



**MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE CITY OF WORCESTER**

Monday, March 9, 2022

Worcester City Hall – Levi Lincoln Chamber,
with remote participation options available via Webex online at
<https://cow.webex.com/meet/planningboardwebex> and
call-in number 415-655-0001 (Access Code: 1601714991).

Commissioners Present: Albert LaValley, Chair
Edward Moynihan, Vice Chair
Kevin Aguirre, Clerk (remote)
Conor McCormack (remote)

Commissioners Absent: None

Staff Present: Michelle Smith, Division of Planning & Regulatory Services (DPRS)
Stephen Rolle, DPRS – *Participated remotely*
Alexandra Kalkounis, Law

Call to Order

Board Chair LaValley called the meeting to order at approximately 5:30 pm.

Other Business

1) Open Meeting Law Complaint filed by Donna Flood regarding the December 22, 2021 meeting

Mr. LaValley highlighted that the Board received a complaint related to the open meeting law.

Ms. Kalkounis reviewed the response process and indicated that the board must respond within 14 days and indicated that the law department does not fully understand the allegations and the item of interest has been approved.

Mr. Moynihan reiterated challenges with understanding the complaint due to the poor quality of the format.

Ms. Kalkounis explained the complainant alleges that public access to participate was restricted. She noted the meeting the allegation was made against was a hybrid meeting of the Planning Board. She noted it's believed the meeting was fully accessible, but to confirm, the cable services division is looking into any possible technical difficulties that occurred during the meeting. Ms. Kalkounis also noted the allegations assert that letters in opposition that had been sent to the board were not read into the record. She confirmed the letters were acknowledged by the board and noted on the record.

Mr. Rolle stated that they had followed up with the applicant requesting a more legible copy of the complaint but has not received a response.

Ms. Kalkounis noted that the item of interest was voted on 12/22/2021 and approved, and she is not sure what a remedy to the allegations would look like at this point.

Mr. LaValley indicated that the majority of the pages of the fax that was received by the complainant are illegible and that the board was making assumptions based on the upper left portion of the page which is more legible.

Mr. Aguirre agreed with Mr. LaValley and indicated that he understood the complaint to be about restricted access, and supported the law department responding to the complaint.

Mr. McCormick agreed with Mr. Aguirre.

On a motion made Mr. Moynihan and seconded by Mr. McCormack, the Board voted 4-0 to request that the law department prepare and file a response on the Board's behalf.

Adjournment

On a motion by Mr. Moynihan and seconded by Mr. McCormick, the Board voted 4-0 to adjourn at approximately 5:37 p.m.