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DECISION
GRAFTON PLANNING BOARD
SPECIAL PERMIT (SP 2021-01) & SITE PLAN APPROVAL

Marijuana Establishment
130 & 134 Worcester Street
Discern'd Cannabis Purveyors, Inc. (Applicant)
Fawaz El Khoury Zawaf Realty Trust & Worcester Street Realty Trust (Owners)

Decision of the Planning Board of the Town of Grafton, Massachusetts (hereinafter the BOARD) on the petition of Discern'd Cannabis Purveyors, Inc. (hereinafter the APPLICANT) for Special Permit & Site Plan Approval for a Marijuana Establishment, including but not limited to a Registered Medical Marijuana Dispensary, Marijuana Cultivator, Marijuana Product Manufacturer, Marijuana Retailer and Marijuana Transporter on property located at 130 & 134 Worcester Street (hereinafter the SITE) and shown on the Grafton Assessor's Map 36, Lot 146, and owned by Fawaz El Khoury Zawaf Realty Trust & Worcester Street Realty Trust (hereinafter the OWNER) by deed recorded in the Worcester District Registry of Deeds Book 22504, Page 294 and Worcester District Registry of Deeds Book 25546, Page 272.

I. BACKGROUND

The application for the Special Permit and Site Plan Approval (hereinafter Application) was filed with the Planning Board on January 15, 2021. Notice of the public hearing and the subject matter thereof was published in the Grafton News on January 21 and 28, 2021 and posted with the Town Clerk's Office on January 21, 2020. Abutters were notified by First Class Mail. The public hearing on the Application was opened on February 8, 2021 and continued, at the request of the applicant with concurrence of the Board to February 22, 2021 and March 8, 2021. During the public hearings, all those wishing to speak to the petition were heard. Following public input, the hearing was closed on March 8, 2021.

At the hearings the following people presented the Application: Bruce Spinney, Discern'd Cannabis Purveyors, Inc.; and Allan Villatoro, Discern'd Cannabis Purveyors, Inc.

The following Board members were present at the public hearings: Chair Robert Hassinger, Vice Chair David Robbins, Clerk Justin Wood, Members Linda Hassinger and Prabhu Venkataraman, and Associate Member Vikram Dave.

II. SUBMITTALS

The following items were submitted to the Board for its consideration of this application:

- EXHIBIT 1.** Original Application Submission, received January 15, 2021 to include the following:
- a. Application for a Special Permit, signed by Bruce Spinney (Applicant) and Fawaz El Khoury Zawaf (Owner), dated January 14, 2021, date stamped received by the Planning Board on January 15, 2021, 1 page.
 - b. Certificate of Good Standing, signed by Christine Atchue, dated January 13, 2021, 1 page.

- c. Abutters Listing for 130 & 134 Worcester Street, Map 36, Lot 146, dated January 6, 2021, signed by Tammy Kalinowski, Office Manager, 1 page.
- d. Letter from Carolyn Burke, RLA, of WDA Design Group, Inc., to Christopher McGoldrick, Town Planner, regarding "Submission of application for Special Permit," dated January 12, 2021, 4 pages.
- e. "Project Narrative", received by the Planning Board on January 15, 2021, 1 page.
- f. "Operational Plan", received by the Planning Board on January 15, 2021, 7 pages.
- g. Waiver Request Form, 3 pages.
- h. Draft Report: HydroCAD Stormwater Calculations, dated January 6, 2021, prepared by WDA Design Group, 19 pages.

EXHIBIT 2. Plan: "Special Permit Submission" dated January 8, 2021, prepared by WDA Design Group, 31 East Main Street, Westborough, MA, 16 sheets.

EXHIBIT 3. Public Hearing Notice, date stamped by the Town Clerk on January 21, 2021, 1 page.

EXHIBIT 4. Email from Leah Cameron, Conservation Agent, to the Grafton Planning Board, regarding "Request for Comments - 130 & 134 Worcester Street; SP2020-01", dated February 1, 2021.

EXHIBIT 5. Email from Katrina Koshivos, Zoning Board of Appeals, to the Grafton Planning Board, regarding "130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary", dated February 2, 2021.

EXHIBIT 6. Email from Nancy Connors, Health Department, to the Grafton Planning Board, regarding "Request for Comments - 130 & 134 Worcester Street; SP2020-01", dated February 3, 2021.

EXHIBIT 7. Email from Carrie Hogan, 17 Craftsman Village Ct., to the Grafton Planning Board, regarding "130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary", dated February 6, 2021.

