

MEMO

To: Property owner, Architect, Site Engineer, Construction Manager

From: Monterey Conservation Commission
413.528.1443 FAX 413.528.9452

Date: 13 March 2009

Subject: Applicant EO
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We are discussing the added elements of achieving compliance with the existing Enforcement Order issued under the WPA and the SMA. We may modify or revoke the existing WPA OOC.

WPA –Enforcement process

1. Architect, Site Engineer, and Construction Manager, and all and any sub-contractors shall read and become familiar with the issued Order of Conditions and the Supplemental Conditions for this project. Upon reading the Conditions the 3 named persons above shall submit a signed letter stating they have read and understand each Condition and each Supplemental Condition.
2. Ensure all conditions of the existing EO are complied with.
3. Applicant to record the WPA Enforcement Order, linked to the existing recorded OOC, in the Southern Berkshire Registry of Deeds.
4. The Owner/Applicant shall post sufficient funds to pay for consultant hired by the Monterey Conservation Commission to review a Restoration Plan to be submitted by the Applicant. Preliminary estimate by Monterey Conservation Commission. We will provide the amount required under a separate letter.
5. No further tree or vegetation cutting or removal in any part of Bank, BVW, and the 100-ft Buffer Zone.
6. The Applicant shall post a sign at the entrance to the property as in OOC Condition #9.
7. The Applicant shall comply OOC Condition #16.
8. The Applicant to remove all ribbons and markings from all trees in the entire WPA jurisdictional area.
9. The Applicant shall fulfill the current order and then discuss with the Monterey Conservation Commission how the existing OOC shall be modified.
10. While the restoration plan is to be the work of the Applicant, the presence of fast, tall, and wide growing non-deciduous trees interspersed with a selection of hardwoods in the 'sapling forest' restoration area will be well received.

Monterey Concom Consultant list. We will select from this list.

Cc: Monterey Select Board
Monterey Conservation file