

TARRANT, GILLIES, MERRIMAN & RICHARDSON

44 EAST STATE STREET
POST OFFICE BOX 1440
MONTPELIER, VT 05601-1440

GERALD R. TARRANT
PAUL S. GILLIES
CHARLES L. MERRIMAN
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(802) 223-1112
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OF COUNSEL
STEPHEN A. REYNES

August 12, 2013

Jacalyn Fletcher, Court Manager
Vermont Superior Court, Environmental Division
2418 Airport Road, Ste. 1
Barre, Vermont 05641

In Re: Circus Smirkus

Dear Jackie:

Enclosed please find a Notice of Appeal and Statement of Questions for filing with the court. I have also enclosed a check in the amount of \$262.50 in payment of the required filing fee.

Thank you.

Sincerely,



Paul S. Gillies

PSG/dp

Enclosures

cc: Clients
Town of Greensboro
Brian Monaghan, Esq.

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION

In re: Application of Circus Smirkus)
D/b/a Circus Barn, Inc., for a Conditional)
Use Permit, Greensboro, Vermont)

Docket No. _____

NOTICE OF APPEAL AND STATEMENT OF QUESTIONS

Sarah Dillon, Sheila Dillon, Laurence I. Hewes, III, Mary C. Hewes, Laurence I. Hewes IV, H. Patrick D. Hewes, Mary C.D. Hewes, Thomas M. Woodward, Jr., Barbara Woodward, Sarah Dillon, Sheila Dillon, Lucile Brink, and C. Diane Irish, among others, all landowners and/or voters of the Town of Greensboro, who allege that any relief requested by Circus Smirkus, if granted, will not be in accord with the policies, purposes, or terms of the plan or bylaw of Greensboro, as interested persons pursuant to 24 V.S.A. § 4465(b)(4), hereby appeal the July 17, 2013 decision of the Greensboro Development Review Board, granting a conditional use permit to the applicant.

Statement of Questions

Appellants offer the following questions to be determined on appeal:

1. Whether the proposed circus camp in the center of Greensboro Village will have an adverse effect or impact on the capacity of existing community facilities, notably, the road network beginning with the access off Breezy Avenue, relating to traffic and safety.
2. Whether the proposed circus camp in the center of Greensboro Village will have an undue adverse effect or impact on traffic in the area, including congestion, noise, and safety..
3. Whether the proposed circus camp in the center of Greensboro Village will have an adverse effect or impact on the general character of the neighborhood.

4. Whether the proposed circus camp in the center of Greensboro Village will have an adverse effect or impact on the character of the neighborhood, as to noise.

Notice to All Interested Persons

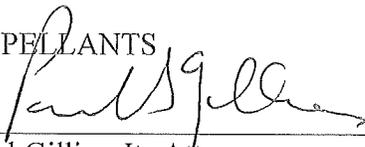
V.R.Env.P. 5(b)(3) requires this notice to all interested persons, as defined by statute, of their opportunity to enter an appearance in writing with the Environmental Court within 20 days of receiving this notice, or otherwise as provided in V.R.Env.P. 5(c) if you wish to participate in the appeal. Your notice of appearance, or request for party status, should be in writing and be sent to the court at the following address:

Vermont Superior Court
Environmental Division
2418 Airport Road, Suite 1
Barre, Vermont 05641

and a copy should be sent to the Appellant in care of Tarrant, Gillies, Merriman & Richardson, P.O. Box 1440, Montpelier, Vermont, 05601-1440.

The permit was granted to Circus Smirkus d/b/a Circus Barn, Inc., and the property is located at 409 Breezy Avenue and 421 Breezy Avenue in Greensboro, Vermont.

Dated this 12th day of August, 2013, at Montpelier, Vermont.

APPELLANTS
By: 
Paul Gillies, Its Attorney

cc: Town of Greensboro
Brian Monaghan, Esq.

TARRANT, GILLIES, MERRIMAN & RICHARDSON

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OF COUNSEL
STEPHEN A. REYNES

August 13, 2013

Jacalyn Fletcher, Court Manager
Vermont Superior Court, Environmental Division
2418 Airport Road, Ste. 1
Barre, Vermont 05641

In Re: Circus Smirkus, Conditional Use Permit

Dear Jackie:

Enclosed please find a Notice of Appeal for filing in the above-captioned matter. Since there is currently an appeal filed in this matter I believe the fee for this appeal is \$105.00 and have enclosed a check in that amount. If this is not the correct fee, please let me know.

Thank you.

Sincerely,



Gerald R. Tarrant, Esq.

GRT/dp

Enclosure

cc: Clients
Town of Greensboro
Brian Monaghan, Esq.
Mark Hall, Esq.

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION

In re: Application of Circus Smirkus)
d/b/a Circus Barn, Inc., for Site Plan)
Review and Conditional Use Permit,)
Greensboro, Vermont)

Docket No. _____

NOTICE OF APPEAL

NOW COME Sarah Williams, Rachel Williams, and Susan Williams owners of property located at 323 Breezy Avenue in Greensboro, Vermont, and Connie Peterson, Lynn Holbein and Bruce Holbein, owners of property located at 393 Breezy Avenue, Greensboro, Vermont, both of which are located in the immediate neighborhood of the project that is subject of the permit, who believe that the decision if approved will not be in accord with the policies, purposes or terms of the plan and bylaw of the town, as interested persons pursuant to 24 V.S.A. § 4465(b)(3), hereby appeal the July 17, 2013 decision of the Greensboro Development Review Board, granting a joint site plan and conditional use permit to the applicant.

Notice to All Interested Persons

V.R.Env.P. 5(b)(3) requires this notice to all interested persons, as defined by statute, of their opportunity to enter an appearance in writing with the Environmental Court within 20 days of receiving this notice, or otherwise as provided in V.R.Env.P. 5(c) if you wish to participate in the appeal. Your notice of appearance, or request for party status, should be in writing and be sent to the court at the following address:

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Environmental Division
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Barre, Vermont 05641

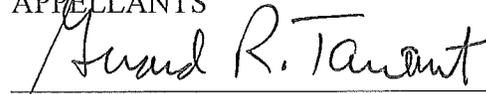
and a copy should be sent to the Appellant in care of Tarrant, Gillies, Merriman & Richardson,
P.O. Box 1440, Montpelier, Vermont, 05601-1440.

The permit was granted to Circus Smirkus d/b/a Circus Barn, Inc., and the property is
located at 409 Breezy Avenue and 421 Breezy Avenue in Greensboro, Vermont.

Dated this 14th day of August, 2013, at Montpelier, Vermont.

APPELLANTS

By:



Gerald R. Tarrant, Esq., Their Attorney
Tarrant, Gillies, Merriman & Richardson
P.O. Box 1440
Montpelier, Vermont 05601-1440

cc: Town of Greensboro
Brian Monaghan, Esq.
Mark Hall, Esq.