



**Zoning Board of Appeals
AGENDA**

Monday, June 22, 2026 - 6:30 PM

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

A. Zoning Board of Appeals

- 1) 6:30PM-Public Hearing Cont.-Case#2042-262 Colemore Street-Dommenko-Appeal
- 2) 6:40PM-Public Hearing Cont.-Case#2048-0 North Street-Davis-Variance
- 3) 7:00PM-Public Hearing Cont.-Case#2049-32 Marlene Drive-Solikin-Special Permit
- 4) Approval of Minutes-June 8, 2022
- 5) Any other matter that may legally come before ZBA

Stefanie Kesecker

From: Christopher Cappucci
Sent: Monday, March 9, 2026 12:18 PM
To: proutydoreen@gmail.com; Stefanie Kesecker; Taryn Egerton
Cc: Sue Conlon; Kevin Duquette
Subject: RE: 262 - 265 Colemore Street Zoning Violation, Correspondence with Agawam ZBA

Good afternoon,

I spoke with Mr. Magnano on the phone a little earlier. He informs me that Eversource is willing to hire a contractor and pull the proper permits to bring the fence into code compliance at 265 Colemore.

He did ask if the neighboring property (262 Colemore) was all set but I did not know. If anyone does, I'd like to let him know.

-Chris

Christopher S. Cappucci

City Solicitor
Law Department- Town of Agawam
36 Main Street
Agawam, MA 01001
413-726-9728
ccappucci@agawam.ma.us



From: Christopher Cappucci
Sent: Friday, March 6, 2026 3:48 PM
To: 'christopher.magnano@eversource.com' <christopher.magnano@eversource.com>
Cc: 'proutydoreen@gmail.com' <proutydoreen@gmail.com>; Stefanie Kesecker <SKesecker@agawam.ma.us>
Subject: 262 - 265 Colemore Street Zoning Violation, Correspondence with Agawam ZBA

Good afternoon Mr. Magnano,

Please see attached letter from the Agawam Law Department on behalf of the Agawam Zoning Board of Appeals. I am also attaching a copy of an email sent by you on behalf of the homeowner at 265 Colemore Street for background.

Please do not hesitate to contact me with any further questions.

-Chris

Christopher S. Cappucci

City Solicitor
Law Department- Town of Agawam
36 Main Street

Stefanie Kesecker

From: Magnano, Christopher (ACRT INC) <christopher.magnano@eversource.com>
Sent: Monday, March 9, 2026 10:32 AM
To: Christopher Cappucci
Cc: proutydoreen@gmail.com; Stefanie Kesecker
Subject: RE: 262 - 265 Colemore Street Zoning Violation, Correspondence with Agawam ZBA

Good Morning Mr. Cappucci,

I will be in contact with both the fencing contractor & landowner of 262 Colemore St. today to discuss the matter. I did have a clarification question about the matter and left you a voice message on the number you provided. If you could give me a call regarding that it would be greatly appreciated.

Best,
Chris M.

From: Christopher Cappucci <solicitor@agawam.ma.us>
Sent: Friday, March 6, 2026 3:48 PM
To: Magnano, Christopher (ACRT INC) <christopher.magnano@eversource.com>
Cc: proutydoreen@gmail.com; Stefanie Kesecker <SKesecker@agawam.ma.us>
Subject: 262 - 265 Colemore Street Zoning Violation, Correspondence with Agawam ZBA

EVERSOURCE IT NOTICE – EXTERNAL EMAIL SENDER ** Don't be quick to click! ******

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Report suspicious emails by selecting 'Report Phish' or forwarding to SPAMFEEDBACK@EVERSOURCE.COM for analysis by our cyber security team.

Good afternoon Mr. Magnano,

Please see attached letter from the Agawam Law Department on behalf of the Agawam Zoning Board of Appeals. I am also attaching a copy of an email sent by you on behalf of the homeowner at 265 Colemore Street for background.

Please do not hesitate to contact me with any further questions.

-Chris

Christopher S. Cappucci

City Solicitor

Law Department- Town of Agawam

36 Main Street

Agawam, MA 01001

413-726-9728

ccappucci@agawam.ma.us



Stefanie Kesecker

From: Kevin Duquette
Sent: Monday, March 9, 2026 12:23 PM
To: Christopher Cappucci; proutydoreen@gmail.com; Stefanie Kesecker; Taryn Egerton
Cc: Sue Conlon
Subject: RE: 262 - 265 Colemore Street Zoning Violation, Correspondence with Agawam ZBA

Hi Chris,

Yes, the fence was lowered by a contractor to 6' at 262 Colemore Street and is in zoning conformance. No associated permit is required for this.

Kevin Duquette

Inspector of Buildings
Town of Agawam | Building Department
1000 Suffield Street, Agawam, MA 01001
Office: 413-821-0632



From: Christopher Cappucci <solicitor@agawam.ma.us>
Sent: Monday, March 9, 2026 12:18 PM
To: proutydoreen@gmail.com; Stefanie Kesecker <SKesecker@agawam.ma.us>; Taryn Egerton <TEgerton@agawam.ma.us>
Cc: Sue Conlon <sconlon@agawam.ma.us>; Kevin Duquette <inspections@agawam.ma.us>
Subject: RE: 262 - 265 Colemore Street Zoning Violation, Correspondence with Agawam ZBA

Good afternoon,

I spoke with Mr. Magnano on the phone a little earlier. He informs me that Eversource is willing to hire a contractor and pull the proper permits to bring the fence into code compliance at 265 Colemore.

He did ask if the neighboring property (262 Colemore) was all set but I did not know. If anyone does, I'd like to let him know.

-Chris

Christopher S. Cappucci
City Solicitor

Minutes: March 9, 2026

Members in attendance:

Doreen Prouty, Chair
Rich Maggi, Vice-Chair
Aldo Mancini, Clerk
Vincenzo Ronghi, Alternate
Viktor Savonin, Alternate

Absent:

Stephanie Kesecker, Adm. Asst.

1. DOMMENKO, Case # 2042 (continued public hearing)

Sitting on this case: Prouty, Chair; Savonin, Acting Vice-Chair, Mancini, Clerk

Town Councilor Anthony Russo stated he will be introducing an amendment to the Town's Zoning Ordinance regarding fences. This amendment, if passed, will allow fences built higher than 6 ½ feet to be allowed with a building permit. Mr. Russo continued he is hoping this amendment will be passed by the council no later than the end of April. With this new information, the petitioner asked to continue the hearing until at least late April. Members Mancini, Savonin and Prouty agreed to continue this hearing to May 11th at 6:30pm.

2. Member Ronghi made a motion to go out of order and skip to agenda item #3.

Seconded by Member Mancini. All in favor. Motion made to approve February 9, 2026 meeting minutes. Seconded by Member Savonin. All in favor.

