

Ratified at the 8/13 Conservation Commission meeting



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: _____

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:

Lowell 8/1/2025
Conservation Commission (Issuing Authority) Date

To:

Vatt Khmer Lowell and Khmer American Cultural Center Inc
Name of Violator
66 Townsend Ave, Lowell, MA 01854
Address

1. Location of Violation:

Property Owner (if different)
48 Townsend Avenue
Street Address
Lowell 01854
City/Town Zip Code
5750 48
Assessors Map/Plat Number Parcel/Lot Number

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

Removal of landscaping and trees within the 100 foot buffer zone of a wetland and in the 100 year floodplain.

CEASE & DESIST ALL WORK. This is your FIRST NOTICE. Additional enforcement action will follow if you do not respond to this order.

PLEASE ATTEND THE LOWELL CONSERVATION COMMISSION MEETING ON WEDNESDAY, AUGUST 13th AT 7:00PM IN THE LOWELL COUNCIL CHAMBERS (375 Merrimack St, 2nd Floor, Lowell, MA).

Any questions regarding this Enforcement Order can be directed to Dylan Ricker, Associate Planner for the City of Lowell, at 978-674-1464 or dricker@lowellma.gov.

B. Findings



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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).

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.

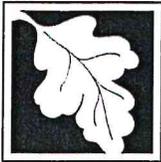
Other (specify): _____

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 restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.

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:

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:

Dylan Ricker

Name

978-674-1464

Phone Number

Monday, Wednesday, Thursday 8am-4pm, Tuesday 8am-7pm, Friday 8am-12pm

Hours/Days Available



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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.

Lowell

Signatures:

[Handwritten Signature]

 Signature

 Signature

Dylan Ricker

 Printed Name
Conservation Agent

 Printed Name

 Printed Name

9589 0710 5270 0650 1555 91
 Signature of delivery person or certified mail number