

COPY

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
WORCESTER DIVISION  
CIVIL ACTION NO. 1785CV00789

TOWN OF BOLTON and  
TOWN OF STOW,  
Plaintiffs

v.

ALAN DIPIETRO,  
Defendant

DEFAULT JUDGMENT

13\*

Upon entry of an Order of Default Under Standing Order 1-88, and upon consideration after hearing of the Motion of the Plaintiffs, Town of Bolton ("Bolton") and Town of Stow ("Stow") (together, the "Towns") for Assessment of Damages and Entry of Default Judgment, the Court enters Default Judgment against the Defendant, Alan DiPietro ("Mr. DiPietro"), as follows:

- A. The Court declares that Mr. DiPietro has caused "damage to the environment" pursuant to M.G.L. c. 214, §7A and violated the Wetlands Protection Act, M.G.L. c. 131, §40, by land clearing and erection of fencing and structures within 100 feet of Bordering Vegetated Wetlands and within 100 feet of a pond without an Order of Conditions;
- B. Mr. DiPietro shall pay the Towns for all unpaid tickets issued by the Stow Conservation Commission, *in the amount of \$26,200.00 with interest thereon at the rate 12% from May 15, 2017 in the amount of \$1,870.50* as well as all costs and reasonable attorneys' fees incurred by the Towns pursuant to §233-9(e) of the Bolton Wetlands Bylaw; *KLY*

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- C. Mr. DiPietro is ORDERED to restore the wetland Resource Area and Buffer Zone at the Property in accordance with the requirements of the Wetlands Protection Act and regulations and the Bolton and Stow Wetlands Bylaws. Mr. DiPietro is further ORDERED to submit a Notice of Intent to the Stow and Bolton Conservation Commissions for such work within 90 days of this Default Judgment and complete any and all required work within one year of this Default Judgment; and
- D. The Clerk shall enter an award of pre-judgment interest and costs in favor of the Towns and against Mr. DiPietro, which award shall be considered incorporated into this Default Judgment.

December 18, 2017

  
Justice of the Superior Court