EXHIBIT 8. Email from Pankaj Gupta, 13 Aspen Ave., to the Grafton Planning Board, regarding "130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary", dated February 8, 2021.

EXHIBIT 9. Email from Sudhakara Gurralla, 11 Aspen Ave., to the Grafton Planning Board, regarding "130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary", dated February 8, 2021.

EXHIBIT 10. Email from Kim Parente, 2 Southfield Ct., to the Grafton Planning Board, regarding "130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary", dated February 8, 2021.

EXHIBIT 11. Email from Michele Dalal, 16 Aspen Ave., to the Grafton Planning Board, regarding "130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary", dated February 8, 2021.

- EXHIBIT 12.** Email from John Hall, 125 Worcester St., to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 13.** Email from Pritesh Patel, 37 Seaver Farm Lane, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 14.** Peer Review: “130 & 134 Worcester Street”, dated February 8, 2021, prepared by Graves Engineering, Inc., 100 Grove Street, Worcester, MA 01605, received by the Planning Board on February 8, 2021, 5 pages.
- EXHIBIT 15.** Email from Muqem Mughal, 15 Pratt Street, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 16.** Email from Srinivas Gondi, 1 Patriot Way, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 17.** Email from Ravi Nallapareddy, 11 Seaver Farm Lane, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 18.** Email from Shalma Shaik, 35 Seaver Farm Lane, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 19.** Email from Jeff Turgeon, 17 Nelson Street, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 8, 2021.
- EXHIBIT 20.** Email from Kathryn Hanna, 5 Silver Spruce Drive, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 9, 2021.
- EXHIBIT 21.** Public Hearing Continuance request, signed by Bruce Spinney, dated February 9, 2021, received by the Planning Board on February 9, 2021, 1 page.
- EXHIBIT 22.** Email from Normand Crepeau, Police Chief, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 12, 2021.
- EXHIBIT 23.** Email from Raj Kommalapaty, 19 Pratt Street, to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 14, 2021.
- EXHIBIT 24.** Email from John Hall, 125 Worcester St., to the Grafton Planning Board, regarding “130 & 134 Worcester St. - Discern'd Cannabis Purveyors, Inc. - Marijuana Dispensary”, dated February 16, 2021.

- EXHIBIT 25.** Response to Peer Review: WDA Design Group; dated February 15, 2021; 3 pages.
- EXHIBIT 26.** Plan: “Special Permit Submission” dated January 8, 2021, revised through February 15, 2021, prepared by WDA Design Group, 31 East Main Street, Westborough, MA, 18 sheets.
- EXHIBIT 27.** Report: “Stormwater Management Report”, dated February 16, 2021, prepared by WDA Design Group, 188 pages.
- EXHIBIT 28.** Peer Review: “130 & 134 Worcester Street”, dated February 22, 2021, prepared by Graves Engineering, Inc., 100 Grove Street, Worcester, MA 01605, received by the Planning Board on February 22, 2021, 7 pages.
- EXHIBIT 29.** Report: “Traffic Impact and Access Study,” dated February 11, 2021, prepared by Ron Müller & Associates, 56 Theresa Road, Hopkinton, MA 01748, 94 pages.
- EXHIBIT 30.** Response to Peer Review: WDA Design Group; dated February 26, 2021; 2 pages.
- EXHIBIT 31.** Plan: “Special Permit Submission” dated January 8, 2021, revised through February 26, 2021, prepared by WDA Design Group, 31 East Main Street, Westborough, MA, 11 sheets.
- EXHIBIT 32.** Report: “Stormwater Management Report”, dated February 26, 2021, prepared by WDA Design Group, 174 pages.

III. FINDINGS

At their meeting of March 8, 2021 after due consideration of the EXHIBITS submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Justin Wood, seconded by David Robbins) voted five (5) in favor and zero (0) opposed to make the following Findings:

- F1.)** That determinations regarding the following findings are based upon the documents and plans identified in this Decision, as well as the information and EXHIBITS submitted and presented in association with the Application.
- F2.)** That determinations regarding the following findings are also predicated upon satisfactory completion of the work and site improvements shown on the Plans and maintenance of the Site in accordance with this Decision, as well as all applicable Federal, State and Local regulations, except where modified by this Decision.
- F3.)** That the 3.42-acre site is located in an Office / Light Industrial (OLI) zoning district. The site is not located within the Water Supply Protection Overlay District. The Applicant is seeking a Special Permit for a Marijuana Establishment, including but not limited to a Registered Medical Marijuana Dispensary, Marijuana Retailer and Marijuana Transporter. Said uses are allowed with the issuance of a Special Permit in an OLI zone and is further subject to Site Plan Approval as required by the Zoning By-law.

