



HALIFAX ZONING BOARD OF APPEALS

Meeting Minutes

Monday, October 15, 2018

The Halifax Zoning Board of Appeals held a public hearing on Monday, October 15, 2018 in Meeting Room #1 of the Town Hall with the following Board members in attendance: Chairman: Robert Gaynor, Co-Chairman: Kozhaya Nessralla, Clerk: Peter Parcellin, Member: Gerald Joy, Member: Robert Durgin and Associate Member: Daniel Borsari are absent.

Chairman Gaynor calls the meeting to order at 7:10pm and reprises the audience that this public hearing/meeting is being audio taped. He also explains the procedure and the protocol at the public hearings.

Correspondence:

Chairman Gaynor and the Board review and read into record all mail items.

- Letter from Building Inspector dated 9/25/2018 regarding a possible illegal use of an in-law apartment at 202 Franklin Street.
- Old Colony Planning Council Meeting Agenda dated 9/26/2018
- Letter of Absence from Associate Member Dan Borsari dated 10/4/18

Bills:

The Board approves four bills.

1. Plympton-Halifax Express advertisement for Petition #880 = \$84.00
2. Plympton-Halifax Express advertisement for Petition #881 = \$84.00
3. Plympton-Halifax Express advertisement for Petition #882 = \$84.00
4. Plympton-Halifax Express one-year subscription renewal = \$25.00

Meeting Minutes:

Motion to accept the Meeting Minutes from Monday, September 10, 2018:

MOTION: Gerald Joy

SECOND: Kozhaya Nessralla AIF

Passes: 4-0-0

Kozhaya Nessralla, Peter Parcellin, Gerry Joy and Robert Gaynor

Motion to accept the Amended Meeting Minutes from Monday, August 13, 2018 to include Public Document List:

MOTION: Peter Parcellin

SECOND: Kozhaya Nessralla AIF

Passes: 4-0-0

Kozhaya Nessralla, Peter Parcellin, Gerry Joy and Robert Gaynor

Other Business and Discussions

- Chairman Gaynor reads the **Open Meeting Violation Complaint** received on 10/2/2018 from Gordon C. Andrews regarding the Executive Session that took place on 7/9/2018 discussing *Town of Halifax/Building Inspector v. Robert Bergstrom and Halifax ZBA: Land Court C.A. #16 MISC 000681-GHP*.

The Board decides to re-hold the Executive Session from July 9, 2018. Mr. Nessralla recuses himself and leaves the room.

Executive Session

Motion to go into Executive Session to discuss litigation in the Town of Halifax/Building Inspector v. Robert Bergstrom and Halifax ZBA: Land Court case C.A. #16 MISC 000681-GHP.

MOTION: Peter Parcellin
SECOND: Gerald Joy
Voice Vote: Gerald Joy – Yes;
Robert Gaynor – Yes;
Peter Parcellin – Yes;

Motion to close the Executive Session and re-open the meeting:

MOTION: Peter Parcellin
SECOND: Gerald Joy
Voice Vote: Gerald Joy – Yes
Gerry Joy – Yes
Robert Gaynor – Yes

Mr. Nessralla re-enters the room and re-joins the meeting.

Meeting Minutes (cont.)

Chairman Gaynor notes that these minutes will not be released until disclosure no longer defeats the purpose of the Executive Session.

Motion to accept the Amended Executive Session Meeting Minutes from Monday, August 13, 2018 to include Public Document List:

MOTION: Peter Parcellin
SECOND: Gerald Joy
Voice Vote: Kozhaya Nessralla – Yes;
Peter Parcellin – Yes;
Gerald Joy – Yes;
Robert Gaynor – Yes
Passes: 4-0-0

Adjourn:

Motion to adjourn meeting:

MOTION: Kozhaya Nessralla
SECOND: Gerald Joy AIF
Passes: 4-0-0

It was unanimously voted to adjourn the meeting at 7:38p.m.

Re-Open Meeting:

Chairman Gaynor re-opens the meeting. He requests that the Board send a response letter to Mr. Gordon C. Andrews' Open Meeting Law Violation complaint received on 10/2/2018 to inform him that the Board has reviewed his complaint and re-held the July 9, 2018 Executive Session recusing Mr. Nessralla to comply with the Open Meeting Laws. The Board also accepted the amended meeting minutes from the Executive Session held on August 13, 2018 to include public document lists. A copy of this letter will be sent to the Office of the Attorney General.

Motion to draft a letter in response to Mr. Gordon C. Andrews' Open Meeting Law Violation Complaint from October 2, 2018:

MOTION: Peter Parcellin
SECOND: Gerald Joy AIF
Passes: 4-0-0

Adjourn:

Motion to Adjourn meeting:

MOTION: Peter Parcellin
SECOND: Gerald Joy AIF
Passes: 4-0-0

It was unanimously voted to adjourn the meeting at 7:49p.m.

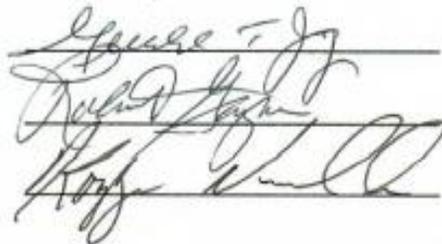
Documents:

1. Agenda – October 15, 2018
2. Letter from Building Inspector dated 9/25/2018 regarding a possible illegal use of an in-law apartment at 202 Franklin Street.
3. Old Colony Planning Council Meeting Agenda dated 9/26/2018
4. Letter of Absence from Associate Member Dan Borsari until February 2019 dated 10/4/18
5. Plympton-Halifax Express Invoice – Petition #880
6. Plympton-Halifax Express Invoice – Petition #881
7. Plympton-Halifax Express Invoice – Petition #882
8. Bill Schedule dated 10/12/18 – Petitions #880, #881 and #882 Advertisements
9. Meeting Minutes – 9/10/18
10. Amended Meeting Minutes – 8/13/2018
11. Amended Executive Session Meeting Minutes – 8/13/2018*
12. Open Meeting Violation Complaint dated 10/2/2018 from Gordon C. Andrews

Respectfully submitted,

Date: 11/12/18

Arianna Snow
Zoning Board of Appeals Secretary



* These minutes will not be released until disclosure no longer defeats the purpose of the Executive Session.