



## Deerfield Zoning Board of Appeals

Thursday, May 12, 2022 6:30 pm

8 Conway Street, South Deerfield MA 01373

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Zoning Board of Appeals was held on Thursday, May 12, 2022 at 6:30 pm in a **hybrid** fashion with the opportunity for both in-person attendance and remote participation in accordance with the Governor Baker's June 16, 2021 Act Extending Certain COVID-19 Measures Adopted During the State of Emergency, including an extension of the remote participation provisions of his March 20, 2020 Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A §20. Meeting recorded by FCAT and is available for review on the Town of Deerfield's Website (<https://www.deerfieldma.us/node/157/minutes>) & the Town of Deerfield's YouTube Channel (<https://www.youtube.com/watch?v=8rmITUSG1VI>)

**Board members present:** Adam Sokoloski, Chairman; Robert Decker, Jennifer Remillard (Alternate), Alex Herchenreder (Alternate).

**Also Present:** Jennifer Gannett, Assistant Town Administrator; Bob Walden, Building Commissioner; Bela Breslau; and other members of the public.

**1. Chairman Sokoloski opened the meeting at 6:35 pm**

**2. Roll Call**

**3. Minutes** -Tabled until next meeting

**4. New Business-**

- **Public Hearing-** Hearing convened at 6:45 pm with notice read into the record Pursuant to MGL Chapter 40A section 11 a Special Permit application filed by Bela Breslau for a Special Permit for property located at 60 Graves St (Map 169, Lot 82) to allow the operation of a one bedroom, bed and breakfast in the CVR District as provided for in the Zoning Bylaw c.179 §2230.
  - Breslau describes her proposed project and cites the written responses to the six criteria in which the board weighs the proposed benefits to the detriments of the project. Discussion occurs as the board does not have a full attendance and with one nay vote would require the applicant to wait two years before refiling. Breslau decides to move forward with the public hearing.

*The following is quoted from the Special Permit Application submitted to the board. Dated 4/15/22 and as requested to be entered into the minutes as evidence of findings.*

No Sign on the Property other than the required house number

§5321 Social, Economic, or community needs which are served by the proposal

*In talking with neighbors, several have said that would like to have their visiting family members (mothers, in-laws, etc.) stay with me when visiting.*

§5322 Traffic Flow and Safety, including parking and loading.

*Our home has a very wide driveway that can accommodate visitors. We have only wone car. We also have a large two car garage and in the winter, if necessary, can accommodate a car in the garage. I plan to notify all visitors of the residential nature of our street and let guests know they should drive slowly and take special care, and that they are aware there are often people walking and biking on the street.*

§5323 Adequacy of utilities and other public services

*There should be veery little additional use of utilities and other public services. We have sufficient for our property.*

§5324 Neighborhood Character and Social Structures

*Graves Street is part of a lovely residential neighborhood. There will be no change to the structures.*

§5325 Impacts on the natural environment

*There will be no change in the way our property impacts the environment.*

§5326 Potential fiscal impact, including impact on town services, tax base, and employment

*I see no or very little potential impact except that the town will be receiving whatever fees need to be paid.*

Walden has no concerns and after his site inspection speaks to the ease of accessibility.

- The board is supportive of these responses and accepts them as findings to support the decision. Decker proposes the condition of limiting the B&B to One Bedroom, the property maintain compliance with the Zoning Bylaws and the Board of Health regulations, limited to four guests. Chairman Sokoloski suggests that the application to remain with the applicant. Remillard is supportive of these conditions. Walden proposes a condition for providing contact information to be on file. Gannett suggests maintaining the health and safety of the property into the future.

**Conditions of Approval**

1. The Special Permit to remain with the applicant
2. Bed and Breakfast shall be limited to one bedroom
3. The applicant shall limit the number of guests to four.

4. The applicant shall obtain all necessary permits, licenses, and other approval from any Board, Commission, Official, or other Agency or Agent of the Town of Deerfield, Commonwealth of Massachusetts, and or Federal Government.
5. The applicant shall provide contact information to remain on file with the Town Clerk.

***Motion to close the public hearing-Decker***

***Second. Remillard                      Vote: Sokoloski – aye, Decker – aye, Remillard – aye, Herchenreder – aye. (4-0-0) Vote passes unanimously.***

***Motion to approve-the Special Permit Application at 60 Graves St with discussed conditions. -Decker***

***Second. Remillard                      Vote: Sokoloski – aye, Decker – aye, Remillard – aye, Herchenreder – aye. (4-0-0) Vote passes unanimously***

**5. Old Business**

- Revision of a previously issued Special Permit- VESH 141 Greenfield Road.

**6. Review Mail**

- Letter from Department of Housing and Community Development

**7. Items Unanticipated 48 Hours Prior to Posting**

**8. Adjourn**

***Motion to adjourn at - Decker***

***Second. Sokoloski                      Vote: Sokoloski – aye, Decker - aye, Remillard - aye , Herchenreder - aye. Vote Passes (4-0-0)***

**Upcoming Meetings:**

June 9, 2022, at 6:30 pm

Respectfully Submitted,

Alex Herchenreder, Zoning Board of Appeals Alternate Member.

Approved August 25, 2022