

**June 9, 2015**  
**Medway Planning and Economic Development Board Meeting**  
**155 Village Street**  
**Medway, MA 02053**

**EXECUTIVE SESSION**

**Members Present:** Chairman Andy Rodenhiser; Vice Chairman Bob Tucker; Members Karyl Spiller-Walsh, Tom Gay, and Matt Hayes; and Associate Member Rich Di Iulio

**Also Present:**

Barbara Saint Andre, Town Counsel  
Susy Affleck-Childs, Planning and Economic Development Coordinator  
Gino Carlucci, PGC Associates  
Steve Bouley, Tetra Tech  
Amy Sutherland, Meeting Recording Secretary

Having unanimously voted by roll call vote to enter into executive session, the Chairman called the Executive Session to order at 7:03 pm for the purpose of discussing strategy related to Maritime Housing vs. Medway Planning and Economic Development Board.

Town Counsel Barbara St. Andre reminded the Board that nothing in this meeting should be discussed outside the meeting since all information is related to a forthcoming trial.

Town Counsel indicated that a pre-trial conference had been held on May 21, 2015. The trial date has been set for Wednesday July 22, 2015.

Town Counsel summarized that this is an appeal of an ANR decision made by the Planning and Economic Development Board. The Board denied endorsing the ANR plan submitted by Maritime Housing Fund for property located at 123 Main Street, Medway, MA. Lots 3 and 4 on the plan show that they are not accessible from Elm Street; there are wetlands on the front of both lots. Town Counsel noted that Lot 2 is inaccessible by emergency vehicles due to a portion of the lot having a very narrow width. The plan did not comply with the access requirements as set by the town.

The expert witnesses for the Town will be: Planning Consultant Gino Carlucci, PGC Associates; Engineering Consultant Sean Reardon, Tetra Tech, and Environmental Consultant Arthur Allen, EcoTec Inc. Consultant Allen will speak on the wetlands. The wetlands are crucial in this case.

There will be a final pretrial conference; that date has not yet been set.

Counsel noted that PEDB Chairman Andy Rodenhiser is listed as a potential witness by the plaintiff but Town Counsel is going to object under de novo inquiry. This will be filed soon. The judge will decide this matter at the final preconference meeting.

The plaintiff has now indicated they wish to have some expert witnesses. Town Counsel will be filing an objection as the plaintiff had not listed any expert witnesses in their initial documents.

The judge will decide if the experts for the plaintiff will be able testify.

Town Counsel will keep the Board informed about the proceedings.

**On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously by roll call vote to exit out of executive session and enter into open session.**

**Roll Call Vote:**

<b>Karyl Spiller-Walsh</b>	<b>aye</b>
<b>Bob Tucker</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>
<b>Tom Gay</b>	<b>aye</b>
<b>Andy Rodenhiser</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>

The executive session was adjourned at 7:10 pm

Respectfully Submitted,

Amy Sutherland  
Recording Secretary

Reviewed and edited by,

Susan E. Affleck-Childs  
Planning and Economic Development Coordinator