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Parkview Electronics Trust, LLC v. Conservation Com'n of Winchester

Appeals Court of Massachusetts, Middlesex - January 12, 2016 - N.E.3d - 2014 WL 10987315

Property owner brought action in the nature of certiorari contending that town conservation commission's order of resource area delineation (ORAD) was invalid. The Superior Court granted commission's motion for judgment on the pleadings. Property owner appealed.

The Appeals Court held that:

- Commission was permitted to apply both local by-law and state law in determining compliance with wetlands protection standards, and
- By-law's definition of "land subject to flooding" was not so vague as to violate due process.

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