

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey Governor

Kimberley Driscoll Lieutenant Governor Rebecca L. Tepper Secretary

> Bonnie Heiple Commissioner

November 19, 2024

In the Matter of Linda Canzanelli OADR Docket No. WET-2024-025 DEP File No. 259-0834 Pepperell, MA

FINAL DECISION

In accordance with the Adjudicatory Proceeding Rules at 310 CMR 1.01(14)(b), Bonnie Heiple, Commissioner of the Massachusetts Department of Environmental Protection ("MassDEP" or "the Department"), has designated me the Final Decision-Maker in this administrative appeal.¹

I adopt the Recommended Final Decision of the Presiding Officer. The parties to this proceeding are notified of their right to file a motion for reconsideration of this decision, pursuant to 310 CMR 1.01(14)(d). The motion must be filed with the Case Administrator and served on all parties within seven business days of the postmark date of this decision. A person who has the right to seek judicial review may appeal this decision to the Superior Court pursuant to M.G.L. c. 30A, §14(1). The complaint must be filed in the Court within thirty days of receipt of this decision.

Salvature M. Hirlandino

Salvatore Giorlandino Chief Presiding Officer

¹ 310 CMR 1.01(14)(b) provides in relevant part that "[e]very final decision" in an administrative appeal "shall be in writing and shall be signed by the [Department's] Commissioner or a designee of the Commissioner."

SERVICE LIST

Kelli Kinney 7 Prescott Street Pepperell, MA 01463 kellikinney@aol.com

Linda Canzanelli 11 Prescott Street Pepperell, MA 01463 Icanzanelli@rivier.edu

Christopher J. Alphen, Esq. Blatman, Bobrowski, Haverty & Silvers, LLC 9 Damonmill Square, Suite 4A4 Concord, MA 01742 Chris@bbhslaw.net

Judith Schmitz, Wetlands Section Chief MassDEP/CERO Bureau of Water Resources 8 New Bond Street Worcester, MA 01606 Judith.Schmitz@mass.gov

Pepperell Conservation Commission c/o Paula Terrasi, Conservation Administrator Town Hall 1 Main Street Pepperell, MA 01463 <u>pterrasi@town.pepperell.ma.us</u>

Ian M. Leson, Esq. MassDEP/Office of General Counsel 100 Cambridge Street, 9th Floor Boston, MA 02114 Iam.m.leson@mass.gov

CC: Bruce E. Hopper, Litigation Manager Jakarta Childers, Program Coordinator MassDEP/Office of General Counsel 100 Cambridge Street, 9th Floor Boston, MA 02114 <u>Bruce.e.hopper@mass.gov</u> <u>Jakarta.Childers@mass.gov</u>

> Anne Blackman, Chief Regional Counsel MassDEP/CERO 8 New Bond Street Worcester, MA 01606 <u>Anne.blackman@mass.gov</u>

Applicant

Petitioner

Applicant's Legal Representative

Department

Conservation Commission

Department's Legal Representative

Department

Department