

ACTON BOARD OF APPEALS

Minutes of Executive Session

July 22, 2010 at 8 AM

Room 46, Acton Town Hall

The Board of Appeals held a duly-posted Executive Session on Monday, July 22, 2010 at 8 am in Room 46 of the Acton Town Hall to discuss Comprehensive Permit Application #09-03, 93 Central Street (Marsh View LLC).

Present at the Executive Session were Board of Appeal members, Ken Kozik, Jonathan Wagner, and Richard Fallon. Also present was a representative from Town Counsel's Office, Scott Mutch, Zoning Enforcement Officer (ZEO), Roland Bartl, Town Planner and Cheryl Frazier, Board of Appeals Secretary.

Ken Kozik opened the meeting in open session at 8:00 pm.

Ken Kozik made a motion to go into Executive Session for the purpose of discussing Comprehensive Permit Application #09-03, 93 Central Street and the need of a remand hearing in accordance with the Limited Remand Order from the Housing Appeals Committee.

Roll call:

- Ken Kozik - aye
- Jon Wagner - aye
- Rick Fallon - aye

Executive Session Minutes:

The meeting began with a representative, from Town Counsel's Office providing a background of the case.

Pursuant with a Limited Remand Order from the Housing Appeals Committee's Presiding Officer, Shelagh A. Ellman-Pearl, dated July 29, 2010, the Board is required resolve litigation with the Applicant over the Board's Original Decision #09-03, dated April 16, 2010, denying the Applicant's prior proposal to develop the Site ("Original Application").

The board discussed the next steps in the process to resolve this request from the Housing Appeals Committee.

Ken Kozik asked for a motion to close the executive session and adjourn the meeting. Rick Fallon made such motion and Jon Wagner seconded the motion. Ken Kozik conducted the following roll call to close the executive session and adjourn the meeting:

- Ken Kozik - aye
- Jon Wagner - aye
- Rick Fallon - aye