

Great Barrington Zoning Board of Appeals

Minutes of June 11, 2018, Meeting

Chairman Ron Majdalany opened the Great Barrington Zoning Board of Appeals meeting at 5:45 p.m. at Town Hall. Attending were members Carolyn Ivory, Michael Wise and Steve McAlister and alternates John Katz and Don Hagberg.

To organize for FY2019, Dr. Majdalany accepted nominations. Ms. Ivory nominated Dr. Majdalany to again serve as chair, Mr. Wise seconded. The approving vote was without dissent. Mr. Wise nominated Ms. Ivory to be vice chair, Mr. Hagberg seconded. The approving vote was without dissent. Ms. Ivory nominated Mr. McAlister to be clerk. Mr. Wise seconded. The approving vote was without dissent. Mr. McAlister said he had been sworn in.

With one change to the April 14 minutes, the board on a motion by Mr. Wise, seconded by Ms. Ivory, voted to approve the minutes of April 24, April 26 and April 30, 2018. Dr. Majdalany had not participated in those meetings/hearings, so did not vote.

The chairman reported that Ted Nappo, summer intern for the town, will assume secretarial duties for the summer as the present secretary plans to retire, having taken minutes and handled other administrative tasks for the board from 1986-1988 and 1996 to date. The Town Manager's office is advertising for a secretary to serve this and other town boards.

The board noted receipt of a letter from Brett Anderson, 5 Roger Road, and others regarding the GJO LLC hearing and action on the building inspector's cease-and-desist order.

With no other old or new business and no citizens wishing to speak, the chair turned the gavel over to the vice-chair and left the meeting. Ms. Ivory asked Mr. Katz to sit in for Dr. Majdalany, who has recused himself from GJO, LLC matters, and Mr. Hagberg to sit in for newly elected member Madonna Meagher who was not able to attend. Ms. Ivory said the board would adjourn to an executive session with the Board of Selectmen.

Ms. Ivory read a declaration: "Under G.L. c.30A, §21(a)(3), the purpose of the executive session will be to discuss strategy with respect to pending litigation concerning 11 Roger Road that is 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 because discussion of the foregoing in open session could have a detrimental effect on the litigating position of the ZBA and the Town and other public agencies."

Mr. Wise made a motion, repeating that language and adding: "The board shall not return to open session at the conclusion of the executive session." Mr. Katz seconded. Roll call vote: Mr. Wise aye, Mr. Katz aye, Mr. McAlister aye, Mr. Hagberg aye, Ms. Ivory aye. The open meeting closed at 5:50 p.m.

Respectfully submitted,



Bernard A. Drew
Recording Secretary