

COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

DEPARTMENT OF ENVIRONMENTAL PROTECTION

100 CAMBRIDGE STREET, BOSTON, MA 02114 617-292-5500

THE OFFICE OF APPEALS AND DISPUTE RESOLUTION

October 26, 2023

In the Matter of
Belmont Hill School,
350 Prospect Street

OADR Docket No. WET-2022-025
DEP File No. SDA Denial
MassDEP-NERO
Belmont, MA

**DECISION ADOPTING
RECOMMENDED REMAND DECISION**

I adopt the Recommended Remand Decision (“RRD”) of the Presiding Officer. Accordingly, this matter is remanded to the Northeast Regional Office of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) to review the Petitioners’ Request for a Superseding Determination of Applicability (“SDA”) and to issue a determination in accordance with the Massachusetts Wetlands Protection Act and the Wetlands Regulations.

This Decision is not appealable pursuant to G.L. c. 30A. See Town of East Longmeadow v. State Advisory Commission, 17 Mass. App. Ct. 939, 940 (1983) (“[a]n administrative order requiring subordinate administrative body to reconsider its order is neither final nor appealable” under G.L. c. 30A); Matter of National Development and NDNE Lower Falls, LLC, Docket No. 2008-073, Recommended Remand Decision (January 26, 2009), Decision Adopting Recommended Remand Decision (January 28, 2009).



Bonnie Heiple
Commissioner

SERVICE LIST

Petitioners: 10 Residents Group, as re-constituted

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