



## Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

### WPA Form 9 – Enforcement Order

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

Littleton Wetlands Protection Bylaw

DEP File Number: \_\_\_\_\_

#### A. Violation Information

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



This Enforcement Order is issued by:

Littleton  
Conservation Commission (Issuing Authority)

9/10/2025  
Date

To:

Dwight Long  
Name of Violator  
363 King St  
Address

1. Location of Violation:

359 King Street LLC

Property Owner (if different)

359 King Street  
Street Address

Littleton

01460

City/Town

Zip Code

U18

104-0

Assessors Map/Plat Number

Parcel/Lot Number

2. Extent and Type of Activity (if more space is required, please attach a separate sheet):

Removal of trees within the 100' buffer zone of a jurisdictional wetland resource area.

#### B. Findings

The Issuing Authority has determined that the activity described above is in a resource area and/or buffer zone and is in violation of the Wetlands Protection Act (M.G.L. c. 131, § 40) and its Regulations (310 CMR 10.00), because:

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone without approval from the issuing authority (i.e., a valid Order of Conditions or Negative Determination).



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### B. Findings (cont.)

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone in violation of an issuing authority approval (i.e., valid Order of Conditions or Negative Determination of Applicability) issued to:

Name \_\_\_\_\_

Dated \_\_\_\_\_

File Number \_\_\_\_\_

Condition number(s) \_\_\_\_\_

The Order of Conditions expired on (date): \_\_\_\_\_

Date \_\_\_\_\_

The activity violates provisions of the Certificate of Compliance.

The activity is outside the areas subject to protection under MGL c.131 s.40 and the buffer zone, but has altered an area subject to MGL c.131 s.40.

Other (specify): \_\_\_\_\_

### C. Order

The issuing authority hereby orders the following (check all that apply):

The property owner, his agents, permittees, and all others shall immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas.

Resource area alterations resulting from said activity shall be corrected and the resource areas returned to their original condition.

A restoration plan shall be filed with the issuing authority on or before 9/23/2025

Date \_\_\_\_\_

for the following:

Identification of trees removed within the 100' buffer zone of a jurisdictional wetland resource area without approval from the Littleton Conservation Commission. Restoration plan shall include trees proposed to be planted to mitigate for those removed from the buffer zone.

The restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.



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#### C. Order (cont.)

Complete the attached Notice of Intent (NOI). The NOI shall be filed with the Issuing Authority on or before:

Date \_\_\_\_\_

for the following:

No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work.

The property owner shall take the following action (e.g., erosion/sedimentation controls) to prevent further violations of the Act:

All work within the 100' buffer zone of the jurisdictional wetland resource area shall cease immediately.

Failure to comply with this Order may constitute grounds for additional legal action. Massachusetts General Laws Chapter 131, Section 40 provides: "Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both, such fine and imprisonment; or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation". Each day or portion thereof of continuing violation shall constitute a separate offense.

#### D. Appeals/Signatures

An Enforcement Order issued by a Conservation Commission cannot be appealed to the Department of Environmental Protection, but may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

Tim Pearson (Littleton Conservation Agent)

Name \_\_\_\_\_

978-540-2427

Phone Number \_\_\_\_\_

Mon-Thurs 8:00am- 4:30pm, Friday 8:00am- 12:30pm

Hours/Days Available \_\_\_\_\_

Issued by:

Littleton

Conservation Commission

Conservation Commission signatures required on following page.



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
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**D. Appeals/Signatures (cont.)**

DEP File Number:

In a situation regarding immediate action, an Enforcement Order may be signed by a single member or agent of the Commission and ratified by majority of the members at the next scheduled meeting of the Commission.

**Signatures:**

Signature Sarah Seaward

**Signature**  Signed by  
953E19180A0C4BC...

**Signature** DocuSigned by:  
86205427DABA4D2...  
*Michael J Livingston*  
Signed by:

**Signature** 905A675036DC4ED...  
*kye Maxfield*

Signature  John Doe 000224B7...

**Signature**  780FFE837B9A478...

**Signature**

**Signature**

1

Andrew J. Sammarco

Printed Name  
Sarah Seaward

**Printed Name**  
Edward Fultz

**Printed Name**  
Michael J Livingston

**Printed Name**  
Kyle Maxfield

**Printed Name**  
Carl Melberg

**Printed Name**

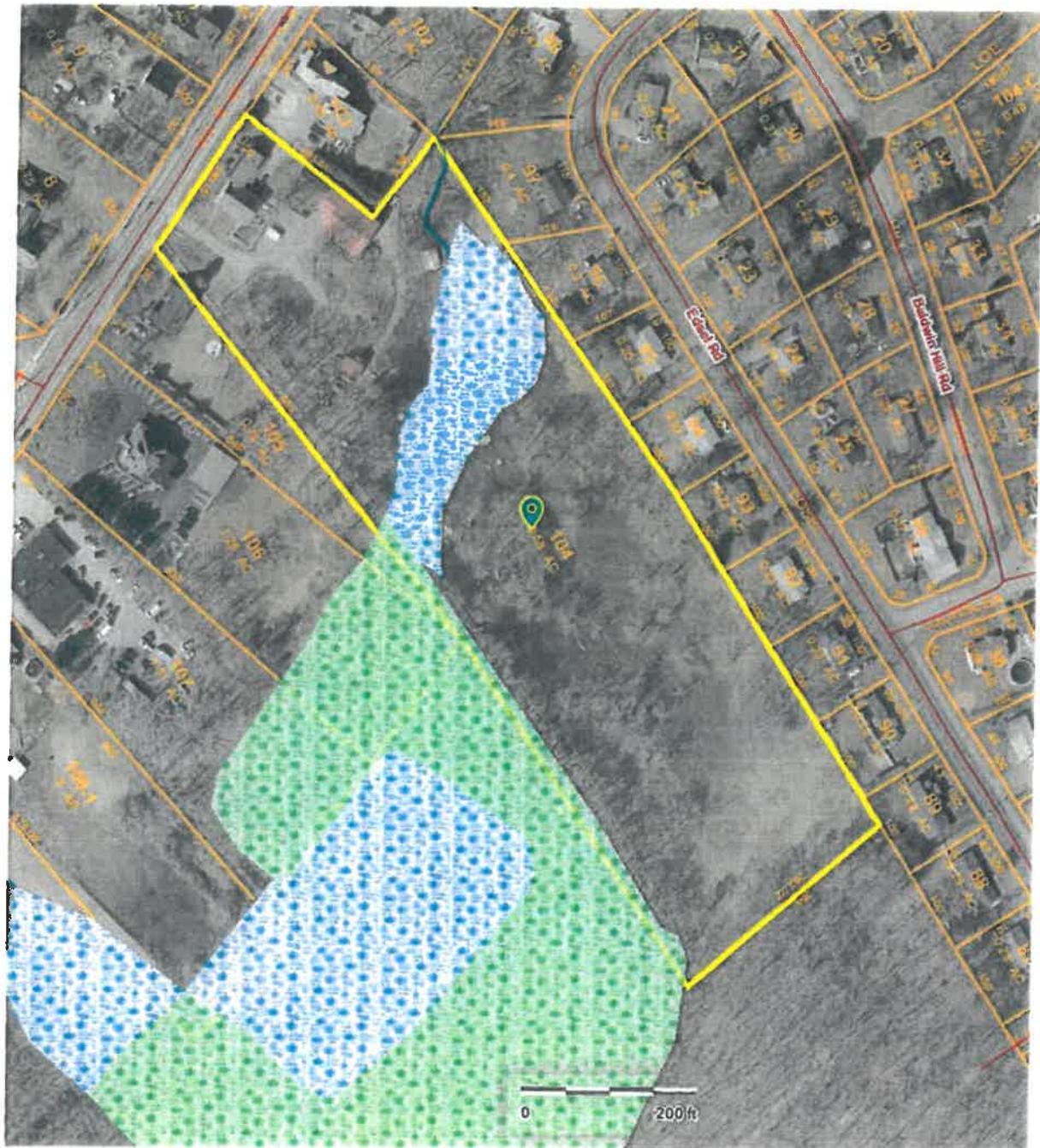
**Printed Name**

Printed Name

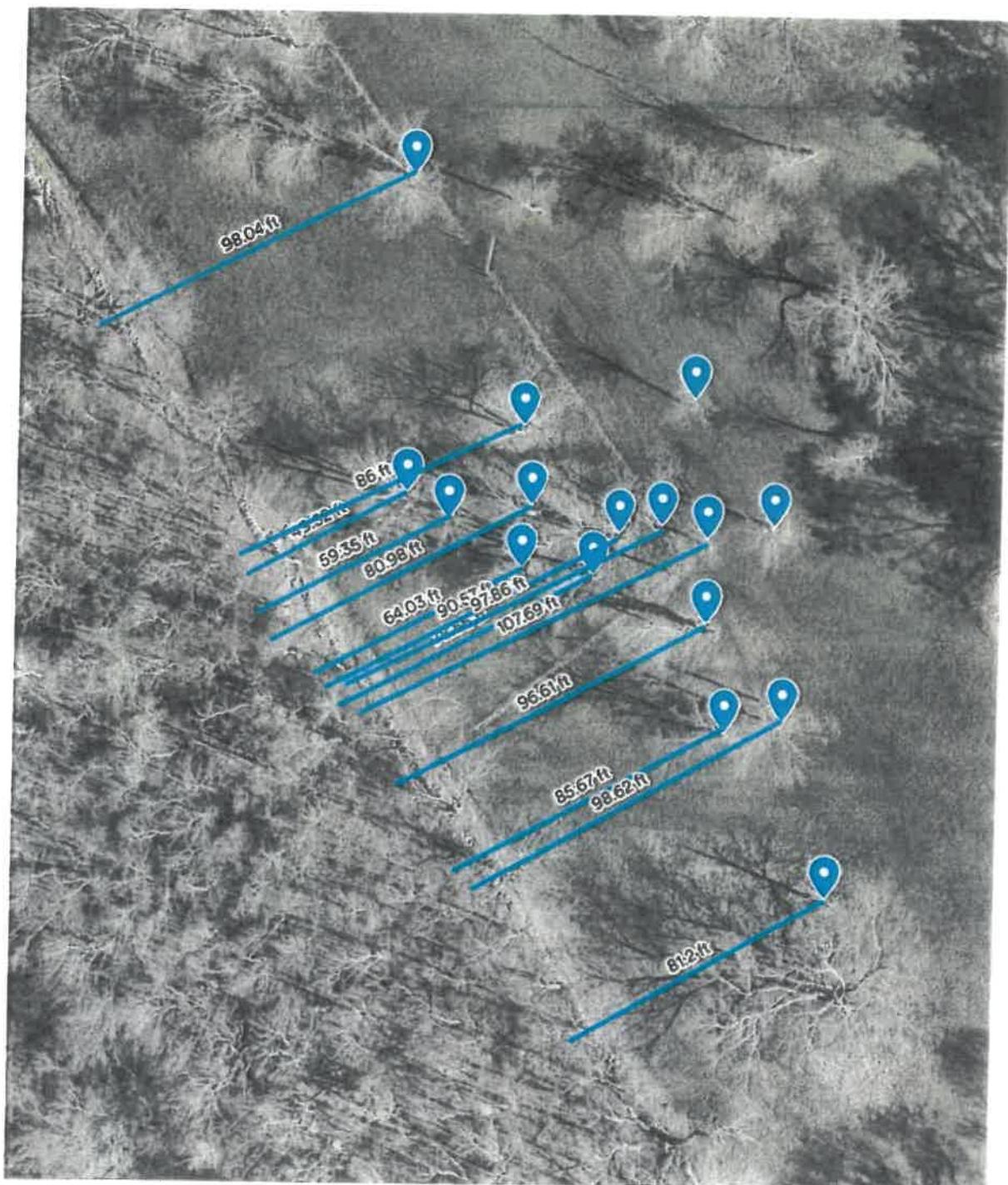
**Signature of delivery person or certified mail number**

