

Appeal Hearing  
Christine Armstrong  
December 18, 2025

*To consider an appeal submitted by Christine Armstrong pertaining to enforcement by the Zoning Administrator regarding the Highland Lodge Conditional Use permit of October 2, 2025.*

**Warnings** were posted on December 3, 2025, at the Greensboro Town Hall, the Greensboro Post Office, the Greensboro Bend Post Office, and Willey's and Smith's Stores. The warning was sent to Ms. Armstrong on December 3, 2025. It was published in the Hardwick Gazette on Wednesday, December 3, 2025.

**Development Review Board members present:** Jane Woodruff, Tim Brennan, Mike Metcalf, Nat Smith, BJ Gray, Wayne Young, Rob Brigham (alternate), Galen Fisher (alternate).

**Development Review Board members absent:** Lise Armstrong recused herself from this appeal.

**Others present in-person:** Josh Karp, Brett Stanciu, Anthony Iarrapino, Lise Armstrong

**Others present via Zoom:** Tim Briglin, Rusty Newhouse, Peter Milliken, Janet Patterson, Day Patterson

**Correspondence from interested persons:** Due to the nature of this appeal, interested person status does not apply.

The hearing was held in person at the Greensboro Town Office and conducted by electronic communication (Zoom).

**During the course of the hearing the following exhibits were submitted:**

- Exhibit #1. Section 5.7 Appeals of the Greensboro zoning bylaw
- Exhibit #2. Christine Armstrong to Brett Stanciu, dated October 22, 2025 (photos attached)
- Exhibit #3. Brett Stanciu's response to Christine Armstrong, dated November 3, 2025
- Exhibit #4. Brett Stanciu email to Christine Armstrong, dated November 8, 2025
- Exhibit #5. Christine Armstrong appeal email, dated November 14, 2025
- Exhibit #6. Jane Woodruff's response, dated November 17, 2025
- Exhibit #7. Christine Armstrong's response to Jane Woodruff, dated November 24, 2025
- Exhibit #8. Correspondence between DEC staff (Laura Woods, Alexis Nevins, Chris Brunelle, Shannon Morrison, Chris Ingram) and Brett Stanciu
- Exhibit #9. Highland Lodge application packet
- Exhibit #10. Warning for the December 18 DRB hearing
- Exhibit #11. DRB Minutes and Decision for the Highland Lodge conditional use permit, dated October 2, 2025
- Exhibit #12. Timeline

**Summary of Discussion**

Ms. Woodruff, chair, began the hearing at 7:02 PM. She explained that this is an atypical situation as there is no application for the board to review. This purpose of this hearing is to hear an appeal of zoning administrator Ms. Stanciu's decision that there was no violation of the Highland Lodge's conditional use permit. Ms. Woodruff said the board is unlikely to ask for any

clarification from Mr. Milliken or Mr. Briglin, as the issue at hand is a review of the permit and appeal documents.

Ms. Woodruff asked Ms. Armstrong if she is being represented by Mr. Iarrapino or whether he is present in an advisory capacity only. Mr. Iarrapino replied that he has been retained for advice on procedural and substance issues.

Ms. Woodruff swore in Ms. Stanciu, Ms. Armstrong, and Mr. Iarrapino.

Ms. Woodruff said it is significant that the state officials who reviewed the Highland Lodge's proposed scope of work indicated that no state permit was required. A post-work site visit from Chris Ingram (VT-DEC) stated that no violation of state regulations occurred. Ms. Woodruff asked Ms. Armstrong to focus her presentation on the specific permit violation she is alleging took place.

Ms. Armstrong stated that as the party appealing Ms. Stanciu's decision, she has interested person status under §5.7(B) of the town zoning bylaw, as she owns lakefront property 411 feet to the west of the Porter Brook outlet. Ms. Armstrong said the manner in which the Highland Lodge completed the work means that her lakefront property, and lake water quality, will be negatively affected. She stated that Ms. Stanciu failed to enforce Condition 1 of Highland Lodge's conditional use permit, which states that *any and all state and federal permits must be in place*.

