



*approved*  
*10/30/18*

**CARVER ZONING BOARD OF APPEALS**  
**MINUTES OF September 11, 2018 MEETING**  
**Room 4 – 7:00 p.m.**

**EXECUTIVE SESSION:**

Present: Stephen G. Gray, Chairman; Sharon Clarke, Vice-Chairperson; Members Eric Mueller; Frances Mello, and James Nauen. Member Steven Maynard was absent. Also present: Marianne MacLeod, Recording Secretary.

Executive session under M.G.L. c 30A, S 21 (a) (3): to discuss strategy with respect to pending litigation in the case of Town of Carver Planning Board v Town of Carver Zoning Board of Appeals, Plymouth Superior Court, Docket #: 1683CV00720, as an open meeting may have a detrimental effect on the litigation position of the public body; votes may be taken.

Mr. Gray requested a roll call vote to go into Executive Session. All agreed.

Mr. Gray advised the Board that this litigation was no longer active, as it had been dismissed by the Court upon agreement of the parties. The Planning Board no longer wished to pursue the appeal it had taken of the Zoning Board Decision, as the Petitioner in that case had withdrawn its request for zoning relief which was the subject of the Decision of the Zoning Board which had been appealed by the Planning Board. Accordingly, there was no reason any longer to pursue the litigation. Mr. Gray explained that the Zoning Board was not rescinding its Decision in the case; rather, it just meant the Planning Board's appeal was being been withdrawn. Mr. Gray thanked the Board members for their support.

Ms. Mello made a Motion to adjourn, seconded by Mr. Mueller, voted and passed unanimously 5-0-0.