
MIRICK O'CONNELL

A T T O R N E Y S A T L A W

David K. McCay
Mirick O'Connell
1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
dmccay@mirickoconnell.com
t 508.860.1460
f 508.983.6273

June 28, 2019

VIA FIRST CLASS MAIL

Clerk's Office
Land Court Department
3 Pemberton Square
Boston, MA 02108


Re: Board of Selectmen for the Town of Pepperell v. Zoning Board of Appeals of
the Town of Pepperell, et al.
Land Court, Civil Action No. 19MISC000081
and
Donald A. Brown, et al. v. Pepperell Zoning Board of Appeals, et al.
Land Court, Civil Action No. 19MISC000086

Dear Sir/Madam:

Enclosed for filing in the above-referenced, consolidated cases, please find the parties' Joint Statement Concerning Mediation. A courtesy copy of the Joint Statement is also being sent to the Session Clerk, Jennifer E. Noonan via email.

Please do not hesitate to contact me with any questions. Thank you in advance for your assistance.

Very truly yours,



David K. McCay

DKM/ljg
Enclosure

cc: Jennifer E. Noonan, Session Clerk (via email, w/enclosure)
Ginny Sinkel Kremer, Esq., Paul Haverty, Esq. and Christopher J. Alphen, Esq. (via email and regular mail, w/enclosure)
David J. Doneski, Esq., and A. Alexander Weisheit, Esq. (via email and regular mail, w/enclosure)
Robin L. Main, Esq. and Rhiannon A. Campbell (via email and regular mail w/enclosure)

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

LAND COURT
DEPARTMENT

THE BOARD OF SELECTMEN FOR THE TOWN
OF PEPPERELL,
Plaintiff

v.

ZONING BOARD OF APPEALS FOR THE TOWN
OF PEPPERELL, and MARK G. WALSH,
ANNETTE R. MCLEAN, SEAN E. MCAFFERY,
ALAN LEAO, JR. in their capacity as members of
the ZONING BOARD OF APPEALS, and MASS
COMPOSTING GROUP, INC.,
Defendants

CIVIL ACTION NO.
19MISC000081

DONALD A. BROWN, et al.,
Plaintiffs

v.

THE PEPPERELL ZONING BOARD OF
APPEALS, MARK WALSH, ANETTE MCLEAN,
SEAN MCAFFERY, AS THEY ARE MEMBERS
OF THE PEPPERELL ZONING BOARD OF
APPEALS, MASS. COMPOSTING GROUP, INC.
AND ITS PRESIDENT DAVID A. BURTON.,
Defendants

CIVIL ACTION NO.
19MISC000086

JOINT STATEMENT CONCERNING MEDIATION

The parties in the above-captioned, consolidated cases report that they have conferred and do not believe that mediation or other ADR would be productive at this stage of the proceedings.

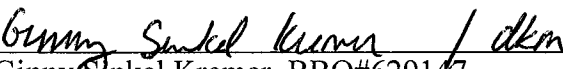
THE BOARD OF SELECTMEN FOR THE
TOWN OF PEPPERELL

By its attorneys,


David K. McCay, Esq., BBO #646921
Angela J. Benoit, Esq., BBO #703213
Mirick, O'Connell, DeMallie & Lougee, LLP
1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
Phone: (508) 791-8500
Fax: (508) 983-6273

DONALD A. BROWN, LAURETTA A.
DELEGGE, PHILLIP DZUBINSKI,
ROSEANNE DZUBINKI (SIC), HOLLY
RIST, DEAN RIST, WILLIAM HAMMOND,
PATRICIA HAMMOND, ROBERT
LIVINGSTON, BRIAN J. HUTCHINSON,
ROBERT P. CORDERIO, MARK K.
SPENGLER, LINA SPENGLER, PAUL T.
LONERGAN, CAITLIN LONERGAN, JR.,
MARGARET SCARSDALE AND
CAROLINE AHDAB,

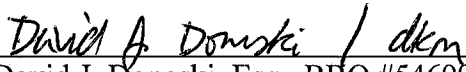
By their attorneys,


Ginny Sankel Kremer, BBO#629147
Paul Haverty, BBO#652359
Christopher J. Alphen, BBO#691813
Blatman Bobrowski & Haverty, LLC
9 Damonmill Square, Suite 4A4
Concord, Massachusetts, 01742
(978) 371-2226
ginny@bbhlaw.net

June 28, 2019

ZONING BOARD OF APPEALS FOR THE
TOWN OF PEPPERELL, and MARK G.
WALSH, ANNETTE R. MCLEAN, SEAN
E. MCCAFFERY, and ALAN LEO, JR. in
their capacity as members of the ZONING
BOARD OF APPEALS

By their attorneys,


David J. Doneski, Esq., BBO #546991
A. Alexander Weisheit, Esq. BBO #682323
KP Law, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110-1109
Phone: (617) 556-0007
Email: ddoneski@k-plaw.com
aweisheit@k-plaw.com

MASS. COMPOSTING GROUP, INC.

By its attorneys,


Robin L. Main, Esq., BBO #556074
Rhiannon A. Campbell, Esq., BBO #682193
Hinckley, Allen & Snyder, LLP
28 State Street, Boston, MA 02109-1775
Phone: (617) 345-9000
Fax: (617) 345-9020
rmain@hinckleyallen.com
rcampbell@hinckleyallen.com

CERTIFICATE OF SERVICE

I, David K. McCay, hereby certify that I have this day served a copy of the foregoing document, by email and by mailing a copy, first class mail, postage prepaid, to Robin L. Main, Esq., Rhiannon A. Campbell, Esq., Hinckley, Allen & Snyder, LLP, 28 State Street, Boston, MA 02109-1775, David J. Doneski, Esq., and A. Alexander Weisheit, Esq., KP Law, P.C., 101 Arch Street, 12th Floor, Boston, MA 02110-1109 and Ginny Sinkel Kremer, Paul Haverty, and Christopher J. Alphen, Blatman Bobrowski & Haverty, LLC, 9 Damonmill Square, Suite 4A4, Concord, Massachusetts, 01742.



David K. McCay, Esq.

Dated: June 28, 2019