3. Member Ronghi made a motion to go out of order and skip to agenda item #4.

Seconded by Member Mancini. All in favor. Chair Prouty stated a new case is coming before this Board, scheduled for April 13th. This case involves an appeal from the Building Inspector's denial of a building permit application to install a solar array on property located on Shoemaker Lane. The appeal states the project involves a solar array known as a agrivoltaic use, meaning it is allowed in conjunction with the agricultural/horticultural use of the property.

4. TSIMOSHAK, Case # 2043, (public hearing)

Sitting on this case: Prouty, Chair; Maggi, Vice-Chair; Mancini, Clerk

Mr. Tsimoshak stated he wishes to operate a used car dealership on the subject property. He submitted a plan showing items such as the location of the building, employee parking, location where vehicles will be sited, lighting and sign. Chair Prouty explained the submitted plan does not show most of the necessary information as required under Ch. 180-13 (C3) nor Ch. 114-5. The subject property owner, Greg Dombrowski, was also present at the hearing. Member Maggi suggested this hearing be continued so the

Town of Agawam Law Department

36 Main Street · Agawam, MA 01001
(413) 726-9728

Christopher S. Cappucci, City Solicitor
Charles J. Sclafani, Jr., Associate City Solicitor

March 6, 2026

Christopher Magnano
Eversource Community Outreach
Christopher.Magnano@eversource.com

Re: 262 and 265 Colemore Street

Dear Mr. Magnano,

I hope this letter finds you well. The Agawam Zoning Board of Appeals (ZBA) has requested that I contact to you in an effort to resolve an issue regarding a fence that was constructed by Eversource at 262 - 265 Colemore Street, Agawam, MA. I have reviewed the correspondence written by you on behalf of the residents at 265 Colemore Street dated July 9, 2025. It appears that the residents of 262 Colemore Street are in the same predicament as those who resided at 265 Colemore Street. The fence was constructed by Eversource without the proper permits, but unfortunately it is the residents who are responsible for the zoning code violations.

The ZBA would like Eversource to make the same commitment to the residents of 262 Colemore as they did for 265 Colemore, namely assuming the responsibility of rectifying the zoning code violation without any financial burden on the residents. The matter is scheduled for hearing before the ZBA on Monday, March 9, 2026. If Eversource is amenable to this request, please contact either myself via email at Solicitor@agwam.ma.us or Stefanie Kesecker from the Planning Department at 413-726-9739 or by email at Skesecker@agawam.ma.us.

Thank you, please do not hesitate to contact me with any further questions.

Very truly yours,



Christopher S. Cappucci

CC: Doreen Prouty, ZBA Chair
Stefanie Kesecker, Planning Department



Fence Variance Application

1 message

Magnano, Christopher (ENVIRONMENTAL CONSULTANTS INC)
<christopher.magnano@eversource.com>
To: steve mayersky <stevemayersky@gmail.com>

Wed, Jul 9, 2025 a
8:29 AM

To Whom It May Concern,

I'm writing this letter on behalf of Mr. Mayersky and who is the new resident of 265 Colemore St., Feeding Hills MA. It has been brought to our attention that the fence that was installed during our 2020/2021 vegetation maintenance work was not properly permitted by our contractor at the time. I have attached a field report that documents the previously standing hedge that provided a significant privacy buffer for the previous owners, Patricia & Gary Lambert.

The hedge row had to be removed due to its incompatibility with Eversource's new transmission right-of-way specifications. At the time, Mr. & Mrs. Lambert were looking to gain as much privacy back as possible and our department had tasked our contractor with performing the necessary research, permitting, and installation of a fence that would accomplish this goal. Clearly the first two thirds of this were not done.

It is with sincerest of hopes that the city of Agawam will not hold the mistakes of others against Mr. Mayersky and allow a variance for the existing fence. Our department is committed to working with Mr. Mayersky and the City to make this situation right, including pulling whatever permits are necessary to allow the existing fence to stay. I apologize on behalf our department for this inconvenience and thank you in advance for your understanding in this matter.

Sincerely,
Chris Magnano

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 **WMA 9-29-21 NFF - Colemore St.docx**
1.6 MB

Stefanie Kesecker

From: Stefanie Kesecker
Sent: Tuesday, February 17, 2026 11:43 AM
To: Christopher Cappucci
Cc: Doreen Prouty
Subject: 262/265 Colemore Street
Attachments: ltr to Town solicitor on ltrhd.docx; LETTER FROM EVERSOURCE TO HOMEOWNER-265 COLEMORE.pdf

Attorney Cappuci,

Please see the attached letter from Chair Doreen Prouty on behalf of the Zoning Board of appeals, as well as email correspondence to the homeowner of 265 Colemore Street, Mr. Mayersky.

Sincerely,

Please be aware that applications approved by the Town of Agawam are considered public information. Unfortunately, email spammers often monitor municipal records and attempt to compromise communications by sending fraudulent emails, many of which appear to be invoices from the town to applicants.

To avoid confusion or potential scams, please note that the Planning Office including the Planning Board, Zoning Board of Appeals, and Conservation Commission requires all application fees to be submitted at the time of application.

If you receive an invoice after submitting your application, we recommend you to contact our office at 413-726-9737 to determine the authenticity of the invoice.

Stefanie Kesecker
Town of Agawam
Administrative Assistant
Planning & Community Development
(413)-726-9739 Skesecker@agawam.ma.us



"If you have the choice between being right and being kind, choose being kind."-Dr. Wayne W. Dyer



Town of Agawam

Zoning Board of Appeals

36 Main Street, Agawam, Massachusetts 01001-1801

Tel. 413-786-0400 Fax 413-786-9927

Dear Attorney Cappuci,

The ZBA currently has a case before it (Case # 2042) regarding an 8' tall fence located on 262 Colemore Street. Eversource has an easement right on this property to maintain the electrical structures running alongside the subject property. Approximately 5 years ago, Eversource, with the owner's permission, erected an 8' tall vinyl fence. Section 180-8 (B) allows for the fence to be no higher than 6 ½ feet tall. Last year, the Building Department received a written complaint regarding this fence and a similar fence erected across the street at 265 Colemore St. The Inspector of Buildings issued notices of violations to both homeowners. Mr. Mayersky of 265 Colemore St. came before this Board last September (Case # 2037) requesting a variance to retain his fence which was subsequently denied. However, in Mr. Mayersky's case, he provided a letter from Eversource (see attached) admitting their responsibility for the zoning violation. Furthermore, Mr. Mayersky stated during his hearing that he had a written commitment from Eversource to cover the costs needed to remedy the zoning violation if the ZBA did not grant his variance request.

In the current case before us, Ms. Domnenko of 262 Colemore St., has taken a different approach by appealing the Inspector's notice of violation. Ms. Domnenko stated she did not receive the same assurance during her conversation with Eversource but admitted that subject was not discussed. She was simply advised to come before this Board.

The ZBA members are sympathetic towards Ms. Domnenko's predicament. Ms. Domnenko's zoning violation is a direct result of Eversource's action. However, Ms. Domnenko states she does not have the written assurance from Eversource to financially cover the costs should the Board rule against her appeal request, as Mr. Mayersky stated he had.

