



Zoning Board of Appeals AGENDA

Monday, March 10, 2025 - 6:00 PM

Regular Meeting
Agawam Senior Center
954 Main Street
Agawam, MA 01001

A. Zoning Board of Appeals

- 1) 6:00pm PUBLIC HEARING CONT.-CASE#2025-28 S. ALHAMBRA CR-USMONOVA-SPECIAL PERMIT
- 2) 6:30PM-PUBLIC HEARING-CASE#2027-347 POPLAR ST-PREYE-SPECIAL PERMIT
- 3) APPROVAL OF MINUTES-JANUARY 13, 2025
- 4) ANY OTHER MATTER THAT MAY LEGALLY COME BEFORE THE ZONING BOARD OF APPEALS



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

BOARD OF APPEALS

FOR OFFICE USE ONLY

Case #: _____
Filed: _____
Hearing: _____
Expires: _____

Application to Board of Appeals for SPECIAL PERMIT as provided in the Zoning and other By-laws.

Applicant Elmira Usmonova

Address 28 Alhambra Cir S Agawam MA 01001

Application is hereby made for a SPECIAL PERMIT as provided by Section _____, Paragraph _____ of the By-law.

Premises affected are situated on corner Street; 28 Alhambra Cir S feet distant from the corner of _____ Street and known as street number _____.

Property is zoned as RA2.

Reason(s) for request of Special Permit:

Safety of my 4 children including myself
and my husband.

Due to the location of the house we don't
have any privacy, security or other
boundaries between us and outside for the
of people. As kidnapping and other crime types
increase I don't feel safe leaving my children
without my supervision in our own yard as I have
seen vehicles stop at the side of our 4ft fence and
observing my children playing.

Signature of owner or his authorized agent: _____

Also we had robbery
attempt last summer.
Police was informed.

Telephone #: _____

413 386 4525

NOTICE: THIS APPLICATION MUST BE FILLED OUT IN INK OR TYPEWRITTEN

Property

28 ALHAMBRA CIR S AG/
MA 01001 USA
42.077718, -72.589122
42° 4' 40", -72° 35' 21"



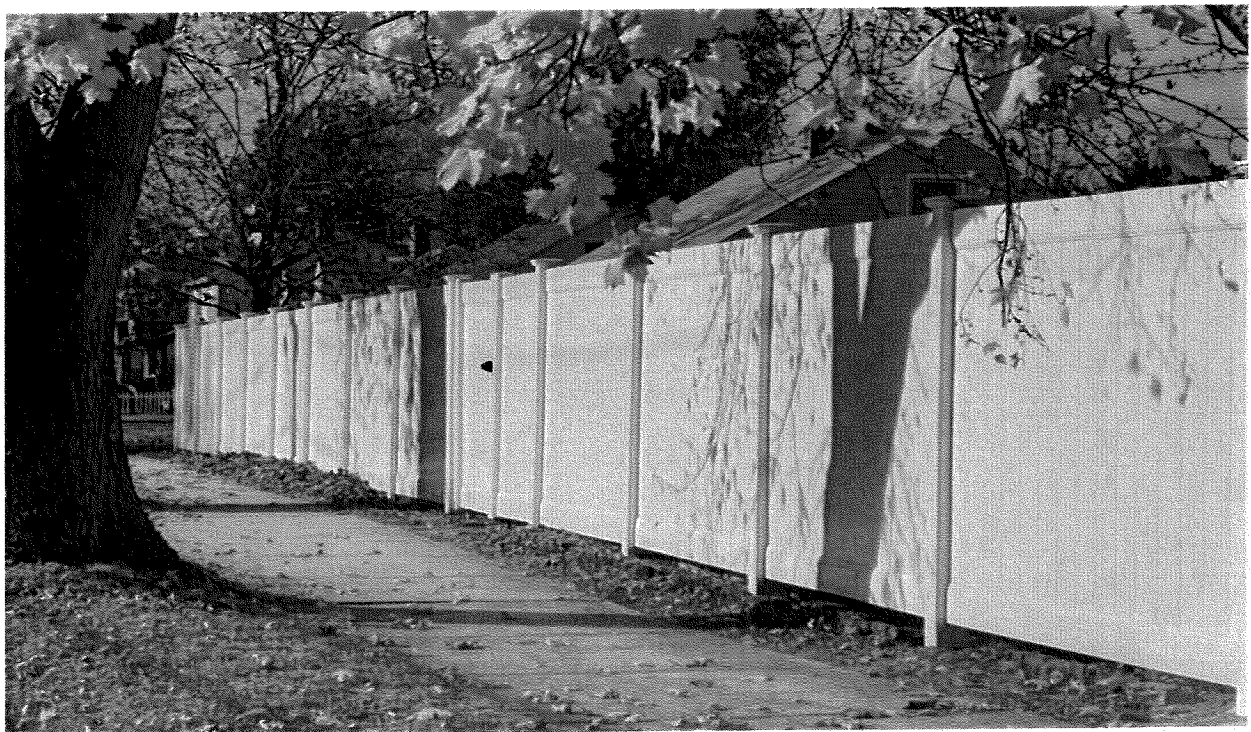
Parcel Details

Property Type: Residential
Area: 13909.66 ft²
FIPS Code: 25013
Locality: AGAWAM
Parcel APN: N12_6_12
Postal Code: 01001
State: MA
Street Number: 28





Six foot tall vinyl fence located in the front setback. Needs to be removed FORTHWITH or installed to a height of 4' from grade or relocated back to be in line with the existing dwelling structure.



Bk 21422 Pg 291 #64755
10-28-2016 @ 01:30p

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 10-28-2016 @ 01:30pm
Ct1#: 292 Doc#: 64755
Fee: \$943.92 Cons: \$207,000.00

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that I, **BEVERLY HOLLMAN HOEKSTRA**, an unmarried woman, of 6 Pinewood Drive, Hampden, Massachusetts

IN CONSIDERATION OF TWO HUNDRED SEVEN THOUSAND AND 00/100THS (\$207,000.00) DOLLARS

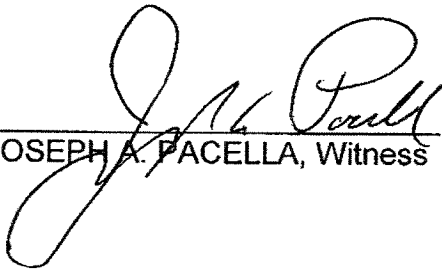
grants to **DUNDAR OZDEMIR and ELMIRA USMONOVA**, husband and wife, both of 46 Mercury Road, West Springfield, Massachusetts, as Tenants by the Entirety

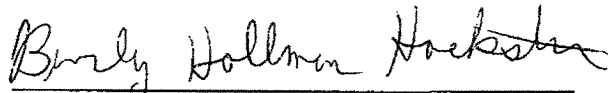
WITH QUITCLAIM COVENANTS

Certain real estate situated in Agawam, in said County of Hampden Massachusetts being more particularly described in Exhibit "A" attached hereto and incorporated herein.

