

STATE OF VERMONT
ENVIRONMENTAL COURT

In re: Appeal of John R. Mullen }
 }
 } Docket No. 187-9-00 Vtec
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Entry Order

Appellant John R. Mullen is represented by L. Brooke Dingledine, Esq.; the City of Barre is represented by Oliver L. Twombly, Esq. Appellant has moved to reconsider the March 27, 2002 “**Decision and Order on Remaining Issues**” as it crossed in the mail with Appellant’s supplemental memorandum filed March 28, 2002.

Appellant’s motion is granted in part, not to change the result, but to correct characterizations in the last full paragraph on page 2 of that decision. The paragraph is changed as follows; the changed language is shown in **bold** type:

The City’s memorandum **asserts that** the off-street parking requirement of § 5.7.01(b)(2) will not be met by the property’ s present configuration of four parking spaces. **Appellant asserts that the property has five parking spaces at present.** However, this issue was not raised in the present appeal. Appellant must **comply** with § 5.7.01 and 5.7.02, but may do so by any of the available mechanisms under the Zoning Regulations: by **providing five** parking spaces; or by reduction in the requirement by the DRB under § 5.7.01(c) or (d); or by a determination that it is inapplicable under § 5.7.01(e) as the building is not being enlarged; or by assignment of one of the spaces to two units with approval of the DRB under § 5.7.02(a); or by provision of a space on other property under § 5.7.02(b). Any application related to meeting the parking requirements is not before the Court in the present appeal.

The March 27, 2002 Decision and Order is otherwise unchanged, and concluded the appeal in Docket No. 187-9-00 Vtec. (Please note that Docket No. 259-12-99 Vtec was concluded by the Court’ s March 7, 2002 Decision and Order).

Dated at Barre, Vermont, this 9th day of April, 2002.

Merideth Wright
Environmental Judge

