

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 SMA OOC.

SMA – Enforcement process, following the Public Meeting of 9 March 2009.

1. Architect, 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 SMA 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. 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.
6. No further tree or vegetation cutting or removal in any part of the ‘sapling forest’ in the SMA jurisdictional areas.
7. The Applicant to remove all ribbons and markings from all trees in the entire WPA jurisdictional area.
8. The Applicant may present a plan of ‘vista pruning’ and judicious removal of under story trees that are i) dead, ii) stunted, iii) demonstrably damaged in some visible manner, under the Scenic Mountain Act jurisdictional Area 1 ‘old forest’, which after a site visit, may be approved for execution.
9. Supplemental condition #6 identifies 5” Trees. The Applicant shall make a count of the stumps, verified by the Conservation Commission, and the number of trees shall be part of the Applicants Restoration plan.

MEMO

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

Cc: Monterey Select Board
Monterey Conservation file