



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

Littleton
Municipality

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

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:		
Jon	Brooks	
First Name	Last Name	
10 Sarah Indian Way		
Address		
Acton	MA	01720
City/Town	State	Zip Code
Phone Number	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)		
First Name	Last Name	
Company Name		
Address		
City/Town	State	Zip Code
Phone Number	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):		
10 Sarah Indian Way	Littleton	
Street Address	City/Town	
42.50593	-71.46351	
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)	
U2	U27-15-0	
Assessors' Map Number	Assessors' Lot/Parcel Number	
b. Area Description (use additional paper, if necessary):		
See Plan		
c. Plan and/or Map Reference(s): (use additional paper if necessary)		
Plan (pdf)	2/2/2025	
Title	Date	
Title	Date	

How to find Latitude
and Longitude

and how to convert
to decimal degrees



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Littleton

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):

- 1) Permitting of an existing, temporary dock
- 2) Reconstruction of an existing shed within the original location and footprint

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).

-
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.)



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Littleton

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:

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.

Jonathan Brooks

Signature of Applicant

Date

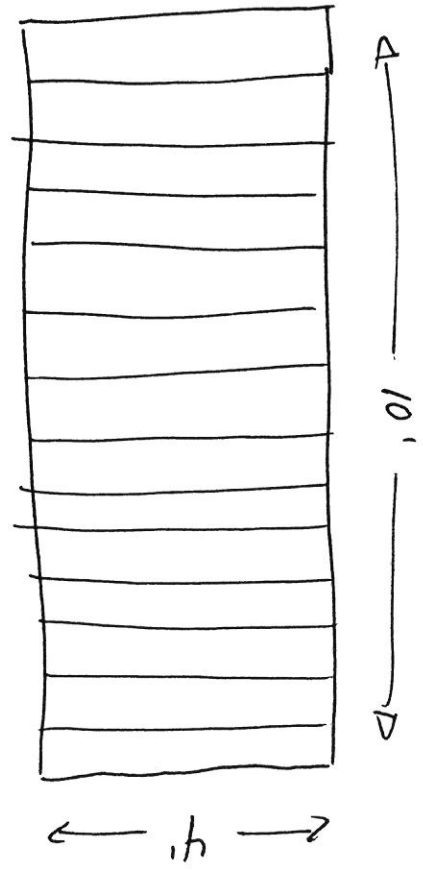
2/2/2025

Signature of Representative (if any)

Date

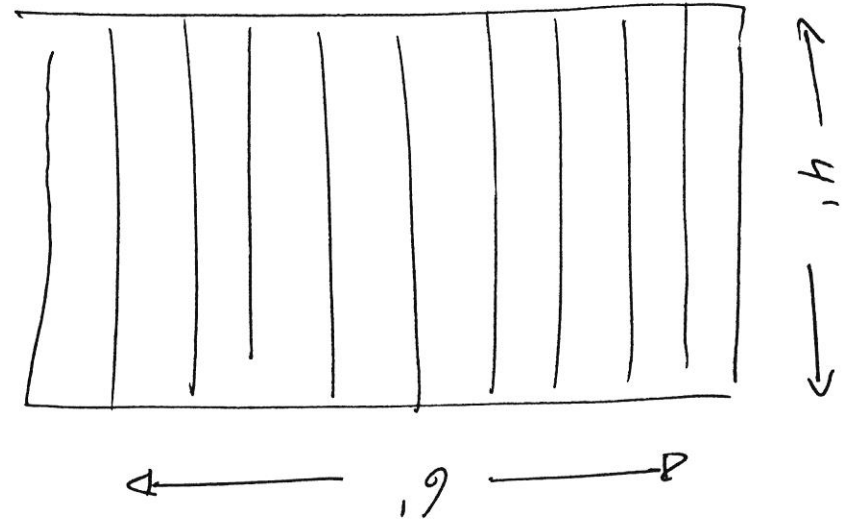
Deck Plans

Pipe dock

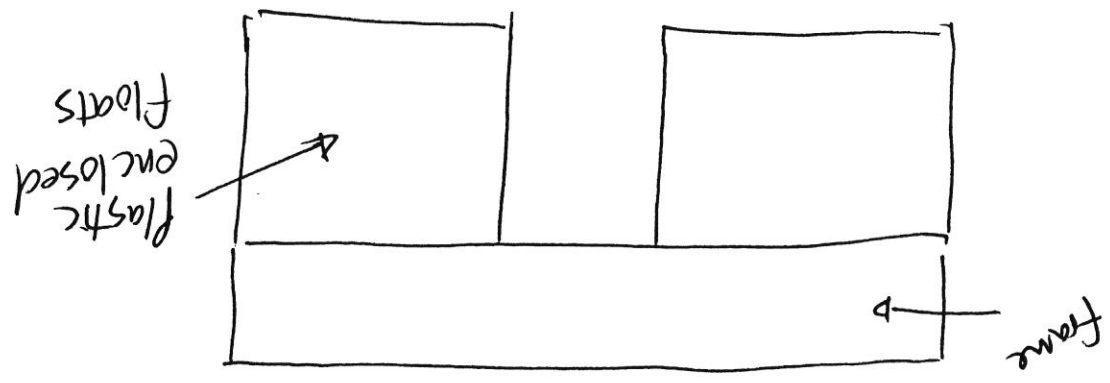


- 3 sections totalling 30'
- Pressure treated frame
- Galvanized pipe
- 10' x 4'

