

42 Mill Street – Timeline of Key Events (2014–2025)

Date	Event (Document)	Entry Type	Legal Position	Environmental Impact	Strategic Move	Reliability
2001-04-23	MassDEP File #338-0303 – Wetland Boundary Review for Lot 2B Mill Street	b/g	MassDEP confirms wetland boundaries on “Lot 2B” (later 42 Mill) as part of an earlier filing, establishing a perennial stream on-site.	Identifies protected wetlands and a perennial stream on the parcel, setting stringent buffer zone limits.	Provides historical context – prior delineation results in stricter standards for any future development at 42 Mill.	Official DEP document; considered an accurate baseline of resource areas on the property.
2016-01-20	<i>Missing – GEC Peer Review Summary</i> 1 2	formal	Third-party consultant (GEC) reports on the 2015 proposal, likely validating the Conservation Commission’s concerns and recommendations.	Provides an independent technical assessment of the project’s wetland impacts, possibly highlighting issues in the developer’s plans.	Strengthens the Commission’s position by supplying expert support for denial or added conditions on the project.	Referenced in provisional timeline – document not in repository. (Commission meeting notes via neighbor 1)
2016-03-19 – 03-21	Neighbor email re: Dam Ownership Question (DeMelle ↔ Catrone)	priv	Abutter Todd DeMelle raises a legal query: which property owner is responsible for the neglected Baker’s Pond dam 3 4 .	Highlights a potential environmental liability – the dam’s disrepair – and the need for proper maintenance to protect the pond.	Early behind-the-scenes effort by neighbors to clarify ownership and press for action on the dam’s condition.	First-hand observation (with photos/ GPS) shared with Conservation Agent 5 ; informal but factual.

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2016-04-29	Buckley to Abutters – Project Update & Community Action	color	Neighbor Greg Buckley summarizes a recent ConCom hearing: the Commission is firmly against development at 42 Mill and plans to fight it ¹ . He relays that the Commission encouraged residents to compile a history of past rejections and draft a group opposition letter ² .	No direct environmental decision; reiterates that the Commission views the project as a threat to the wetland and will leverage history to defend against it.	Galvanizes neighborhood opposition by sharing insights from the hearing and coordinating a collective response (timeline of past attempts, petition letter).	Eyewitness account of a public meeting by a resident organizer ¹ ; reflects community sentiment and paraphrases official stance.
2016-08-25	MassDEP Superseding Order of Conditions (SOC) – DEP File #338-0594	critical	MassDEP issues a Superseding OOC on appeal of the 2015 application, essentially upholding Westwood’s conditions. The SOC affirms the site contains a perennial stream and extensive wetlands, aligning with the town’s determinations ⁶ .	Confirms stringent wetland protections: with the perennial stream designation, any development must meet higher environmental standards.	Represents a win for conservation interests – the developer’s appeal did not overturn local findings, meaning the project can only proceed under the original strict conditions.	Official state permit decision; summarized by neighbors as “good news” confirming the wetland status ⁶ .

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2016-08-30	Buckley to Abutters – DEP Appeal Outcome	color	Announces the result of the DEP appeal: the agency refused to overrule the town on wetland boundaries (perennial stream confirmed) ⁶ . Legally, the 2015 project could only proceed under the strict conditions set by the town (if at all).	Emphasizes that DEP's decision helps protect the area – the “bottom line” being positive for preserving the wetland ⁷ .	Celebratory update rallying neighbors by sharing that regulatory authorities sided with conservation, bolstering community resolve to remain vigilant.	Direct quote from DEP's decision paraphrased in lay terms by a neighbor ⁶ ; reliable as an interpretation of the SOC outcome.
2016-09-19 – 09-20	Email – Buckley, Catrone, and Town Counsel (Palmer)	priv	In the wake of the SOC, neighbors and the Conservation Agent loop in town counsel (“Palmer”) to discuss next steps. Legally, this likely pertains to whether further appeal (e.g. to Superior Court) is viable.	No new environmental information; it reflects ongoing concern about protecting the wetland despite the state's conditions allowing the project.	Behind-the-scenes coordination among residents, the ConCom agent, and legal counsel to potentially mount a final challenge or ensure strict enforcement of conditions.	Internal communication; content not public, but indicates the community's and town's alignment in strategy post-DEP decision.

