



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)

1-10-2023
Date

To:

Danielle Thompson
Name of Violator
32557 Turley Lane, Warrenton OR 97146-7239
Address

1. Location of Violation:

Property Owner (if different)

Ipswich Drive
Street Address

Littleton

City/Town

U15

Assessors Map/Plat Number

MA

Zip Code

16-0

Parcel/Lot Number

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

Tree cutting and chipping in Buffer Zone; see attached locus map and photos

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 February 7, 2023
ConCom hearing

for the following:

Attend the February 7th meeting in order to discuss what has occurred and restoration of buffer zone; delineation/survey of resource areas

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:

Establish survey of resource areas and buffer zone; no further work in resource area or buffer zone

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:

Amy Green

Name

978-540-2428; agreen@littletonma.org

Phone Number

M-Th 8:00 to 2:00

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:

Chy G, Cass Akeri

9016 3010 0000 6700 3110

Signature of delivery person or certified mail number

U15-14-0 (Foss Place) and U15-16-0 (Ipswich Drive) January 9, 2023

Figure 1. From south end of Foss Road looking into U15-16-0. Orange flag is an apparent test hole. Remaining trees are generally edge of wetland



Figure 2. From R03-3-1 looking north into U15-16-0



U15-14-0 (Foss Place) and U15-16-0 (Ipswich Drive) January 9, 2023

Figure 3. From Foss Place looking west; Tree cutting and chip piles on U15-16-0



Figure 4. From southern end of Foss Place; cutting and chips on U15-16-0 and cutting on U15-14-0



Figure 5. General view of wetland area from Ipswich Drive

