



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

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 22, 2024

In the Matter of
Rte. 85 Realty Corp.

OADR Docket No. WET-2022-010
DEP File No. SDA
Milford, MA

FINAL DECISION

I am the Final Decision-Maker in this administrative appeal (“appeal”) by special designation.

The petitioner has filed a voluntary withdrawal of this appeal. The petitioner’s voluntary withdrawal constitutes a waiver by the petitioner to any further administrative review before the Department as well as appeal to court of the Superseding Determination of Applicability (“SDA”) issued by the Department of Environmental Protection on March 31, 2022. Accordingly, the Department issues this final decision incorporating the petitioner’s voluntary withdrawal, and dismisses this appeal.

Salvatore M. Giorlandino
Chief Presiding Officer

SERVICE LIST

Petitioner: Rt. 85 Realty Corp.
8 Uxbridge Road
Mendon, MA 01756;

Legal representative: Adam J. Brodsky, Esq.
Drohan, Tocchio, & Morgan, P.C.
175 Derby Street, Suite 30
Hingham, MA 02043
e-mail: abrodsky@dtm-law.com

Applicant: Same as Petitioner;

Legal representative: Same as Petitioner;

Conservation Commission: Milford Conservation Commission
Milford Town Hall
52 Main Street
Milford, MA 01757

Legal representative: Gerald M. Moody, Esq.
Counsel for the Town of Milford
Milford Town Hall
52 Main Street
Milford, MA 01757
e-mail: gmoody@townofmilford.com

MassDEP: Mary Jude Pigsley, Regional Director
MassDEP/CERO
8 New Bond Street
Worcester, MA 01606
e-mail: MaryJude.Pigsley@mass.gov

Marielle Stone, Deputy Regional Director
MassDEP/CERO
Bureau of Water Resources
8 New Bond Street
Worcester, MA 01606
e-mail: Marielle.Stone@mass.gov

[continued next page]

[continued from preceding page]

Judith Schmitz, Chief, Wetlands Program
MassDEP/CERO
Bureau of Water Resources
8 New Bond Street
Worcester, MA 01606
e-mail: Judith.Schmitz@mass.gov

Kimberly Roth, Wetlands Analyst
MassDEP/CERO
Bureau of Water Resources
8 New Bond Street
Worcester, MA 01606
e-mail: Kimberly.Roth@mass.gov

Legal Representative:

David Bragg, Senior Counsel
MassDEP/Office of General Counsel
100 Cambridge Street, 9th Floor
Boston, MA 02114
e-mail: David.Bragg@mass.gov

cc: Anne Berlin Blackman, Chief Regional Counsel
MassDEP/CERO
8 New Bond Street
Worcester, MA 01606
e-mail: Anne.Blackman@mass.gov

Rebecca Tobin, Senior Regional Counsel
MassDEP/CERO
8 New Bond Street
Worcester, MA 01606
e-mail: Rebecca.Tobin@mass.gov

Jakarta Childers, Paralegal
MassDEP/Office of General Counsel
100 Cambridge Street, 9th Floor
Boston, MA 02114
e-mail: Jakarta.Childers@mass.gov