

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

In the Matter of
Christopher N. Colby

October 26, 2018

OADR Docket No. WET-2016-012
DEP File No. SDA
Attleboro, MA

**DECISION ADOPTING
RECOMMENDED REMAND DECISION**

I adopt the Recommended Remand Decision (“RRD”) of the Chief Presiding Officer. Accordingly this matter is remanded to the Southeast Regional Office of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) for a determination of whether the proposed Project Site discussed in the RRD is significant to furthering any of the MWPA’s eight statutory interests given the extensive real estate development that has taken place in the vicinity of Mechanics Pond and the proposed Project Site in Attleboro, Massachusetts. The Department’s Southeast Regional Office shall make this determination according to the procedure and time table set forth in ¶¶ 1-6 at pp. 24-27 of the RRD.

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).



Martin Stenberg
Commissioner

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