

WELLESLEY PLANNING BOARD
REGULAR MEETING
MONDAY, MARCH 31, 2014, 6:30 PM
WELLESLEY HIGH SCHOOL - ROOM 219

MINUTES

Planning Board Present: Jeanne Conroy, Sara Preston, Deborah Carpenter, Catherine Johnson, and Neal Glick

Staff Present: Michael Zehner, Brian Falk (Special Counsel)

1. Call to Order

Ms. Conroy called the meeting to order at 6:30 p.m.

2. Old Business

- a. **Discuss and Open Meeting Law Complaint - *As authorized by M.G.L. c. 30A, § 21 (a) 1., an executive session is contemplated to discuss a complaint brought against the members of the Planning Board (as public officers of the Town)***

Ms. Conroy introduced the item and indicated that under M.G.L. c. 30A, § 21 (a) 1., it is appropriate for the Board to go into executive session to discuss a complaint brought against the members of the Planning Board.

Ms. Conroy asked for a motion for the Board to enter into executive session. Ms. Preston made a motion to enter into executive session on the basis that the Board would be discussing a complaint brought against the members of the Board. Ms. Johnson seconded the motion. Ms. Conroy called for a roll call vote: Ms. Preston: yes; Ms. Johnson: yes; Ms. Carpenter: yes; Ms. Conroy: yes; Mr. Glick: yes

The Board convened an executive session, suspending the open session.

Note: Minutes of the executive session will be maintained and considered separately by the Board.

After conducting an executive session for approximately thirty (30) minutes, the Board reconvened in open session.

Ms. Conroy indicated that the Board discussed a reply to the Attorney General's Office in response to the Open Meeting Law complaint and additionally indicated that the Board was publicly disclosing all of the emails between October 25, 2013 and November 4, 2013 concerning the written decision regarding the Tolles-Parsons Senior Center PSI special permit. Ms. Conroy further noted that (a) the emails concern the drafting of the written decision for the senior center special permit, (b) copies of the emails (excluding records protected by the attorney/client privilege) will be posted on the Planning Board's webpage for the senior center project, (c) copies of the emails will be submitted to the Town Clerk's Office for filing along with the written decision itself, and (d) copies of the emails will be filed with the minutes of the October 21, 2013

Planning Board meeting (where the Vote took place) and made available to the public upon request.

The Board thanked Mr. Falk for his assistance.

3. New and Other Business

Ms. Conroy asked if any members had any new or old business.

Mr. Glick discussed the Attorney General's decision with regard to the Bike Realty/Dunkin Donuts rezoning. The Board discussed the matter further.

Ms. Preston discussed Open Meeting Law and Ethics Law complaints pertaining to other boards. Mr. Glick asked if Ms. Preston was considering requesting that the complaints be made by the Board. Ms. Preston indicated that she would like to have that discussion.

Ms. Johnson discussed that the Board should consider being more proactive, working with other Board's to raise issues early on. The Board discussed member and staff involvement. Mr. Zehner noted staff's role and responsibility in working with all applicants.

Mr. Zehner presented the Board with a letter from bankruptcy attorneys for Wellesley Realty Associates, demanding that the Town return certain funds. Mr. Zehner indicated that Town Counsel was reviewing the request.

The Board discussed future meeting schedules.

The Board discussed appropriate responses that Ms. Conroy may give to any questions at Town Meeting pertaining to the Town's acquisition of additional property for the Tolles-Parsons Senior Center.

4. Adjourn

Ms. Conroy called for a motion to adjourn. Ms. Preston made a motion to adjourn. Ms Carpenter seconded the motion. Ms. Conroy called for a vote. The motion was approved unanimously, 5-0.

Meeting Adjourned: 7:26 p.m.

Next Meeting: April 28, 2014

Minutes Approved: December 1, 2014

Note: A recording of this meeting is available from the Planning Department.

Michael D. Zehner, AICP
Planning Director