

TOWN OF PLYMPTON
ZONING BOARD OF APPEALS

Meeting Minutes

Date: November 7, 2018

Meeting Purpose:

- Executive Session to discuss litigation strategy in pending litigation known as Beliveau v. Town of Plymouth Zoning Board of Appeals et al, Plymouth Superior Court C.A. No. 1873 CV 01063B and Industrial Tower and Wireless, LLC v. Kenneth A. Thompson, David F. Alberti and Harry Weikel, as they are members of the Town of Plympton Zoning Board of Appeals, D. Mass 1:18-cv-11893.

Members present: Ken Thompson-chairman, Dave Alberti-secretary & Harry Weikel-member.

Others present: Robin Stein (Town Counsel, KP Law)

ZBA Meeting (opened at 5:01 pm)

The Chair opened the public meeting and explained that the Board intended to go into executive session. The Chair declared:

Under General Law chapter 30A, §21(a)(3) that the purpose of the executive session will be to discuss litigation strategy relating to pending litigation known as Beliveau v. Town of Plymouth Zoning Board of Appeals et al, Plymouth Superior Court C.A. No. 1873 CV 01063B and Industrial Tower and Wireless, LLC v. Kenneth A. Thompson, David F. Alberti and Harry Weikel, as they are members of the Town of Plympton Zoning Board of Appeals, D. Mass 1:18-cv-11893 because discussion of the foregoing in open session could have a detrimental effect on the litigation position of the Zoning Board of Appeals, with the Board to not return to open session at the conclusion of the executive session.

The Chair then made the following motion, which was seconded by Dave Alberti and passed unanimously following a roll call vote of all three members:

I move that the Zoning Board of Appeals go into executive session under General Law chapter 30A, section 21(a)(3) for the purpose and reason declared by the Chair and with the Board to not return to open session at the conclusion of the executive session.

At 5:03 p.m., the Board went into Executive Session and, as indicated, did not return to open session.