

## 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

In the Matter of Westlook Farm Dock Association, Inc. December 22, 2023

Docket No. 2021-031A & 031B Draft Waterways License DEP File No.: W19-5683 Westport, MA

## FINAL DECISION

I adopt the Recommended Final Decision of the Presiding Officer. As such, I affirm the Draft Waterways License, dated October 26, 2021, issued by the Southeast Regional Office of the Massachusetts Department of Environmental Protection in this case, with one additional special condition. The additional special condition shall preserve existing public rights to access the solid fill jetty to avoid substantial interference with the ability to pass freely upon the waterways and to engage in transport or loading/unloading activities, as described in the Recommended Final Decision.

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.

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Bonnie Heiple Commissioner

## SERVICE LIST

Applicant: Westlook Farm Dock Association, Inc.

Legal Representative: James W. Marsh, Esq. Law Offices of James W. Marsh 128 Union Street, Suite 203 New Bedford, MA 02740 jmarsh@jwmarshlaw.com

**Petitioners:** Mary Anne Sedney, Trustee of the Mary Anne Sedney Trust-1996 Richard Mobley, Nancy Mobley

Legal Representative: John J. Gushue, Esq. Gushue Law P.O. Box 668 East Falmouth, MA 02536 jgushue@gushuelaw.com

## The Department of Environmental Protection:

Carlos Fragata, Environmental Analyst Bureau of Water Resources MassDEP, Southeast Regional Office 20 Riverside Drive Lakeville, MA 02347 <u>carlos.fragata@mass.gov</u>

Christine Hopps, Assistant Director Waterways Regulation Program MassDEP, Boston Office 100 Cambridge Street, 9<sup>th</sup> Floor Boston, MA 02114 <u>christine.hopps@mass.gov</u>

Legal Representative: David Bragg, Senior Counsel Office of General Counsel MassDEP, Boston Office 100 Cambridge Street, 9<sup>th</sup> Floor Boston, MA 02114 David.bragg@mass.gov

> Cc: Jakarta Childers, Program Coordinator Jakarta.Childers@mass.gov