## 459 King Enforcement Order Photos

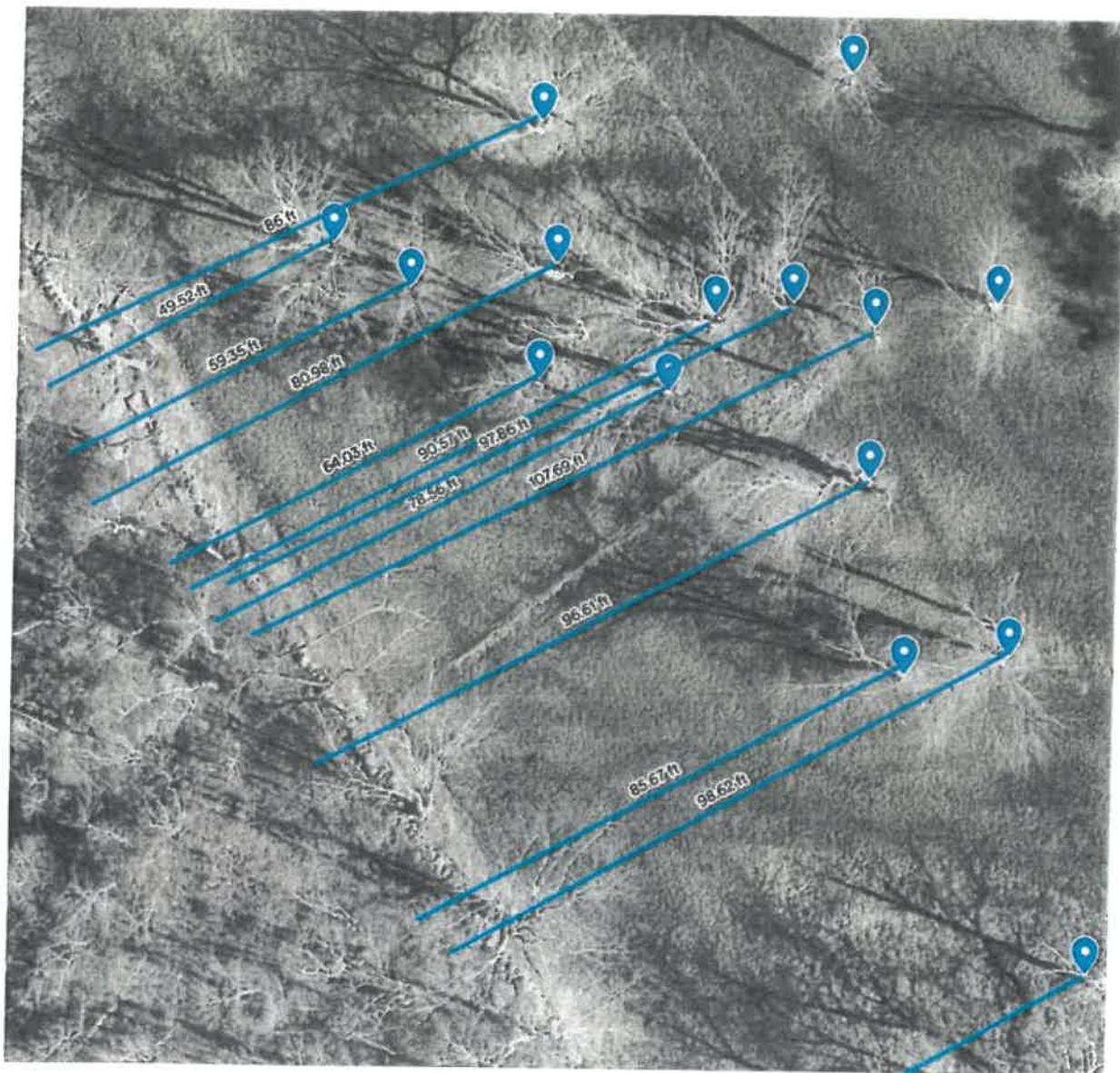
**Photo 1. AxisGIS Aerial Imagery Showing 359 King Street and Approximate Wetland Locations.**



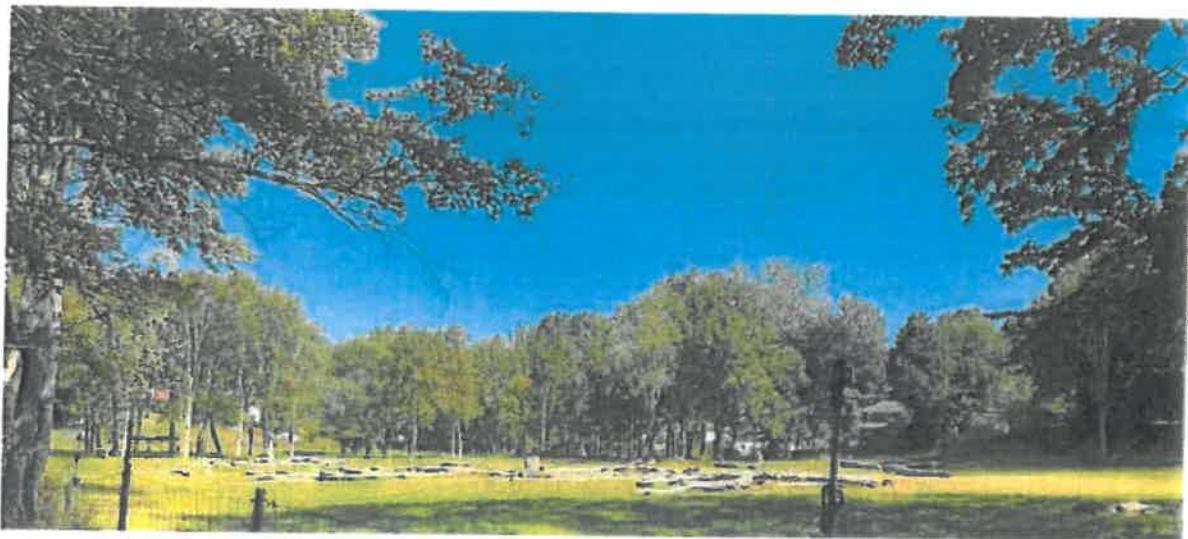
**Photo 2. Observed Trees Removed and Approximate Distances to Adjacent Jurisdictional Wetland.**



**Photo 3. Observed Trees Removed and Approximate Distances to Adjacent Jurisdictional Wetland.**



**Photo 4. Trees Felled**



**Photo 5. Trees Felled**