In an 11/3/25 communication with Ms. Armstrong [Exhibit #3], Ms. Stanciu stated that no violation of Condition 1 occurred. Ms. Armstrong believes this determination to be incorrect, since the condition stated that federal permits as well as state permits had to be considered.

Ms. Armstrong said she's taking this appeal because the Highland Lodge dredged and filled the shoreline area in a manner inconsistent with their original proposal. Sediment material was deposited adjacent to the jetty; she asserted this will alter the outflow of Porter Brook and direct material to shorelands west of the brook, adversely affecting her waterfront property. Had a Clean Water Act §404 permit been applied for, such potential effects would have been considered and addressed. Mr. Iarrapino stated that neither the Highland Lodge nor Ms. Stanciu made any contact with the Army Corps of Engineers about a §404 permit, and that Ms. Armstrong was the first to do so.

Ms. Woodruff said that in her appeal [Exhibit #7], Ms. Armstrong said that only state permits were at issue. Ms. Woodruff said this is the first the board has heard about federal permits, and asked Ms. Stanciu if the question of federal permits was ever raised to her. Ms. Stanciu replied it was not raised. Ms. Woodruff said that if the issue of federal permits had been identified earlier on in the appeal process, Ms. Stanciu could have dealt with this question proactively.

Ms. Stanciu said she requested Ms. Armstrong discuss her concerns over the phone but that Ms. Armstrong chose not to do so, and apparently chose to withhold information from herself and the board.

Mr. Brennan questioned whether the board might need counsel to proceed. Ms. Stanciu said she

was unaware that Ms. Armstrong would be retaining counsel and that she herself does not have counsel.

Ms. Woodruff announced a break at 7:28 PM and board members left the room to confer. Board members returned at 7:41 PM.

Ms. Woodruff stated that in her 11/14/25 email to Ms. Armstrong [Exhibit #6], she requested that Ms. Armstrong 1) provide the written decision made by Ms. Stanciu dated 11/3/25; and 2) state the specific state and/or federal permits that Ms. Armstrong claims were not in place. While Ms. Armstrong stated in her reply on 11/24/25 [Exhibit #7] that an encroachment permit was not received from the state, the issue of federal permits was not addressed.

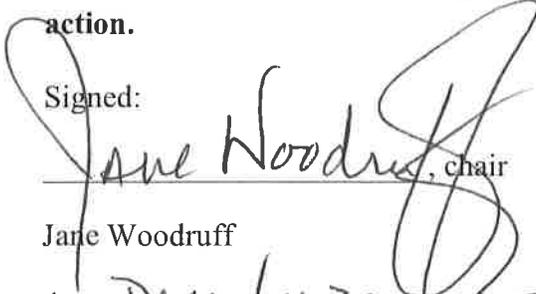
Ms. Woodruff said that in order to proceed with her appeal, Ms. Armstrong must submit a notice of an alleged Clean Water Act §404 violation to Ms. Stanciu for her action. The board will await Ms. Stanciu's findings.

At 7:53 PM, Ms. Woodruff stated that this hearing will remain open indefinitely.

### CONCLUSIONS AND ORDER

Based on the testimony heard, the Development Review Board made no specific finding of facts regarding whether or not there was a violation of the permit issued to the Highland Lodge. The Development Review Board is a quasi-judicial body and is thus concerned with the precepts of fundamental fairness and due process. Central to the tenet of due process is *notice and an opportunity to be heard*. Appellant alleged a violation of the federal Clean Water Act for the *very first time* at the scheduled hearing in her verbal comments. No notice or allegation of a federal Clean Water Act violation was given to either the Administrative Officer or the DRB. Because of these events, the DRB has decided unanimously to commence and continue this hearing. If Appellant wants to pursue an alleged violation of Section 404 of the Clean Water Act, she must present a new allegation of violation with specificity to the Administrative Officer. Therefore, no further action will be taken by the Development Review Board at this point in time. **A new date and time for hearing will be duly warned if Appellant chooses to pursue action.**

Signed:

 Jane Woodruff, chair

Jane Woodruff

date

December 30, 2025

 Josh Karp

\_\_\_\_\_, Selectboard clerk

Josh Karp

date

12/29/25

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Development Review Board. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.