

approved 12/31/19



TOWN OF CARVER

Zoning Board of Appeals

Executive Session

108 Main Street

Carver, MA 02330

Phone: (508) 866-3450 Fax: (508) 866-3430

Meeting Minutes of October 29, 2019

@ 9:24 P.M.

Carver Town Hall Room #4

Present: Stephen G. Gray, Chairman; Sharon Clarke, Vice-Chairperson; Members: Eric Mueller, Frances Mello, and Alan Germain.

Also present: Mark Poirier, Alternate Member, and Recording Secretary, Kelly DiCarli

Meeting Opened: 9:24 P.M.

A. Executive Session: To discuss strategy with respect to pending litigation in the Land Court case of John J. Caprarella, co-Trustee of the Caprarella Family Trust, dated June 30, 2009, et. al., Docket #: 19 MISC 000360, if an open meeting may have a detrimental effect on the litigation position of the public body and the Chair so declares.

Member Mello made a Motion to enter into Executive Session. Seconded by Member Mueller. Voted and passed unanimously, 5-0, after an individual roll call of all Members.

Chairman Gray stated that the Board would not return to open public session after the conclusion of the Executive Session and would adjourn following its conclusion.

Chairman Gray updated the Board with re-developments pending the litigation of the Zoning Board of Appeals declaring the need for a brief executive session to address this development and need to discuss strategies pending litigation in the Land Court case of John J. Caprarella, co-Trustee of the Caprarella Family Trust, dated June 30, 2009, et. al., Docket #: 19 MISC 000360, if an open meeting may have a detrimental effect on the litigation position of the public body and so Chairman Grey so declares:

- a. Sign on behalf stimulation of dismissal- settlement agreement with petitioner and developer. Chairman Grey did not want to sign legal document unless authorized by of Board.
- b. We agree matter can be dismissed in land court- settled dispute.
- c. Vote made a motion on behalf of board town counselor on behalf Zoning Board of Appeals and Town of Carver to sign settlement agreement to terminate agreement

Vice-Chairperson Clarke made a Motion to accept Chair to accept the above declaration made by Chairman Grey. Seconded by Member Germain. Voted and passed unanimously, 5-0

B. Adjournment: Member Germain made a Motion to adjourn. Seconded by Member Mueller. Voted and passed unanimously 5-0.

Meeting adjourned at 9:29 P.M.

Respectfully submitted,

Kelly DiCarli