Property Address: 28 Alhambra Circle S, Agawam, Massachusetts

Signed under the penalties of perjury on this 25th day of October, 2016.


JOSEPH A. PACELLA, Witness

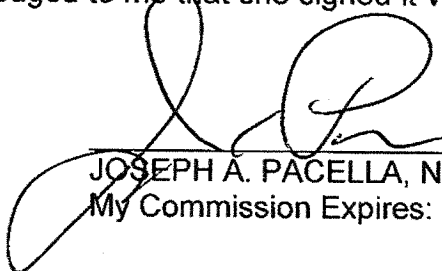

BEVERLY HOLLMAN HOEKSTRA

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss

October 25th, 2016

On this 25th day of October, 2016, before me, the undersigned Notary Public, personally appeared **BEVERLY HOLLMAN HOEKSTRA**, proved to me through satisfactory evidence of identification which were/was a MASSACHUSETTS DRIVERS LICENSE, to be the person whose name is signed on the preceding or attached document in my presence and who acknowledged to me that she signed it voluntarily for its stated purpose.


JOSEPH A. PACELLA, Notary Public
My Commission Expires: 08/25/2017



Joseph A. Pacella
Notary Public
Commonwealth of Massachusetts
My Commission Expires 8/25/2017

EXHIBIT "A"

Certain real estate situated in Agawam, Hampden County, Massachusetts, being known and designated as lot 32 (thirty-two) as shown on the Revised Plan of Buena Vista, recorded in Hampden County Registry of Deeds, Book of Plans 6, Page 64, said lot being more particularly bounded and described as follows:

Bounded

SOUTHERLY	by Alhambra Circle South, seventy-two and 35/100 (72.35) feet;
EASTERLY	by a way as shown on said plan, eighty-six and 65/100 (86.65) feet;
NORTHERLY	by lot 33 (thirty-three) as shown on said plan, seventy (70) feet; and
WESTERLY	by lot 31 (thirty-one) as shown on said plan, one hundred (100) feet.

Also, certain real estate situated in said Agawam, being known and designated as lot 30 (thirty) and the strip between lots 30 (thirty) and 32 (thirty-two) as shown on a plan of lots recorded in Hampden County Registry of Deeds in Book of Plans 11, Page 58, said real estate being more particularly bounded and described in one parcel as follows:

Bounded

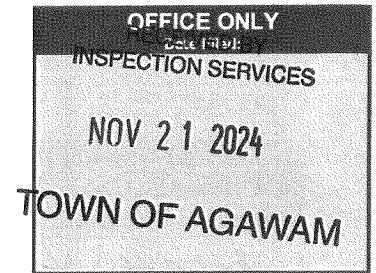
SOUTHERLY	by Alhambra Circle South, as shown on said plan, seventy-two (72) feet;
EASTERLY	by lot 32 (thirty-two) as shown on said plan, one hundred (100) feet;
NORTHERLY	by the continuation of said strip and lot 34 (thirty-four) as shown on said plan, seventy-two (72) feet; and
WESTERLY	by lot 29 (twenty-nine) as shown on said plan, one hundred (100) feet.

BEING the same premises conveyed to the Grantor herein by deed dated April 1, 1986 and recorded in the Hampden County Registry of Deeds, Book 6047, Page 437.

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS



The Commonwealth of Massachusetts
Town of Agawam
Inspection Services - Building Department
1000 Suffield Street, Agawam MA 01001 – (413) 821-0632



Application for Zoning Determination

FILING INSTRUCTIONS: Deliver this form (no fee required) to Inspection Services.
For digital submissions, please confirm receipt. A complete application will be processed within 30 days.
The applicant must pick-up, or arrange for the receipt of, this processed form.

1) PROPERTY INFORMATION										
a. Street Address			28 Alhambra Cir S			b. Zoning District		RAZ		
c. Assessor's Map			N12			d. Lot(s)		6-12		
e. Registry of Deeds Book						f. Page				
g. Overlay Districts			☐ Historic Preservation ☐ Mixed-Use Business C							
h. Previous Special Permits, Site Plan Approvals, Findings or Variances Issued for this Site										
2) APPLICANT & OWNER INFORMATION										
a. Applicant Name			Elmira Usmonova			b. Applicant Phone		413 386 4525		
c. Applicant Email			elmirausmonova@yahoo.com							
d. Applicant Mailing Address			28 Alhambra Cir S Agawam MA 01001							
e. Applicant Relationship to Property			☒ Owner ☐ Agent ☐ Other: 0							
f. Representative Name (if any)						g. Rep. Phone				
h. Rep. Email										
i. Owner Mailing Address										
j. Owner Name (if different)						k. Owner Phone				
l. Owner Email										
m. Owner Mailing Address										
3) PROJECT & SITE DETAILS										
NOTE: Any omission of requested information may result in an INCOMPLETE determination										
	Existing				Proposed ☒ No changes to building, site or lot				-FOR BUILDING DEPT. REVIEW- REQUIRED / NCU	
a. Lot Size	SF		SF		LOT SIZE				☐	
b. Frontage	FT		FT		FRONTAGE				☐	
c. Front Lot Line	FT		FT		FRONT SB				☐	
d. Side Lot Line (Left/Right)	L: FT	R: FT	L: FT	R: FT	SIDE SB				☐	
e. Rear Lot Line	FT		FT		REAR SB				☐	
f. Building Height	FT		FT		BLDG HT				☐	
g. Total BLDG/Res Area	SF	SF	SF	SF	AREA LIM				☐	
h. BLDG Coverage (Footprint)	SF	% of lot	SF	% of lot	LOT COVER				☐	
i. Impervious Coverage	SF	% of lot	SF	% of lot	IMPERVIOUS				☐	
j. Parking/Loading Spaces	P:	L:	P:	L:	PARKING				☐	
k. Bicycle/EV Charge Spaces	B:	EV:	B:	EV:	BIKE/EV				☐	
l. Signs (Size & Type)	x	T:	x	T:	SIGNS				☐	
m. Fence (Size & Type)	LIN FT	T:	LIN FT	T:						
n. Wetland Area	SF		SF							
o. Utility Services	☐ Town Water ☐ Town Sewer ☐ Town Water ☐ Town Sewer									
									NON-CONFORMING USE ☐	



Kevin Duquette
Inspector of Buildings
inspections@agawam.ma.us

Town of Agawam
Inspection Services Department
1000 Suffield Street, Agawam, Massachusetts 01001
Telephone - (413) 821-0632

