

Commonwealth of Massachusetts  
Executive Office of Energy and Environmental Affairs  
**Department of Environmental Protection**  
100 Cambridge Street, Boston, MA 02114 (617) 292-5500

**The Office of Appeals and Dispute Resolution**

**April 3, 2026**

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In the Matter of Lee Bloom,  
LCB Senior Living, LLC

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OADR Docket No. WET-2018-007  
DEP File No. 214-0635  
Medfield, Massachusetts

**Recommended Final Decision**

The Town of Medfield Conservation Commission (the “Petitioner”) submitted this appeal of a Superseding Order of Conditions (“SOC”) issued on July 6, 2018, by the Central Regional Office (“CERO”) of MassDEP (the “Department”). The SOC approved a project proposed by LCB Senior Living, LLC (the “Applicant”), involving the construction of a multi-unit assisted living facility with associated driveway, parking, stormwater management facilities, utilities, and grading. An evidentiary Adjudicatory Hearing was held on January 17, 2019, and closing briefs were submitted by February 28, 2019.

On March 19, 2021, while the Recommended Final Decision on the matter remained outstanding, the Petitioner filed a Motion to Dismiss the matter as moot. The Motion indicated that the Applicant had sold the subject property and that the project at issue in this appeal would not be proceeding.<sup>1</sup> On March 31, 2021, the Chief Presiding Officer issued an email to the Parties acknowledging the Petitioner’s Motion to Dismiss, and noting that neither the Applicant nor the

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<sup>1</sup> The Department’s SOC superseded the Conservation Commission’s denial of the project based on a local Bylaw. The Petitioner’s motion indicated that the project would not be able to proceed in any event because the parties had jointly moved to dismiss the Applicant’s appeal of the Bylaw denial in Norfolk County Superior Court. The appeal there was dismissed with prejudice on March 17, 2021, and the Bylaw denial had thus become final.

Department had filed a response to the Motion within the seven (7) business days allotted by 310 CMR 1.01(11)(a)1.

Due to the fact that the project will not, and legally cannot, proceed, this appeal is now moot. See 310 CMR 10.05(4)(a) (an Applicant must have permission from the landowner to file a Notice of Intent). Under 310 CMR 1.01(5)(a)2.,<sup>2</sup> I recommend that MassDEP's Commissioner issue a Final Decision adopting this Recommended Final Decision and dismissing this appeal as moot. In the Matter of Ernest Delpero, OADR Docket No. 90-152, Final Decision - Order of Dismissal (March 7, 1995), 1995 WL 385069, \*1 (dismissing SOC appeal for mootness after Applicant lost title to proposed project site).

Date: April 3, 2026



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Ian Leson  
Presiding Officer

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<sup>2</sup> "The Presiding Officer may, on the Presiding Officer's own initiative or on a party's motion where appropriate, without limitation . . . dismiss appeals for . . . mootness."

## **NOTICE OF RECOMMENDED FINAL DECISION**

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(d) and may not be appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party may file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party may communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

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Lee Bloom and LCB Senior Living, LLC

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