



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:

TISBURY

Conservation Commission (Issuing Authority)

10/14/2025

Date

To:

BAGLEY BRITTANY TRUSTEE

Name of Violator

3030 PACIFICE AVE SAN FRANCISCO, CA 94115

Address

1. Location of Violation:

Property Owner (if different)

30 ASHTON WY

Street Address

TISBURY

City/Town

31/B/6.1

Assessors Map/Plat Number

02568

Zip Code

31/B/6.1

Parcel/Lot Number

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

SEE ATTACHED PAGE: 5-10

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:

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:

Sean Young

Name

5086964280 syoung@tisburyma.gov

Phone Number

M-T-F 8/4

Hours/Days Available

Issued by:

TISBURY

Conservation Commission

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.

TISBURY

Signatures:

John D. Best
Signature

Thomas Robinson
Signature

Nancy Weaver
Signature

S. Toste
Signature

Signature

Signature

Signature

Signature

JOAN D. BEST

Printed Name

Thomas Robinson

Printed Name

Nancy Weaver

Printed Name

Sarah Toste

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Signature of delivery person or certified mail number

Clearing and mowing of vegetation within a bordering vegetated wetland (BVW) and along the edge of a coastal pond, both protected resource areas under 310 CMR 10.55 and 310 CMR 10.32, respectively. The activity extends through marsh vegetation from the upland edge and continues along approximately one-quarter to one-half of the pond's perimeter and portions of the property's wetland boundary. Vegetation, including shrubs and marsh grasses, has been cut to ground level. Evidence of machine access is present, indicating disturbance and compaction of wetland soils along the cleared path and around the property perimeter.

These activities constitute alteration of wetland resource areas and associated buffer zones without authorization under M.G.L. c. 131 § 40 and 310 CMR 10.02(2)(a), which prohibit removal, filling, dredging, or alteration of wetlands without a valid Order of Conditions or other approval from the Conservation Commission.

31 B6.1 30 Ashton

Someone reported to me salt marsh mowing at Wilfred's Pond.
I went and looked and took these photos.
It appears to be on Bagley's property, connecting to Atwood's.
Nancy









