

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

In the Matter of
Anthony Delapa, Delapa Properties

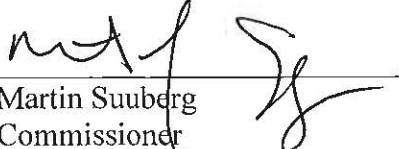
December 19, 2016

Docket No. WET-2016-022
File No. 338-0594
Westwood

FINAL DECISION

I have reviewed the attached Settlement Agreement signed by the applicant's representative Matthew Watsky, Esq. on November 10, 2016, and by Eric Worrall, Regional Director for the Department on November 21, 2016. The Department issues this Final Decision incorporating the Settlement Agreement and Final Order of Resource Area Delineation, which I have also reviewed.

Under the terms of 310 CMR 1.01(8)(c), these proceedings are dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as appeal to court.



Martin Suuberg
Commissioner

SERVICE LIST

In The Matter Of:

Anthony Delapa, Delapa
Properties

Docket No. WET-2016-022

File No. SORAD/338-0594
Westwood

Representative

Matthew Watsky, Esq.
30 Eastbrook Road, Suite 301
Dedham, MA 02026
matt@watskylaw.com

Party

APPLICANT/PETITIONER
Anthony Delapa, Delapa
Properties

Dana Muldoon
Mass DEP Office of General
Counsel
One Winter Street
Boston, MA 02108
Dana.Muldoon@state.ma.us

DEPARTMENT

Cc:

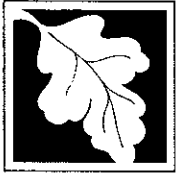
Gary Bogue
MassDEP Northeast Regional
Office
205B Lowell Street
Wilmington, MA 01887
Gary.Bogue@state.ma.us

DEPARTMENT

Westwood Conservation
Commission
c/o Karon Skinner Catrone
50 Carby Street
Westwood, MA 02090
kcatrone@townhall.westwood.ma.us

CONCOM

Date: December 19, 2016



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B – Final Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
338-0594
Provided by DEP

A. General Information

From:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Issuing Authority

This Issuance is for (check one):

- ☒ Final Order of Resource Area Delineation
- ☐ Amended Superseding Order of Resource Area Delineation

To: Applicant:

Anthony Delapa
Name

Property Owner (if different from applicant):

Salvatore Vinci
Name

Delapa Properties
511 Washington Street
Mailing Address

67 Hazelwood Drive
Mailing Address

Norwood MA 02062
City/Town State Zip Code

Norwood MA 02062
City/Town State Zip Code

1. Project Location:

42 Mill Street
Street Address
28
Assessors Map/Plat Number

Westwood
City/Town
013
Parcel /Lot Number

2. Title and Revised Date of Final Plans and Other Documents:

"Wetland Delineation Plan 42 Mill Street Westwood, MA"
Title

Last revised
Date 10/20/2016

3. Final Plans and Documents Signed and Stamped by:

Joyce Hastings, PLS
Name

4. Dates:

11/10/2014
Date ANRAD Filed

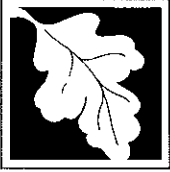
Date Public Hearing Closed

11/9/2015
Date of Local Order

5. \$200
Total Filing Fee Paid

\$87.50
State Fee Paid

\$112.50
City/Town Fee Paid



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B. Order of Delineation

The Department has determined the following (check whichever is applicable):

- ☐ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

☐ Bordering Vegetated Wetlands

☐ Other Resource Area(s), specifically:

- ☒ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Department from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn for the following resource area(s):

☒ Bordering Vegetated Wetlands

☒ Other Resource Area(s), specifically:

Mill Brook perennial stream/Riverfront Area. Note that Riverfront associated with portions of Mill Brook off site extending north of wetlands flag GC37 has not been delineated. Prior to submission of an NOI, the culverted portion of Mill Brook will be survey located and the extent of riverfront, and whether it impacts the site, will be determined.

- ☐ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

☐ Bordering Vegetated Wetlands

☐ Other Resource Area(s), specifically:

The boundaries were determined to be inaccurate because:



Massachusetts Department of Environmental Protection
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B. Order of Delineation (cont.)

This Final Order of Resource Area Delineation determines the boundaries of those resource areas noted above and is binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00) regarding such boundaries. This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

Signature:

Martin Suuberg
Commissioner, MassDEP

This Order is valid for three years from the date of issuance.

This Order is issued to the applicant and the property owner (if different) as follows:

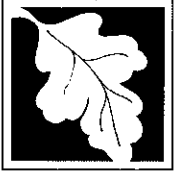
☐ by hand delivery on

☒ by certified mail

Date

Date

12/19/10 #7003 3110 0001 6100 0942



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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C. Appeals

NOT APPLICABLE