

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
 & Andover Wetland Protection Bylaw XIV

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:

Andover
 Conservation Commission (Issuing Authority)

February 11, 2022
 Date

To:

David and Mariann Gleich
 Name of Violator
8 Cameron Road, Andover, MA 01810
 Address

1. Location of Violation:

Property Owner (if different)
8 Cameron Road
 Street Address
Andover, MA 01810 Zip Code
 City/Town
29 Parcel/Lot Number
 Assessors Map/Plat Number

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

Unpermitted and unauthorized work in the buffer zone at the end of the driveway, including fill and construction of a shed pad.
 Under Massachusetts Wetlands Protection Act (310 CMR 10.00): By conducting work within an Area Subject to Protection (wetland and buffer zone) without filing a Request for Determination has violated the Wetlands Act, G.L. c131, sec. 40 and the Wetlands Regulations (310 CMR 10.05(4) and the Town of Andover's Wetland Protection By-Law.

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:



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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).

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 _____
Date

for the following:



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The property owner shall appear before the Andover Conservation Commission at its regularly scheduled meeting on March 1, 2022 to discuss the violation.

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:

Stabilize the site with straw wattles or similar sedimentation control. Homeowner must file a Request for Determination for an "after the fact" permit for work done within the 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:

Robert Douglas

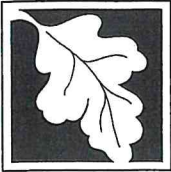
Name

978-623-8630

Phone Number

M-F 8:00am-3:30pm

Hours/Days Available



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Andover
Conservation Commission

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.

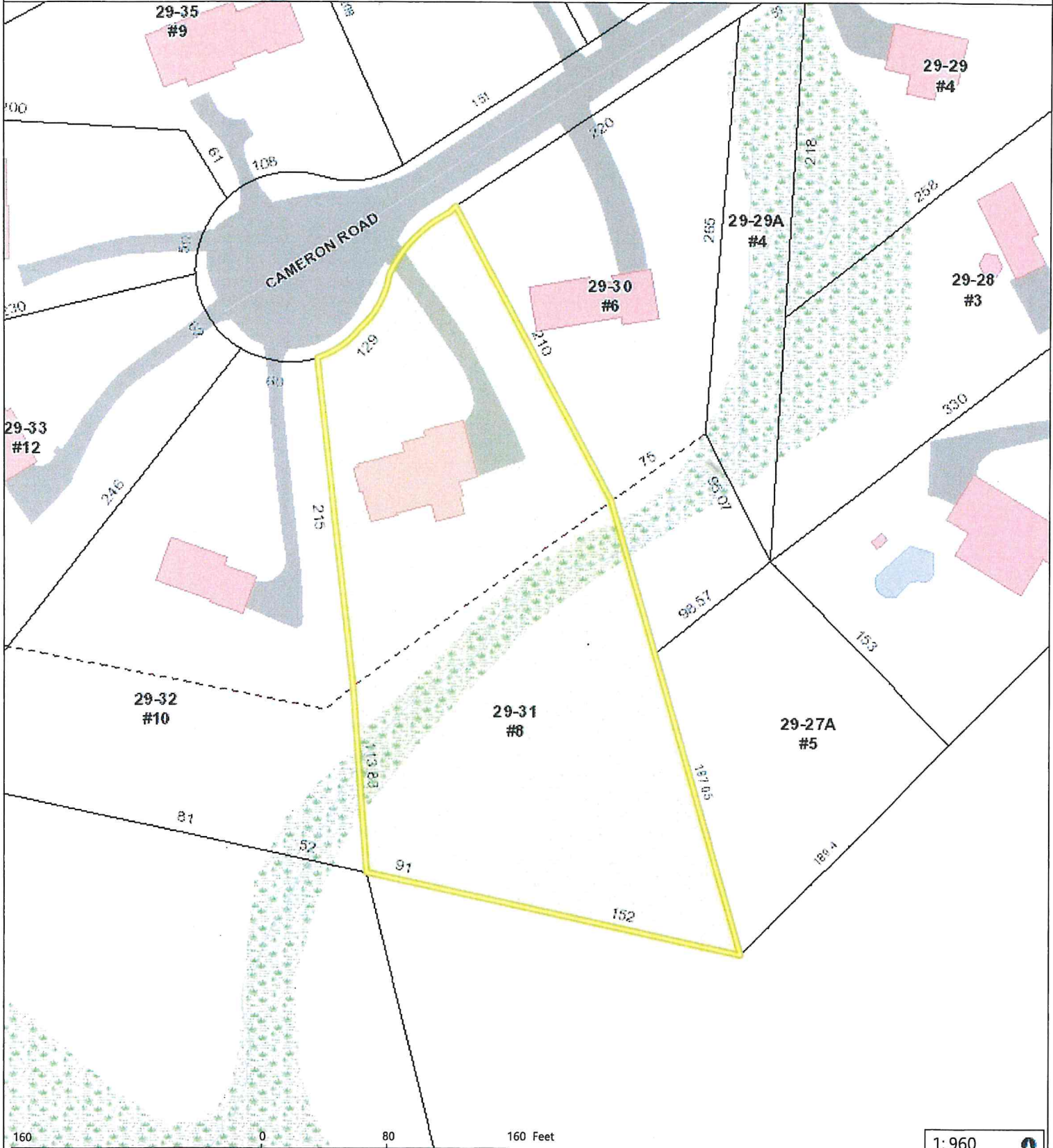
Signatures:

<u>Kevin J. Forto</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Don D. Cooper</u>
<u>[Signature]</u>	_____
<u>Alyson Brusco</u>	_____

7030 1816 0001 6582 0481
Signature of delivery person or certified mail number

Town of Andover

02/16/2022



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Andover & MassTI/MassGIS. MVPC AND THE TOWN OF ANDOVER MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF ANDOVER AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION



Legend	
Municipal Boundary	Parcels
Fuel Tank	Water Tank
Roads	Rail Line
Streams	Wellsands
Easement	Pool
Road Right of Way	Condo Building
	Basketball Court
	Paved
	Structures
	Tennis Court
	Unpaved
	Building, <Null>
	Bridge
	Hydrographic Features

Lynn Viselli

From: Robert Douglas
Sent: Wednesday, February 16, 2022 8:41 AM
To: Lynn Viselli; Benjamin Meade
Subject: Cameron



Sent from my iPhone