

3/31/2022 & filed 4/1/2022

THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF THE TRIAL COURT

NORFOLK, ss.

SUPERIOR COURT DEPARTMENT  
2282CV00038

JOANNE DELAPA, of DELAPA REALTY  
TRUST

PLAINTIFF

v.

TOWN OF WESTWOOD CONSERVATION  
COMMISSION

DEFENDANT.


**AFFIDAVIT OF RACHEL WATSKY OF COMPLIANCE WITH THE  
REQUIREMENTS FOR SERVICE AS PROVIDED IN G.L. C. 249, § 4**

I, Rachel Watsky, as counsel for Plaintiff, hereby state as follows:

1. As provided in G.L. c. 249, § 4, within 90 days after filing the Complaint, the plaintiff shall serve the defendant board or commission by serving one of the members of said board or commission, or by serving the majority of the members of the board or commission, and file said service with the Court.
2. I hereby state and affirm that notice as required, has been provided to all defendants.
3. Following issuance of the Town of Westwood Conservation Commission Order of Conditions on November 18, 2021, purporting to deny the project under both the Wetlands Protection Act and under the local wetlands bylaw, the Plaintiff appealed the Order to the Department of Environmental Protection on November 20, 2021, and filed the above-captioned Complaint in Superior Court on January 12, 2022.
4. The Department of Environmental Protection has accepted the appeal and conducted a site inspection on January 6, 2022.

5. Plaintiff contacted the counsel for the Town of Westwood on March 29, 2022 to inquire if they would accept service of process on behalf of the Conservation Commission.
6. Town Counsel agreed to accept service of process of the Complaint on behalf of the Conservation Commission and did so on March 31, 2022. (A copy of the Acceptance of Service is attached hereto).
7. Plaintiff, on March 21, 2022, within the 90-day period (deadline of April 12, 2022), provides this affidavit to the Court as required. Plaintiff hereby provides the Acceptance of Service for the municipal defendant by way of Town Counsel.

Signed this 31<sup>st</sup> day of March 2022, under penalties of perjury:

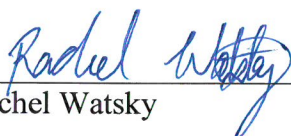
  
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Rachel Watsky, Esq. (BBO #704043)  
30 Eastbrook Road, Suite 301  
Dedham, MA 02026  
(781) 329-5009  
rachel@watskylaw.com

#### **Certificate of Service**

I, Rachel Watsky, hereby certify that a copy of the above document was sent by email and/or certified mail to:

Town Counsel for the Town of Westwood Conservation Commission:  
Patrick J. Ahearn  
580 High Street  
Westwood, MA 02090  
pahearn@townhall.westwood.ma.us

Date: 3/31/22\_\_\_\_\_

  
\_\_\_\_\_  
Rachel Watsky