



TOWN OF WESTON

Planning Board Meeting January 15, 2020

Document Prepared by Dana Orkin

Meeting called to order at 7:00 PM

Planning Board Members	Present	Staff Members	Present
Tony Flynn (TF) - Chair	yes	Imai Aiu (IA) - Town Planner	yes
Leslie Glynn (LG)	yes	Dana Orkin (DO) - Asst. Town Planner	no
Steve Oppenheimer (SO)	yes	Dave Conway (DC) - Consulting Civil Engineer	no
Alicia Primer (AP)	yes	Kim Turner (KT) - Consulting Landscape Architect	no
Sue Zacharias (SZ)	yes		

Italics indicate formal action taken

1.0 Public Comment

None

2.0 Special Order

2.1 Planning Board Chair Appointment

Representation:

Overview:

TF read a statement in response to the proposal that he be replaced with co-chairs. The response stated that he has recused himself on all 255 Merriam matters in the past and has followed all guidelines. Stated that he has not participated in any Planning Board matters regarding 255 Merriam. Stated that it is not necessary that he resigns from the Planning Board. Stated that when the Planning Board recruited him back in 2015, it knew of his recusals of any potential 255 Merriam matters. Stated that he was treated poorly by the board members in their ambush at the last meeting. Stated that the three-person chair suggestion is impractical. Stated that there was no communication with him regarding these accusations. Stated that he was surprised that the board stated they did not need justification to remove him from the board. Stated that he is ready to talk solutions with the Planning Board, suggested a vice-chair is appointed for when he is recused from a certain matter. Stated that the initiatives he has been working on constitute a need to continue these initiatives by working as chair of the Planning Board. TF made a motion to establish a vice-chair for his recusal matters.

Discussion:

AP stated that there is still a motion from the last meeting.

Town Council stated that they should continue with TF's motion and come back to the motion of AP from the last meeting.

LG stated that she will second TF's motion to establish a vice-chair.

SZ read a letter that was sent to Leon Gaumond stating that TF has lost the confidence in three of the board members to represent the entire town. By his recusal, he is not able to represent the entire town. There were no Planning Board recommendations given to the Select Board during this time, and the Planning Board missed out on vital leadership. She is interested in hearing more about the vice-chair and wants someone who can give complete oversight on this. Stated TF followed all state ethics laws.

SO stated that TF has done a fantastic job and is completely capable. Stated the issue has to do with 255 Merriam. Stated he is sorry that he felt ambushed and that was not right. Stated that SZ and AP were ambushed at the December town meeting by the developer and felt leaderless and unsupported. (SO was out of town and unable to attend town meeting.)

TF asked why the answer to those problems is removing him.
SO stated that it is a lack of confidence.
TF stated that he can't be there due to his recusal.
SO stated the vice-chair may be an acceptable solution.

AP stated that TF often has discussions with the neighborhood group. Stated that TF may be in an ongoing adversarial action against his own board. The Planning Board should not have to negotiate with its own chair.

TF is worried about her making claims that she knows nothing of and that bothers him.
Town Council stated that TF has the right to cut off the discussion.
TF asked what this has to do with electing a vice-chair.
AP continued her motion to elect co-chairs.

AP stated that TF's neighborhood group had sued the town.
TF stated that he has recused himself on those matters.

SZ stated that TF proposed a viable solution of a vice-chair, and she likes the idea of it.

TF stated that at the next meeting they could vote on a vice-chair.
Town Council stated that TF should be recused from that topic at the next meeting.
LG stated that she is also part of the neighborhood group and is recused on 255 Merriam matters. She asked if she can be included in the election of the vice-chair.
Town Council stated that LG should be recused as well.

TF motioned for a vote on electing a vice-chair at the next meeting for matters where the chair has recused himself. LG, TF, SZ, SO in favor. AP opposed.

AP stated that they should remove her previous motion to have two or three co-chairs.
TF stated that after discussion with Town Council, there is no legal provision to remove him from this position.
AP asked Town Council where the term of chair is shown in the town guidebook.
Town Council stated the guidebook is a general provision that does not apply to every board.

