

PB_2022_02_02_Minutes

Planning Board

Virtual Meeting

February 2, 2022 at 2:00pm

2:08 p.m. Call Meeting to Order - Identification of Callers

Attendance: Robyn Provost, Douglas Mason, Hilma Sumner, Bill Gran, Bob Viarengo, Mark Reich, Sue Lively, Peter Charow, Brian DeVries, Robin Stein.

Agenda:

I. Executive Session pursuant to G.L. c. 30A, sec. 21(a)(3), To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Chair so declares.

For deliberation and strategy in New Cingular Wireless PCS, LLC d/b/a AT&T Mobility v. Town of Heath, Town of Heath Planning Board.

Joint meeting with the Heath Select Board.

Executive session minutes must be reviewed, voted on, then reviewed for release. Minutes should not be posted until after the case is closed.

Update on the lawsuit by Mark Reich. The Select Board and ATT have come up with a settlement which is in front of the judge. We are waiting on the court to rule on the settlement, or to allow the interveners.

Discussion of process, who oversees what, zoning, litigation, etc., PB v. SB. Discussion of communications.

It is the Planning Boards position that we should have and still should allow the abutters to have their say in court. The consensus was that it's now time to just wait and see what the judge decides.

Discussed the settlement, the interveners, the relationship in Federal Law.

We discussed the timeline of the abutters, possible inaccuracies, and the implication that the town has been put in a bad light. The Select Board voted to send an affidavit to the court correcting the timeline.

Adjourned at 3:56pm
Respectfully submitted.
Douglas Mason

Call-In Information: Join Zoom Meeting

<https://us02web.zoom.us/j/82581646161?pwd=KzIFK2Y2MS8wb0NOeVBMOSSt0cGFoUT09>

Meeting ID: 825 8164 6161 Password: 136164

OR: Telephone: 1 646 558 8656 and then Meeting ID and Password

Virtual Conference Meeting Policy: Dial into meeting on time, if possible; Introduce yourself;

state if you are recording; put telephone on mute; email comments beforehand.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the

meeting. Not all items listed may in fact be discussed

and other items not listed may also be brought up for discussion to the extent permitted by law.

Posted by Douglas Mason, Heath Planning Board Chair on 1/31/2022.
@ 9 am.