



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

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

\_\_\_\_\_  
In the Matter of  
Anthony Delapa, Delapa Properties  
\_\_\_\_\_

December 19, 2016

Docket No. WET-2016-022  
File No. 338-0594  
Westwood

### **FINAL DECISION**

I have reviewed the attached Settlement Agreement signed by the applicant's representative Matthew Watsky, Esq. on November 10, 2016, and by Eric Worrall, Regional Director for the Department on November 21, 2016. The Department issues this Final Decision incorporating the Settlement Agreement and Final Order of Resource Area Delineation, which I have also reviewed.

Under the terms of 310 CMR 1.01(8)(c), these proceedings are dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as appeal to court.

  
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Martin Suuberg  
Commissioner

## SERVICE LIST

In The Matter Of:

Anthony Delapa, Delapa  
Properties

Docket No. WET-2016-022

File No. SORAD/338-0594  
Westwood

Representative

Matthew Watsky, Esq.  
30 Eastbrook Road, Suite 301  
Dedham, MA 02026  
[matt@watskylaw.com](mailto:matt@watskylaw.com)

Party

APPLICANT/PETITIONER  
Anthony Delapa, Delapa  
Properties

Dana Muldoon  
Mass DEP Office of General  
Counsel  
One Winter Street  
Boston, MA 02108  
[Dana.Muldoon@state.ma.us](mailto:Dana.Muldoon@state.ma.us)

DEPARTMENT

Cc:

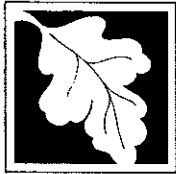
Gary Bogue  
MassDEP Northeast Regional  
Office  
205B Lowell Street  
Wilmington, MA 01887  
[Gary.Bogue@state.ma.us](mailto:Gary.Bogue@state.ma.us)

DEPARTMENT

Westwood Conservation  
Commission  
c/o Karon Skinner Catrone  
50 Carby Street  
Westwood, MA 02090  
[kcatrone@townhall.westwood.ma.us](mailto:kcatrone@townhall.westwood.ma.us)

CONCOM

Date: December 19, 2016



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Final Order of Resource Area Delineation**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:  
**338-0594**  
Provided by DEP

## A. General Information

From:

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Issuing Authority

This Issuance is for (check one):

- ☒ Final Order of Resource Area Delineation
- ☐ Amended Superseding Order of Resource Area Delineation

To: Applicant:

Anthony Delapa  
Name

Property Owner (if different from applicant):

Salvatore Vinci  
Name

Delapa Properties  
511 Washington Street  
Mailing Address

67 Hazelwood Drive  
Mailing Address

Norwood MA 02062  
City/Town State Zip Code

Norwood MA 02062  
City/Town State Zip Code

1. Project Location:

42 Mill Street  
Street Address  
28  
Assessors Map/Plat Number

Westwood  
City/Town  
013  
Parcel /Lot Number

2. Title and Revised Date of Final Plans and Other Documents:

"Wetland Delineation Plan 42 Mill Street Westwood, MA"  
Title

Last revised  
Date 10/20/2016

3. Final Plans and Documents Signed and Stamped by:

Joyce Hastings, PLS  
Name

4. Dates:

11/10/2014  
Date ANRAD Filed

11/9/2015  
Date Public Hearing Closed

11/9/2015  
Date of Local Order

5. \$200  
Total Filing Fee Paid

\$87.50  
State Fee Paid

\$112.50  
City/Town Fee Paid



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## **B. Order of Delineation**

The Department has determined the following (check whichever is applicable):

- ☐ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

☐ Bordering Vegetated Wetlands

☐ Other Resource Area(s), specifically:

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- ☒ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Department from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn for the following resource area(s):

☒ Bordering Vegetated Wetlands

☒ Other Resource Area(s), specifically:

Mill Brook perennial stream/Riverfront Area. Note that Riverfront associated with portions of Mill Brook off site extending north of wetlands flag GC37 has not been delineated. Prior to submission of an NOI, the culverted portion of Mill Brook will be survey located and the extent of riverfront, and whether it impacts the site, will be determined.

- ☐ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

☐ Bordering Vegetated Wetlands

☐ Other Resource Area(s), specifically:

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The boundaries were determined to be inaccurate because:

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**B. Order of Delineation (cont.)**

This Final Order of Resource Area Delineation determines the boundaries of those resource areas noted above and is binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00) regarding such boundaries. This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

Signature:

Martin Suuberg  
Commissioner, MassDEP

This Order is valid for three years from the date of issuance.

This Order is issued to the applicant and the property owner (if different) as follows:

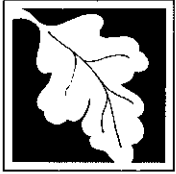
☐ by hand delivery on

☒ by certified mail

Date

Date

12/19/10 #7003 3110 0001 6100 0942



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Final Order of Resource Area Delineation**  
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## **C. Appeals**

NOT APPLICABLE