

Department of Environmental Protection

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Maura T. Healey Governor

Kimberley Driscoll Lieutenant Governor Rebecca L. Tepper Secretary

> Bonnie Heiple Commissioner

December 13, 2024

In the Matter of 7 Porter Terrace LLC OADR Docket No. WET-2024-030 DEP File No. SDA Beverly, MA

FINAL DECISION

I am the Final Decision-Maker in this administrative appeal ("appeal") by special designation.

The parties filed a Joint Stipulation of Dismissal requesting dismissal of this appeal. The Joint Stipulation of Dismissal constitutes a waiver by the petitioners to any further administrative review before the Department as well as appeal to court of the final Superseding Determination of Applicability ("SDA") issued by the Department of Environmental Protection on October 1, 2024. Accordingly, the Department issues this Final Decision incorporating the Joint Stipulation of Dismissal, and dismisses this appeal with prejudice.

Salvatre M. Mirlandino

Salvatore M. Giorlandino Chief Presiding Officer

This information is available in alternate format. Please contact MassDEP at 617-292-5500. TTY# MassRelay Service 1-800-439-2370 MassDEP Website: www.mass.gov/dep

SERVICE LIST

| Petitioner: | 10-Resident Group |
|-------------------------|---|
| Representative: | Caroline Lutz 30 Leech Street Beverly, MA 01915 Email: <u>lutzcara15@gmail.com</u> |
| Applicant: | 7 Porter Terrace, LLC 100 Cummings Center, Unit 248-C Beverly, MA 01915 |
| Legal Representative: | Glenn A. Wood, Esq. Ryan G. Douglas, Esq. Rubin and Rudman LLP 53 State Street Boston, MA 02109 Email: <u>GWood@rubinrudman.com</u> Email: <u>rdouglas@rubinrudman.com</u> |
| Conservation Commission | : David Spidaliere, Conservation Agent Beverly Conservation Commission 191 Cabot Street Beverly, MA 01915 Email: <u>dspidaliere@beverlyma.gov</u> |
| Legal Representative: | None listed in Notice of Appeal |
| MassDEP: | Jill Provencal, Wetlands Section Chief Heidi Zisch, Chief Regional Counsel Kyle Lally, Environmental Analyst MassDEP/Northeast Regional Office (NERO) 150 Presidential Way Woburn, MA 01801 Email: Jill.Provencal@mass.gov Email: Heidi.Zisch@mass.gov Email: Kyle.lally@mass.gov |
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