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2020-04-03	Chapter 53 of the Acts of 2020 – COVID-19 State Permit Extension	formal	Massachusetts enacts an emergency law extending all valid permits for ~462 days due to COVID-19. This automatically tolls expiration of the 2016 Superseding OOC (and any other active orders).	Extends the window during which work under existing permits can commence, potentially allowing dormant projects (like 42 Mill) more time without additional environmental review.	Benefits the developer by keeping the 2016 permit alive into late 2020 ⁸ , but also buys time for opponents to prepare for when activity resumes.	Statutory text from official state law; unequivocal in effect (automatically extends permit timelines).
2021-03-19	Notice of Intent – Delapa Properties (DEP File #338-0706)	formal	Anthony Delapa (developer) files a new NOI for a single-family home at 42 Mill Street, restarting the permitting process under DEP #338-0706. Legally, this seeks fresh approval since the prior permit was never utilized and lapsed.	Proposes significant work near wetlands (house construction and site alteration), triggering a full wetlands review. Environmental concerns from 2015 remain relevant (stream, buffer impacts).	Marks the developer's renewed effort to develop the lot. The filing forces the Commission to evaluate the project again, and mobilizes abutters who had been anticipating a refile.	Official permit application (WPA Form 3); formal starting point of the 2021 review.

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2021-07-03	Revised NOI Submission – Updated WPA Form 3	formal	Developer submits a revised Notice of Intent form, likely addressing administrative or technical deficiencies identified during initial hearings. Legally, this updates the application on record.	May include corrected or additional information (e.g. clarified wetland delineations, mitigation measures) to better comply with regulations.	An iterative move by the applicant to keep the application viable and responsive to Commission or public feedback rather than withdrawing.	Official supplemental filing; considered accurate as it directly amends the original application on file.
2021-07-03	Revised Site Plan – 42 Mill Street Project	formal	Updated engineering plans are provided, reflecting changes (e.g. relocating structures, altering grading) to meet wetland setbacks or other legal requirements.	Attempts to reduce environmental impact on paper – for instance, by adjusting the project footprint further from the resource areas or adding erosion controls.	A tactical concession by Delapa’s team to alleviate specific concerns (hoping to secure approval by modifying the proposal rather than maintaining a rigid design).	Authored by the applicant’s consultant; technically detailed and presumed accurate, but its effectiveness in mitigating impacts is subject to ConCom’s judgment.
2021-10-08	Further Revised Site Plan – Goddard Consulting	formal	Another plan revision from the applicant’s wetland consultant (Goddard), likely incorporating feedback from fall 2021 hearings. This becomes the final proposal version before the Commission’s decision.	Seeks to resolve remaining environmental issues (e.g. adjusting wetland replication areas or stormwater controls) in an effort to meet regulatory standards.	Last-minute refinements by the developer’s team to avoid a denial – indicating they perceived the Commission was still unsatisfied with earlier iterations.	Professional submission by consultant; contains technical revisions. Its contents are reliable, but whether it sufficiently addressed all concerns is debatable.

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2021-11-30	Letter to MassDEP Requesting Superseding Order (Goddard to DEP)	formal	Following an apparent denial by the Westwood Conservation Commission (vote not explicitly documented here), the applicant's consultant notifies MassDEP of an appeal. Legally, this letter initiates the request for a Superseding Order of Conditions under DEP's review.	No direct environmental analysis; it shifts the forum to MassDEP, which will examine the project's environmental impacts anew at the state level.	A strategic escalation by the developer – moving the battle to the state after failing to secure local approval. The timing (immediately after the hearing cycle) shows an intent to keep the project alive via appeal.	Official correspondence as evidenced by consultant's submission; content likely reiterates the project details and grounds for appeal (partial info via image format).
2021-12-01	<i>Missing – Appeal Letter to MassDEP (Delapa Properties)</i>	critical	Developer formally appeals the ConCom's decision. Legally, this is the Notice of Appeal to MassDEP, arguing the Commission's denial was unwarranted and requesting the state to overturn it.	If successful, MassDEP could issue a permit allowing the project despite local objections – a significant potential impact on the wetland if state standards (typically less strict) are deemed met.	A critical pivot point: the developer entrusts the outcome to MassDEP. This move circumvents local opposition, relying on state regulators to approve the project.	Referenced in provisional timeline – document not in repository. (Implied by appeal sequence and consultant's communication on Nov 30.)