Before a decision is made, the members would like to reach out to Eversource to learn if Eversource is willing to make the commitment to rectify and cover the costs associated with such action. We also believe reaching out to Eversource would be better if such a request originates from your office on behalf of the ZBA.

So, the members agreed to reach out to you, as the Town Solicitor, to contact Eversource on behalf of the ZBA asking for a written commitment to be financially responsible for rectifying this zoning violation should the Board rule against Ms. Domnenko's appeal.

I can be reached at (413) 250-5236 with any questions you have regarding this request. Thank you.

Sincerely, Doreen



Fence Variance Application

1 message

Magnano, Christopher (ENVIRONMENTAL CONSULTANTS INC)
<christopher.magnano@eversource.com>
To: steve mayersky <stevemayersky@gmail.com>

Wed, Jul 9, 2025 at
8:29 AM

To Whom It May Concern,

I'm writing this letter on behalf of Mr. Mayersky and who is the new resident of 265 Colemore St., Feeding Hills MA. It has been brought to our attention that the fence that was installed during our 2020/2021 vegetation maintenance work was not properly permitted by our contractor at the time. I have attached a field report that documents the previously standing hedge that provided a significant privacy buffer for the previous owners, Patricia & Gary Lambert.

The hedge row had to be removed due to its incompatibility with Eversource's new transmission right-of-way specifications. At the time, Mr. & Mrs. Lambert were looking to gain as much privacy back as possible and our department had tasked our contractor with performing the necessary research, permitting, and installation of a fence that would accomplish this goal. Clearly the first two thirds of this were not done.

It is with sincerest of hopes that the city of Agawam will not hold the mistakes of others against Mr. Mayersky and allow a variance for the existing fence. Our department is committed to working with Mr. Mayersky and the City to make this situation right, including pulling whatever permits are necessary to allow the existing fence to stay. I apologize on behalf our department for this inconvenience and thank you in advance for your understanding in this matter.

Sincerely,

Chris Magnano

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[Quoted text hidden]

 **WMA 9-29-21 NFF - Colemore St.docx**
1.6 MB

Stefanie Kesecker

From: Michael Albro
Sent: Wednesday, December 17, 2025 11:32 AM
To: Stefanie Kesecker
Subject: RE: Upcoming ZBA Case

Stefanie,

Engineering has no comments regarding the ZBA case for 262 Colemore Street.

Michael F. Albro, P.E.
Assistant Town Engineer
Department of Public Works
1000 Suffield Street
Agawam, MA 01001
Phone: 413.726.2803
Fax: 413.821.0631

From: Stefanie Kesecker <SKesecker@agawam.ma.us>
Sent: Monday, December 8, 2025 9:59 AM
To: Lauren Kennedy <health@agawam.ma.us>; Kelly McCormick <assessor@agawam.ma.us>; Emma Martin <EMartin@agawam.ma.us>; Nadine Porfilio <NPorfilio@agawam.ma.us>; Barbara Bard <BBard@agawam.ma.us>; Christopher Cappucci <solicitor@agawam.ma.us>; Christopher C. Johnson <mayor@agawam.ma.us>; Sue Conlon <sconlon@agawam.ma.us>; All_Engineering Department <All_Eng_Dept@agawam.ma.us>; Mario Mazza <MMazza@agawam.ma.us>; Brian Machos <BMachos@agawam.ma.us>; Derek Myers <afdinsp@agawam.ma.us>; Kevin Duquette <inspections@agawam.ma.us>; Charles Elfman <CElfman@agawam.ma.us>; Frank DeStefano <FDeStefano@agawam.ma.us>; Michael Cleavall <MCleavall@agawam.ma.us>; Michael Dillullo <MDillullo@agawam.ma.us>; Vi Baldwin <VBaldwin@agawam.ma.us>; Frank Meagher <FMeagher@agawam.ma.us>; henry kozloski <vedany@comcast.net>; Jill Messick <JMessick@agawam.ma.us>; Keven Brown <KBrown@agawam.ma.us>; Magda Galiatsos <MGaliatsos@agawam.ma.us>; Page Fallon <PFallon@agawam.ma.us>; Sheryl Becker <SBecker@agawam.ma.us>
Subject: Upcoming ZBA Case

Please see the attached ZBA case and respond with any comments before the January 12, 2026 meeting. Thank you.

Sincerely,

Please be aware that applications approved by the Town of Agawam are considered public information. Unfortunately, email spammers often monitor municipal records and attempt to compromise communications by sending fraudulent emails, many of which appear to be invoices from the town to applicants.

To avoid confusion or potential scams, please note that the Planning Office including the Planning Board, Zoning Board of Appeals, and Conservation Commission requires all application fees to be submitted at the time of application.

If you receive an invoice after submitting your application, we recommend you to contact our office at 413-726-9737 to determine the authenticity of the invoice.



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

BOARD OF APPEALS

FOR OFFICE USE ONLY	
Case #:	<u>2042</u>
Filed:	<u>11.24.25</u>
Hearing:	<u>1.12.2026</u>
Expires:	_____

Application to Board of Appeals for a hearing on an appeal from a decision of Zoning Ordinance by Building Inspector as allowed under Section 2-8, Paragraph C "Adopted Charter and MGL, Ch. 40A, Section 8.

Applicant Natalya Domnenko and Andrey Domnenko

Address 262 Colemore Street, Agawam, MA 01001

Premises affected are situated on Colemore **Street;** _____ **feet distant from the corner of** _____ **Street and known as street number** _____.

Property is zoned as _____.

Reason(s) for request

This appeal is submitted in response to the Building Inspector's Final Notice of Zoning

_____ Ordinance Violation dated October 28, 2025, concerning the height of the existing vinyl fence located on my property.

_____ We respectfully request that the Board approve and allow the existing eight-foot fence is located entirely within the Eversource utility easement, to remain in place.

_____ For your review and consideration, the following documents are enclosed:

_____ Detailed explanation letter, Owner's deed,
_____ Building Inspector's October 28, 2025 notice, Complaint Form (unanimous submission)

THANK YOU!

Signature of owner or his authorized agent: *Daniela Domnenko* *Andrey Domnenko*

Telephone #: 413-262-8880

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

2025 NOV 24 A 10:54
8

November 20, 2025

Zoning Board of Appeals
Town of Agawam
36 Main Street
Agawam, MA 01001

RE: Request to Retain Existing Eight-Foot Fence Installed by Eversource Electric within Utility Easement at 262 Colemore Street, Agawam, MA 01001

Dear Members of the Agawam Zoning Board:

We respectfully request the Board's formal approval and confirmation allowing the existing eight-foot fence located within the Eversource utility easement on my property at 262 Colemore Street to remain in place.

Approximately four years ago, Eversource installed this fence within its recorded easement (see attached deed) as a replacement for a row of tall/mature evergreen vegetation that was removed during required utility maintenance. Those evergreens had long provided essential noise and privacy screening from the utility corridor with Eversource and privacy buffering between my residence and Robinson State Park, which lies approximately 250 feet from my property. The fence was installed entirely within the easement area and with Eversource's express authorization.

