

TOWN OF DEERFIELD  
ZONING BOARD OF APPEALS  
EXECUTIVE SESSION

March 4, 2005

MINUTES

- I. Meeting convened at 5:00 p.m., Room 130, Municipal Offices, South Deerfield.  
Present: F. Olszewski (Chair), R. Bohonowicz, G. Friary, S. Barrett, R. Sadoski  
Absent: L. Grybko, Sr., R. Calisewski
- II. Executive Session: Motion made to enter into Executive Session to discuss strategy for litigation and list of conditions for special permit for Rice Oil, Inc. at 5:01 pm. The regular meeting will not reconvene. Motion approved (Olszewski = yes, Bohonowicz = yes, Friary = yes, Barrett = yes, and Sadoski = yes).

Motion made to accept the following list of conditions as they are written:

1. All the town attorney's fees for Rice litigation of this case shall be paid in full by Rice Oil, Inc.
2. All alcoholic beverages for sale shall be kept on shelves within eyesight of the store cashier while performing normal duties.
3. All alcoholic beverages for sale shall be kept in enclosed coolers or lockable displays, the doors of which shall be locked during periods when alcoholic beverages are not to be sold.
4. The percentage of coolers containing alcoholic beverages for sale shall be no more than 25% of the total number of coolers.
5. There shall be no sales of single containers of beer or wine products that are packaged to be sold in multiple units (e.g., no breaking apart of six packs of beer or four packs of wine coolers).
6. There shall be no free standing floor displays of alcoholic beverages (e.g. stacked cases, point of purchase portable cooler beer barrel.)
7. There shall be no advertisements displayed in exterior windows announcing the sale of alcoholic beverages.
8. There shall be "proof of age required" signs conspicuously displayed throughout the area covered by the liquor license.
9. Hours of alcoholic beverage sales shall be 11:00 am to 11:00 pm. No sales of alcoholic beverages shall occur at any other time.

10. The liquor license shall be review able and renewable each year by the Board of Selectmen and any violations to the special permit shall be cause for revocation of the special permit.
11. Rice Oil, Inc. shall participate in the "Adopt a Highway" program and shall adopt the portion of Greenfield Road (Routes 5 & 10) starting at the Deerfield town line (or exit 24 in Whately) in the south to the intersection of Route 116 in the north. The adoption of the highway shall mean at a minimum that roadside cleaning of litter shall occur quarterly each year for as long as Rice Oil, Inc. shall hold a liquor license within the Town of Deerfield at this or any other location.
12. Rice Oil, Inc. shall sponsor an alcohol awareness program at the Frontier Regional School.
13. No consumption of alcoholic beverages on premise (e.g., picnic tables outside).
14. The special permit shall be in the name of Rice Oil, Inc. and shall not be transferable in the event of a property or business transfer. Any sale of the property shall require a separate hearing for a new special permit.

Motion unanimously approved (Olszewski = yes, Bohonowicz = yes, Friary = yes, Barrett = yes, and Sadoski = yes).

- III. Motion made to present this list of conditions to Attorney Bobrowski to present to Rice Oil, Inc as conditions to the special permit.

Motion unanimously approved (Olszewski = yes, Bohonowicz = yes, Friary = yes, Barrett = yes, and Sadoski = yes).

- IV. Motion made to exit out of the Executive Session at 6:30 pm. Another motion to adjourn the meeting. Motion approved (Olszewski = yes, Bohonowicz = yes, Friary = yes, Barrett = yes, and Sadoski = yes).

Respectfully submitted,

Patricia Kroll  
Secretary to ZBA