Notice of Zoning Ordinance Violation

Dundar Ozdemir and Elmira Usmonova
28 South Alhambra Circle
Agawam, MA 01001

November 5, 2024

RE: 28 South Alhambra Circle Agawam, MA 01001- Vinyl Fence Installation Located in Front Setback;

Due to a complaint, the following has been noted for the property:

Town of Agawam's Zoning Ordinance #180-8- B Supplementary Regulations, which states;

B. Fences or walls. Fence heights shall not exceed four feet on the setback portion of any lot perimeter and shall not exceed 6 1/2 feet in height on the remainder of the lot perimeter. On a lot which is adjacent to a higher zone classification, the fence heights shall conform to the higher classification. Notwithstanding the foregoing, fences may be erected by special permit to a height in excess of four feet, but not to exceed 6 1/2 feet, on the setback portion of any corner lot perimeter only. No fence, wall or natural barrier shall be constructed so as to create a safety hazard for vehicles or pedestrians entering or exiting driveways and streets. All fences and walls shall be properly maintained. Any fence or wall found to be in disrepair shall be promptly repaired or removed.

November 4, 2024- Findings- It has been noted this parcel of land is in violation of the Town's zoning ordinance for the height of a fence located in the front setback portion of the property. .

Required Action- Per the Town's zoning ordinances, the vinyl fence structure located in the front setback portion needs to be removed FORTHWITH or installed to a maximum height of 4' in the existing location or relocated back to the front setback line of 25' from the front property line (Not the edge of the road) or relocated to be in line with the dwelling structure in order to remain at a height of 6'.

This course of action needs to be conducted FORTHWITH for zoning compliance. Follow-up inspections will be conducted within /upon (30) thirty days for verification of compliance. If no course of action is taken or if the issue is not rectified, violation fines may be issued for the property. Once the issue has been rectified, please notify the office of Inspection Services for a follow-up verification inspection.

Your attention to this matter is greatly appreciated.

§ 180-15 Enforcement.

The Inspector of Buildings shall enforce the provision of this chapter or any amendment thereof. He shall refuse to grant a permit for the construction, addition, alteration or change of use of any building, structure or premises if such proposed construction, addition, alteration or change of use would be in violation of any of the provisions of this chapter, as amended. State and Town Officers shall refuse any permit or license for a new use of a building, structure or land which would be in violation of this chapter or amendment thereof.

§ 180-16.1 Noncriminal proceedings for violations.

A. Any violation of this Chapter 180 may, in the discretion of the Board of Appeals, be enforced by the Zoning Enforcement Officer, or the Inspector of Buildings, or their designee, by the noncriminal complaint method for which provision is made, and/or as set forth in MGL c. 40, § 21D, as amended from time to time, that is, non-criminal disposition. Fines issued pursuant to § 180-16.1 shall be as follows:

- (1) First offense: \$25.
- (2) Second offense: \$50.
- (3) Third offense and each subsequent offense: \$100.

B. Each day on which a violation exists shall constitute and be deemed a separate offense.

If you are aggrieved by this Zoning Violation Notice you have a right to Appeal to the Board of Appeals- Appeals to the Board of Appeals may be taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative office under the provisions of said Chapter 40A, or by any person, including an Officer or Board of the Town or of an abutting Town aggrieved by an order or decision of the Building Official, or other administrative Official, in violation of any provision of said Chapter or the Zoning Ordinances of the Town of Agawam.

“Such appeal shall be taken by the Board within (30) thirty days from the date of the order or decision which is being appealed, by filing a notice of appeal with the Town Clerk in accordance with the provisions of Chapter 40A.”

Sincerely,



Kevin Duquette
Building Commissioner

Date of Notification: November 5, 2024	To Be Re-Inspected: Within / Upon (30) Thirty Days	File: Certified Mail:
Compliance: No	Ticket Issue Date: Upon re-inspection results	C.C:

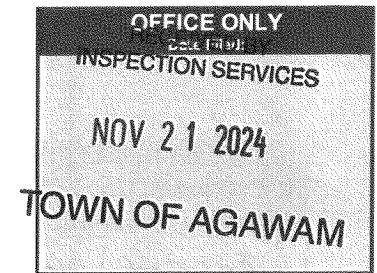


Six foot tall vinyl fence located in the front setback. Needs to be removed FORTHWITH or installed to a height of 4' from grade or relocated back to be in line with the existing dwelling structure.





The Commonwealth of Massachusetts
Town of Agawam
Inspection Services - Building Department
1000 Suffield Street, Agawam MA 01001 – (413) 821-0632



Application for Zoning Determination

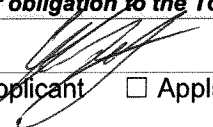
FILING INSTRUCTIONS: Deliver this form (no fee required) to Inspection Services.
For digital submissions, please confirm receipt. A complete application will be processed within 30 days.
The applicant must pick-up, or arrange for the receipt of, this processed form.

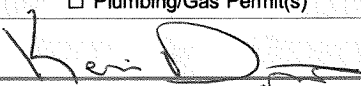
1) PROPERTY INFORMATION									
a. Street Address			28 Alhambra Cir S			b. Zoning District		RAZ	
c. Assessor's Map			N12			d. Lot(s)		6-12	
e. Registry of Deeds Book						f. Page			
g. Overlay Districts			☐ Historic Preservation ☐ Mixed-Use Business C						
h. Previous Special Permits, Site Plan Approvals, Findings or Variances Issued for this Site									
2) APPLICANT & OWNER INFORMATION									
a. Applicant Name			Elmira Usmonova			b. Applicant Phone		413 386 4525	
c. Applicant Email			elmirausmonova@yahoo.com						
d. Applicant Mailing Address			28 Alhambra Cir S Agawam MA 01001						
e. Applicant Relationship to Property			☒ Owner ☐ Agent ☐ Other: 0						
f. Representative Name (if any)						g. Rep. Phone			
h. Rep. Email									
i. Owner Mailing Address									
j. Owner Name (if different)						k. Owner Phone			
l. Owner Email									
m. Owner Mailing Address									
3) PROJECT & SITE DETAILS									
NOTE: Any omission of requested information may result in an INCOMPLETE determination									
	Existing			Proposed ☒ No changes to building, site or lot			-FOR BUILDING DEPT. REVIEW- REQUIRED / NCU		
a. Lot Size	SF			SF			LOT SIZE	☐	
b. Frontage	FT			FT			FRONTAGE	☐	
c. Front Lot Line	FT			FT			FRONT SB	☐	
d. Side Lot Line (Left/Right)	L: FT	R: FT	L: FT	R: FT	L: FT	R: FT	SIDE SB	☐	
e. Rear Lot Line	FT			FT			REAR SB	☐	
f. Building Height	FT			FT			BLDG HT	☐	
g. Total BLDG/Res Area	SF	SF	SF	SF	SF	SF	AREA LIM	☐	
h. BLDG Coverage (Footprint)	SF	% of lot	SF	% of lot	SF	% of lot	LOT COVER	☐	
i. Impervious Coverage	SF	% of lot	SF	% of lot	SF	% of lot	IMPERVIOUS	☐	
j. Parking/Loading Spaces	P:	L:	P:	L:	P:	L:	PARKING	☐	
k. Bicycle/EV Charge Spaces	B:	EV:	B:	EV:	B:	EV:	BIKE/EV	☐	
l. Signs (Size & Type)	x	T:	x	T:	x	T:	SIGNS	☐	
m. Fence (Size & Type)	LIN FT	T:	LIN FT	T:	LIN FT	T:			
n. Wetland Area	SF			SF					
o. Utility Services	☐ Town Water ☐ Town Sewer			☐ Town Water ☐ Town Sewer			NON-CONFORMING USE	☐	

