

VERMONT ENVIRONMENTAL BOARD
10 V.S.A. §§ 6001-6092

Re: Developer's Diversified Realty Corporation
Declaratory Rulings #364, #371, and #375 (consolidated)

MEMORANDUM OF DECISION

This Memorandum of Decision addresses two Motions to Alter ("Motions") filed pursuant to Environmental Board Rule 3 l(A) with regard to Re: Developer's Diversified Realty Corporation, Declaratory Rulings #364, #371, and #375 (consolidated), Findings of Fact, Conclusions of Law, and Order (Mar. 25, 1999) ("Decision"). As explained below, the Environmental Board ("Board") denies the Motions.

I. BACKGROUND AND PROCEDURAL SUMMARY

The Decision contains a detailed summary of the background and procedural history of this case prior to issuance of the Decision.

On April 26, 1999, the Citizens for Vital Communities and the Concerned Physicians filed the Motions.

On May 3, 1999, Developer's Diversified Realty Corporation ("Developer's Diversified") filed a response to the Motions.

On May 19, 1999, the Board deliberated on the Motions.

II. DECISION

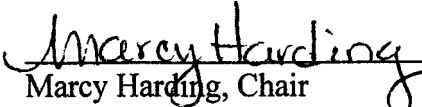
The Board concludes that the Decision is sound for the reasons stated therein. Regarding the Concerned Physicians' request that the Board find that Developer's Diversified must satisfy condition #28 of Land Use Permit #5W0584-2-EB and that the Fisher Road access is subject to restriction, the Board concludes that such request is addressed appropriately through enforcement measures. Therefore, the Board denies the Motions.

III. ORDER

The Motions are denied.

Dated at Montpelier, Vermont this 19th day of May, 1999.

ENVIRONMENTAL BOARD



Marcy Harding, Chair

George Holland

Samuel Lloyd

William Martinez

Rebecca M. Nawrath

Alice Olenick, Esq.

Jill Broderick, Esq., Alternate

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