- F4.)** The proposed scope of work involves the construction of an approximately 3,100 sq. ft. structure on the existing foundation for retail cannabis dispensary, including manufacturing. (see Exhibits #1, and #30).
- F5.)** The Town of Grafton Select Board signed a Host Community Agreement with Noble Manna (now Discern'd Cannabis Purveyors, Inc.) to operate a Marijuana Establishment as taken by vote on August 13, 2019.
- F6.)** Testimony was received by the Applicant that a Community Outreach Meeting was held on December 28, 2020 and that their application to the Cannabis Control Commission was submitted on January 14, 2021.
- F7.)** The proposed hours of operation for the retail operation will be 10 AM to 8 PM Monday through Sunday (see Exhibit #1).
- F8.)** The Zoning Bylaw, in Section 5.10.4.b states “The hours of operation shall be set by the Special Permit Granting Authority, but in no event shall a facility be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises, between the hours of 8:00 p.m. and 8:00 a.m.”
- F9.)** The Applicant requested two (2) waivers as part of the application submission. A waiver was requested from Section 1.3.3.3.f pertaining to the submission of Earthwork Calculations (see Exhibit #1h). A second waiver was requested from Section 8.2 pertaining to the submission of a Traffic Study (see Exhibit #1.e) due to a submitted Traffic Impact and Access Study (see Exhibit #28).
- F10.)** That during the public hearing the Board and the Applicant discussed the access to the site, site circulation, fencing, and the loading area. The Applicant noted that they will be reviewing the security plans with the Police Department, as many of the security provisions include systems that have not been finalized. The applicant noted they are amenable to a one way in and out as recommended by the Police Chief (see Exhibit #21).
- F11.)** With regard to Section 1.5.5(a), the Board finds that based on Exhibits and Findings stated within this Decision, ingress and egress to the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe, is adequate. The Board notes that project proposes the reconstruction of an existing building with additional parking and vehicular access proposed. The Board notes the Applicant has expressed they are amenable to a one way in and out as recommended by the Police Chief (see Exhibit #21).
- F12.)** With regard to Section 1.5.5(b), the Board finds that based on the Exhibits and the Findings stated within this Decision, that off-street parking is adequate. The Board further finds with regard to Section 1.5.5(b) that the economic, noise, glare, or odor effects of the special permit on

adjoining properties and properties generally in the district are satisfactory. The Board notes that the site is located within an Office / Light Industrial (OLI) zone.

- F13.) With regard to Section 1.5.5(c), the Board finds that based on the Exhibits and the Findings stated within this Decision, that refuse collection or disposal and service areas are satisfactory. The Board notes that the Applicant addressed the refuse collection by noting that they will follow disposal requirements of the Cannabis Control Commission.
- F14.) With regard to Section 1.5.5(d), the Board finds that based on the Exhibits and the Findings stated within this Decision, screening and buffering with reference to type, dimensions and character are adequate. The Board notes that the project involves the reconstruction of a demolished structure using the existing foundation and retaining a residential style design. Furthermore, changes proposed to the parking area include provision of considerable buffer vegetation, fencing and landscaping.
- F15.) With regard to Section 1.5.5(e), the Board finds and based upon on the Exhibits and the Findings stated within this Decision, signs and exterior lighting with reference to glare, traffic safety, economic effect is compatible and in harmony with properties in the district.
- F16.) With regard to Section 1.5.5(f), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, the required yards and other open space requirements are adequate (see EXHIBIT #30).
- F17.) With regard to Section 1.5.5(g), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, that the proposed use of the facility is generally compatible with adjacent properties and other properties in the Office / Light Industrial (OLI) zone. The site is located on Worcester Street which contains industrial, commercial, and professional uses with similar intensity of use to the proposed Marijuana Establishment.
- F18.) With regard to Section 1.5.5(h), the Board finds that based upon on the Exhibits and the Findings stated within this Decision and upon satisfying and complying with all applicable requirements of the Massachusetts DEP, Grafton Water District, and all other applicable agencies, the proposed facility will not have any significant adverse impact on any public or private water supply.
- F19.) With regard to Section 1.5.5(i), the Board finds that the site is not located within the Water Supply Protection Overlay District. The Board further finds that, based upon on the Exhibits and the Findings stated within this Decision, and upon satisfying and complying with all applicable requirements of the Massachusetts DEP, Grafton Water District, and all other applicable agencies, there will not be any significant adverse impact upon municipal water supplies.
- F20.) With regard to Section 1.5.5(j), the Board finds that important historic, cultural and scenic landscapes are protected. The Board notes that the project involves the reconstruction of a demolished structure using the existing foundation and retaining a residential style design.