Importantly, this installation was not a private improvement but a necessary restoration measure performed by Eversource to mitigate the loss of the natural buffer removed during their work. The fence continues to serve the same critical functions as the original vegetation—providing privacy screening, noise reduction, and maintaining safe, stable site conditions. It is structurally sound, properly maintained, and presents no visibility, environmental, or public-safety concerns.

Over the past four years, the fence has existed without incident, complaint, or any impact to neighboring properties or public resources. Its consistent presence demonstrates that it is not detrimental to the public good, is compatible with the character of the surrounding area, and provides important environmental and privacy benefits.

Recently, however, the Town initiated enforcement action in response to an unofficial, unsigned, and non-unanimous complaint—considering the fence having been in place for years without issue. (A copy of the complaint provided by the Town of Agawam is attached.)

For the reasons outlined above, we respectfully request that the Board approve and allow the fence to remain in its current location within the Eversource easement.

Thank you for your time, consideration and attention to this matter.

Sincerely,

Natalya and Andrey Domnenko

Property Owners

Bk 21078 Pg 243 #10787
02-26-2016 @ 04:04p

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 02-26-2016 @ 04:04pm
Ct1#: 547 Doc#: 10787
Fee: \$581.40 Cons: \$127,500.00

QUITCLAIM DEED

U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust having
a usual place of business at , 6031 Connection Drive, Irving, TX 75039

for consideration of One Hundred Twenty-Seven Thousand Five Hundred and
00/100 Dollars (\$127,500.00), paid

Grants to: Andrey K. Domnenko and Natalya V. Domnenko,
_____ of 262 Colemore Street, Feeding Hills, MA 01030

With quitclaim covenants:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

For Title Reference, see Foreclosure Deed recorded in the Hampden County Registry
of Deeds, in Book 20999, Page 571 on December 22, 2015.

This deed is given in the usual course of the Grantor's business and is not a
conveyance of all or substantially all of the Grantor's assets in Massachusetts.

Property Address: 262 Colemore Street, Feeding Hills, MA 01030

EXHIBIT A

Certain real estate situated on the easterly side of Colemore Street in the Town of Agawam, Hampden County, Massachusetts, being known and designated as Lot #7 (seven) as shown on a plan entitled "Plan of Land in Agawam, Mass. owned by Armand Dubuc and Leonard E. Langavin", dated September, 1952, made by Cobb, Beesley & Miles, C.E., recorded in Hampden County Registry of Deeds in Plan Book 40, Pages 32 and 33, said lot being bounded and described as follows:

Bounded Westerly by Colemore Street seventy- nine and 77/100 (79.77) feet; Northerly by land now or formerly of Armand Dubuc et als and the Western Massachusetts Electric Company right of way as shown on said plan, one hundred fifty and 40/100 (150.40) feet; Easterly by land of owner unknown eighty-five and 84/100 (85.84) feet; and Southerly by Lot #8 (eight) as shown on said plan one hundred fifty (150) feet.

SUBJECT TO pole and line rights, if affecting locus, and restrictions in favor of Turners Falls Power & Electric Company as set forth in instrument dated June 5, 1917 and recorded in said Registry of Deeds, Book 979, Page 327.

SUBJECT TO pole and line rights, if affecting locus, in favor of the American Telephone & Telegraph Company as set forth in instrument dated December 16, 1905, and recorded in said Registry of Deeds, Book 691, Page 406.

SUBJECT TO pole and line rights of Western Massachusetts Electric Company and New England Telephone & Telegraph Company as set forth in instrument dated October 27, 1952, and recorded in said Registry of Deeds, Book 2206, Page 238.

BEING the premises known as #262 Colemore Street.

Also hereby granting the following described real estate adjoining the above described real estate on the north:

Beginning at an iron pin in the easterly line of Colemore Street at the northwesterly corner of the parcel above described, and running thence easterly by the northerly line of the parcel above described one hundred fifty and 40/100 (150.40) feet;

thence running Northerly in a straight line in extension of the easterly line of the parcel above described fifty and 17/100 (50.17) feet;

thence running Westerly in the course of the middle line of the right of way of the Western Massachusetts Electric Company as shown on the plan of land above mentioned one hundred forty and 77/100 feet to Colemore Street.

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS

Executed as a sealed instrument this 18 day of Feb, 2016.

See POA recorded in the
Hampden County Registry of
Deeds at Book 20999, Page 564.

U.S. Bank Trust, N.A., as Trustee for LSF8
Master Participation Trust by Caliber Home
Loans, Inc., its Attorney-in-Fact

By: [Signature]
Name: Odette Hodges
Title: Authorized Signatory

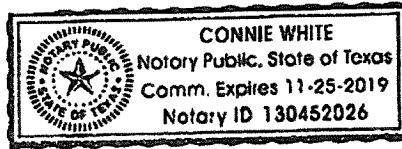
State of Texas
County of Dallas

On this 18 day of Feb, 2016, before me, the undersigned
Notary Public, personally appeared Odette Hodges, as
Authorized Signatory of Caliber Home Loans, Inc., Attorney-in-fact
for U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust, who is either
personally known to me, or proved to me through satisfactory evidence of identification,
to be the person who signed the preceding or attached document, and acknowledged to
me that he/she executed the same for its stated purpose as the free act and deed of
U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust.

Property Address: 262 Colemore Street, Feeding Hills, MA 01030

[NOTARY SEAL]

[Signature]
Notary Public
Printed Name: Connie White
My Commission Expires: _____



DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS
WESTFIELD, SATELLITE OFFICE



Town of Agawam

Building Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

Final Notice of Zoning Ordinance Violation

Andrey & Natalya Domnenko
262 Colemore Street
Feeding Hills, MA 01030

October 28, 2025

RE: 262 Colemore Street Feeding Hills, MA 01030- Vinyl Fence Installation Exceeding Zoning Height Requirement;

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.

October 24, 2025- Findings- Property is still in violation of the vinyl fence height installation. Fence height needs to be rectified FORTHWITH for zoning compliance.

May 28, 2025- Findings- It has been noted this parcel of land is in violation of the Town's zoning ordinance for fence height regulations.

Required Action- Per the Town's zoning ordinances, the vinyl fence structure exceeding the allowed 6 1/2 feet height will need to be lowered in height and or removed to rectify the situation.

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

Your attention to this matter is greatly appreciated.

§ 180-15. Enforcement. The provisions of this Chapter shall be enforced by the Inspector of Buildings, and no permit shall be granted for the construction, alteration, relocation or use of any building, structure or premises in violation of any provision of this Chapter. Whenever any permit or license is refused because of some provision of this Chapter, the reason therefor shall be clearly stated in writing and kept on file.

