

***Michael Binder and Joan Allen
1953 Davis Road
Randolph Ctr, VT 05061***

December 14, 2021

Case No. 21-2939-NM

Dear Hearing Officer Poppiti,

In your order dated November 30, 2021, you have asked us to clarify whether we are requesting an evidentiary hearing.

We are requesting an evidentiary hearing.

We have enclosed a notarized affidavit that contains our observations and some quotations from a meeting of the Randolph Planning Commission on December 7, 2021 regarding the Preferred Site Letter that was issued before the petition for this project was filed.

We object to the applicant's request to delay responding as required by your order of Nov. 30. We object to waiting until Rebuttal testimony for the response. A response is necessary at this juncture because they relate to a threshold issue of whether the applicant is entitled to a Preferred Site Letter.

Based on the planning commission members' discussions we think it is imprudent to proceed with this case until the status of the Preferred Site Letter is resolved. Therefore, please consider this letter to be our Motion to Stay the case pending resolution of the status of the Preferred Site Letter by the Randolph Planning Commission (and potentially Randolph Select Board and Two Rivers Ottauquechee Planning Commission).

Sincerely,

/s/ Michael Binder and Joan Allen

Michael Binder and Joan Allen