Furthermore, changes proposed to the parking area include provision of considerable buffer vegetation, fencing and landscaping and, therefore, **does not** impact any historic, cultural, or scenic resource.

- F21.)** With regard to Section 5.10.7.a, the Board finds that the proposed Marijuana Establishment has satisfied compliance with M.G.L. Chapter 94G and specifically, the Board finds that the proposed Marijuana Establishment is located greater than five hundred feet (500') from a school, daycare center, or any facility in which children commonly congregate.
- F22.)** That Section 5.10.8.a of the ZBL requires that the Applicant meet all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will as proposed be in compliance with all applicable state laws and regulations.
- F23.)** That Section 5.10.8.c of the ZBL requires the Applicant provide copies of registrations and licenses and a copy of a signed Host Agreement with the Town of Grafton, in accordance with M.G.L. Chapter 94G and subsequent regulations, to the Building Commissioner prior to the issuance of a Certificate of Occupancy.
- F24.)** That Section 5.10.8.d of the ZBL requires that the facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest.
- F25.)** That Section 5.10.8.e of the ZBL requires that the facility provide a secure waiting area.
- F26.)** That Section 5.10.8.f of the ZBL requires that the facility provides adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals, and that the storage and/or location of cultivation of marijuana is adequately secured in enclosed, locked facilities.
- F27.)** That Section 5.10.8.g of the ZBL requires that the facility adequately addresses issues of vehicular and pedestrian traffic, circulation, parking and queuing, especially during peak periods at the facility, and adequately mitigates the impacts of vehicular and pedestrian traffic on neighboring uses.
- F28.)** That Section 1.3.3.2 of the ZBL requires that the procedure for the Site Plan Review, as defined in the ZBL, be incorporated into the procedure for reviewing Special Permits.
- F29.)** That Section 1.3.3.3 of the ZBL defines the procedure for Site Plan Review, including a description of the plans and materials to be submitted to the Planning Board.
- F30.)** The Board finds that Section 1.3.3.4 of the ZBL allows an applicant to request waivers from certain requirements of the Site Plan Review procedure. The Board finds that the Applicant submitted waiver requests from Sections 1.3.3 and 8.2 of the Grafton Zoning By-Law (see EXHIBIT #1).

IV. WAIVERS

At their meeting of March 8, 2021, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Justin Wood, seconded by David Robbins) voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for the following Waiver from the *Rules and Regulations*, as specified below:

W1. Section 1.3.3.3(f) - A report, if applicable, showing calculations of the volume of earth material to be removed from or delivered to the site, including a description of such removal or fill activity. Depending upon the volume of material to be removed or filled, the Planning Board may require the Applicant to submit additional information (if not submitted in the report) regarding, but not limited to, the following: the hours of fill/removal activity; proposed route(s) of transporting materials to and from the site; and measures for dust and erosion control (both on- and off-site) for the proposed activity.

At their meeting of March 8, 2021, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board noted that the following Waiver from the *Rules and Regulations*, as specified below, had been satisfied during the Public Hearing (see EXHIBIT #29), and therefore the waiver request was subsequently withdrawn.

W2. Section 8.2 - A traffic study shall be submitted with each application for a subdivision of greater than 20 units, special permit or special permit with site plan review, or where required by the Planning Board, unless otherwise waived by a four-fifths (4/5) vote of the SPGA.

V. DECISION

At their meeting of March 8, 2021, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Justin Wood, seconded by David Robbins) voted five (5) in favor and zero (0) opposed to **APPROVE** the Special Permit (SP 2021-01) & Site Plan Approval with the following conditions:

A. Standard Conditions

1. This Special Permit and Site Plan Approval specifically authorizes the construction associated with the reconstruction of a demolished structure using the existing foundation and retaining a residential style design at 130 & 134 Worcester Street for a Marijuana Establishment, including but not limited to a Registered Medical Marijuana Dispensary, Marijuana Retailer and Marijuana Manufacturer as described within the referred EXHIBITS and FINDINGS of this Decision.
2. The work authorized by this Special Permit and Site Plan Approval shall be solely for the purposes noted within Condition #A1 of this Decision. Changes to plan presented in this Application may be made only upon authorization from the Planning Board. Such authorization shall only be granted provided the Board finds that any change requested by the Applicant is not substantially different than the plan presented within the EXHIBITS of this Decision, and is consistent with the intent and purpose of this Decision. Requests for such change(s) shall be submitted in writing to the Planning Board.

