

# **LUNENBURG PLANNING BOARD**

## **TOWN OF LUNENBURG**

Emerick R. Bakaysa, Chair  
Joanna L. Bilotta, Vice-Chair  
Thomas W. Bodkin, Jr., Clk.  
Robert J. Saiia, Mbr.  
Nathan J. Lockwood, Mbr.  
Marion M. Benson, Planning Director



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Minutes  
Executive Session  
April 11, 2011

*Handwritten initials: MB, ROS, B*

Chair called for motion to enter Executive Session at 8:00 PM for purpose of litigation discussion. Motion, Ms. Bilotta, Second, Mr. Saiia, roll call vote, Mr. Bakaysa, aye; Ms. Bilotta, aye; Mr. Lockwood, aye; Mr. Saiia, aye; Mr. Bodkin Jr. aye.

The Chair requested the Director read Kopelman and Paige letter dated March 30, 2011 noting that the final Judgment was in favor of the Lunenburg Planning Board and the Town of Lunenburg. The Board noted that Mr. O'Brien had the right to Appeal this decision. It was further noted that Mr. O'Brien's Attorney stated that a new plan would be presented to the Planning Board shortly. If the Planning Board approved the proposed plan, the client would not appeal.

The Director presented the cost to date to the Town of Lunenburg for this litigation. Mr. Bodkin Jr. asked the Director to request a breakdown of the cost. Mainly, he requested costs of, 1) participation for summary judgment and, 2) final judgment. The Director will approach the Town Manager for the breakdown.

Additional discussion was held on getting an estimate for a probable appeal. Further discussion was held on the pros and cons of an outside attorney.

Chair called for adjournment of Executive Session, Motion, Ms. Bilotta, Second, Mr. Saiia, roll call vote, Mr. Bakaysa, aye; Ms. Bilotta, aye; Mr. Lockwood, aye; Mr. Saiia, aye; Mr. Bodkin Jr., aye. Adjourned 8:40 PM.

Corrected 5-9-2011

Minutes/executive 2011/4.11.11