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2022-01-11	<i>Missing – MassDEP Information Request to Applicant</i>	formal	MassDEP, reviewing the appeal, asks Delapa for additional information. Legally, the appeal process pauses until the applicant submits the requested details (e.g. wildlife habitat study, stormwater calculations, etc.).	Signals that MassDEP sees potential environmental shortcomings in the original submission that must be addressed before any decision.	Poses a challenge to the developer's strategy: they must invest further in studies or redesign to satisfy state regulators – a partial win for opponents delaying the project.	Referenced in provisional timeline – document not in repository. (Standard practice in DEP appeals; content inferred from timeline context.)
2022-05-06	MassDEP Superseding Order of Conditions Issued (DEP File #338-0706) 8	critical	MassDEP grants a Superseding OOC for the 2021 NOI, effectively approving the project with state-imposed conditions despite the local denial. This superseding permit carries legal force, allowing the development to proceed.	Opens the door for environmental disturbance at 42 Mill – the house and related work are now permitted under state conditions. However, the SOC's issuance date triggers the clock for any further appeals.	Major turning point: the developer wins at the state level. Opponents must decide whether to challenge the SOC in Superior Court or accept the outcome. (No record of court appeal is noted, suggesting no further legal challenge was pursued.)	Official MassDEP decision (implied by subsequent extension notes). Lack of a linked document, but its existence is confirmed by the context and later repository notes about its expiration 9.

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2022-05-07	Note: COVID Extension on SOC Expiry	formal	Documents that the 5/6/2022 Superseding OOC's expiration will be extended beyond the standard 3 years, due to the COVID tolling law. Legally, the SOC remains valid well into 2025 (3 years + 462 days).	Ensures the developer has additional time to start work under the SOC without needing to reapply, prolonging the period during which the wetland could be altered under the existing approval.	Protects the developer's granted rights from lapsing; strategically, it alleviates pressure to rush construction, while frustrating opponents who must remain vigilant for a longer period.	Based on statutory extension provisions ⁹ ; likely an official clarification from MassDEP or counsel. The information is technical but reliable.
2023-01-18	WCC Hearing - 42 Mill St Dam (Opening, Continued)	formal	Westwood ConCom takes up a new issue at 42 Mill : the Delapa/ Baker's Pond Dam. This initial hearing (Jan 2023) is opened but not resolved – it's continued to a later date.	Introduces the dam maintenance project's potential impacts (e.g. work in the pond and stream). Any environmental concerns (wildlife, water level, downstream effects) are noted but require more information.	The Commission signals that the dam repair Notice of Intent (expected from Delapa) will undergo careful scrutiny. By continuing the hearing, they ensure a thorough review once the filing is complete.	Official meeting record of a public hearing; minimal detail in minutes beyond procedural status (hearing opened & continued).

