

**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF THE HERITAGE PROPERTY ACT**

- and -

**IN THE MATTER OF AN APPEAL** by the **LUNENBURG HERITAGE SOCIETY** from the decision of Lunenburg Town Council approving the demolition of a building owned by **Earl and Brenda Bachman** located within the Heritage Conservation District at 164 Cumberland Street, Lunenburg, Town of Lunenburg, Nova Scotia

**BEFORE:**  Wayne D. Cochrane, Q.C., Member

**AMENDED HEARING ORDER**

**WHEREAS** the Board conducted a preliminary hearing by conference call with the Lunenburg Heritage Society (the "Appellant"), Patrick A. Burke, Q.C., representing the Town of Lunenburg (the "Town") and Earl and Brenda Bachman (the "Applicants") on Monday, December 7, 2009, to set hearing and disclosure dates for the appeals;

**AND WHEREAS** the hearing of this appeal was scheduled to commence on Thursday, February 18, 2010, at 9:30 a.m. at the Lunenburg & District Fire Hall, 25 Medway Street, Lunenburg, Nova Scotia.

**AND WHEREAS** the Appellant retained Ronald A. Pink, Q.C., to represent them in this appeal and by letter dated December 15, 2009, Mr. Pink requested an adjournment of this hearing;

**AND WHEREAS** the Board conducted a preliminary hearing by conference call with Mr. Pink for the Appellant, Mr. Burke for the Town, and Mary E. Meisner, Q.C., for the Applicants on January 6, 2010, to hear submissions from the parties on Mr. Pink's request for an adjournment, and other preliminary matters;

**IT IS ORDERED** that the hearing of this appeal will commence on Tuesday, March 9, 2010, at 9:30 a.m. at the Lunenburg & District Fire Hall, 25 Medway Street, Lunenburg, Nova Scotia, and will continue on March 10, and 11, 2010, if necessary. An evening session will be scheduled for March 9, 2010, at 6:30 p.m., if necessary;

**IT IS FURTHER ORDERED** that the following timetable will apply to this proceeding:

Appellant Filing Written and Visual Evidence including Experts' Reports, Qualification Statements . . . . . **Friday, February 12, 2010**

Town and Applicants Filing any objections to Qualification Statements Filed by the Appellants . . . . . **Friday, February 19, 2010**

Town and Applicants Filing Written and Visual Evidence including Experts' Reports, Qualification Statements . . . . . **Friday, February 19, 2010**

Appellant Filing any objections to Qualification Statements filed by the Town and the Applicants . . . . . **Friday, February 26, 2010**

Appellant Filing Written and Visual Evidence in response to the evidence filed by the Town and the Applicant . . . . . **Friday, February 26, 2010**

Appellant Filing List of Witnesses . . . . . **Friday, February 26, 2010**

Town Filing List of Witnesses . . . . . **Friday, February 26, 2010**

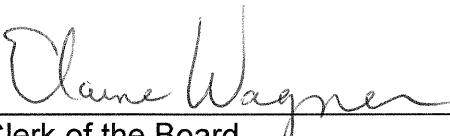
Applicant Filing List of Witnesses . . . . . **Friday, February 26, 2010**

Public Hearing commences at 9:30 a.m. . . . . **Tuesday, March 9, 2010**

Evening Session commences at 6:30 p.m. . . . . **Tuesday, March 9, 2010**

**DATED** at Halifax, Nova Scotia this 21<sup>th</sup> day of January, 2010.

**BY ORDER OF THE BOARD**

  
\_\_\_\_\_  
Clerk of the Board