

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 Kathleen A. Theoharides Secretary

Martin Suuberg Commissioner

In the Matter of Bruce and Keri Wenzel October 10, 2019

Docket No. WET-2019-014 File No. SE 7-2049 Bourne, MA

FINAL DECISION

Martin Suuberg, the Commissioner of the Massachusetts Department of Environmental Protection ("MassDEP" or "the Department"), has designated me as the Final Decision Maker in this appeal.

The petitioner has filed a voluntary withdrawal of this appeal. The petitioner's voluntary withdrawal constitutes a waiver by the petitioner to any further administrative review before the Department as well as appeal to court of the Superseding Order of Conditions issued by the Department of Environmental Protection on May 3, 2019. Accordingly, the Department issues this final decision incorporating the petitioner's voluntary withdrawal, and dismisses this appeal.

Salvatore M. Giorlandino Chief Presiding Officer

Salvatne M. Mirlandino

SERVICE LIST

Applicant: Bruce and Keri Wenzel;

Legal Representative: Sean Sullivan, Esq.

Dillon & Sullivan

1528 Tremont Street, Suite 2A

Duxbury MA 02332

e-mail: sean@dillonsullivan.com;

Petitioner: Thomas Palanza:

Legal Representative: Glen Hannington, Esq.

Ten Post Office Square, 8th Floor

Boston, MA 02109

e-mail: glenhannington@aol.com

The Local Conservation Commission:

Town of Bourne Conservation Commission c/o Samuel Haines, Conservation Agent

Tracy Sullivan, Administrative Assistant

Bourne Town Hall

24 Perry Avenue, Room 201 Buzzards Bay, MA 02532

e-mail: None set forth in Petitioner's Appeal Notice;

Legal Representative: None set forth in Petitioner's Appeal

Notice:

The Department: Jim Mahala, Section Chief, Wetlands Program

MassDEP/Southeast Regional Office

Bureau of Water Resources

20 Riverside Drive Lakeville, MA 02347

e-mail: Jim.Mahala@mass.gov

Mark Bartow, Wetlands Analyst MassDEP/Southeast Regional Office

Bureau of Water Resources

20 Riverside Drive Lakeville, MA 02347

e-mail: Mark.Bartow@mass.gov

Legal Representative: David Bragg, Counsel

MassDEP/Office of General Counsel

One Winter Street, 3rd Floor

Boston, MA 02108

e-mail: David.Bragg@mass.gov

cc: Shaun Walsh, Chief Regional Counsel MassDEP/Southeast Regional Office Office of General Counsel 20 Riverside Drive Lakeville, MA 02347

e-mail: Shaun.Walsh@mass.gov

Leslie DeFilippis, Paralegal MassDEP/Office of General Counsel One Winter Street Boston, MA 02108 e-mail: Leslie.DeFilippis@mass.gov