

Executive Session ZBA – Sharon Libraries – October 6, 2021

Joe Garber, Steve Weiss, Abe Brahmachari, Sam Reef present
Jeff Ugino for Town Counsel

Meeting called to order 5:37PM

Motion to go into Executive Session

Mr. Brahmachari seconded
Unanimous vote (Garber, Weiss, Brahmachari, Reef)

Attorney Ugino reported to members that the Select Board approved Town Counsel continuing negotiations with the Freeman's for potentially acquiring land bordering 1 School Street. The Select Board would be in favor of the ZBA producing conditions for an order that would be acceptable to the Library Board of Trustees. Attorney Ugino summarized other possible options: the ZBA could choose to not approve requested special permits and variances or could put forth conditions that may be unfavorable to the Library Board of Trustees.

The Select Board would need to allocate any funding for outside counsel should the Library Board of Trustees seek legal action in response to unfavorable conditions or the ZBA's denial of their requested variances and special permits.

Members discussed negotiations with the Freeman's and the possibility of needing to find outside counsel as Town Counsel would not be able to represent the ZBA in any legal proceedings nor offer advice as it would be a conflict of interest.

The Chair and Attorney Ugino discussed the "free rent period" under negotiation with the Freeman's and the asking price for the parcel which remained at \$820,000. Any negotiations would require approval at Town Meeting to fund the transaction. Attorney Ugino informed members that if an agreement can be reached they would appeal to the court for more time to stay the remand order.

Mr. Weiss and Mr. Reef expressed frustration with the current situation. Mr. Brahmachari summarized his position that he would be willing to vote in favor of issuing the three requested permits but not the special variances. Specifically, Mr. Brahmachari has problems with the lot coverage percentage. His concerns revolve around parking lot size and would like to see the building reoriented so it is not within the setback line. He continued speaking in favor of acquiring the Freeman land as it would alleviate lot coverage and parking issues.

Members discussed drawings illustrating entrances.

Members discussed the Dover Amendment in relation to parking lot size. Mr. Weiss expressed favor of a plan to move the building further along N. Main Street away from the center of town. Mr. Brahmachari expressed favor of July 14th plans submitted by Attorney Gelerman. Members discussed moving forward with two options, one if the Freeman land is acquired and one if not. Attorney Ugino informed members the next step would be to bring potential conditions to the Library Board of Trustees for input and potential approval. He recommended holding the public meeting on October 27, 2021 with an additional Executive Session scheduled before the that. Members could propose conditions regarding screening, buffering, and plans that would minimize the visual impact of the building. Members discussed traffic patterns with relation to School Street.

Attorney Unigo clarified a question about legal action. There will be no personal lawsuits that would make members opposing parties. Any legal action would be taken against the town.

Mr. Weiss stated his approval for the special permits and requested variances along with Mr. Garber and Mr. Brahmachari. Mr. Reef expressed his disapproval. Mr. Weiss announced he would be resigning from the board after cases he has been hearing are closed.

Meeting adjourned at 6:30 PM

Respectfully submitted