

**TOWN OF DEERFIELD  
ZONING BOARD OF APPEALS  
August 17, 2006**

**MINUTES**

**I. Meeting convened at 7:00 p.m. in the Main Meeting Room, Municipal Offices, 8 Conway Street, South Deerfield, MA.**

Present: Stephen Barrett, R. Bohonowicz, Richard Calisewski, William McGoldrick, Fran Olszewski, Roger Sadoski (recused)

Absent: Jamie Hartwright

Chair Calisewski opened the hearing on the application of David and Edward Laczynski. Mr. Calisewski read a memo written by Bernie Kubiak, Town Administrator with regards to a question of conflict of interest. After reading the memo dated August 7, 2006, Roger Sadoski was asked to recuse himself from voting at this hearing and subsequently asked to leave the table.

**II. Edward Laczynski and David Laczynski**

Application received by Town Clerk on July 18, 2006 subsequently posted & published on 7/20/2006. Legal ad printed in The Recorder on 8/3/2006 and 8/10/2006. Applicants are requesting a frontage requirement variance on their lot located at 84 South Mill River Road (Map 161, Lot 9.1) in order to sell the property.

The hearing began with Chair Calisewski reading a memo dated August 7, 2006 from Bernie Kubiak with regards to Conflict of Interest Question. Roger Sadoski was asked to excuse himself as a ZBA member because he sat on the Planning Board when this property was previously subdivided. Mr. Sadoski didn't feel that this was a conflict of interest but he did excuse himself. Mr. Sadoski was asked to leave the table.

Mr. Laczynski states that his reason for requesting this variance is financial hardship.

Several neighbors made comments and/or asked questions.

Hearing closed to public for ZBA discussion.

Hearing reopened to public comment after ZBA discussion. The public is invited to ask further questions or to comment on what the Board has been discussing before any vote is to be taken.

Hearing closed again to public for final discussion and vote.

The ZBA Board agrees to grant the variance with the following list of conditions/restrictions.

**List of Conditions/Restrictions:**

1. Limited to one single-family dwelling in immediate area of present utilities, located no closer than 100' from property lines.
2. Any accessory building that is removed and relocated must be 100' or more from the property lines and less than or equal to current square footage. Building inspector to record the square footage of existing buildings that will remain and no more than three accessory buildings will be allowed.
3. Removal of the existing barn in the 98' frontage section to be accomplished before building of new dwelling is started. Driveway to be centered, approximately in the 98' section.
4. No commercial business activities to be allowed.
5. Removal of the easement/right of way from Mr. Sobieski's property when the sale is completed and recorded.



Mr. McGoldrick made a motion to accept these conditions as drawn up by Mr. Barrett. Mr. Olszewski seconded the motion. All members voted yes. Vote passed unanimously (5-0) in favor of the variance with conditions.

**III. Meeting adjourned at 8:30 p.m.**

Respectfully submitted,

Patricia Kroll