

**Subject:** RE: Citizens Time comments on ICE at Planning Board  
**From:** "John Giorgio" <JGiorgio@k-plaw.com>  
**Date:** Thu, 6 Dec 2007 14:57:23 -0500  
**To:** "tony fields" <afields@burlmass.org>

Dear Tony;

As we discussed, it is not unforeseeable that the Town Meeting will approve the warrant article to fund a legal challenge to the ICE facility. One potential avenue is to challenge the grant by the Planning Board of the minor engineering changes to site plan review.

I understand that the Planning Board is meeting tonight. In light of the potential for litigation, I recommend that the Planning board members make no further public comment as planning board members regarding the ICE issue. Should this issue come up during citizens' time, I recommend that the Chairman indicate that the Planning Board will not be making any comments based on the advice of town counsel. Thanks.

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-----Original Message-----

From: tony fields [<mailto:afields@burlmass.org>]  
Sent: Thursday, December 06, 2007 12:27 PM  
To: John Giorgio  
Subject: Citizens Time comments on ICE at Planning Board

Hi John,

Since the warrant for the special town meeting is published, with the article clearly seeking to initiate litigation regarding the ICE office at 10 New England Executive Park, would you advise that the Planning Board not take public comments during citizens time or otherwise discuss

the matter at its meeting tonight, as you similarly advised the Board of Selectmen?

Thank you for any last minute guidance you can offer.

Tony Fields

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D. Anthony Fields, AICP  
Planning Director

RE: Citizens Time comments on ICE at Planning Board

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