§ 180-16.1. Noncriminal Enforcement. In addition to the procedures for enforcement as described above, the provisions of this Chapter, the conditions of a permit or special permit granted under this Chapter, or any decision rendered by the Zoning Board of Appeals or Planning Board under this Chapter shall be enforced by the Inspector of Buildings, by noncriminal complaint pursuant to the provisions of Massachusetts General Laws Chapter 40, §21D, as amended from time to time. The fine for any violation disposed of through this procedure shall be one hundred (\$100.00) dollars for the first offense; two hundred (\$200.00) dollars for the second offense; and three hundred (\$300.00) dollars for the third and each subsequent offense. Each day such violation continues shall be deemed a separate offense. Unpaid fine(s) shall be subject to the municipal charges lien pursuant to Massachusetts General Laws Chapter 40 §58, as amended from time to time.

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
Inspector of Buildings
inspections@agawam.ma.us

Date of Notification: June 3, 2025	To Be Re-Inspected: Within / Upon (30) Thirty Days	File: Certified Mail:
Compliance: No	Ticket Issue Date: Upon re-inspection results	C.C:



Town of Agawam

Inspection Services

1000 Suffield Street
Agawam, MA 01001
(413) 821-0632

Kevin Duquette
Inspector of Buildings

Complaint Form

Date: 5-26-25

Location of Complaint: Feeding hills - Colmore St. Parcel ID _____

Property Owner or Alleged Violator (if known): None

Alleged Violation of: Building Code Zoning Ordinance General Ordinance¹

Relevant Section(s) of subject code (if known): _____

Nature of Complaint (attach additional pages/evidence as necessary): _____

267 Colmore St. 8 Ft Vinal Fencing against Code
265 Colmore St. 8 Ft Vinal Fencing against Code

COMPLAINANT INFORMATION

This document should not be considered confidential and may be subject to M.G.L. ch. 66 § 10, MA Public Records Law.

Name: ?

Address: _____

Telephone: _____

Email: _____

Signature: _____

I have discussed this issue with the alleged violator

FOR INSPECTION SERVICES USE	
Received/Logged by _____	Date _____
<input type="checkbox"/> in person	<input type="checkbox"/> letter
<input type="checkbox"/> email	<input type="checkbox"/> phone
Investigated by _____	Date _____
Notes _____	

<input type="checkbox"/> Response sent to complainant on _____	
<input type="checkbox"/> Letter	<input type="checkbox"/> Email
<input type="checkbox"/> _____	

¹ Use this form only if the enforcing authority is specified as the Inspector of Buildings or Inspection Services.
² Inspection Services does not customarily act on anonymous complaints.

Douglas and Melissa Nooney
104 North St
Agawam, MA 01001
413-478-5639
dmnd1216@aol.com

June 2, 2026

Town of Agawam Zoning Board of Appeals
36 Main St.
Agawam, MA 01001

RE: Formal Objection to Dimensional Frontage Variance Request-Lot #0-North St

Dear Members of the Zoning Board of Appeals,

We are writing to express our formal and total opposition to the requested zoning variance seeking relief from street frontage requirements to make this land a buildable lot. We respectfully urge the Board to deny this variance based on the following zoning and environmental issues.

1. Failure to Meet Statutory Hardship Criteria

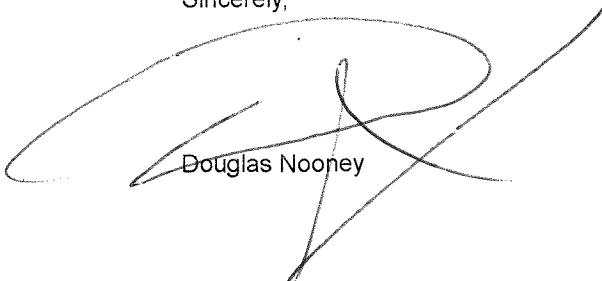
Chapter 40A, Section 10 is a variance that requires literal hardship relating to unique soil, topography or shape of the land. The applicant's parcel is not constrained by unique geological anomalies; rather, it is a self-created financial hardship, as this was family land that was originally acquired with full awareness of its complete lack of legally required street frontage, i.e. they knew it was a non-buildable lot. This property has been zoned RA2 and agricultural since 1990 and it is well past the time frame of being treated as a conforming lot.

2. Derogation of Intent and Purpose

Even without a house built upon this lot, this land is still very valuable in its resources. The applicant could still use this land for most of its zoned purposes; be it farming, forestry, livestock or a nursery, and these uses would be conservation friendly, which would keep with Agawam's original designation of this back area of land being zoned as agricultural. According to Agawam's Open Space and Recreation Plan, "Agawam residents have continuously supported efforts to protect natural resources. In the most recent town-wide survey, 79% of the respondents stated that protection of natural resources should be a high priority."

Thank you for your time, and we respectfully ask, for the reasons stated above, that the Zoning Board of Appeals denies this request for a zoning variance for Lot #0 on North St.

Sincerely,



Douglas Nooney



Melissa Nooney

RE: Fakide J. Davis ("Decedent"),

late of Agawam, Massachusetts

Date of Death: September 10, 2022

I, Joseph J. Davis, after first being duly sworn, do depose and say that:

1. I am:

(Check One:)

(a) the duly appointed and qualified Personal Representative under the Will/Administrator of the Estate of the Decedent filed with the Hampden County Probate Court Docket No. HD23P0410EA.

or

(if there is no executor or administrator of the estate of the Decedent appointed, qualified and acting within the Commonwealth of Massachusetts)

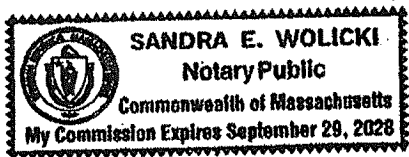
(b) a person in actual or constructive possession of property of the Decedent.

2. At the time of his/her death, the Decedent owned interests in the following real property: (a) 68 North Street, Agawam, Massachusetts, as more particularly described in a deed dated April 28, 2021 and recorded with the Hampden County Registry of Deeds (said "Registry") at Book 23946, Page 112; (b) 78 North Street, Agawam, Massachusetts, as more particularly described in a deed dated March 23, 1994 and recorded with said Registry at Book 8779, Page 287; (c) Land abutting and behind 78 North Street, Agawam, Massachusetts, as more particularly described in a deed dated April 28, 2021 and recorded with said Registry at Book 23946, Page 114; (d) Approximately 1.4 Acre Lot on North Street, Agawam, Massachusetts, as more particularly described in a deed dated June 16, 1998 and recorded with said Registry at Book 10329, Page 42; and (e) Approximately 23,280 square foot Lot bounded by North Street and Springfield Street, Agawam, Massachusetts, as more particularly described in two deeds dated April 28, 2021 and recorded with said Registry at Book 23946, Pages 128 and 130, respectively.

3. The gross estate of the Decedent does not necessitate a federal or Massachusetts estate tax filing.

4. This affidavit is given pursuant to and in accordance with the provisions of Massachusetts General Laws Chapter 65C, Section 14(a).

Executed under the pains and penalties of perjury this 10th day of April, 2023.



