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## THE WEEK'S OPINIONS

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### **Zoning** **Special Permit - Site Plan Approval**

Where the Lowell zoning board granted a developer a special permit allowing construction of a supermarket, conditioned upon the developer upgrading an avenue in accordance with the requirements of the city engineer, the zoning board acted within its authority and its decision will be affirmed.

Also affirmed today, as supported by substantial evidence, is a decision by the Lowell planning board approving the developer's site plan.

*Valley Properties, Inc. u. City of Lowell Zoning Board of Appeals, et al. (Lawyers Weekly No. 14-058-05) (37 pages) (Scheier, C.J.) (Middlesex Land Court) Keith Long for the plaintiff; Christine O'Connor for the defendant city of Lowell; David Rayment and David Katz for defendant Hannaford Brothers Company (Misc. Case Nos. 260767 and 262795) (June 10, 2005).*