

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of Appeals and Dispute Resolution
One Winter Street, Boston, MA 02108**

)		
In the Matter of)		
Windsor Place, LLC)		OADR Docket No. WET-2019-025
)		Wayland, Massachusetts
)		

WINDSOR PLACE, LLC’S MOTION TO STAY PROCEEDINGS

Petitioner Windsor Place, LLC (“Windsor Place”), with the assent of the Department of Environmental Protection (the “Department”), hereby moves to stay this proceeding because Windsor Place intends to return to the Town of Wayland Conservation Commission (the “Commission”) with a new notice of intent (“NOI”) for the project under appeal. Windsor Place intends to address the concerns raised in the Commission’s and Department’s denial orders of conditions by supplying additional information to the Commission through the new filing process. Windsor Place notes that under the Department’s Multiple Filings Policy (Policy 88-3: Multiple Filings), the appeal would be stayed automatically upon the filing of a new NOI for the project. In an effort to conserve resources, Windsor Place seeks to have the stay imposed at this time. Windsor Place will provide a status report with regard to the submission of a new NOI within 120 days of the entry of the stay.

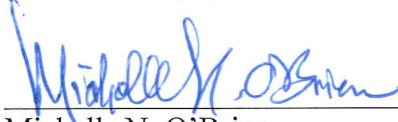
WHEREFORE, Windsor Place respectfully requests that the Presiding Officer order this proceeding to be stayed and that a status report be filed by Windsor Place within 120 days of said

order. The Department assents to this motion. The Intervenors do not assent to the motion. As of the time of filing, the Commission had not responded to the draft motion.

Respectfully submitted,

WINDSOR PLACE, LLC

By its attorneys,



Michelle N. O'Brien

mobrien@pierceatwood.com

Joel Quick

jquick@pierceatwood.com

PIERCE ATWOOD LLP

100 Summer Street, 22nd Floor

Boston, MA 02110

(617) 488-8100

Assented to by:

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Dana Muldoon, Senior Counsel

MassDEP Office of General Counsel

One Winter Street, 2nd Floor

Boston, MA 02108

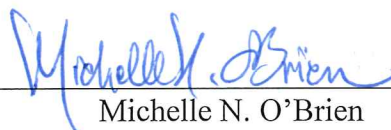
Dana.Muldoon@state.ma.us

(617) 292-5764

Date: October 4, 2019

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of October I served a true copy of the foregoing document on all other counsel of record and parties listed on the attached Service List by electronic mail.



Michelle N. O'Brien

SERVICE LIST

**IN THE MATTER OF:
Docket No. WET-2019-025**

**WINDSOR PLACE, LLC
Wayland**

REPRESENTATIVE

Dana Muldoon, Senior Counsel
MassDEP Office of General Counsel
One Winter Street, 2nd Floor
Boston, MA 02108
Dana.Muldoon@state.ma.us

PARTY

DEPARTMENT

Michael W. Wiggins
Weston Patrick, P.A.
One Liberty Square, Suite 1210
Boston, MA 02109
(617) 880-6313
mww@westonpatrick.com

INTERVENORS

Amy Kwesell
KP Law, P.C.
101 Arch Street
Boston, MA 02110
akwesell@k-plaw.com

CONCOMM

Cc:

Rachel Freed
MassDEP – Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887
Rachel.Freed@state.ma.us

DEPARTMENT

Heidi Zisch
MassDEP – Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887
Heidi.Zisch@state.ma.us

DEPARTMENT

Gary Bogue
MassDEP – Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887
Gary.Bogue@state.ma.us

DEPARTMENT

Wayland Conservation Commission
Town Building
41 Cochituate Road
Wayland, MA 01778
lhansen@wayland.ma.us

CONCOMM