

COMMONWEALTH OF MASSACHUSETTS

Bylaw File No. 75-

D.E.Q.E. File No. 85-217

Location 92 Arlington St.

City/Town Acton

Filing Date \_\_\_\_\_

Applicant Gail Roche

Enforcement Order  
Massachusetts Wetlands Protection Act G.L. c. 131, s40

From Acton Conservation Commission

To Gail Roche 976 Main St. Acton MA  
(Name) (Address)

Date of Issuance January 13, 1987

Property Lot/parcel number, address 94  
92 Arlington Street

Extent and type of activity:

Regrading and filling Flood Plains and Wetlands

The Acton Conservation Commission has determined that the activity described above is in violation of the Wetlands Protection Act, G.L. c. 131, s40, and the Regulations promulgated pursuant thereto 310/CMR 10.00, because:

Said activity has been/is being conducted without a valid Order of Conditions.

Said activity has been/is being conducted in violation of an Order of Conditions issued to \_\_\_\_\_, dated \_\_\_\_\_  
File Number \_\_\_\_\_, Condition number(s) \_\_\_\_\_

Other (specify)

The Acton Conservation Commission hereby orders the following:

X The property owner, his agents, permittees and all others shall immediately cease and desist from further activity affecting the wetlands portion of this property.

     Wetland alterations resulting from said activity shall be corrected and the site returned to its original condition.

X Completed application forms and plans as required by the Act and Regulations shall be filed with the Acton Conservation Commission on or before Feb 4, 1987 (date) and 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. Application forms are available at the Conservation Office.

X The property owner shall take every reasonable step to prevent further violations of the act.

     Other (specify)

Failure to comply with this Order may constitute grounds for legal action. Massachusetts General Laws Chapter 131, Section 40 provides:

Whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months or both. Each day or portion thereof of continuing violation shall constitute a separate offense.

Questions regarding the Enforcement Order should be directed to the Acton Conservation Commission.

Issued by Acton Conservation Commission

Signatures: Robert Young  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature of delivery person  
or certified mail number)

Hail Roche  
976 Main St.  
Acton, Ma. 01720

Acton Conservation Commission

Forest Road  
Acton, Ma. 01720

Dear Doug,

As you requested I am submitting this letter to let you and the other members of the board know what I did to my property on 92 Arlington Street.

I had to have the land cleared of all the overgrown shrub brush in order to see if the land was compatible to the house that I am planning to build.

Jack Dumphy is in the process of designing the septic system and as soon as that is completed I will submit all the necessary plans to you and the other appropriate departments. There will be no further work done on the property.

I hope I have answered all of your questions.

Sincerely,  
Hail Roche



CONSERVATION COMMISSION  
14 FOREST ROAD  
ACTON, MASSACHUSETTS 01720

February 9, 1987

Gail Roche  
976 Main Street  
Acton, Ma 01720

Dear Gail,

The Conservation Commission thanks you for responding to their concerns. They would ask that you have Mr. Dunphy to address in his plans any possible stump burial within the wetlands and any possible filling of the flood plain. Any damage to the wetlands or flood plain during the initial clearing of the property must be identified and Mr. Dunphy's plans should detail their restoration.

The Commission asks that you submit a Notice of Intent or a schedule for the submittal of a Notice of Intent by March 4, 1987. Failure to respond to this request could result in fines.

Thank you for your cooperation. Should you have any further questions concerning this matter please contact me at 264-9631.

Sincerely,

Doug Halley  
Conservation Administrator

DH/am

0589C