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BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes Executive Session February 1, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Police Chief Robert Irving, Town Counsel Mark Lanza, TEC Traffic Consultant Kevin Dandrade, Town Planner Sarkis Sarkisian, DPW Director Stephen Kadlik, Board of Public Works member Mike Lowery, Planning Board member Ira Montague, Zoning Board of Appeals Associate Member Linda Segal, and Executive Assistant MaryAnn DiNapoli.

Purpose: The session was called at 6:01 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining, litigating, or negotiating position of the Town.

Discussion: The Board opened a discussion on the case of Bernstein, et al v. Planning Board, et al. L. Anderson recused herself from debating or deliberating on the issue, as she is a resident of the Glezen Lane neighborhood; she said she would listen but not participate in votes or discussions.

M. Lanza advised [REDACTED]

[REDACTED]. M. Lanza said he filed a motion to dismiss the the original complaint for lack of standing, temporary relief from physical improvements, and permanent relief to vacate the consent judgment. He said the plaintiffs have ten days to file a response. K. Dandrade said the potential use of the municipal pad in the town center project would have no significant effect on traffic counts. He said that TEC has created a design for physical improvments to meet the threshold level of the court; C. Karlson asked that the design be made available to the Town Counsel and to Annual Town Meeting. M. Lanza discussed [REDACTED]

At 6:28 p.m., L. Anderson returned to the discussion. At 6:28 p.m. the following participants left the meeting: R. Irving, K. Dandrade, S. Kadlik, and I. Montague.

The Board was joined by Zoning Board of Appeals Associate Member Linda Segal.

M. Lowery noted that the permit for the curb cut at 150 Main Street has expired and must be applied for again; he said the Planning Board permits are dependent upon the permitting from other boards.

M. Lowery left the meeting at 6:32 p.m.

M. Lanza provided an update on the 150 Main Street LLC v. Zoning Board of Appeals litigation. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

S. Sarkisian and L. Segal left the meeting at 6:41 p.m.

M. Lanza reviewed the status of the remaining cases. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

M. Antes moved, seconded by L. Anderson, to exit executive session at 6:55 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the February 1, 2016, Executive Session Meetings

1. None