

STATE OF VERMONT

SUPERIOR COURT
Vermont Unit

ENVIRONMENTAL DIVISION
Docket No. 111-8-14 Vtec
Docket No. 112-8-14 Vtec

Margaret Pratt Assisted Living Site Plan Approval Margaret Pratt Assisted Living Conditional Use

ENTRY REGARDING MOTION

Title: Motion to Stay (Motion 1)
Filer: Enhanced Living, Inc.
Attorney: Andrea Gallitano
Filed Date: January 2, 2015
No response filed

The motion is **GRANTED**.

At a status conference that the Court conducted with the parties on December 22, 2014, Applicant's legal counsel advised that Applicant intended to submit a revised site plan application for its proposed development and would seek review from the Town of Bradford Planning Commission ("Planning Commission") and, because of this, Applicant recommended that the Court stay the pending site plan application appeal. Applicant offered the thought that the revised site plan may result in the pending appeal being dismissed and the new application resolving the appealing neighbors' concerns.

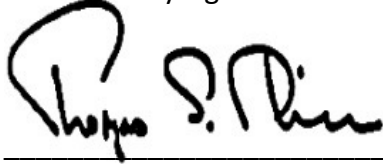
In response, the Court directed Applicant's counsel to file a formal motion to stay and directed all other parties to file any objection to that motion by January 5, 2015. Applicant's motion was filed with the Court on January 2, 2015; no objections have thus far been filed with the Court.

Based upon those filings, the Court does hereby **GRANT** Applicant's motion for a stay and further stays the related appeal concerning the conditional use approval (Docket No. 112-8-14 Vtec), given the Court's belief that the most efficient use of the Court's and the parties' scarce resources, these two related applications should be tried in a coordinated merits hearing, if in fact the revised site plan results in a subsequent appeal or a re-activation of the currently pending site plan appeal.

Applicant's legal counsel is directed to advise the Court and other parties on the status of their revised site plan application by letter filed on or before **Monday, February 2, 2015** on the 30th day thereafter until those proceedings are completed.

The Court will also stay the issuance of a Scheduling Order until these matters are re-activated or dismissed as a result of the parties' resolution of their disputes.

Electronically signed on January 08, 2015 at Newfane, Vermont, pursuant to V.R.E.F. 7(d).

A handwritten signature in black ink, appearing to read "Thomas S. Durkin", written over a horizontal line.

Thomas S. Durkin, Judge
Environmental Division

Notifications:

Appellant Christine A. Brown

Appellant Stephen J. Johnson

Appellant Elizabeth I. Reader

Appellant Henry M. Sienkewicz

Appellant Robert T. Sweet

Appellant Sylvia Sweet

Interested Person Jean M. Young

Interested Person Pamela B. Wilcox

Interested Person Dwight Young

Andrea Gallitano (ERN 1050), Attorney for Appellee Enhanced Living, Inc.

Interested Person Town of Bradford