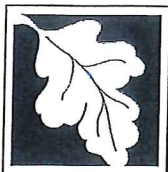


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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 9 – Enforcement Order**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

N/A

**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:

Winchendon 11/16/2023  
Conservation Commission (Issuing Authority) Date

To:

Kelly Conrad  
Name of Violator  
36 Beachview Road Winchendon, MA 01475  
Address

1. Location of Violation:

Property Owner (if different)  
36 Beachview Rd  
Street Address  
Winchendon 01475  
City/Town Zip Code  
7 32  
Assessors Map/Plat Number Parcel/Lot Number

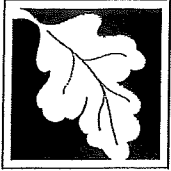
2. Extent and Type of Activity (if more space is required, please attach a separate sheet):

Grading and installation of a wall within the buffer zone of Lake Monomonac and within the floodplain

**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**

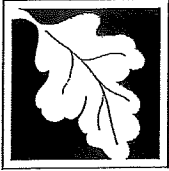
The issuing authority hereby orders the following (check all that apply):

- 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 \_\_\_\_\_ Date \_\_\_\_\_

for the following:

\_\_\_\_\_

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:

The owner shall retain professional services for an after the fact filing of a Notice of Intent pursuant to MGL ch 131 s 40 and Article 29 of local by law (wetlands protection). The owner shall appear at the December 14, 2023 meeting of the Conservation Commission at 6:00 PM on the second floor in the general meeting room.

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:

Matthew Marro

Name

978-314-7858

Phone Number

Mon Through Thursday 9 MA to 3 PM

Hours/Days Available

Issued by:

Winchendon

Conservation Commission

Conservation Commission signatures required on following page.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
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DEP File Number:

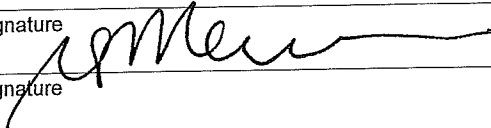
N/A

**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.

Winchendon

Signatures:

Signature _____	Kyle Bradley Printed Name
Signature _____	Lionel Cloutier Printed Name
Signature _____	David Whitaker Printed Name
Signature _____	Melissa Blanchard Printed Name
Signature _____	Glenn Larochelle Printed Name
Signature _____	Printed Name
Signature 	Printed Name
Signature _____	Matthew Marro as Agent Printed Name
Signature _____	Printed Name

~~720~~ 702103500000 39050865  
 Signature of delivery person or certified mail number