

LUNENBURG PLANNING BOARD

TOWN OF LUNENBURG

Lynn F. Sallee, Chair
Emerick R. Bakaysa, Vice-Chair
James A. Halloran, Clk.
Robert J. Saiia, Mbr.
Joanna L. Bilotta, Mbr.
Marion M. Benson, Planning Director



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Executive Session Minutes April 23, 2007

Chair requested Motion to go into Executive Session at 8:42 PM for purpose of litigation not to return to general session. See Motion in general session minutes.

Chair requested Motion to open Executive Session. Motion, Ms. Bilotta, Second, Mr. Bakaysa, Roll call vote, Chair Sallee, Aye, Vice Chair Bakaysa, Aye, Mr. Halloran, Aye, Ms. Bilotta, Aye. Motion passed. (Robert Saiia absent.)

Discussion: Litigation- Emerald Place- Director reported on status of litigation. It was noted that if the applicant makes a complete modification, appeals could be brought forth. If a modification is brought forth on part of the project, appeals can only be brought forth on that part. Relayed discussion with Town Counsel on the lakefront ownership issue. Global Property Developers Corporation will present legal documentation to the Town concerning their ownership rights. Planning Board will make that data available to Town Counsel and Board of Selectmen immediately.

Discussion: Litigation- N.E.W.S.- Mr. Bakaysa inquired to his legal rights under a false accusation in the lawsuit brought forth by the plaintiffs. Mr. Bakaysa is a business man and this was an attack on his integrity. The suit was quickly reviewed to note the discrepancies. Town Counsel, Ms. Lucas, will write a formal response to the legal position, which can be released to the media.

Discussion: Inquiry was made to the legal status of the Planning Board on Article 32 of the Town Warrant for the May 5, 2007 Town Meeting. The legal issue is that the Planning Board operates under MGL and cannot be made responsible to the intent of the Article. Ms. Lucas will clarify this with the Moderator.

Chair requested a Motion to adjourn the Executive Session. Motion, Mr. Halloran, Second, Ms. Bilotta, Roll call vote, Chair Sallee, Aye, Vice Chair Bakaysa, Aye, Mr. Halloran, Aye, Ms. Bilotta, Aye. Motion passed. Adjournment at 9:00 PM.