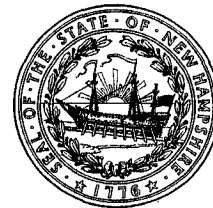




The State of New Hampshire
Department of Environmental Services
Wetlands Council

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STATE OF NEW HAMPSHIRE

WETLANDS COUNCIL

Docket No. 04-21 WtC

*Appeal of Lake Shore Realty Trust
In Re: Administrative Order AO WD 04-22
Wetlands File No. 2001-01294*

Decision & Order

on

Assented-to Motion to Continue

Background

On October 22, 2004 Attorney Robert C. Varney filed a *Notice of Appeal* ("the Appeal") with the NH Wetlands Council ("the Council") on behalf of Lake Shore Realty Trust ("the Appellant"). The subject of the Appeal being the New Hampshire Department of Environmental Services, Water Division ("DES") Administrative Order AO WD 04-22 (Wetlands Bureau File No. 2001-01294).

On October 26, 2004 the Council accepted the Appeal.

On December 28, 2004 a Pre-hearing Conference was held. At the Pre-hearing Conference parties to the appeal informed the Council that there is currently a related appeal pending before the Alton Zoning Board of Adjustment ("ZBA"). The outcome of the ZBA Appeal could have an effect on this appeal before the Council.

On January 12, 2005 the Appellant filed an *Assented-to Motion to Continue [Stay Proceedings]*. In its motion the Appellant requested that the Council stay proceedings in this appeal for 90 days and to then schedule a status conference after March 3, 2005.

On January 13, 2005 the Council granted the *Assented-to Motion to Stay*.

On April 22, 2005 the Appellant filed an *Assented-to Motion to Continue*. In its motion the Appellant requested that the Council stay proceedings in this appeal for an additional 120 days and to then schedule a status conference after August 21, 2005.

On May 3, 2005 the Council granted the *Assented-to Motion to Stay*.

On August 3, 2005 the Appellant filed an *Assented-to Motion to Continue*. In its motion the Appellant requested that the Council stay proceedings in this appeal for an additional 120 days and to then schedule a status conference after November 21, 2005.

On August 9, 2005 the Council granted the *Assented-to Motion to Continue*.

On December 14, 2005 the Appellant filed an *Assented-to Motion to Continue*. In its motion the Appellant requested that the Council stay proceedings in this appeal for an additional 90 days and to then schedule a status conference after March 15, 2006.

Order

Assented-to Motion to Continue is **GRANTED**.

So Ordered for the Council by: _____ December 20, 2005

Michael P. Scalfani, Appeals Clerk

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