

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS
98 N. Washington Street, Boston, Massachusetts 02114 617-727-7060

November 29, 2007

In the Matter of

Michael Viano

Docket No. DEP-06-548
File No. 315-863
Walpole

FINAL DECISION

On November 13, 2007, the applicant, Michael Viano, and the Department of Environmental Protection filed a stipulation of dismissal. The stipulation was not signed by the Walpole Conservation Commission, a party to the appeal. On November 15, 2007, therefore, I ordered the Conservation Commission to file a statement indicating whether it agreed to dismissal of the appeal. The Conservation Commission filed its assent on November 20, 2007.

According to the parties, a superseding order of conditions issued by the DEP on February 27, 2007 is now final. Accordingly, the superseding order of resource area delineation issued by the Department of Environmental Protection is vacated.

RECONSIDERATION AND APPEAL RIGHTS

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 Docket Clerk and served on all parties within seven business days of the postmark date of this Decision. Any party 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.

Bonney Cashin
Administrative Magistrate