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COPY

RECEIVED

MAR 23 2015

TOWN OF WILTON, NH

RETIREE:
ROBERT TAFT
J. RODERICK FALBY, JR.

FAX: 603-924-4277

March 19, 2015

Thomas F. Quinn, Esq.
62 Elm Street
Milford, NH 03055

RE: Town of Wilton v. Melissa Shattuck and Ronald Shattuck, #458-2014-CV-0107

Dear Tom:

The Board of Selectmen have advised me they want \$10,000.00 as a compromise on the penalties that they feel could otherwise be proposed by the Court.

From our previous conversation, I understand this is not likely to be acceptable to Mr. Shattuck.

I have not written the District Court to request a hearing as I wish to confirm that this will not be settled on that basis.

I have revised the Stipulation to include that number and to address specifically an issue raised at the meeting on February 19, 2015.

Very truly yours,

Fernald, Taft, Falby & Little
Professional Association

By: 

Silas Little

Direct Line: 603-924-3364 Ext. 14

sl/djh

enc.

cc: Wilton Board of Selectmen (w/enc.)
John Shepardson, Wilton Building Inspector (w/enc.)

THE STATE OF NEW HAMPSHIRE

9th Circuit-District Division-Milford

Docket No.: 458-2014-CV-00107

Town of Wilton v. Melissa Shattuck and Ronald Shattuck, et al

STIPULATION

The Town of Wilton and Melissa Shattuck and Ronald Shattuck stipulate with respect to the pending matter as follows:

1. The 2nd and 3rd driveways have been closed off and shall not be reopened without appropriate permits from the Town of Wilton.
2. The use of the premises, 834 Mason Road, Wilton, NH, for business purposes has ceased. The use of the premises for equipment storage, material storage, equipment repairs, equipment maintenance, and a base of operations for the site work and paving business of Shattuck Paving shall not be restarted without the necessary permits and approvals from the Town of Wilton under its zoning ordinance and site plan review regulations.
3. The front end loader which is used both in Shattuck Paving and for domestic agricultural purposes at 834 Mason Road may continue to be housed at 834 Mason Road for use for domestic agricultural purposes. The machine may be removed from the premises on one (1) occasion and returned to the premises on one (1) occasion in any calendar year, it being understood that the loader is used for purposes of snow removal in the late fall/winter and early spring. The permission to remove the machine once and to return the machine to the premises once is to allow this dual use.
4. The removal and replacement of the culvert in the driveway toward the rear of the property shall receive an after the fact permit for the wetlands activity from both the Town and the State. The application shall be made within sixty (60) days.

5. The culvert shall not be extended beyond its present location without appropriate Town and State wetland's approvals.
6. The pile of loam at the back of the property shall be removed from the wetlands area using best management practices in timing the removal as weather permits provided, however, that the removal of the loam from the wetlands area shall occur not later than May 1, 2015 and that the wetlands area is appropriately restored.
7. Ronald Shattuck shall pay to the Town of Wilton the sum of Ten Thousand Dollars (\$10,000.00) in discharge of his obligations under the cease and desist order, the written notice of zoning violation, and the statutory penalties. Cf. RSA 676:17, I.
8. Ronald Shattuck shall pay to the Town of Wilton its attorneys' fees and expenses including out of pocket expenses actually incurred such as inspection fees, expert fees, and investigatory expenses. Cf. RSA 676:17, II.
9. The Town of Wilton, through its Building Inspector or other designated agents, upon twenty-four (24) hours advance notice by telephone shall be allowed to inspect the premises for compliance with the terms of this Stipulation.
10. The parties respectfully request that this Stipulation be entered as the final order in the above captioned matter.

Respectfully submitted,

Ronald Shattuck

Melissa Shattuck

Thomas F. Quinn, Esq.

Town of Wilton

By: _____
John Shepardson, Building Inspector

By: _____
Silas Little