

Hand 12:10 pm
JW



22 November 2021

Good afternoon Phillip.

I am writing in reply to the email from you dated 11/18/21 at 10:40 am.

This is my recollection of the chain of events.

The decision, as was explained to me, was made at the City of Charlottetown Council meeting of September 13, 2021. I watched the proceedings on my computer. I contacted Alex Forbes at the City the next day. He referred me to IRAC and I contacted them to find out what my options were since I did not agree with the decision that was rendered.

I was told by IRAC and the City Planning Board that I had 21 days to appeal the decision.

I filed my appeal on October 1, 2021 and my submission was reviewed by both IRAC and the City. I requested and received a signature at IRAC and the City indicating that I had submitted everything required and had met all the conditions outlined in the Appeal Procedures within the 21 day time frame as previously indicated to me by them.

I acknowledge that I have no legal training or background and as such took what people in authority told me as the correct and proper process I needed to follow.

I believed when I submitted the required documents to the people representing both IRAC and the City that they being familiar with these forms and the requirements, that they would have taken the due diligence to verify the time frames were met.

Also, on 5 October 2021, I received a request from Melanie McKenna asking for additional time to reply. I question, if they were aware of the regulations on the second reading that they would not have merely stated that the appeal was invalid due to time requirements.

Again, as a layman, I believed that all process was going as usual.

If at that time I would have been made aware of this detail, I could have simply withdrawn my appeal until after the October 12, 2021 meeting which was one week away and merely resubmitted it after the Second Reading.

I also fail to see why Melanie went to such great detail in her submission if she was aware of the time constraint regulations. She could have simply submitted a note that the appeal was filed on the wrong date and ended it there. At this point, I still had time to resubmit my appeal.

When Melanie's reply came in on November 17, 2021, I had effectively been bypassed as the submission date had passed.

I am respectfully requesting that my appeal submission be allowed and reinstated to be heard. We are not asking to change our submission which we easily could have withdrawn and resubmitted within the appropriate times, if we had known.

In my original filing all I asked was that Council follow their own rules which they chose not to do and instead granted approval which was in contradiction to their bylaws and against the recommendation of the Planning Board.

Mr. Rafuse, I commend you on your thoroughness in finding the oversight. However, if our submitted documents were checked when submitted, we would not be here today. You have been very professional throughout this process and I appreciate that I am without legal training.

In the process of me filing my appeal, we had encountered procedural problems with the forms on whether we had to serve forms on Mr Perry.

Might I suggest this is another problem that should be addressed on the forms to clearly indicate that appeals should not be submitted until after the Second Reading and that there are 21 days from the second reading for submissions.

In closing, thank you for your consideration of my appeal to be reinstated and be heard.

Goops and Laurena Wooldridge