



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number: _____

WPA Form 9 – Enforcement Order

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

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
City/Town
U18
Assessors Map/Plat Number

01460
Zip Code
104-0
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.



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D. Appeals/Signatures (cont.)

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]
 DocuSigned by:
 Signature Sarah Seaward
 DocuSigned by:
 Signature Edward Fultz
 DocuSigned by:
 Signature Michael J Livingston
 Signed by:
 Signature Kyle Maxfield
 Signature [Signature]
 Signature 780FFE837B9A478...

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

Signature _____

Printed Name _____

Signature _____

Printed Name _____

[Signature]

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.

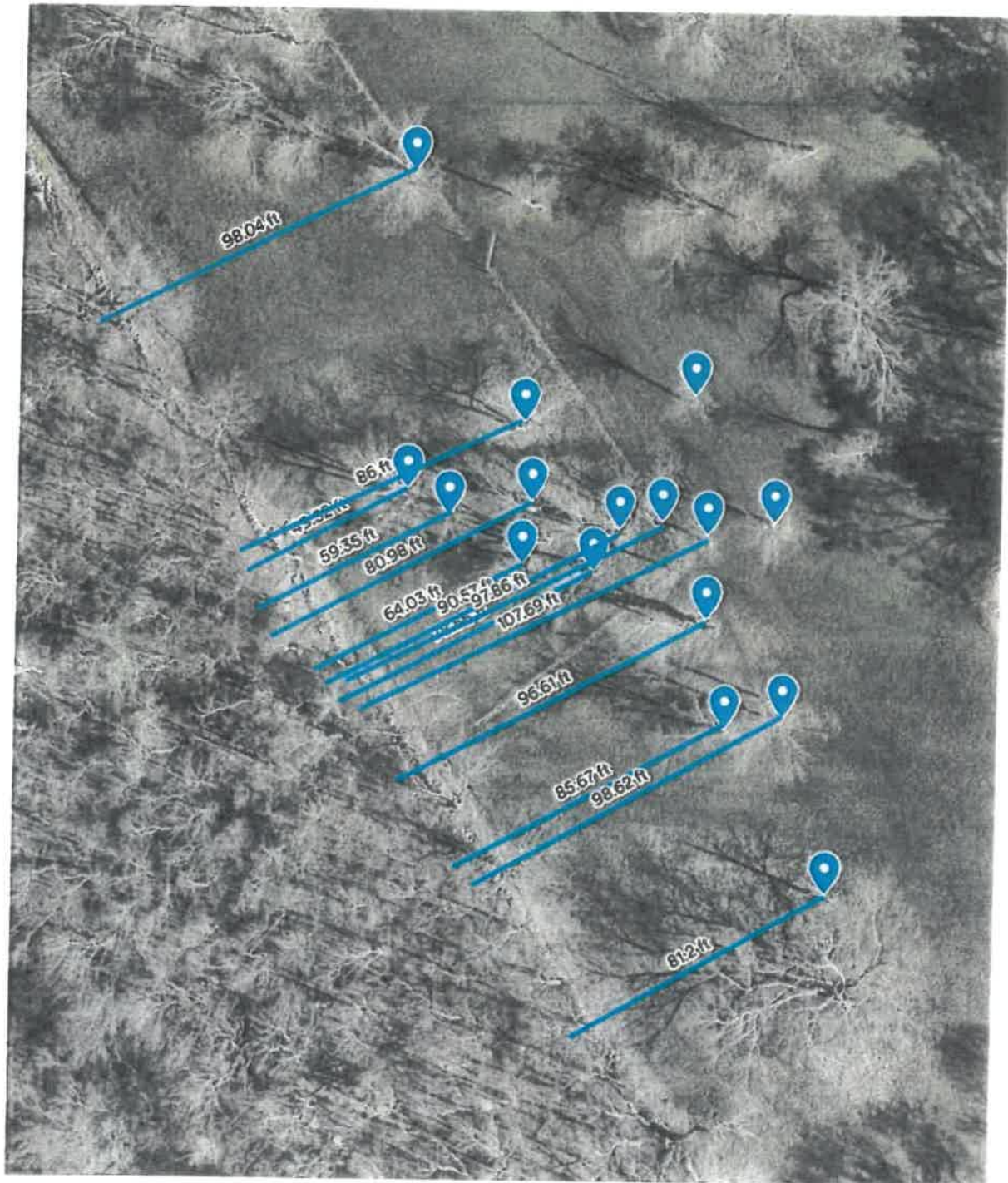


Photo 3. Observed Trees Removed and Approximate Distances to Adjacent Jurisdictional Wetland.