3. Signage for, and associated with, the use authorized by this Decision shall be installed in accordance with this decision, and conform to, the Town of Grafton Zoning By-law. This Decision shall not be construed as approving or authorizing any directional such signage, which may be permitted in conformance with the Zoning By-law.
4. The Applicant shall submit a lighting plan denoting any changes in fixtures as proposed in Exhibit #30 for review and approval by the Board prior to installation, except lighting that is required by code and determined necessary by the Inspector of Buildings for emergency egress of the structure.
5. In accordance with Section 1.5.8 of the ZBL, this Special Permit and Site Plan Approval shall lapse within one (1) year from the date of the expiration of the appeal period if substantial use, or construction, has not been commenced except in accordance with the law. Any request for an extension of said period of validity shall be considered a Modification of this Special Permit and Site Plan Approval, and such request shall be filed and reviewed in accordance with the procedure specified in Section 1.5 of the ZBL.
6. This Special Permit and Site Plan Approval shall not take effect until the Decision has been recorded at the Worcester District Registry of Deeds (WDRD) and provided the Planning Board and the Building Department with a copy of such recording, including the WDRD Book and Page Number and/or Instrument Number.
7. By recording this Special Permit and Site Plan Approval Decision in the WDRD, the Applicant agrees to and accepts the conditions set forth in this Special Permit and Site Plan Approval Decision.

B. Conditions to be Met During Construction

1. Hours of construction and site work external to the building shall only occur Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m. and Saturdays from 8:00 a.m. and 5:00 p.m. There shall be no construction activity on Sundays or state and federal holidays.
2. All construction shall be performed in accordance with the approved Plans, as well as all applicable Federal, State and Local regulations, and shall be accomplished so as not to discharge any pollutants or siltation into waterways or resource areas during construction, and after completion, from the site and its associated improvements.

C. Conditions to be Met After Construction

1. The Applicant shall submit a copy of the Cannabis Control Commission's Provisional License and any supporting documents indicating approval to proceed for review for consistency with this decision. If the Board determines that the material submitted is inconsistent with the decision, the Applicant may be required to modify this decision pursuant to Condition A.2.
2. The Applicant shall submit a final security plan, including parking plan details, following approval of the Cannabis Control Commission and the Grafton Police Department, to the Planning Board for review for consistency with this decision. If the Board determines that the

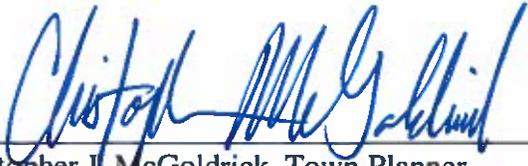
material submitted is inconsistent with the decision, the Applicant may be required to modify this decision pursuant to Condition A.2.

3. Hours of operation for the uses authorized by this Decision shall be limited as follows: for the retail sales shall be 10:00 AM to 8:00 PM Monday through Sunday, but in no event shall a facility be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises, between the hours of 8:00 PM. and 8:00 AM (Finding 8). Hours of operation may be amended pursuant to Condition A.2.
4. No sign may be illuminated more than thirty (30) minutes after closing of any store or business in accordance with Section 4.4.2 of the Grafton Zoning By-Law.

VII. RECORD OF VOTE

<u>David Robbins, Chairman</u>	<u>AYE</u>	<u>Linda Hassinger, Member</u>	<u>AYE</u>
<u>Robert Hassinger, Vice Chairman</u>	<u>AYE</u>	<u>Prabhu Venkataraman, Member</u>	<u>AYE</u>
<u>Justin Wood, Clerk</u>	<u>AYE</u>		

DATE OF FILING OF DECISION: BY ORDER OF THE BOARD



Christopher J. McGoldrick, Town Planner



Date

- cc: Applicant / Owner
- Building Inspector
 - Assessors
 - Conservation Commission

To Whom It May Concern: This is to certify and verify that the twenty (20) days have elapsed since this decision was filed in the Town Clerk's office and that no such appeals have been filed in the reference to the same, or that, if such appeal has been filed, it has been dismissed or denied.

Kandy Lavalley, Town Clerk

Date