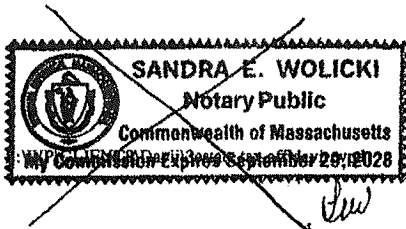
Joseph J. Davis
Joseph J. Davis, Personal Representative as aforesaid and not individually

COMMONWEALTH OF MASSACHUSETTS

Norfolk County

April 10, 2023

Then personally appeared before me, the above-named Joseph J. Davis, Personal Representative as aforesaid proved to me through satisfactory evidence of identification which was (were) *drivers license*, to be the person(s) whose name(s) is (are) signed on the preceding or attached document, and acknowledged the foregoing instrument to be his free act and deed in said capacity.



Sandra E. Wolicki
Notary Public - Sandra E. Wolicki
(Seal)
My Commission Expires: September 29, 2028
CHERYLA A. COAKLEY-RIVERA, ESQ.
HAMPDEN COUNTY REGISTRY OF DEEDS

20979.003

MASSACHUSETTS QUITCLAIM DEED

Property address: North Street, Agawam, Massachusetts

I, **FAKIDE J. DAVIS**, an individual residing at 78 North Street, Agawam, Hampden County, Massachusetts

for no ~~monetary~~ consideration

grants to **FAKIDE J. DAVIS**, Trustee of the **FAKIDE DAVIS REAL ESTATE TRUST** under Declaration of Trust dated June 16, 1998 and recorded at the Hampden County Registry of Deeds at Book 10329, Page 37, having an address of 78 North Street, Agawam, Hampden County, Massachusetts

with **QUITCLAIM COVENANTS**

The land in Agawam, Hampden County, Massachusetts, bounded and described as follows:


Starting at an iron pin on the north side of North Street, at the southwest corner of Ellen L. Moore property and running N. 12° 15' 10" W., 120 feet to an iron pin; thence running N. 80° 14' 50" E., 110 feet to an iron pin; thence running N. 11° 45' 10" W., 253 feet to a stone bounded, thence running southwesterly 190 feet to an iron pin; thence running south S. 12° 15' 10" E., 367 feet to an iron pin; and thence running N. 79° 44' 50" E., 90 feet along North Street to the point of beginning.

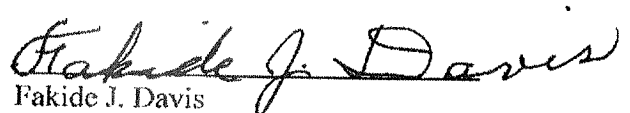
Being Lot Two (2) on a plan of lots entitled "Survey Lots #2 and #3 North Street., Agawam, Mass., survey for Alfred J. Davis Sr., date 9/12/77 by James J. Elasmr, P.E., R.L.S." recorded in the Hampden County Registry of Deeds Book of Plans 173, Pages 90 and 91.

Subject to all easements and covenants of record.

Being the same premises conveyed to Robert M. Davis Jr. and Fakide J. Davis by Deed dated September 26, 1977 and recorded as aforesaid in Book 4497, Page 351. See also Deed dated January 17, 1990 and recorded at the Hampden County Registry of Deeds at Book 7372, Page 202.

Executed as a scaled instrument this 16th day of June, 1998


Witness


Fakide J. Davis

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss:

June 16, 1998

Then personally appeared the above named Fakide J. Davis and acknowledge the foregoing to be her free act and deed, before me.



Notary Public

My Commission Expires: April 23, 2004

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS



Town of Agawam

Building Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

May 4, 2026

To: Office of Planning and Community Development:

Re: Zoning Board of Appeals – Case #2048- Variance Request- Insufficient Frontage- Lot #0 North Street
Agawam, MA 01001 (Parcel: H14-6-10);

The Building Department has no specific zoning issues or concerns for the variance request for the property referenced above.

Respectfully,

Kevin Duquette

Kevin Duquette
Inspector of Buildings
Town of Agawam



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 VARIANCE from the requirements of the Zoning By-laws.

Applicant Joseph J. Davis

Address 33 Morningside Circle, Feeding Hills, MA 01030

Application is hereby made for a VARIANCE from the requirements of Section 180 Paragraph 26 of Zoning Ordinance.

Premises affected: Flag Lot #10 0 North St. Abutting Robinson State Park.
Address

Property zoned as: Both Res-A2 & Agricultural

1. Description of existing building: N/A

- a. Size of building: _____ Height: _____ # of stories _____
- b. Occupancy or Use: (of each floor) _____
- c. Date of Erection: _____
- d. Has there been a previous appeal, under zoning on these premises no ?

2. Description of proposed work or use:

Seeking zoning variance due to street frontage requirements.
Goal - to deem this 1.4 Acre flag lot as developable
for a single family dwelling on the rear section
of the parcel (currently zoned agricultural + abutting park)

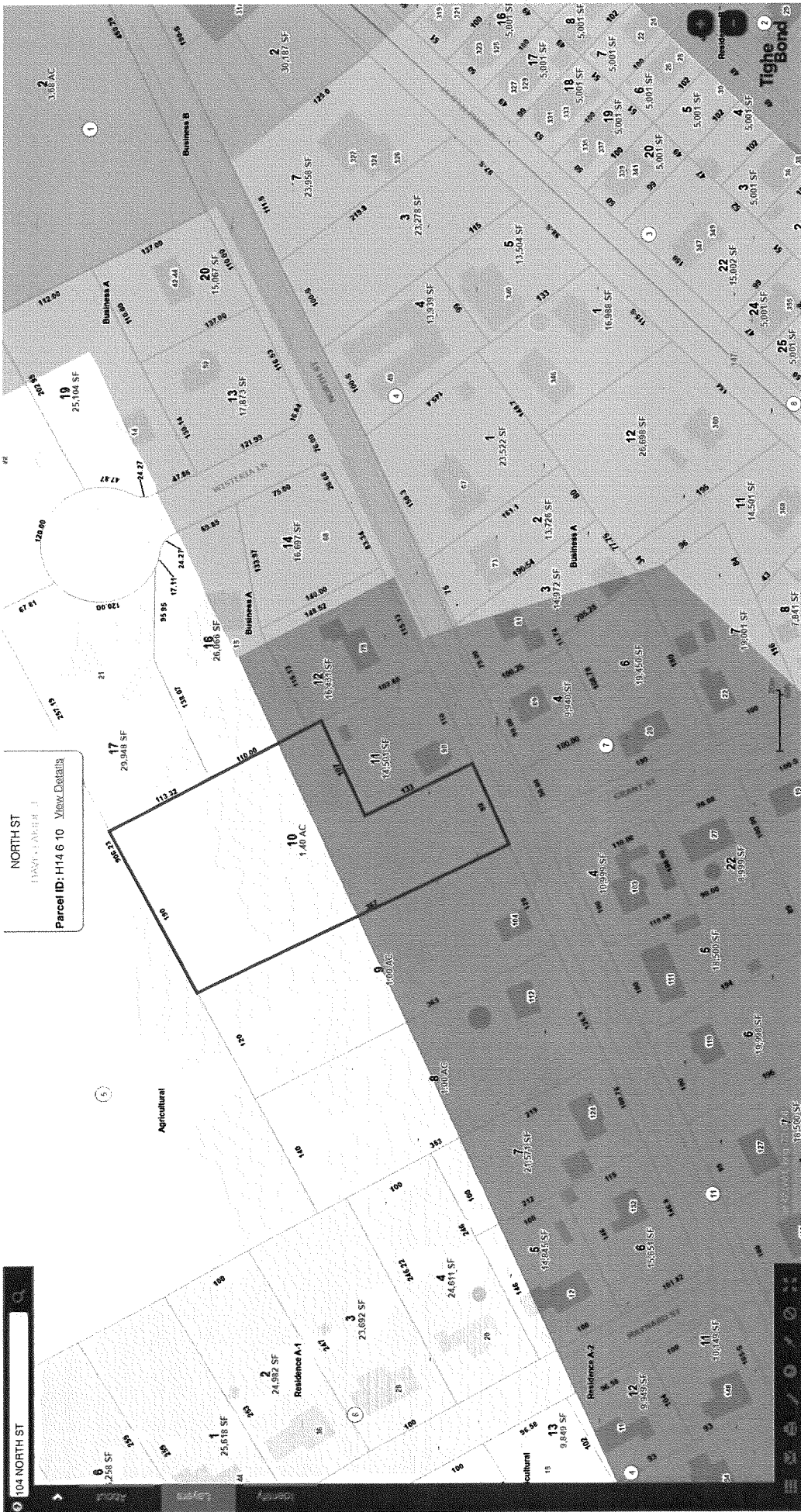
3. The principal reasons upon which I base my application are as follows:

Substantial hardship being incurred as current frontage
requirements prohibit "use" as well as sellable
value.

Signature of owner or his authorized agent: [Handwritten Signature]

Telephone #: 413-531-1159

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



Assessment and Sales Report

Location & Ownership Information

Address: 0 North St Agawam, MA 01001
Map Ref: M: 0H14 B: 0006 L: 10
Owner 1: Fakide J Davis
Owner Address: 78 North St Agawam, MA 01001

Zoning: RA2
Owner 2:

Property Information

Use: Residential Developable Land



Levels:
Total Rooms:
Full Baths:
Year Built:
Total Area:
First Floor Area:
Attic Area:
Unfinished Basement:
Attached Garage: 0
Heat Type:
Roof Type:
Air Conditioned: No
Foundation:

Style:
Lot Size: 1.4 Acres (60,984 SqFt)
Bedrooms:
Half Baths:
Basement Type:
Total Living Area:
Addl. Floor Area: 0 SqFt
Finished Basement: 0 SqFt
Total Basement:
Other Garage: 0
Fuel Type:
Exterior:
Fireplaces:
Condition:

Assessment Information

Last Sale Date:
Last Sale Book:
Land Value: \$95,200
Misc. Improv.: \$0
Fiscal Year: 2025
Map Ref: M: 0H14 B: 0006 L: 10
Tax Rate (Comm): 27.7

Last Sale Price:
Last Sale Page:
Building Value:
Total Value: \$95,200
Estimated Tax: \$1,394
Tax Rate (Res): 14.64
Tax Rate (Ind): 27.7

MLS Property History

MLS #	Status	Type	Address	Town	List Date	List Price	Sale Price
73505277	NEW	LD	0 North St	Agawam, MA	04/22/2026	\$159,900	

Public record information is set forth verbatim as received by MLS PIN from third parties, without verification or change. MLS Property Information Network, Inc., and its subscribers disclaim any and all representations or warranties as to the accuracy of this information.

Variance Petition – Frontage Relief

Town of Agawam, Massachusetts (Zoning Board of Appeals)

Applicant & Property Information

Applicant Name: Joseph J. Davis Trustee for Fakide Davis Real Estate Trust

Authorized agent: Carlos Dos Santos Jr. and/or Christine Ferris

Owner Name: Fakide Davis Real Estate Trust

Property Address: 0 North St

Assessor's Map/Lot: M:0H14 B:0006 L:10

Zoning District: Residence A-2 & Agricultural

Date: 04/28/2026

Property Summary

The subject property contains 90 feet of frontage where 120 feet is required, resulting in a 30-foot deficiency. While frontage is limited, the lot expands significantly in the rear, with a rear width of approximately 190 feet and 367 feet in depth. The configuration functions similarly to a flag lot, where access is narrower at the street but widens considerably into a large, usable building area.

1. Substantial Hardship Due to Unique Shape of the Land

The hardship arises from the irregular and constrained configuration of the lot currently RA2 & Agricultural zoning which inhibits "use" where as, overall, this sizable 1.4 acre parcel is seemingly well suited for single family development.

2. No Detriment to the Neighborhood & Consistent with Intent of Zoning

Granting the variance, in our opinion, would not negatively impact the neighborhood. This parcel abuts Agawam town land & Robinson State Park. Current street frontage is not inconsistent with neighboring parcels and even exceeds the frontage of #73, 81 & 89 North St, located directly across from the subject parcel.

On behalf of Joeseeph Davis, we thank you for your time and consideration. As you review our request, should you find any additional pieces of information are needed from us, kindly reach out. Our contact information is below, and we are happy to help effectuate a timely decision in any way we can. Thank you.

Signature

Applicant Signature:

Print Name: Carlos Dos Santos Jr

Contact email/cell: DosSantosRealtyInc@gmail.com

413-531-1159

Christine Ferris
Christine Ferris

Christine.idealre@gmail.com

413-364-8019

Fakide Davis Real Estate Trust

33 Morningside Circle

Feeding Hills, MA 01030

Town of Agawam

Zoning Board of Appeals

Agawam, MA 01001

RE: Authorization to Act on Behalf of Owner – Variance Application

Property: 0 North Street, Agawam, MA

To the Members of the Zoning Board of Appeals:

This letter serves as formal authorization from the Fakide Davis Real Estate Trust, owner of the above-referenced property, for Carlos Dos Santos and/or Christine Ferris to act on its behalf in connection with a variance application before the Town of Agawam.

Carlos Dos Santos and Christine Ferris are hereby authorized to:

- Prepare and submit any and all applications and supporting documentation related to the requested variance;
- Communicate with Town departments and staff regarding the application;
- Appear before the Zoning Board of Appeals and any other relevant boards or committees;
- Present testimony, respond to questions, and otherwise represent the interests of the Fakide Davis Real Estate Trust in this matter.

This authorization shall remain in full force and effect unless revoked in writing by the undersigned.