Float



- 6' x 4'
- Pressure treated frame
- Galvanized hardware





Littleton Conservation Commission

37 Shattuck Street / Room 303

Phone: 978 540-2428

Fax: 978 952-2321

Littleton Wetland Protection Regulations

Waiver Request Requirement Information (Section 1.4)

Date: 2/3/2025 Applicant/Owner: Jon Brooks

Map/Lot: 127-15-D Project Address: 10 Sarah Indian Way

In order request a waiver, the following provides a guidance for required information (attach additional text, plans, photos or graphics if needed):

Project purpose and need: 1) Reconstruction of existing shed with same footprint & size 2) Permitting of existing, temporary dock.

What specific action(s) is the Waiver being asked for? 1) Reconstruction of shed with concrete posts 2) Permitting of temporary dock.

How is the action(s) in the public interest, necessary to avoid a taking, necessary to prevent a safety hazard or water dependent? The dock is water dependent. The shed is a safety hazard.

How is the action(s) consistent with the intent and purpose of the Bylaw? Compliance with Littleton Conservation Commission dock policy.

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

Before and after conditions are the same. No changes in soils or grade. See plans for details

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

See plans

Analysis of less environmentally damaging practicable alternative: No less

damaging alternatives available. Moving shed to the south would require 1) regrading 2) tree removal 3) stump removal or grinding

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

None needed for dock. See plans for shed.

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:

Signature: Jonathan Brooks Project: 10 Sarah Indian Way

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, Jonathan Brooks (name of applicant or representative) certify under the pains and penalties of perjury that on 2/3/2025 (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

☐ Notice of Intent / Abbreviated 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 Jonathan Brooks (name of applicant) with the Littleton Conservation Commission on 2/3/2025 (date) for the property located at 10 Sarah Indian Way (address of land where work is proposed).

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.

Jonathan Brooks
Name

2/3/2025
Date

NOTIFICATION TO ABUTTERS

Pick one:

____ Notice of Intent/Abbreviated NOI

____ Abbreviated Notice of Resource Area Delineation

X 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 hearby 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 Jon Brooks
- C. The address of the land where the activity is proposed is 10 Sarah Indian Way
- D. The work proposed is 1) Permitting of an existing, Temporary dock
2) Reconstruction of an existing shed
- 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 ____ - ____ - ____ during the following times:

feb 18

- 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



TOWN OF LITTLETON
BOARD OF ASSESSORS

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

Date: January 29, 2025

Re: Certified List of Abutters Conservation Commission

Applicant: Jonathan Brooks
Name of Firm: NA
Mailing Address: 10 Sarah Indian Way Acton MA 01720

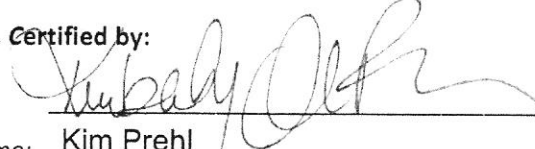
Subject Parcel Location: 10 Sarah Indian Way Littleton MA 010460
Subject Parcel No.: U27-15-0
Subject Owner Name: Brooks, Jonathan C and Susanna Frazer

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) 5 including the subject parcels + 1 Applicant Requesting Abutter's

List. **Certified by:**


Name: Kim Prehl
Title: Office Assistant

FORT POND

U27 13 4

LUC: 132

DESCHEPPER STAN

BUYSSE CAROL

213 NEWTOWN RD

ACTON, MA 01720

8 BOATHOUSE WY

U27 14 0

LUC: 101

FORSYTE TORRIELLI PAULA E

PO BOX 2002

ACTON, MA 01720

10 SARAH INDIAN WY

U27 15 0

LUC: 101

BROOKS JONATHAN C

BROOKS SUSANNA FRAZER

10 SARAH INDIAN WY

ACTON, MA 01720

6 BOATHOUSE WY

U27 16 0

LUC: 106

STRAAYER MATTHEW A Z

STRAAYER MARIAH L Z

195 NEWTOWN RD

ACTON, MA 01720-2617

7 SARAH INDIAN WY

U27 17 0

LUC: 018

ROBERTS TIMOTHY J

ROBERTS MOLLY E

PO BOX 1192

LITTLETON, MA 01460

Contact Information for Newspaper Payment

Mailing Address

{ Jonathan Brooks
10 Sarah Indian Way
Acton, MA 01720

(617) 733-8775

JCBROOKS75@GMAIL.COM