



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

July 24, 2025

In the Matter of
AD Makepeace Company
Federal Road

OADR WET 2022-029
DEP File No. SDA
Plymouth, MA

FINAL DECISION

I adopt the Recommended Final Decision as my final decision in this matter. I affirm the Superseding Determination of Applicability (“SDA”) issued on September 1, 2022 by the Southeast Regional Office of the Massachusetts Department of Environmental Protection, with the clarification that Proposed Tailwater Pond 2, also referred to as the 5-Acre Bog or Frogfoot Bog, is no longer Land in Agricultural use and is subject to wetlands permitting review under the Massachusetts Wetlands Protection Act (“MWPA”), G.L. c. 131, § 30, and the Wetlands Regulations at 310 CMR 10.00.

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). Any such 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). Any such appeal must be filed with the Court within thirty days of receipt of this decision.

Bonnie Heiple
Commissioner

SERVICE LIST

Petitioners: (1) Save the Pine Barrens, Inc.
(2) 10 Residents Group

Representative: Nathaniel Stevens, Esq.
Gregor McGregor, Esq.
McGregor Legere & Stevens PC
15 Court Square, Suite 660
Boston, MA 02108
email: nstevens@mcgregorlaw.com
email: gimcg@mcgregorlaw.com

Property Owner: AD Makepeace Company

Representative: Andrew C. Yost, Esq.
Michael K. Crossen, Esq.
Foley & Lardner, LLP
111 Huntington Ave
Boston, MA 02199
email: mcrossen@foley.com
email: ayost@foley.com

MassDEP: Maissoun Reda, Wetlands Section Chief
Nate Corcoran, Environmental Analyst
MassDEP/Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347
email: Maissoun.Red@mass.gov
email: Nate.Corcoran@mass.gov

Representative: Brett Hubbard, Esq.
Office of General Counsel
MassDEP/Office of General Counsel
100 Cambridge Street, 9th Floor
Boston, MA 02114
email: Brett.Hubbard@mass.gov
cc: Jakarta Childers, Program Coordinator
email: Jakarta.Childers@mass.gov

Shaun Walsh, Chief Regional Counsel
MassDEP/Southeast Regional Office
email: shaun.walsh@mass.gov

Conservation Commission: Conservation Commission Town Plymouth
26 Court Street
Plymouth, MA 02360
rvacca@plymouth-ma.gov