p. Current Use of Property	Single Family Dwelling		
q. Proposed Use of Property	SAME		
r. Project Description			
20' set back 6' ft fence in front set back			
s. I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)			☒ Yes ☐ No
t. Work is proposed in or within 100' of a wetland or 200' of a stream/river, or construction will occur within the Floodplain district. If so, CONSERVATION COMMISSION review is required.			☐ Yes ☒ No ☐ Unsure
u. The following projects shall be required to comply with the requirements of a <u>STORM DRAIN PERMIT</u>: [1] Any alteration to sites on parcels of one acre or greater. [2] Any alteration to individual lots less than one acre, but which are contiguous or are deemed part of a common project which is one acre or greater.			☐ Yes ☒ No ☐ Unsure
v. The project will affect at least one of the following; additional gross floor area by 2,000 square feet, any change of use, changes to parking and/ or curb cuts.			☐ Yes ☒ No

4) CERTIFICATION

This determination is based only on the information provided, which I represent as accurate. The issuance of a Zoning Determination does not relieve the Applicant of the responsibility to obtain other zoning or non-zoning permits, as may be required, and this determination is based on the zoning in effect at the issue date and grants no protection from any pending or future zoning changes. Additional information may be requested and required to properly process this form. Any non-zoning related comments provided are cursory in nature; Applicants should follow-up with appropriate Town Departments. Sec. 1-7 of the Town of Agawam's General Ordinances authorizes the denial of a license or permit where an outstanding debt or obligation to the Town exists.

Signature		Date	4/21/2024
☐ Applicant ☐ Applicant's Representative			

ZONING DETERMINATION - OFFICE USE ONLY			
☐ Approved ☒ Denied: ☐ The proposed use is not permitted in the subject zoning district ☒ Only permissible with variance relief from the Zoning Board of Appeals			
☐ Approved Pending additional approval:			
Per Zoning Ordinance Section(s)	Required Permit(s)	Approval Required	Permitting Authority
180-8-B	☐ Building Permit(s) ☐ Electrical Permit(s) ☐ Plumbing/Gas Permit(s)	☒ Special Permit(s) ☐ Site Plan Review ☐ Variance	☐ Planning Board ☒ Board of Appeals ☐ City Council
Town Building Official		Issue Date	11/21/2024

This determination may be appealable to the Zoning Board of Appeals under the provisions of MGL Ch. 40A Sec. 8.
Revised 09/08/2022



Kevin Duquette

Inspector of Buildings
inspections@agawam.ma.us

Town of Agawam

Inspection Services Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

December 6, 2024

To: Office of Planning and Community Development:

Re: Z.B.A. - Special Permit Comments for 28 South Alhambra Circle Agawam, MA;

Inspection Services has no specific zoning issues or concerns for the special permit request for the above referenced address for the vinyl fence placement location on the property as long as the abutting neighbor residing at 38 South Alhambra Circle has no issues with the erected fence location for visual sight line distances for exiting their driveway which could be in violation of zoning ordinance 180-8 B.

Respectfully,

Kevin Duquette
Inspector of Buildings
Town of Agawam

To whom it may concern,

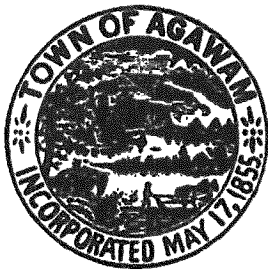
1/12/25

I, Crystal Garner of 41 Alhambra Circle South, am writing to say that I am against the petition for Case #2025 of 28 S. Alhambra Circle, Agawam. A six foot fence would decrease the already low visibility from the curvature of the road at the front and side of the property. First, there is a lot of traffic as it is a cut through road from River Road to Main Street. Second, there are numerous drivers that either speed through the "S" curve or drift to the wrong side of the curve. Third, it is a challenge for myself and some of my neighbors to back out of the driveway or walk across the road. Depending on which driveway, you cannot see if there is a car coming around the bend. Please keep the neighborhood's safety in mind while making the decision to allow the six foot fence.

Sincerely,

A handwritten signature in black ink, appearing to read 'Crystal Garner', with a stylized, flowing script.

Crystal Garner



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

BOARD OF APPEALS

FOR OFFICE USE ONLY

Case #: 8027
Filed: 1-14-2025
Hearing: 3-10-2025
Expires: _____

Application to Board of Appeals for SPECIAL PERMIT as provided in the Zoning and other By-laws.

Applicant Matthew D Preye

Address 347 Poplar St Feeding Hills MA 01030

Application is hereby made for a SPECIAL PERMIT as provided by Section 180-8.1, Paragraph A of the By-law.

Premises affected are situated on Poplar St Street; 300 feet distant from the corner of Rising Street and known as street number 347.

Property is zoned as AG.

Reason(s) for request of Special Permit:

I am requesting a special permit to keep chickens at my property located 347 Poplar st Agawam, MA. I am interested in raising chickens for personal, non-commercial use, to provide fresh eggs for my household and to contribute to a sustainable, environmentally friendly lifestyle. I will ensure that the chickens are kept in a well-maintained and humane manner, with proper housing, sanitation, and care, in compliance with all local regulations. Additionally, I understand the importance of maintaining community standards and will take all necessary steps to minimize noise, odor, and any other potential disturbances to my neighbors.

I am committed to maintaining a respectful and responsible chicken-keeping practice and am willing to adhere to any guidelines or conditions set by the town to ensure the well-being of the chickens and the safety and comfort of the surrounding community.

Thank you for considering my request.

