



Plaintiffs have not demonstrated that this case presents either an arbitrary abuse of discretion amounting to a refusal to act or a substantial question of law affecting the merits of the case. The Selectboard considered the issue of safety and found that the curb-cut had been proposed in safe location. Plaintiffs may have a reasonable basis for disagreement with the Selectboard on this point, but they have not presented a legal basis for the relief requested, reversal of the Selectboard's decision.

**ORDER**

For the foregoing reasons, the Town motion for summary judgment is GRANTED.

Dated at Montpelier, Vermont this 27<sup>th</sup> day of June 2007.

Mary Miles Teachout  
Mary Miles Teachout  
Superior Court Judge