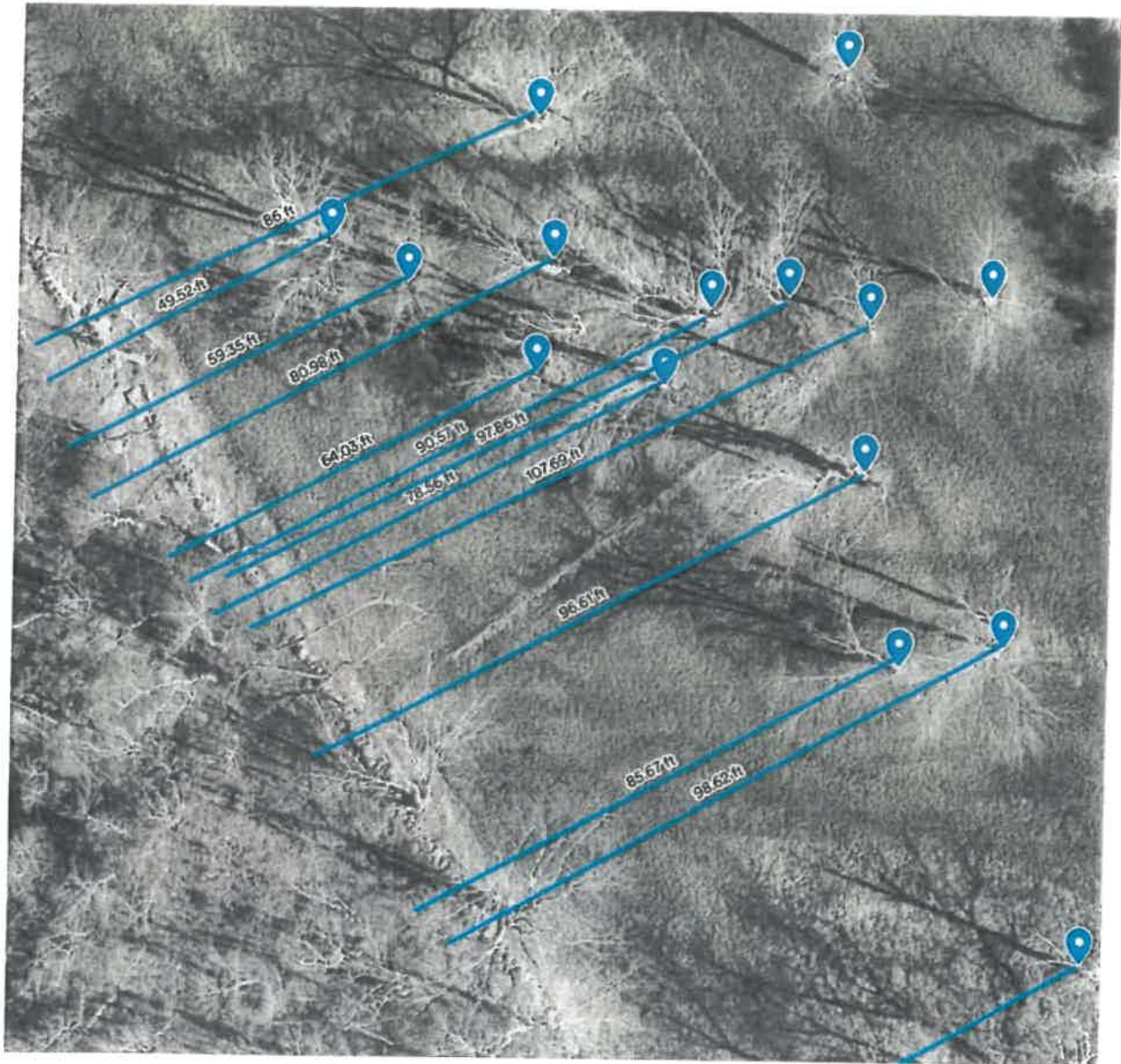


Photo 4. Trees Felled



Photo 5. Trees Felled

