



# Town of Danvers Planning Board

1 Sylvan Street, Danvers, Massachusetts 01923 | p: 978-777-0001

[www.danversma.gov](http://www.danversma.gov)

## Planning Board Members:

John Farmer, Chair  
James Sears  
Margaret Zilinsky  
Louis George  
Torey Adler  
Nathaniel Sears, Associate

## **Location: Conducted by Remote Participation July 28, 2020 12:30 p.m. MINUTES**

John Farmer called the meeting to order at 12:30 p.m.

Board members present by roll call: John Farmer; Margaret Zilinsky; Louis George; and Torey Adler.

Staff present by roll call: Aaron Henry (Director of Land Use and Community Services Department); Josh Morris (Principal Planner); Georgia Pendergast (Staff Planner); Colby Cousens IT Director.

John Farmer read an opening statement pertaining to the Executive Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, sec. 20 by Governor Charles Baker signed on March 12, 2020 on Remote Participation and Remote Conduct for Open Meetings.

### **Open Meeting Law complaint filed with the Planning Board regarding the use of remote participation during public meetings.**

Director Henry gave an overview of the Open Meeting Law complaint to the Planning Board. Town Meeting Member Matthew Duggan filed an Open Meeting Law complaint alleging that the public comment email and phone call system utilized at the June 23<sup>rd</sup> Planning Board meeting did not meet the requirements of real time participation. Staff feels that public comment email and phone system is appropriate for the meetings but it also possible now to expand participation and allow the public to join the meetings through Webex. Staff is recommending to address the concern about the public process by allowing the public to participate in the meetings through Webex moving forward.

Chairman John Farmer mentioned that there seemed to a good amount of public participation in the virtual meetings and even more members of the public seemed to be involved compared to the physical meetings. Member Zilinsky mentioned the difficulty of having a physical meeting during this time without knowing how many people from the public would attend and concerns about maintaining social distancing. Member George mentioned that he reviewed the guidelines from the state and he is in favor of expanding the ability of public to participate through the Webex platform. Member Adler mentioned that the Planning Board should make the effort to make virtual meetings as participatory as they possibly can be.

IT Director Cousens expressed concern about recent zoom bombings that have occurred on virtual meetings in other communities. He discussed the Webex platform and some its features such as the lobby. He mentioned some of the other virtual meeting platforms such as Microsoft Teams and Zoom along with some of the features that they have. He mentioned that the town is actively pursuing a number of the technologies but it is difficult because the town ultimately has to make an investment. There was a discussion between IT Director Cousens and Planning Board members about what other virtual conference platforms they have had experience with and what features they have found useful. Member Adler asked a question about whether the virtual conference platforms have the ability to remove members of the public or put them in the lobby if they are being unruly and IT Director Cousens and Director Henry explained some of the features that are available on the platforms if this were to occur. The Planning Board discussed with town staff the logistics of allowing the public join and participate in future virtual Planning Board meetings.

There was a comment from Bill Bradstreet, Town Meeting Member, Precinct 1, who called into the meeting and communicated that he was not happy with the virtual meeting format and favors physical meetings where he can raise his hand. He does not care for the virtual meeting setup.

There was an email sent in from Peter Swift, Town Meeting Member, 27 Harbor Street, who wrote that the teleconference process of emailing public comments and calling in through a third party does not provide accurate and timely information and answers where natural conversation is not possible. In addition, some of the material submitted to the Planning Board is physical in nature and cannot be transmitted via email. This is too important an issue in our neighborhood not to be allowed a physical presence. If there were physical meetings the public could have made comments that would be entered into the public record.

Member Zilinsky had a question whether emails and letters about 28 Harbor Street that were submitted to the Planning Division are incorporated into the public record. Director Henry said that all correspondence is saved in the project folder and distributed to the Planning Board. He mentioned that all the emails and letters are part of the public record.

Planning staff mentioned that they would draft a response to Mr. Duggan on behalf of the Planning Board. A draft of the letter would be sent to the Chairman to review.

## **ADJOURNMENT**

Peg Zilinsky moved to adjourn. Torey Adler seconded the motion. The motion was unanimously approved via roll call vote

The meeting adjourned at 1:25 p.m.