Signature of owner or his authorized agent: Matthew D Preye

Telephone#: 413 374 4367

NOTICE: THIS APPLICATION MUST BE FILLED OUT IN INK OR TYPEWRITTEN

Kayaknatt@comcast.net



The Commonwealth of Massachusetts
Town of Agawam
Inspection Services - Building Department
1000 Suffield Street, Agawam MA 01001 – (413) 821-0632

OFFICE ONLY
Date Filed:
RECEIVED BY INSPECTION SERVICES
DEC 27 2024
TOWN OF AGAWAM

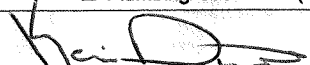
Application for Zoning Determination

FILING INSTRUCTIONS: Deliver this form (no fee required) to Inspection Services.
For digital submissions, please confirm receipt. A complete application will be processed within 30 days.
The applicant must pick-up, or arrange for the receipt of, this processed form.

1) PROPERTY INFORMATION							
a. Street Address <u>347 Poplar St</u>				b. Zoning District <u>AG</u>			
c. Assessor's Map				d. Lot(s) <u>F8 3 13</u>			
e. Registry of Deeds Book <u>18630</u>				f. Page <u>44</u>			
g. Overlay Districts ☐ Historic Preservation ☐ Mixed-Use Business C							
h. Previous Special Permits, Site Plan Approvals, Findings or Variances Issued for this Site							
2) APPLICANT & OWNER INFORMATION							
a. Applicant Name <u>Matthew D Prege</u>				b. Applicant Phone <u>413 374 4367</u>			
c. Applicant Email <u>Kayakmatt@comcast.net</u>							
d. Applicant Mailing Address <u>347 Poplar St Feeding Hills MA 01030</u>							
e. Applicant Relationship to Property ☐ Owner ☐ Agent ☐ Other:							
f. Representative Name (if any)				g. Rep. Phone			
h. Rep. Email							
i. Owner Mailing Address <u>347 Poplar St Feeding Hills MA 01030</u>							
j. Owner Name (if different)				k. Owner Phone <u>413 374 4367</u>			
l. Owner Email							
m. Owner Mailing Address							
3) PROJECT & SITE DETAILS							
NOTE: Any omission of requested information may result in an INCOMPLETE determination							
	Existing		Proposed		-FOR BUILDING DEPT. REVIEW- REQUIRED / NCU		
	☒ No changes to building, site or lot						
a. Lot Size	<u>. 9372</u> SF				LOT SIZE	☐	
b. Frontage	<u>110</u> FT				FRONTAGE	☐	
c. Front Lot Line	<u>110</u> FT				FRONT SB	☐	
d. Side Lot Line (Left/Right)	L: FT <u>366</u>	R: <u>304</u> FT	L: FT	R: FT	SIDE SB	☐	
e. Rear Lot Line	<u>71.5 FT</u> <u>110. FT</u>				REAR SB	☐	
f. Building Height					BLDG HT	☐	
g. Total BLDG/Res Area	SF	SF	SF	SF	AREA LIM	☐	
h. BLDG Coverage (Footprint)	SF	% of lot	SF	% of lot	LOT COVER	☐	
i. Impervious Coverage	SF	% of lot	SF	% of lot	IMPERVIOUS	☐	
j. Parking/Loading Spaces	P:	L:	P:	L:	PARKING	☐	
k. Bicycle/EV Charge Spaces	B:	EV:	B:	EV:	BIKE/EV	☐	
l. Signs (Size & Type)	x	T:	x	T:	SIGNS	☐	
m. Fence (Size & Type)	LIN FT	T:	LIN FT	T:			
n. Wetland Area							
o. Utility Services	☒ Town Water ☒ Town Sewer		☐ Town Water ☐ Town Sewer		NON-CONFORMING USE	☐	

p. Current Use of Property	Single family Dwelling
q. Proposed Use of Property	Same
r. Project Description	
Looking To Obtain a Special Permit for having chickens	
s. I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)	☒ Yes ☐ No
t. Work is proposed in or within 100' of a wetland or 200' of a stream/river, or construction will occur within the Floodplain district. If so, <u>CONSERVATION COMMISSION</u> review is required.	☐ Yes ☒ No ☐ Unsure
u. The following projects shall be required to comply with the requirements of a <u>STORM DRAIN PERMIT</u> : [1] Any alteration to sites on parcels of one acre or greater. [2] Any alteration to individual lots less than one acre, but which are contiguous or are deemed part of a common project which is one acre or greater.	☐ Yes ☒ No ☐ Unsure
v. The project will affect at least one of the following; additional gross floor area by 2,000 square feet, any change of use, changes to parking and/or curb cuts.	☐ Yes ☒ No

4) CERTIFICATION	
This determination is based only on the information provided, which I represent as accurate. The issuance of a Zoning Determination does not relieve the Applicant of the responsibility to obtain other zoning or non-zoning permits, as may be required, and this determination is based on the zoning in effect at the issue date and grants no protection from any pending or future zoning changes. Additional information may be requested and required to properly process this form. Any non-zoning related comments provided are cursory in nature; Applicants should follow-up with appropriate Town Departments. Sec. 1-7 of the Town of Agawam's General Ordinances authorizes the denial of a license or permit where an outstanding debt or obligation to the Town exists.	
Signature	
Date	12/26/24
☒ Applicant ☐ Applicant's Representative	

ZONING DETERMINATION - OFFICE USE ONLY			
☐ Approved ☐ Denied: ☐ The proposed use is not permitted in the subject zoning district ☐ Only permissible with variance relief from the Zoning Board of Appeals			
☒ Approved <u>Pending additional approval:</u>			
Per Zoning Ordinance Section(s)	Required Permit(s)	Approval Required	Permitting Authority
180-37-B - Use	☐ Building Permit(s)	☒ Special Permit(s)	☐ Planning Board
180-8.1-S.P.	☐ Electrical Permit(s)	☐ Site Plan Review	☒ Board of Appeals
	☐ Plumbing/Gas Permit(s)	☐ Variance	☐ City Council
Town Building Official		Issue Date	1/3/2025

This determination may be appealable to the Zoning Board of Appeals under the provisions of MGL Ch. 40A Sec. 8.
Revised 09/08/2022

(12 Hens Max)

Matthew Preye
347 Poplar St
Feeding Hills Ma 01030
413-374-4367

Number of hens looking to keep 6-12
Property area: 40,823 Sq. ft
Coop area: 37.02 Sq. ft.
Chicken run: 145.02 sq. ft.

Disposing of chicken waste (manure) in a responsible and non-nuisance way is important for both environmental and health considerations. Here are multiple plans for me to follow to manage chicken waste that doesn't involve municipal trash or recycling containers:

Chicken Waste Management Plans.

****Composting****

I plan to designate an area in my yard for a compost pile or bin specifically for chicken waste. This area will be away from my neighbors property line.

