

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

THE OFFICE OF APPEALS AND DISPUTE RESOLUTION

October 7, 2020

In the Matter of
PAD Corp.

OADR Docket No. WET-2020-009
DEP File No. SE 148-1455
East Bridgewater, 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.

On August 28, 2020, PAD Corp. (“the Petitioner/Applicant”) filed this appeal challenging a Superseding Order of Conditions (“SOC”) that the Southeast Regional Office of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) had issued to the Petitioner/Applicant on August 17, 2020, pursuant to the Massachusetts Wetlands Protection Act, G.L. c. 131, § 40 (“MWPA”), and the Wetlands Regulations, 310 CMR 10.00 et seq. (“the Wetlands Regulations”). The SOC denied (rejected) the Petitioner/Applicant’s proposed Project at 0 (Zero) Beatty Place in East Bridgewater, Massachusetts (“the Property”), specifically, the construction of a single-family house, driveway, utilities, and septic system with associated grading within Riverfront Area. SOC, at

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

p. 2; SOC transmittal letter, at p. 1. In denying the proposed Project, the SOC overturned the Town of East Bridgewater Conservation Commission's ("EBCC") earlier approval of the proposed Project pursuant to the MWPA and the Wetlands Regulations. Petitioner/Applicant's Appeal Notice, at pp. 1-2.

Recently, on October 1, 2020, the Petitioner/Applicant filed a Notice of Voluntary Withdrawal of this appeal. The Petitioner/Applicant's Notice of Voluntary Withdrawal of this appeal constitutes a waiver by the Petitioner/Applicant to any further administrative review before the Department as well as appeal to court of the SOC that was the subject of this appeal. Accordingly, the Department issues this Final Decision incorporating the Joint Stipulation of Dismissal, and dismisses this appeal.

Date: October 7, 2020



Salvatore M. Giorlandino
Chief Presiding Officer

SERVICE LIST

Petitioner/Applicant: PAD Corp.
785 Bedford Street
Bridgewater, MA 02324
e-mail: ddagabriel@gmail.com;

Legal representative: Michelle Bessette Oliveira, Esq.
Robert R. Pellegrini, Jr., Esq.
PK Boston Law
63 Main Street, Suite 1
Bridgewater, MA 02324
e-mail: moliveira@pkboston.com
rpellegrini@pkboston.com;

The Local Conservation Commission:

Town of East Bridgewater Conservation Commission
c/o Kim Eldredge, Commission Clerk
East Bridgewater Town Hall
175 Central Street
East Bridgewater, MA
e-mail: <https://www.eastbridgewaterma.gov/user/64/contact>;

Legal representative: None listed in Appeal Notice;

The Department: Daniel F. Gilmore, Chief, Wetlands Program
MassDEP/Southeast Regional Office
Bureau of Water Resources
20 Riverside Drive
Lakeville, MA 02347;
e-mail: Daniel.Gilmore@mass.gov;

Legal Representative: Dana Muldoon, Senior Counsel
MassDEP/Office of General Counsel
One Winter Street
Boston, MA 02108;
e-mail: Dana.Muldoon@mass.gov;

[continued next page]

[continued from preceding page]

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.