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2023-05-23	Notice of Intent – Delapa Dam & Spillway Restoration (DEP File #338-0756)	formal	Delapa Properties files a WPA Form 3 for dam repair at Baker's Pond (DEP #338-0756). This begins the formal permitting for dam work, separate from the house project. Legally, it's required since the dam lies in protected wetland areas and the work qualifies as an altering activity.	Describes planned physical alterations to the pond's dam and spillway. Potential environmental impacts include sediment disturbance, water level changes, and construction within the pond's ecosystem.	A tactical shift by the property owner: addressing longstanding dam safety issues, which may also indirectly facilitate future site development. By proposing repairs, the owner could be attempting to curry favor or preempt enforcement action.	Official NOI form and plans submitted to ConCom; technical in nature, though the <i>intent</i> behind the filing (safety vs. development-driven) remains a topic of analysis ⁹ .
2023-05-27	Neighbor Email – Dam Concerns (DeMelle → Catrone)	priv	An abutter revisits the dam ownership issue in light of the new dam NOI. Legally, this is not part of the formal record, but it may prompt the Commission to clarify jurisdiction or require proof of ownership/rights to do the work.	Raises questions about environmental responsibility (who is accountable for the dam's condition and repairs). This can influence how conditions or enforcement might be applied to protect the pond.	Continues the neighbors' strategy of pressing procedural points (like ownership) that could complicate or delay the dam repair approval. It keeps pressure on regulators to ensure all legal prerequisites are met before work begins.	Personal correspondence obtained via public records request; reflects abutter's persistent concerns. Provides additional context but is not an official analysis.

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2023-06-28	WCC Hearing – Dam NOI (Continued)	formal	Second hearing on the dam repair NOI: the ConCom discusses the proposal but again continues the matter. Legally, no decision is made; the hearing remains open while awaiting more info (e.g. engineering, environmental report).	Likely highlights unresolved environmental questions (such as sediment management, impact on wetlands flora/fauna, or construction access) that need addressing before any approval.	By not closing the hearing, the Commission maintains leverage – requiring the applicant to satisfy all concerns. The applicant, in turn, must respond or risk indefinite delay.	Official meeting minutes noting a continuation; indicates the process is ongoing and thorough, though detailed deliberation content is limited in the public record.
2023-09-13	WCC Hearing – Dam NOI (Continued)	formal	The dam project hearing reconvenes after summer: ConCom and stakeholders review any new submissions (if provided) but decide to continue yet again. Legally, the permitting clock is extended further.	If new environmental information was submitted, it was insufficient to resolve all issues. Key environmental protection measures (fish habitat, wetland replication, etc.) likely remain under discussion.	The applicant may be struggling to satisfy the Commission, or taking time to gather required data. The Commission's continuance shows it's not ready to approve or deny until it's confident in the environmental safeguards.	Official record of another continuance. The pattern of multiple continuances signals a complex review; minutes themselves typically list the agenda item and new date.

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2023-09-27	WCC Hearing – Dam NOI (Continued)	formal	Continued hearing session for the dam NOI. Legally, still in deliberation – no permit or denial yet. All parties are kept in a holding pattern pending further progress.	Ongoing examination of environmental impact – by this point, repetitive continuances suggest either missing information or unresolved technical concerns (e.g. hydrological calculations, impact on upstream/ downstream wetlands).	The proponent persists through another meeting, indicating commitment to the project. The Commission's stance remains cautious; extending the process can pressure the applicant to improve the plan or consider withdrawal.	Official minutes (procedural). The lack of a decision by this date is noted in town records, underscoring the thoroughness or difficulty of the review.
2023-10-11	WCC Hearing – Dam NOI (Continued)	formal	Another continuance of the dam NOI hearing. Legally, the hearing remains open. This protracted timeline suggests the need for input from third parties (e.g. state fisheries, engineering peer review) or awaiting regulatory feedback.	Environmental considerations (like impact on coldwater fisheries or endangered species, if any) may be part of why additional time is needed. Each continuance prevents premature approval that might overlook critical habitat concerns.	Strategically, the Commission uses the full allowance of time, perhaps coordinating with MassDEP or other agencies. The applicant must either comply with all requests or face an eventual denial; dragging out can test their resolve.	Documented in official minutes; indicates no resolution yet. The iterative process is transparent, though details of discussions are summarized elsewhere (e.g. in filed reports).