Compost Bin / area

Designated area surrounded by wire or wood fencing

****Layering:**** -

Layer the chicken manure with carbon-rich materials (browns) such as straw, shredded leaves, or wood chips. This helps balance nitrogen levels and reduce odor. - A recommended ratio is 3 parts browns to 1 part greens (manure). -

****Turning the Pile:**** -

Turn the compost regularly (every few weeks) to aerate it, which speeds up decomposition and reduces odor. -

****Curing:**** -

Allow the compost to cure for several months to a year, until it is dark, crumbly, and has an earthy smell. The compost can then be used in your garden or flower beds.

Chicken Coop Bedding System

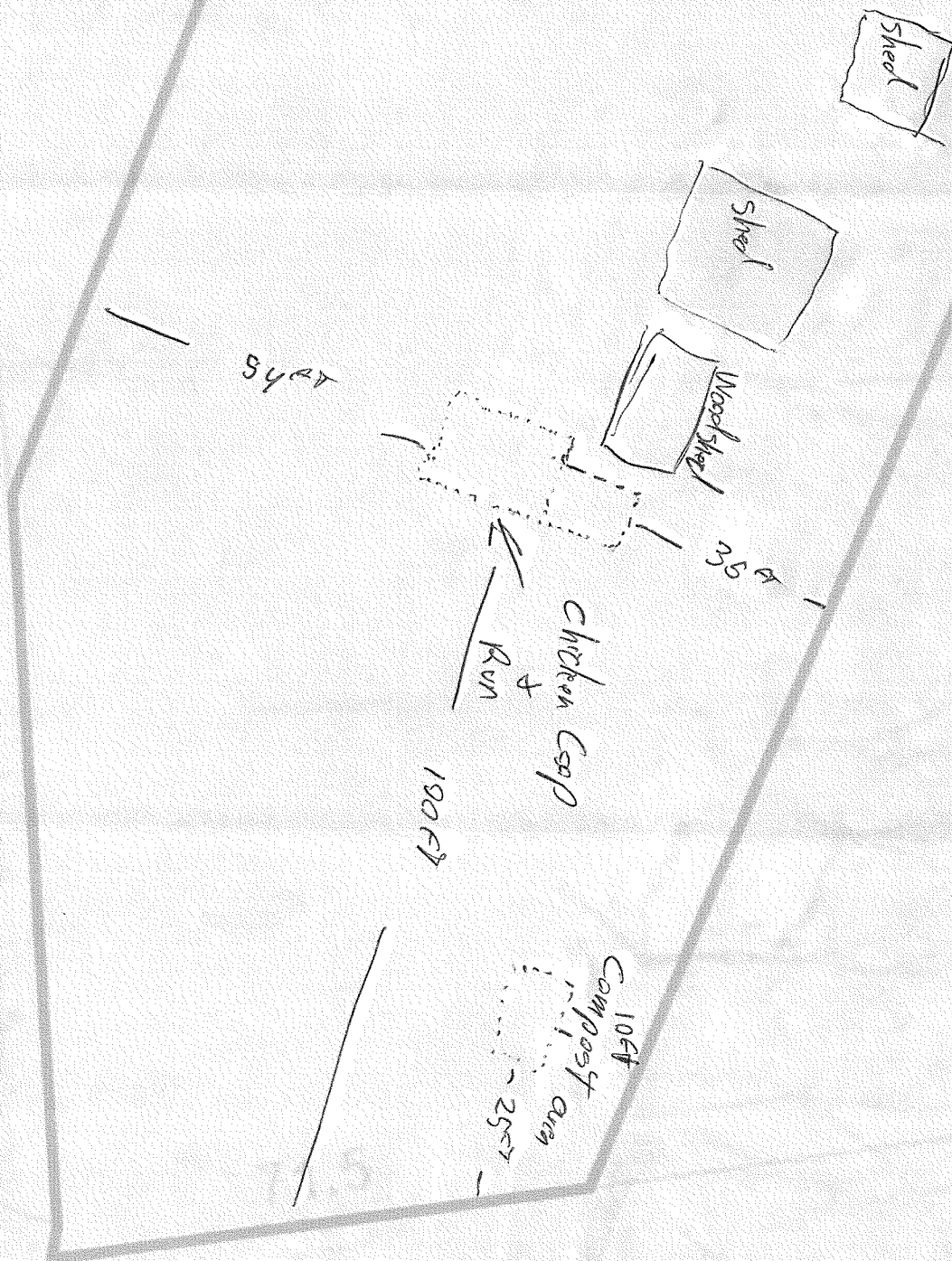
****Deep Litter Method:**** -

I plan on using the deep litter method in the chicken coop, layering straw, wood shavings, or leaves with chicken manure over time. - Periodically add more bedding to absorb moisture and control odor. The bottom layers will break down into compost, with the deep litter method I will only need to plan on cleaning out the coop once or twice a year. (Or as needed)

Using the above plans, I plan on using the cured composted manure as a fertilizer for my garden. This is rich in nutrients and can help improve soil health.

