ☐ MESA filing fee (fee information available at:

[http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/mesa/mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_fee_schedule.htm)).

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

#### d. 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, [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/mesa/mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_exemptions.htm); 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

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhosp/nhosp.htm>, regulatory review tab). 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**  
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

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

3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

2. 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 or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
1213 Purchase Street – 3rd Floor  
New Bedford, MA 02740-6694

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

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.

3. 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

4. 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

5. 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

6. 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

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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:

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

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

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.
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.

Subsurface Sewage Disposal System

a. Plan Title

Civil Solutions

b. Prepared By

11/15/2023

d. Final Revision Date

Civil Solutions

c. Signed and Stamped by

20

e. Scale

f. Additional Plan or Document Title

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.

219 Tahattawan Road

December 2023



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

**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:

2. Municipal Check Number	5850	3. Check date	1.8.2024
4. State Check Number	5852	5. Check date	1.8.2024
6. Payor name on check: First Name	Matthew	7. Payor name on check: Last Name	Marro

**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.

1. Signature of Applicant	<i>Lois A. Mueller</i>	2. Date	1/3/2024
3. Signature of Property Owner (if different)	<i>MS Marro</i>	4. Date	1/3/2024
5. Signature of Representative (if any)		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:

219 Tahattawan Road Littleton  
 a. Street Address b. City/Town  
 42.50  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Frank and Lois Mueller  
 a. First Name b. Last Name  
 c. Organization  
 219 Tahattawan Road  
 d. Mailing Address  
 Littleton MA 01460  
 e. City/Town f. State g. Zip Code  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

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

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

### 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.



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 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
Title V upgrade	1	110	110
<b>Step 5/Total Project Fee:</b>			165

**Step 6/Fee Payments:**

Total Project Fee:	110
a. Total Fee from Step 5	42.50
State share of filing Fee:	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	67.50
	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.)





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