

**Executive Session
GEORGETOWN PLANNING BOARD
Public Safety Building
December 12, 2001**

Present: Peter Sarno, Chairman; Christopher Hopkins, Vice-Chairman;
Alex Evangelista; Jack Moultrie, Clerk, Dan Kostura,
Tim Gerraughty, Alternate Member
Kathleen Bradley Colwell, Town Planner;
Janet Pantano, Administrative Assistant

Executive Session

Mr. Kostura makes a motion to go into executive session to discuss litigation on Pillsbury Pond. Second by Mr. Evangelista.

Mr. Moultrie-yes

Mr. Hopkins-yes

Mr. Evangelista-yes

Mr. Kostura-yes

Mr. Sarno-yes

Ms. Colwell stated that the Zieff's are basing their argument under the bylaw of 1998. The bylaw as it reads in 1998 ends in 2000. Even though Town Meeting extended this Bylaw to 2005 they are stating that they fall under the 1998 bylaw. She stated that Attorney Bard of K & P stated he agrees with the Zieff's interpretation.

Mr. Hopkins asked what is the number of building permits that can be built under the 1998 bylaw.

Ms. Colwell stated 60 building permits could be issued in a year under the 1998 bylaw.

Hopkins agrees

Ms. Colwell stated that the Zieff's feel that they do not fall under any bylaw. She stated that Mr. Bard states that under grandfathering it is interpreted differently. Ms. Colwell stated that Mr. Bard is developing a response. She stated that he is working on a settlement.

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The Board stated that they do not want him to offer a settlement.

Ms. Colwell stated that Mr. Bard stated that the Zieff's fell under the 1998 bylaw and that as this bylaw had a sunset clause in 2000 they are no longer under the bylaw.

Mr. Sarno stated that Mr. Bard should meet with the board and not talk settlement to the Zieff's.

Ms. Colwell stated that Mr. Bard was going to take a closer look at the lawsuit and that he would file a response.

Mr. Sarno asked Ms. Colwell to check on Cedar Lane and other lawsuits.

Mr. Evangelista make a motion to go out of executive session. Second by Mr. Kostura.

Mr. Moultrie-yes

Mr. Hopkins-yes

Mr. Evangelista-yes

Mr. Kostura-yes

Mr. Sarno-yes

Minutes transcribed by J. Pantano.

Minutes accepted as written January 9, 2002.