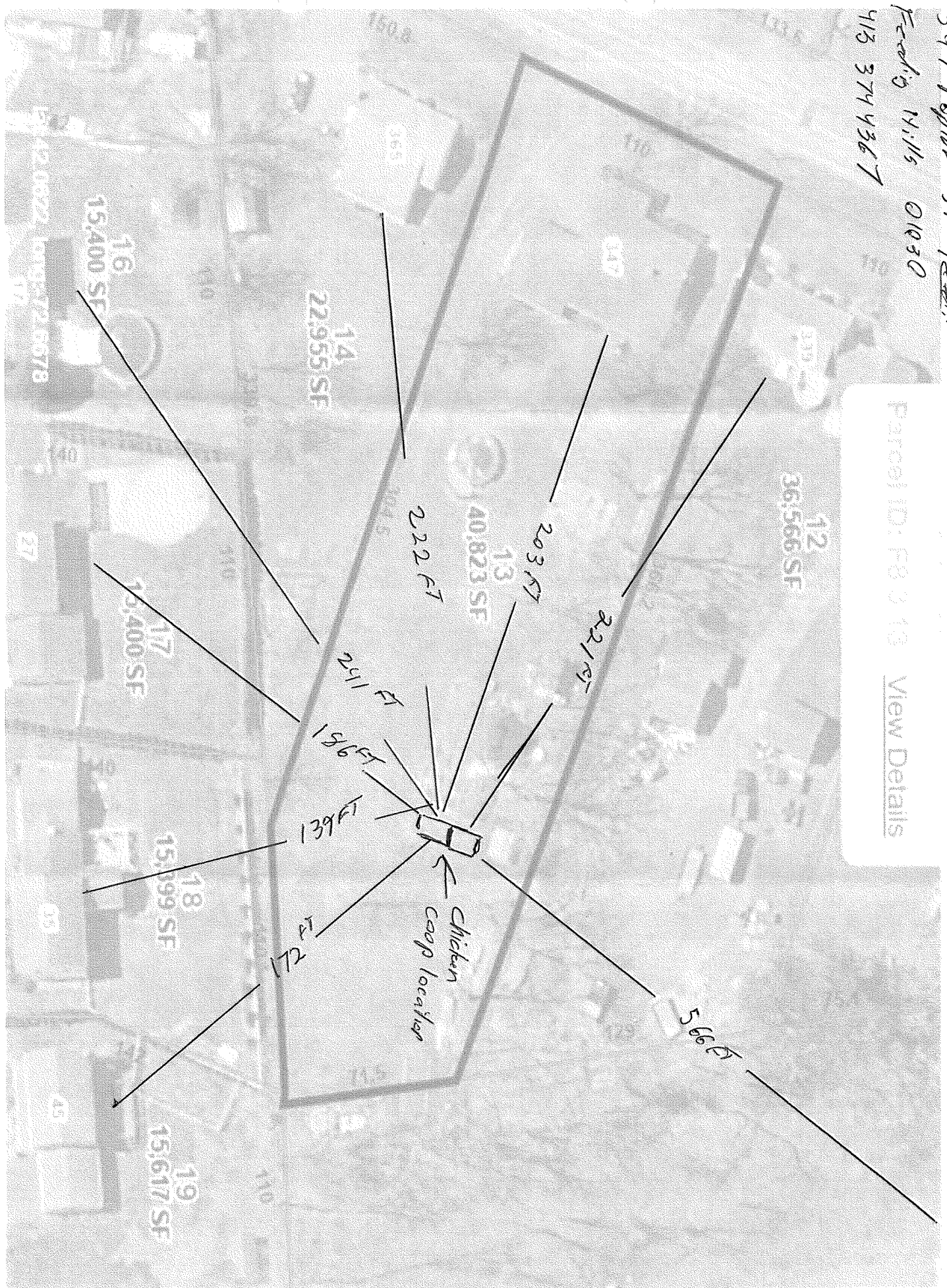
0,823 SF

13

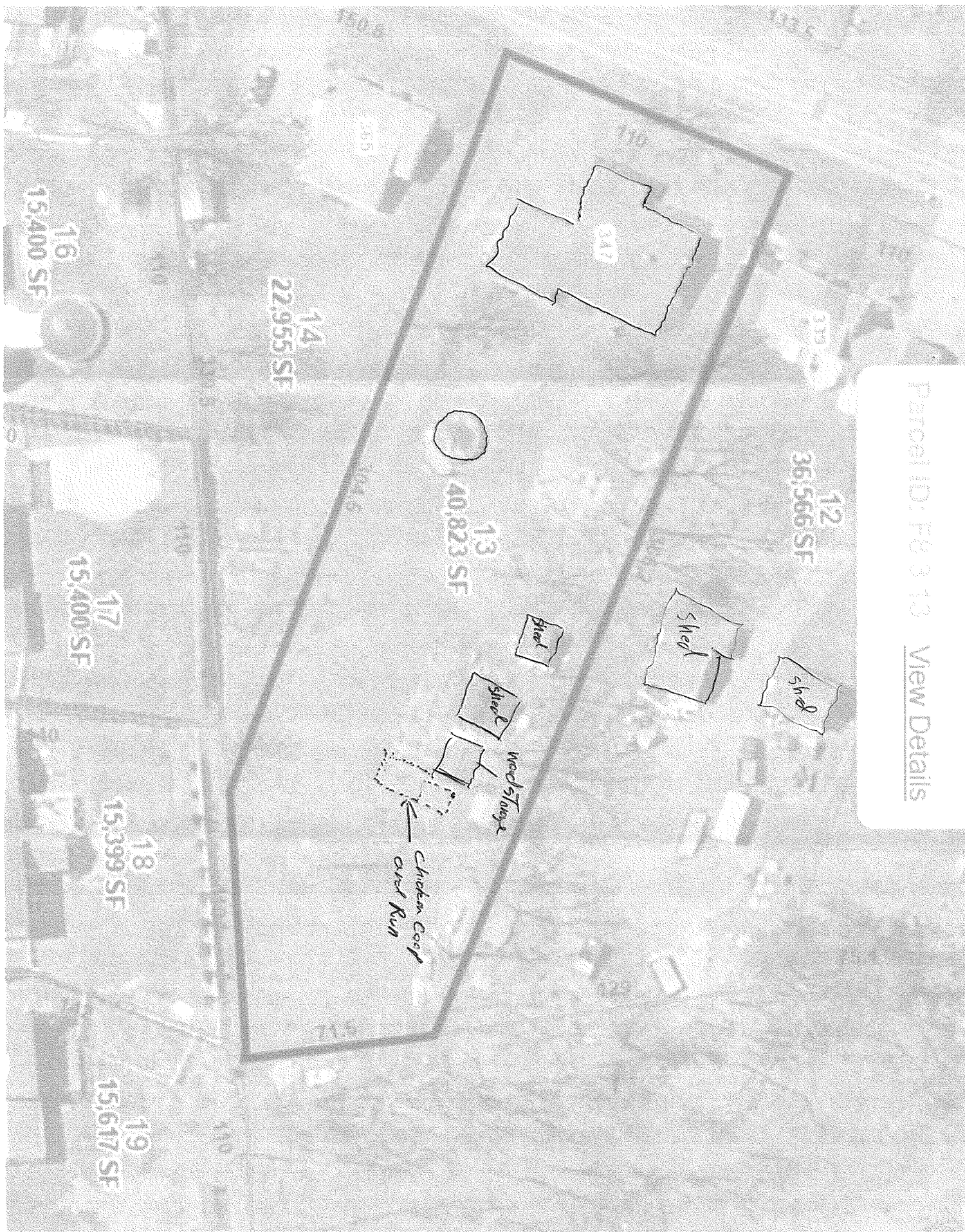


Matthew D Grege
347 Poplar ST ~~Feet~~
Feet's Mills 01030
413 3744367

Parcel ID: F8313 [View Details](#)



Parcel ID: F8313 [View Details](#)



Bk 18630 Pg 44 #1883
01-11-2011 @ 01:38p

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 01-11-2011 @ 01:38pm
Ct1#: 636 Doc#: 1883
Fee: \$889.20 Cons: \$195,000.00

Affected Premises: 347 Poplar Street
Agawam, MA 01001

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that STEVEN P. CASSIDY and VICTORIA A. CASSIDY of 227 Mill Street, Agawam, Hampden County, Massachusetts,

for consideration paid, and in full consideration of One Hundred Ninety-Five Thousand (\$195,000.00) Dollars and 00/100 grant to Matthew D. Preye and Hava B. Preye, both of 51 Herrman Street, West Springfield, Hampden County, Massachusetts, as tenants by the entirety and not as tenants in common,

with Warranty Covenants,

Certain real estate situated in Agawam, Hampden County, Massachusetts, being known and designated as Lot #5 (five), as shown on a plan of lots in Agawam, owned by John Verani, by Frank A. Ruell, R.L.S. dated July 14, 1961, as recorded in Hampden County Registry of Deeds in Book of Plans 83, Page 4; said Lot is further bounded and described as follows:

NORTHWESTERLY: by Poplar Street, as shown on said plan, one hundred ten (110) feet;
NORTHEASTERLY: By Lot #4 (four), as shown on said plan, three hundred sixty-six and 18/100 (366.18) feet;
EASTERLY: by land of owner unknown, seventy-one and 52/100 (71.52) feet;
SOUTHERLY: by land now or formerly of Lenard P. and Anita B. Rising, one hundred ten and 54/100 (110.54) feet; and
SOUTHWESTERLY: by Lot #6 (six) as shown on said plan, three hundred four and 52/100 (304.52) feet.

