

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

In the Matter of

Cottage Park Yacht Club

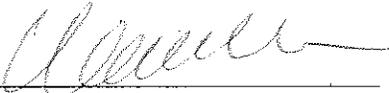
October 4, 2013

Docket No. WET-2013-014
File No. NE 82-0387
Winthrop

FINAL DECISION

The Recommended Final Decision as to standing raises novel issues about indirect impacts from a project. I need not decide those issues, because even if the Petitioner has standing (which I do not decide either way), he has failed to state a claim upon which relief may be granted for the reasons stated in the Recommended Final Decision. Thus, the appeal is properly dismissed.

The parties to this proceeding are notified of their right to file a motion for reconsideration of this Decision, pursuant to 310 CMR 1.01(14)(d). The motion must be filed with the Case Administrator and served on all parties within seven business days of the postmark date of this Decision. A person who has the right to seek judicial review may appeal this Decision to the Superior Court pursuant to M.G.L. c. 30A, §14(1). The complaint must be filed in the Court within thirty days of receipt of this Decision.



Kenneth Kimmell
Commissioner

SERVICE LIST

In The Matter Of: Cottage Park Yacht Club

Docket No. WET-2013-014 File No. NE 082-0387
Winthrop

Representative

Party

Richard A. Nylén, Jr., Esq.
Lynch, DeSimone & Nylén, LLP
10 Post Office Square, Suite 970N
Boston, MA 02109
rnylen@lpnllp.com

APPLICANT
Cottage Park Yacht Club

Michael B. Cabral
Gelman and Cabral, LLC
6 Beacon Street, Suite 1115
Boston, MA 02108
mcabral@gelermancabral.com

PETITIONER
Charles Lappini

Elizabeth Kimball
MassDEP/Office of General
Counsel
One Winter Street
Boston, MA 02108
elizabeth.kimball@state.ma.us

DEPARTMENT

Cc:
Nancy M. White
MassDEP – Northeast Regional
Office
205B Lowell Street
Wilmington, MA 01887
Nancy.m.white@state.ma.us

DEPARTMENT

Winthrop Conservation Commission CONCOM
Town Hall
1 Metcalf Square
Winthrop, MA 02152
conservation@town.winthrop.ma.us