Public Comments:

Chris Houston, Select Board, stated he has not called any of the board members regarding 255 Merriam. Stated that he has been accused as a stalker. Stated that he sent an email to the board to quit making allegations that he is having backdoor meetings with TF.

SO stated that the board members have felt harassed. He added that Houston texted the board members asking if he could call them, and they all said "no"—that anything should be discussed in a public meeting.

Susan Scott, 67 Silver Hill Road, stated that they are setting a dangerous precedent if the chair would have to resign if recused. The solution of the vice-chair is a reasonable idea.

Mario Alagna, 75 Bogle Street, stated that he is very uncomfortable with TF cutting off AP.
TF stated he was trying to be cautious about not engaging in 255 Merriam matters.

Jim Polando, 242 Merriam St., stated that TF was never involved in the bylaw proposal.

3.0 New Business

3.1 255 Merriam – 11 Hallet Hill Selectmen Proposed Zoning Bylaw Amendment

Overview:

(TF and LG recused)

SO moved to elect AP as Planning Board chair for this discussion. SZ seconded. All in favor

AP stated that they received a letter from Town Council. Stated that they will be appointing a consultant to work as a liaison for the town boards, developer, and the neighborhood group. AP asked Al Aydelott to be their consultant.

Discussion:

Al Aydelott agreed to act as the consulting liaison for 255 Merriam Street.

SO moved to appoint Al Aydelott as a consultant as described by AP. SZ seconded. All in favor.

Chris Houston asked if the Planning Board wanted to use Al Aydelott as a liaison between himself and the board.

AP stated that they wanted to talk to Chris Houston as a group instead of individually. They did not intend to portray a message that they did not want to talk to him.

AP stated that Al Aydelott would be deputized to report back to the board with his findings.

SZ stated that these are irrevocable issues associated with this project and that a final proposed bylaw should not be applied to future developments. SZ stated that they have time and that Chris Houston should not state that this is an emergency.

Al Aydelott stated that he would like to find out what the goals of the developer and the neighborhood are to find a solution to construct a bylaw that is beneficial to the town.

Chris Houston stated that they are having a Select Board meeting next Tuesday night that the board could attend. Al Aydelott could talk to the Select Board about his ideas on that date.

SZ asked what Al Aydelott thinks the biggest obstacle is.

Al Aydelott stated that timing is the biggest obstacle. Stated that he has to reach out to various people in a short time frame. Stated that he does not know if there are any goals that need to be incorporated into the discussion.

Chris Houston stated that since time is tight, they may be able to organize a Select Board meeting later in the week instead.

Public Comments:

Barbara Casey, 40 Hallet Hill Rd., asked if the zoning bylaw is specific to this project or if it will be applied all around town.

SZ stated that it is one of the concerns of the bylaw amendment.

Chris Houston stated that the bylaw that is drafted will not be able to be used for any other districts.

Terry Eastman, 50 Pigeon Hill Rd., stated that timing and precedent setting is an important issue to the town.

Jim Polando, 242 Merriam St., asked if they think a precedent is being set by the proposed AARC amendment.

Chris Houston stated that the TOSD and affordable aspect could be the way to limit the scope of the amendment.

Al Aydelott stated that the TOSD aspect may be able to address the spot zoning issue.

Jerome Haber, 15 Bradyll Rd., stated that this would require two-thirds vote at the town meeting. Stated that he does not understand the precedent statement.

SO stated that they are talking about the precedent of creating this particular, new bylaw amendment with possible unknown, negative consequences, not just every bylaw amendment proposal.

Chris Houston stated that he would look into scheduling a meeting either Thursday or Friday of the next week.

3.2 Public Records Request – 255 Merriam, 11 Hallet Hill

Overview: IA stated that the public records request has been filled.

Discussion:

IA asked what AP wanted to discuss about this matter.

AP stated that she has never done one before and would like to know how they do one.

IA stated that you go through your emails and texts regarding this subject that were not sent to the town and send those to IA.

SZ moved to adjourn, SO seconded. All in favor, none opposed.

Meeting adjourned at 8:31p.m.