Being the same premises conveyed to the grantors herein by deed of Robert F. Lloyd and Patricia A. Lloyd dated January 10, 1979 and recorded on January 11, 1979, at the Hampden County Registry of Deeds in Book 4716, Page 177.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 11th day of January, 2010.

E. Spencer Bates
Witness

Steven P. Cassidy
Steven P. Cassidy

E. Spencer Bates
Witness

Victoria A. Cassidy
Victoria A. Cassidy

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss.

On this day of January, 2010, before me, the undersigned notary public, personally appeared Steven P. Cassidy, personally known to me, to be the person whose name is signed on the preceding or attached document in my presence and acknowledged to me that he signed it voluntarily for its stated purpose.

E. Spencer Bates
E. Spencer Bates, Notary Public
My Commission Expires: 05/30/2014

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss.

On this 11th day of January, 2010, before me, the undersigned notary public, personally appeared Victoria A. Cassidy, personally known to me, to be the person whose name is signed on the preceding or attached document in my presence and acknowledged to me that he signed it voluntarily for its stated purpose.

E. Spencer Bates
E. Spencer Bates, Notary Public
My Commission Expires: 05/30/2014

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS



Kevin Duquette
Inspector of Buildings
inspections@agawam.ma.us

Town of Agawam
Inspection Services Department
1000 Suffield Street, Agawam, Massachusetts 01001
Telephone - (413) 821-0632

February 4, 2025

To: Office of Planning and Community Development:

Re: Zoning Board of Appeals – Case #2027- Special Permit Comments for 347 Poplar Street Feeding Hills, MA:

Inspection Services has no specific zoning issues or concerns for the special permit request for the above referenced address.

Respectfully,

Kevin Duquette
Inspector of Buildings
Town of Agawam

The following members attended the public meeting:

Richard Maggi-Vice Chair
Aldo Mancini-Alternate Member
Vinny Ronghi-Alternate Member

Stefanie Kesecker

Vice Chair Prouty opened the meeting at 6:30pm.

CASE #2025-Usmonova-28 S. Alhambra Circle-Special Permit

Sitting on this case:

Richard Maggi-Vice-Chair, Aldo Mancini-Alternate, Vinny Ronghi-Alternate

Elmira Usmonova, 28 S. Alhambra Circle was present for this agenda item. She stated the fence was redone due to safety reasons concerning her children. She stated the home is near a very busy road and School Street Park. She stated many cars park by her home and walk to the park. She stated she had trouble with people stopping and speaking to her young daughters, and this raised her safety concerns.

Ms. Usmonova stated the fence was also constructed to 6ft. for privacy issues.

Mr. Maggi asked if the home was on a corner lot. Ms. Usmonova stated yes. Mr. Maggi stated the fence was too close to the sidewalk. Ms. Usmonova stated the fence that was there when the home was purchased was right against the sidewalk, and when the new fence was installed it was moved back from the sidewalk.

Mr. Ronghi stated a 6ft. fence on the property line was not allowed in the Zoning Code. He stated the Building Inspector had stated the current fence needs to be reduced to 4ft, or moved back to be out of the setback. He recommended ZBA reach out to the Building Inspector for clarification.

Mr. Maggi stated the fence would have to be 25ft. from the street line.

Mr. Ronghi stated the fence is inside the setback, and this is a corner lot and this can impede the sight line, which is a safety issue.

Mr. Maggi read two letters into the minutes.

Paul Glantz & Donna Walkoon, 25 S. Alhambra Circle-stating the fence was already constructed, and it appears it does not conform to other properties, but that they would defer to ZBA to make the decision.

Crystal Garner, 41 S. Alhambra Circle wrote a letter opposing the fence, stating visibility issues and safety concerns.

Mr. Maggi opened the hearing for public comment.

Robert Messier, 38 S. Alhambra Circle, stated this is his mother's home and it is very difficult to pull in and out of the driveway, due to the privacy fence obstructing visibility, of both pedestrians and vehicles.

After much discussion the members decided to table the Public Hearing to March 10, 2025.

Motion was made by Mr. Ronghi and seconded by Mr. Maggi to table the Public Hearing-28 S. Alhambra Circle to the March 10, 2025 meeting.

Maggi-yes, Ronghi-yes, Mancini-yes

Case #2026-Grassetti-220 Line Street-Special Permit

Sitting on this case:

Richard Maggi-Vice Chair, Mancini-Alternate, Ronghi-Alternate

Ms. Katelin Grassetti, 220 Line Street, was present for this agenda item. She stated she would like a Special Permit to obtain up to 6 chickens. She stated she currently has 4 chickens and the dimensions of the current coup and run are large enough for four chickens, but she would like to obtain up to 6 chickens in the future.

Mr. Maggi stated the ZBA would need to receive an updated drawing of the dimension of the run, and the dimensions from any abutting structures.

Mr. Maggi asked what would be done with the chicken waste. She stated she has a compost bin.

Mr. Maggi read a letter into the minutes.

The letter was anonymous but expressed no concerns for the petitioner having chickens, as long as there were no roosters.

Mr. Maggi opened the hearing for public comment. There was none.

Motion was made by Mr. Ronghi and seconded by Mr. Mancini to approve the Special Permit-220 Line Street, conditional upon the Board receiving an updated plan showing both the dimensions of the run and the dimensions to any abutting structures.

Maggi-yes, Mancini-yes, Ronghi-yes.

APPROVAL OF MINUTES

Motion was made by Mr. Ronghi and seconded by Mr. Mancini to approve the November 25, 2024 minutes, as written.

Maggi-yes, Mancini-yes, Ronghi-yes.

ANY OTHER MATTER THAT MAY LEGALLY COME BEFORE THE ZONING BOARD
OF APPEALS

None

Motion made by Mr. Ronghi and seconded by Mr. Mancini to adjourn the meeting. All in favor.

Meeting adjourned at 7:10pm.

DRAFT