



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
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Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

February 18, 2010

Weston BPR, LLC
c/o Mill Creek Residential
84 State Street, Suite 920
Boston, MA 02109

RE: WETLANDS/WESTON
DEP File #337-1369
0, 751, 761 Boston Post Road
Notice of Appeal

Dear Sir or Madam,

Under the provisions of the Wetlands Protection Act, Massachusetts General Laws, Chapter 131, Section 40, and upon its own initiative, the Northeast Regional Office of the Department of Environmental Protection (MassDEP) hereby appeals the above-referenced filing. This appeal is being filed within ten (10) business days of the date of issuance of the Order of Conditions, defined by the postmark date of receipt by MassDEP (February 07, 2020). MassDEP is assuming jurisdiction over this project and will make a determination as to whether those areas on which the proposed work is to be done are significant to the statutory interests identified in the Act.

It is MassDEP's opinion that the project proposal and the Order of Conditions do not contribute to the protection of the interests identified in the Act, and the Order is inconsistent with the Wetlands Protection Act Regulations, 310 CMR 10.00. Specifically, the project does not appear to meet the performance standards of 310 CMR 10.57(4) and does not appear to meet Stormwater Standards.

No activity may commence on any portion of the project site subject to the jurisdiction of M.G.L. Chapter 131, Section 40, until MassDEP issues a Superseding Order of Conditions and all appeal periods have elapsed.

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

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In the event that MassDEP determines that the project, as originally proposed, protects the interests of the Act and complies with its regulations, MassDEP reserves the right to withdraw its appeal and return jurisdiction to the Weston Conservation Commission. Should you have any questions regarding this letter, please contact Ms. Rachel Freed at 978-694-3258.

Very truly yours,



Rachel Freed,
Deputy Regional Director
Bureau of Water Resources - NERO

cc: Weston Conservation Commission, P.O. Box 378, Weston, MA 02493

Stephen Carter, Woodleigh Farms Nominee Trust, 820 Boston Post Road, Weston, MA 02493

LEC Environmental Consultants, Inc., c/o Richard Kirby, 380 Lowell Street, Suite 101, Wakefield, MA 01880