

A non-public session of the City Planning Board was held on January 08, 2003 at the conclusion of a recessed meeting in the Second Floor Conference Room of City Hall at 41 Green Street at 8:15 PM.

Present at the meeting were Members Drypolcher (who as Chair presided), Swope, Gross, McGonagle, Golde, Kuhlman Brown, Blanchette, and Alternate Member Foss. Messrs. Woodward and Henninger of the City Planning Division were also present.

The Chair called the session to order. The Clerk explained that the purpose of the meeting was to discuss a recent threat of litigation against the Board, as well as to address a request from the City Council that the Board join the Council in a closed door session to discuss the Richmond case.

The Clerk reported that the threat of litigation related the application of the REI Services Corporation on land of the Sanel Realty in the area of Mulberry Street and Old Suncook Road. The applicant's property is adjacent to the City's former landfill and was in fact the repository of some of the solid by agreement with the City.

memorandum to the City Council regarding litigation relative to the Richmond case (#12-4).

The Board had received a copy of a report to the Mayor and City Council filed by the Clerk at the Board's direction relative to the City Council's request to have representatives of the Planning Board meet with the Council relative to the Richmond Case. Board members inquired as to the status of the remand of the case to the Board by the Superior Court. Mr. Woodward indicated that he and the City Solicitor were engaged in discussions with special counsel, Peter Loughlin, relative to the details of a response to the applicant's last communication.

Given that the Richmond litigation is on-going, and the REI application will likely result in litigation, the Board voted unanimously to seal the minutes.

There was no further business to come before the Board and the meeting adjourned at 9:30 PM.

A TRUE RECORD ATTEST:

Douglas G. Woodward
Clerk