



## 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)

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](mailto: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:

Angie, Cas Akeri

7016 3010 0000 6700 3110

Signature of delivery person or certified mail number

## U15-16-0 Locus



**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



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

Figure 5. General view of wetland area from Ipswich Drive

