

**Town of Bourne Board of Selectmen
Executive Session
Meeting Minutes**

September 16, 2014

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Members Present: Selectman Mealy, Selectman Zuern, Selectman Ellis, Chairman Meier, Selectman Pickard

Also Present: Town Administrator Guerino, Town Counsel, Attorney Troy, and Lee Berger, Zoning Board of Appeals Chair.

In Open Session, **Mr. Pickard made a motion** to enter into Executive Session for the purpose of ongoing litigation. **The motion was seconded by Mr. Mealy.** Roll Call Vote 5-0. **Mr. Pickard – Yes, Mr. Mealy – Yes, Ms. Zuern – Yes, Mr. Ellis – Yes, Chairman Meier – Yes**

Attorney Troy provided information on the Hebb owned property, Pilgrim Pines, and the comprehensive permit. He provided background relative to the market and the problems that occurred with the Pilgrim Pines and the Ocean Pines issues. Hebb has appealed the Zoning Board's decision to the Housing Appeals Committee in Boston. The Housing Appeals Committee met on 9/12/14, with all parties present. The Housing Appeals Committee is recommending that we try to negotiate. The Town agreed to 8 hours of mediation but feels this is futile. Attorney Troy recommends that the Town have a sit-down with Mr. Hebb to see if we can obtain a mutually agreeable disposition of this case and then return to the Housing Appeals Committee with the agreed outcome.

There are several concerns that will need to be addressed. One in particular is there's a discrepancy in the number of affordable housing units that are to be built. The case calls for 5 more market rate and 11 affordable (that's what's left on the permit) but, Mr. Hebb wants to build 14 market rate and 2 affordable units.

The Town along with Mr. Hebb and the Affordable Housing Trust will work together to come to an amicable solution. Attorney Whitten has also been involved (with Town Counsel's approval) to try to move this forward and work with the 25% or some variation thereof that the Department of Housing and Community Development will agree to.

Mr. Ellis questioned the status of the subdivision. Mr. Troy indicated that we would continue to try to reach an accord on affordable and market rate units and to ensure that the roads and other specifications in the original permit are up to standard as required.

Respectfully Submitted,

Thomas M. Guerino

Town Administrator