

Minutes Meeting of March 25, 2004 – Washington Green

Members Present: Chase Duffy, Stuart Schulman, Mark Mulligan, Robert Cadle

Mark Bobrowski was also present.

Discussion ensued regarding the draft of the decision.

Item #5. of note: control of the site does not mean ownership and does not matter as long as a purchase and sales is signed, which is the fact here.

A list of all parties who reviewed the application was made.

Item #9 and beyond is substantive.

Mr. Cadle suggested putting voltage measurements into the decision.

Mrs. Duffy suggested adding that GELD would need to spend more money to protect its equipment.

The Chairman noted an increased risk to the town if the only substation is damaged and there is no power.

Of note: the site distance to the north is an issue unless there is clearing in the right of way.

GELD noted that according to Judith Nitsch the area shown on the map indicates that clearing beyond right of way would be required and GELD would not allowing clearing where they do not have to.

Discussion ensued regarding the length of the driveway, which is 680 ft. The town dead end limit is 1000 ft.

Of note: items 17 and 18 will be removed.

Discussion ensued regarding the zone level, which is 3.

Discussion ensued regarding whether the town had tried to purchase the land. GELD said that they tried several years ago and the price was too steep.

Mrs. Duffy thinks will be public outcry re: aesthetics if project goes forward.

Atty. Bobrowski said that the next step after filing is going to Housing Appeals Court. He then outlined the procedure after he has a discussion with Werner Loehe.

Mrs. Chojnowski asked whether GELD has standing to appeal.

Atty. Bobrowski felt would it be difficult to prove standing, but because GELD is an abutter, it might work. He said that it has not been tested.

Of note: HAC won't allow intervention but would allow a friendly attorney from GELD to appear.

Atty. Bobrowski said that an appeal would have a \$3000/day cost to the town. He also noted that if a point is left out, the town loses the ability to bring it in during the appeal.

The hearing was continued to 3/26/04 @ 6 pm in order for the Board to vote.

The meeting adjourned at 10:15 am.