January 3, 2002

Mayor Smith and the Juneau Assembly
155 South Seward Street
Juneau, AK 99801

RE: EGS Reconsideration Request

Dear Mayor Smith and Members of the Assembly:

We note that the End of Gastineau Society (EGS) has filed a petition requesting reconsideration of your decision in the recent EGS v. Planning Commission appeal proceeding. The reconsideration clause in CBJ 01.50.180 certainly allows consideration of such a request but contains no standards by which it would be considered. EGS’ petition contains no new information, just recitation of several arguments from appeal briefs already considered by you.

If there were vital new facts unearthed that were relevant to the appellate code’s standards of review, or if the petition documented a procedural error made by the Assembly itself during the conduct of the appeal, then we could understand a petition to reconsider. EGS’s petition does neither and is simply an attempt to re-argue matters already decided. We urge you to take no action on the petition, thus disposing of the matter as provided in the code. Thank you for your patience and effort in the original appeal process.

Sincerely,

Murray R. Walsh, AICP
For: Appellee/Intervenor Trucano Construction

CC: Steve Landvik