

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION  
Docket No. 19-3-17 Vtec

Grayson Subdivision App. Appeal

**ENTRY REGARDING MOTION**

Count 1, Municipal DRB Other (19-3-17 Vtec)

Title: Motion to Dismiss, Strike or Clarify Statement of Questions (Motion 11)

Filer: Charles T. Grayson

Attorney: Christopher J. Nordle

Filed Date: July 24, 2017

Response filed on 08/03/2017 by Attorney Brice C. Simon for Appellant Glenn Andersen

**The motion is MOOT.**

Appellee/Applicant Charles T. Grayson ("Applicant") seeks an order of this Court that most of the Questions in Appellant Glen Anderson's ("Appellant") Statement of Questions be dismissed, stricken, or that Appellant be ordered to clarify the targeted Questions. For the reasons stated below, we conclude that Applicant's motion is now moot, and therefore decline to address the motion.

Appellant filed his first Statement of Questions on March 29, 2017,<sup>1</sup> at a time when he was representing himself. Those Questions appear to be rather long-winded, expansive, and sometimes venture beyond the jurisdictional limits of this Court. Appellant's original Statement of Questions had several subparts, is single-spaced, and covers six pages.

Attorney Brice Simon then entered his appearance for Appellant on July 13, 2017. In response to Applicant's motion to dismiss or strike, Appellant (through Attorney Simon) moved to amend his Statement of Questions, and with his motion filed a proposed Amended Statement of Questions.

Appellant's Amended Statement of Questions removes from his original filing some of the Questions that Applicant requested that this Court dismiss or strike, and generally clarified the prior Questions that seemed expansive or wordy. It appears to the Court that the remaining Questions are within the Court's jurisdiction to consider in this subdivision application appeal.

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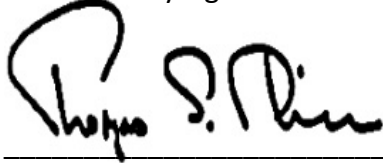
<sup>1</sup> Appellant's Statement of Questions is dated March 21, 2017, but was not received and filed with the Court until March 29, 2017.

The Amended Questions appear to be concise and are containing in a little more than one full type-written page.

Therefore, for all these reasons, the Court has granted Appellant's motion to amend his Statement of Questions, by separate Entry Order, and does hereby conclude that Applicant's motion to dismiss, strike or clarify Appellant's original Statement of Questions is now **MOOT**.

**So Ordered.**

Electronically signed on November 07, 2017 at Burlington, Vermont, pursuant to V.R.E.F. 7(d).

A handwritten signature in black ink, appearing to read "Thomas S. Durkin". The signature is written in a cursive style with a large initial 'T'.

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Thomas S. Durkin, Superior Judge  
Environmental Division

Notifications:

Brice C. Simon (ERN 4545), Attorney for Appellant Glenn Andersen

Joseph S. McLean (ERN 2100), Attorney for Interested Person Town of Waterbury

Christopher J. Nordle (ERN 1329), Attorney for Appellee Charles T. Grayson