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2023-10-25	WCC Hearing – Dam NOI (Continued)	formal	The hearing is continued once more. Legally, the Commission is likely up against the statutory timelines for closing a hearing (unless extended by applicant consent), yet it still postpones final action.	Environmental impact still under review – potentially new issues emerged or initial concerns persist (e.g. sediment testing results, impact on bordering vegetated wetland). The environment remains protected while no work can commence without an Order.	Both sides sustain their strategies: the Commission demonstrating due diligence (potentially deterring a future appeal by building a strong record), and the applicant exercising patience or scrambling to satisfy conditions.	Public record of continuation. The serial continuances highlight the contentious or complicated nature of the dam proposal. The documentation is reliable in showing process status, if not detail.
2023-11-08	WCC Hearing – Dam NOI (Continued)	formal	Hearing pushed into November with no final decision. Legally, it remains open; the applicant likely agreed to further extensions of the review period to avoid a denial due to running out the clock.	By this stage, seasonal considerations (e.g. doing work in winter vs. spring) might be discussed. Environmental conditions (like hibernation of species or winter low-flow periods) could influence scheduling of any potential work.	The developer's willingness to continue suggests hope that eventually an approval can be reached. The Commission's perseverance signals it will not be rushed, maintaining leverage to get the best possible environmental protections or clarity.	Official minutes (continued). They confirm the process is still ongoing through late 2023, illustrating an unusually prolonged NOI review.

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2023-12-13	WCC Hearing – Dam NOI (Continued)	formal	The final 2023 hearing date also ends in a continuance. Legally, any decision is deferred into the new year. It's possible the applicant needed time to secure additional permits (e.g. Chapter 253 dam safety) or provide analyses, contributing to delays.	Environmental questions remain unsettled; the Commission may also be coordinating with state dam safety officials, given the overlap of environmental and structural concerns, to ensure all requirements align.	By extending into 2024, the Commission ensures no rushed holiday decision. The applicant, having come this far, remains engaged. Both sides seem committed to a thorough outcome rather than a quick resolution.	Town record of yet another continuance, showing no resolution in 2023. Reliable procedural history; specific discussion points would be in detailed minutes or correspondence not included here.
2024-01-10	WCC Hearing – Dam NOI (Continued)	formal	The hearing is briefly reopened in early 2024 and <i>immediately continued</i> again. Legally, this suggests a formality to keep the application alive (perhaps awaiting a key piece of information or regulatory sign-off).	No substantive change in environmental review noted; likely nothing new was ready for discussion, so the Commission continued without much deliberation to avoid forcing a conclusion.	Strategically, the applicant or Commission may have requested this quick continuance to align the schedule with expected timelines (e.g. a forthcoming report). It indicates neither side is giving up or forcing a decision prematurely.	Official minutes documenting the continuation. This entry demonstrates the procedural care taken to maintain jurisdiction over the matter.

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2025-07-23	WCC Hearing – Dam NOI (Resumed after Delay)	formal	After a long hiatus, the Conservation Commission resumes the dam NOI hearing in July 2025 ⁸ . The case had been in limbo; legally, this meeting likely updates the record (new information, changes in conditions) and again results in a continuance to September 2025 ¹⁰ .	Revisits the environmental implications of repairing the dam with fresh eyes. Any changes since 2024 (e.g. deterioration of the dam, new regulatory guidance) are considered. The continuance indicates remaining questions or pending external input.	The Commission continues to proceed cautiously. For the applicant, reconvening signifies an opportunity to finally push forward, but the further continuance shows that hurdles remain. Public interest is presumably still high, given the unusual gap in proceedings.	Official meeting record ¹⁰ . The context notes (from repository) confirm the hearing was on the docket and continued to a future date ⁸ , underscoring that the matter is ongoing and closely watched.

Legend – Entry Type: **critical** – pivotal decision points; **formal** – official permits, filings, or proceedings; **b/g** – background context; **priv** – private or internal communications (not in public record); **color** – anecdotal or community commentary that adds context but isn't part of formal proceedings.

¹ ² ³ ⁴ ⁵ ⁶ ⁷ more refining · tdemelle-SiP/bakers_pond@e5568af · GitHub
https://github.com/tdemelle-SiP/bakers_pond/commit/e5568af069622ab8de8d907c14d8653ac83fef02

⁸ ⁹ ¹⁰ GitHub - tdemelle-SiP/bakers_pond
https://github.com/tdemelle-SiP/bakers_pond