

ZONING BOARD OF APPEALS MEETING AGENDA

MONDAY, SEPTEMBER 24, 2018

**6:30 PM – EXECUTIVE SESSION JOINT MEETING
WITH SELECTBOARD**

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

6:30 PM - OPEN MEETING

1. CALL TO ORDER:

6:30 pm Open Session

6:30 pm Conference Room

CONVENE INTO EXECUTIVE SESSION and Return to Open Session - Town Manager's Conference Room

A. Executive Session under MGL c.30A, §21(a)(3) and (6), to discuss litigation strategy relating to pending litigation known as (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 2018MISC000240; and (3) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC 000240 (KCL) if the Chair declares that an open meeting may have a detrimental effect on the Town's litigating and/or negotiating position. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

Roll Call Vote

Chair's Declaration:

I declare, under M.G.L. c.30A, §21(a)(3) and (6), that the purpose of the executive session will be to discuss litigation strategy regarding pending litigation concerning 11 Roger Road known as: (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; and (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 18MISC000240; and (3) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC 000240 (KCL) because discussions of the foregoing in open session could have a detrimental effect on the litigating and/or negotiating position of the Town and Not to **Return To Open Session** at the conclusion of the executive session.

Motion Convening the Executive Session:

I move that the Zoning Board of Appeals go into executive session under M.G.L. c.30A, §21(a)(3) and (6) for the purposes and reasons declared by the Chair and with the Board and Not to **Return To Open Session** at the conclusion of the Executive Session.

Roll Call Vote:

Adjournment: