



Suzanne Mantegna &lt;smantegna@richmondvt.gov&gt;

**Palmer**

13 messages

**Kevin Brennan** <kevin@bpd.legal>  
To: smantegna@richmondvt.gov  
Cc: Kevin Brennan <kevin@bpd.legal>

Thu, Jul 2, 2020 at 8:04 AM

Hi Suzanne,

Have you had a chance to look into the Palmer access matter?

Thanks,

Kevin

Sent from my iPhone

**Kevin T. Brennan, Esq.**  
**Brennan Punderson & Donahue, PLLC**  
1317 Davis Road  
PO Box 8  
Monkton, Vermont 05469  
802-453-8400  
kevin@bpd.legal

**Suzanne Mantegna** <smantegna@richmondvt.gov>  
To: Kevin Brennan <kevin@bpd.legal>

Thu, Jul 2, 2020 at 9:19 AM

I'm getting legal counsel. Hope to have an answer soon.

**Please note that my office hours are Wednesdays and Thursdays 8:30-4:30 and Friday mornings by appointment.**

**Suzanne Mantegna**  
Zoning Administrator  
Town of Richmond  
203 Bridge Street  
PO Box 285  
Richmond, VT 05477  
(802)434-2430

Electronic communications are considered public records and subject to public inspection and disclosure unless a record is exempt under one of the general exemptions found at 1 V.S.A. Section 317(c).

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**Kevin Brennan** <kevin@bpd.legal>  
To: Suzanne Mantegna <smantegna@richmondvt.gov>

Thu, Jul 2, 2020 at 10:11 AM

Ok. Thanks.

Kevin

Sent from my iPhone

**Kevin T. Brennan, Esq.**

**Brennan Punderson & Donahue, PLLC**

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PO Box 8  
Monkton, Vermont 05469  
802-453-8400  
kevin@bpd.legal

On Jul 2, 2020, at 9:19 AM, Suzanne Mantegna <smantegna@richmondvt.gov> wrote:

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**Suzanne Mantegna** <smantegna@richmondvt.gov>  
To: Kevin Brennan <kevin@bpd.legal>

Thu, Jul 2, 2020 at 12:23 PM

Kevin,

I don't have a final answer for you. David Rugh, Town Attorney, and I just had a long conversation. Unfortunately, he is going on vacation and will give a formal opinion the week of the 15th of July.

**Please note that my office hours are Wednesdays and Thursdays 8:30-4:30 and Friday mornings by appointment.**

**Suzanne Mantegna**

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**Suzanne Mantegna** <smantegna@richmondvt.gov>  
To: Kevin Brennan <kevin@bpd.legal>

Wed, Jul 15, 2020 at 2:00 PM

Attached is the Town Attorney's opinion that my interpretation of Section 6.9 is correct.

You are welcome to apply to the DRB to appeal my determination that a driveway is a roadway and hence development within the wetland buffers isn't allowed.

The DRB just had a sketch subdivision review that had a similar impact. Since it was a sketch application there was no decision but the DRB was waiting for this interpretation. Otherwise you could pursue a conversation with the Planning Commission to possibly revise the zoning regulations. This process may take a long time and there is no guarantee that they would wish to change the regulations.

Sorry for the bad news.

**Please note that my office hours are Wednesdays and Thursdays 8:30-4:30 and Friday mornings by appointment.**

**Suzanne Mantegna**

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 **Wetland-driveway opinion Town Attorney 071520.pdf**  
74K

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kevin@bpd.legal <kevin@bpd.legal>  
To: Suzanne Mantegna <smantegna@richmondvt.gov>

Wed, Jul 15, 2020 at 2:11 PM

Thank you. I will share with our client and get back to you.

Take care,

Kevin

Kevin T. Brennan, Esq.

Brennan Punderson & Donahue, PLLC

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Tue, Jul 21, 2020 at 7:56 AM

**Kevin Brennan** <kevin@bpd.legal>  
To: Suzanne Mantegna <smantegna@richmondvt.gov>

Hi Suzanne,

What is the process in Richmond to appeal to the DRP? Is there a form that the Town prefers (e.g. an application)? If so, can you kindly advise as to where I can get a copy?

Thanks,

Kevin  
Kevin T. Brennan, Esq.  
Brennan Punderson & Donahue, PLLC  
1317 Davis Road  
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<Wetland-driveway opinion Town Attorney 071520.pdf>

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**kevin@bpd.legal** <kevin@bpd.legal>  
To: Suzanne Mantegna <smantegna@richmondvt.gov>

Tue, Jul 21, 2020 at 9:05 AM

One more question...please advise as to the amount of the filing fee for an appeal.

Thanks,

Kevin

Kevin T. Brennan, Esq.  
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**Suzanne Mantegna** <smantegna@richmondvt.gov>  
To: Kevin Brennan <kevin@bpd.legal>

Fri, Jul 24, 2020 at 10:55 AM

Attached is the form. The fee for an appeal is \$170. Not 100% sure how an appeal would work with this since you haven't submitted an application and hence I haven't made a decision on an application, but it is my interpretation of Section 6.9. Just so you know there are also two other applications that are coming before the DRB that have driveways in the wetland buffer and I have told them the same information. One brought a sketch July 8th, but since it is a Sketch application there is no decision only a conversation. At that time I did not have the Town Attorney's opinion. A second Sketch application was just received and will be on the August 12th DRB hearing. I think the first application will be submitting a Preliminary Application for the September meeting but I don't know if they are changing the driveway or not.

I would suggest that you have a conversation with the Planning Commission about this issue. It could be that they would be willing to revise the regulations. But then again they may not (or at least not in the time frame you are looking for).

Just an FYI, I'll be away next week.

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 **NOTICE OF APPEAL.pdf**  
148K

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**Suzanne Mantegna** <smantegna@richmondvt.gov>  
To: Ravi Venkataraman <rvenkataraman@richmondvt.gov>

Thu, Aug 20, 2020 at 10:55 AM

**Please note that my office hours are Wednesdays and Thursdays 8:30-4:30 and Friday mornings by appointment.**

**Suzanne Mantegna**  
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Richmond, VT 05477

