

The following members attended the public meeting:

Doreen Prouty, Chairperson
Fred Harpin, Vice Chairperson
Larry Hoague, Clerk
Betty Manchino-Secretary

1. Deloghia - Case #1785

Chairperson Prouty opened this public hearing at 6:30PM. Sitting on this case was Prouty Harpin and Hoague.

Chairperson Prouty read a letter from Attorney Neves requesting this public hearing to be rescheduled. The date selected is April 23rd at 6:45PM.

2. Griffin - Case #1779

**Chairperson Prouty reopened this public hearing at 7:00PM.
Sitting on this case was Prouty, Harpin and Hoague.**

Present were Mr. & Mrs. Griffin, Attorney Saia and William Cook. Chairperson Prouty asked if there was anything else they wanted to present to the Board and Mr. Griffin presented a letter from Mr. & Mrs. Dean Dupre of 103 North Street. Chairperson Prouty read this letter into the record stating that these people were in favor of the Griffin's keeping their goats.

Attorney Saia stated that this case is a clash with the zoning code and the American's Disability Act. These are poor people who cannot afford to buy the goat's milk that Mrs. Griffin needs.

Chairperson Prouty stated that there was nothing in the zoning laws to allow the Griffin's to keep their goats. Mrs. Griffin's doctor's note just stated she needed goats milk not that she was disabled. Chairperson Prouty stated that the House Court ordered Mr. Griffin to remove the goats. She also read into record a ruling from The Massachusetts Commission on Discrimination which stated that there was no evidence showing that the Town of Agawam had discriminated against Mr. Griffin. Chairperson Prouty also stated the ADA defines disability as a physical or mental impairment that substantially limits one or more of the major life activities. Mrs. Griffin did not present any evidence that her colitis condition meets the ADA definition.

Vice Chair Harpin stated that Mr. & Mrs. Griffin did not check with the Town before they purchased these goats and the board can only do what is allowable by the zoning codes.

Chairperson Prouty stated that the Mrs. Griffin's doctor did not state she was disabled and the board must abide by the laws of the Town.

Larry Hoague agreed that there was nothing in the American Disabilities Act to overrule local laws in this instance.

Chairperson Prouty called for a vote to deny this permit.

Hoague - yeah

Harpin - yeah

Prouty-yeah

The special permit was denied and the Griffins were allowed 10 days from the date of the decision to remove the goats or be fined the maximum amount of \$100 per day per goat until they are removed.

Mr. Griffin was very irate with the board's decision and threatened retaliation to the Board by damaging their property, damaging their vehicles and to be careful where the Board puts their belongings or he will take them. He said he would not pay the fines and not honor the Board's decision.

Minutes of March 12, 2007 approved.

Harpin motion to adjourn at 7:25PM seconded by Hoague.