



# Town of Rowley

Conservation Commission

Phone: (978) 948-2330 Fax: (978) 948-7196

Conservation@townofrowley.org

## ENFORCEMENT ORDER

Under the Town of Rowley Wetlands Protection Bylaw

### A. Violation Information

This Enforcement Order is issued by:

Rowley Conservation Commission  
Issuing Authority

Date: Nov. 30, 2023

To:

Vernon J. Bell III  
Name of Violator

P. O. Box 93 / 16 Central Street, Rowley, MA 01969  
Address

1. Location of Violation:

\_\_\_\_\_  
Property Owner (if different)

506 Newburyport Turnpike  
Street Address

Rowley, MA  
City/Town

01969  
Zip Code

Map 19, Parcel 8, Lot 2-A  
Assessors Map/Parcel/Lot Number

Bk 34535 Pg 468  
Deed Book & Page

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

Altering the 100' Buffer Zone to Isolated Vegetated Wetlands (local) by clearing and cutting of vegetation and possible soil disturbance.

### B. Findings

The Issuing Authority has determined that the activity described above is subject to jurisdiction and is in violation of the Town of Rowley Wetlands Protection Bylaw and its Regulations, because:

X The activity has been determined to be in a regulated resource area as specified in the Wetland Protection Bylaw Regulations Section 1.C. Jurisdiction without approval from the issuing authority (i.e., valid Order of Conditions or Negative Determination).

\_\_\_ The activity has been/is being conducted in violation of an issuing authority approval (Order of Conditions) issued to:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Dated

\_\_\_\_\_  
File Number

\_\_\_\_\_  
Condition number(s)

\_\_\_ The Order of Conditions expired on (date): \_\_\_\_\_

\_\_\_ 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 area of soil or land disturbance or furthering such disturbance.

\_\_\_ The area of soil disturbance or land alterations resulting from the cited disturbance activities shall be corrected and the area returned to its original surface contours and vegetative cover.

\_\_\_ A restoration plan addressing sedimentation and erosion control 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.

Complete and submit a Notice of Intent application. The application shall be filed with the Issuing Authority on or before: Date to be determined if so directed by Commission

For the following:

wetlands delineation and surveyed plan for property prepared by qualified professionals subject to RCC review shall be prepared to quantify the nature and extent of resource area alterations and impacts \_

No further work or soil disturbance shall be undertaken until a public hearing has been held and an Order of Conditions has been issued to regulate said work or activity.

The property owner shall take the following action (e. g., erosion/sedimentation controls) to prevent further violations of the Wetlands Protection Bylaw:

Arrange site inspection with RCC staff. Installation of protective erosion control barriers for all non-stabilized soils and sediment including bare soils. Engage the services of a qualified wetlands professional subject to RCC review. Submit a letter stating intent to comply with Enf Ord by December 11, 2023. Cease and desist from any further altering, cutting, clearing, or grading. Attend the RCC remote meeting Dec. 5 or Jan. 9, 2024.

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Failure to comply with this Order may constitute grounds for additional legal action. Each day or portion thereof of continuing violation shall constitute a separate offense.

**D. Appeals/ Signatures**

An Enforcement Order issued by a Conservation Commission may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

Brent Baeslack, Conservation Agent

Office phone: 978.948.2330

Hours: Monday to Thursday 9:00 am to 12:30 pm

Issued by Town of Rowley Conservation Commission

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.

\*The names typed below represent the intent to sign the foregoing document electronically. Signatures are made in accordance with MGL c. 110G and pursuant to the Commission's electronic signature authorization vote on October 27, 2020 and recorded on October 30, 2020 in Book 39120 and Page 588 at the Essex South Registry of Deeds.

Signatures:

_____	_____
_____	_____
_____	_____
_____	

*Brent Baeslack*

Brent Baeslack via email

Signature of delivery person or certified mail number