Sincerely,

<i>Joseph J. Davis</i>	dotloop verified 04/26/26 7:55 PM EDT XSNR-KTSM-SEPV-CRFQ
------------------------	---

Joseph J. Davis, Trustee

Fakide Davis Real Estate Trust

Date: 04/26/2026

**CERTIFICATE REGARDING APPOINTMENT
OF ADDITIONAL TRUSTEE AND ACCEPTANCE**

The undersigned, pursuant to the provisions of Section 7.2 and any other relevant provisions of the ~~Fakide Davis Real Estate Trust~~, a Trust created by Declaration of Trust dated June 16, 1998 and recorded on June 17, 1998 with the Hampden Registry of Deeds at Book 10329, Page 37, as amended (the "Trust"), hereby certifies that: (a) the successor Trustee named in Section 7.2 of the Trust, Alfred P. Davis of Agawam, Massachusetts, died on August 23, 2019; and (b) effective as of the date hereof, the holder(s) of 100% of the beneficial interest in the Trust have appointed Joseph J. Davis of 33 Morningside Circle, Feeding Hills, MA 01030, as an additional Trustee under said Trust to serve together with the undersigned.

Executed as a sealed instrument as of the 28th day of April, 2021.

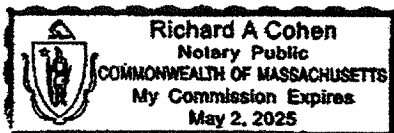
FAKIDE DAVIS REAL ESTATE TRUST

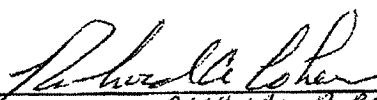
By: 
Fakide J. Davis, Trustee

COMMONWEALTH OF MASSACHUSETTS


Hampden County

Then personally appeared before me this April 28, 2021, the above-named Fakide J. Davis, Trustee of ~~Fakide Davis Real Estate Trust~~, proved to me through satisfactory evidence of identification which was MA STATE I.D., to be the person whose name is signed on the preceding or attached document, and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of ~~Fakide Davis Real Estate Trust~~.




Notary Public: RICHARD A COHEN
(Seal)
My Commission Expires: 05-02-2025

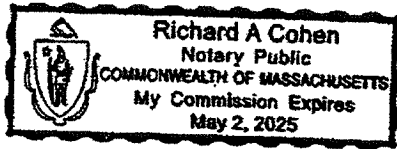
I, Joseph J. Davis, hereby accept my position as Trustee of the said Fakide Davis Real Estate Trust effective as of April 28 2021.



Joseph J. Davis

COMMONWEALTH OF MASSACHUSETTS

Hampden County

Then personally appeared before me this April 28 2021, the above-named Joseph J. Davis, proved to me through satisfactory evidence of identification which was DRIVERS LICENSE to be the person whose name is signed on the preceding or attached document, and acknowledged the foregoing instrument to be his free act and deed.




Notary Public: RICHARD A COHEN
(Seal)
My Commission Expires: 05-02-2025

RESIGNATION/NOTICE OF RESIGNATION OF TRUSTEE

Effective as of April 28, 2021, Fakide J. Davis of Agawam, MA hereby: (1) resigns as Trustee of Fakide Davis Real Estate Trust, a Trust created by Declaration of Trust dated June 16, 1998 and recorded June 17, 1998 with the Hampden Registry of Deeds at Book 10329, Page 37 (the "Trust"); and (2) certifies that she has provided written notice of her resignation as Trustee to the remaining Trustee of the Trust, Joseph J. Davis, as well as to all of the Beneficiaries of the Trust.

Executed as a sealed instrument as of the 28th day of April, 2021.

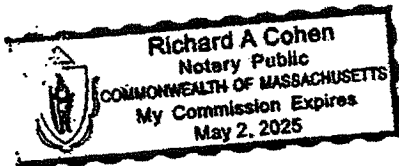


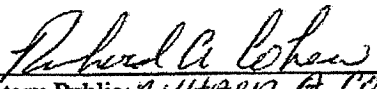
Fakide J. Davis

COMMONWEALTH OF MASSACHUSETTS

Hampden County

Then personally appeared before me this April 28, 2021, the above-named Fakide J. Davis, proved to me through satisfactory evidence of identification which was MA STATE I.D., to be the person whose name is signed on the preceding or attached document, and acknowledged the foregoing instrument to be her free act and deed.





Notary Public: RICHARD A COHEN
(Seal)
My Commission Expires: 05-02-2025

S:\WP\CLIENTS\Davij\2trustee resignation.wpd

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 06-17-2021 @ 03:53pm
CtL# 343 Doc# 41683
Fee: \$.00 Cons: \$.00

The consideration for this transaction is such that no documentary stamps are required.

DEED OF DISTRIBUTION
M.G.L. c. 190B, §3-907

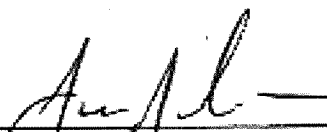
WHEREAS, Alfred P. Davis, of Agawam, Massachusetts (the "Decedent") died on August 23, 2019, having an interest in the land and improvements, if any, abutting and behind 78 North Street, Agawam, Massachusetts;

WHEREAS, the undersigned Joseph J. Davis, of Feeding Hills, Massachusetts is the duly appointed and qualified Personal Representative of the Estate of the Decedent in the Hampden Probate and Family Court, Docket No. HD19P2001EA;

WHEREAS, the distributee herein is the devisee under the Last Will and Testament of the Decedent;

NOW, THEREFORE, the undersigned, in distribution of the estate, for no consideration, hereby distributes to Fakide J. Davis of 78 North Street, Agawam, MA 01001, such interest in the land, together with any improvements, in Agawam, Hampden County, Massachusetts, more particularly bounded and described in Exhibit A attached hereto and incorporated herein by reference.

Witness my hand and seal this 20th day of April, 2021.



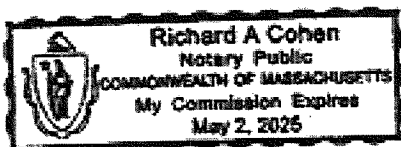
Joseph J. Davis, Personal Representative as aforesaid
and not individually


COMMONWEALTH OF MASSACHUSETTS

Hampden County

April 20, 2021

Then personally appeared before me Joseph J. Davis, Personal Representative of the Estate of Alfred P. Davis, proved to me through satisfactory evidence of identification which was DRIVERS LICENSE, to be the person whose name is signed on the preceding or attached document, and he acknowledged the foregoing instrument to be his free act and deed in said capacity.





Notary Public - RICHARD A COHEN
(Seal)
My commission expires: 05-02-2025

Land abutting and behind 78 North Street
Agawam, MA 01001

EXHIBIT A

The land and improvements located on North Street in Agawam, Hampden County, Massachusetts, bounded and described as follows:

BEGINNING at a point on the Northerly side of North Street in said Agawam, said point being the Southeasterly corner of land now or formerly of Alfred P. Davis and Fakide J. Davis and also being the Southeasterly corner of Lot #2, as shown on a plan of land referenced below, running

- EASTERLY** by the North side of North Street in said Agawam, for a distance of fifteen feet (15), more or less, thence
- NORTHERLY** by a boundary running parallel to the Eastern boundaries of Lots #2 & #3, as shown on the plan of land referenced below, for a distance of one hundred forty (140) feet, more or less, thence
- WESTERLY** by a boundary running parallel to the Northern boundary of Lots #1 and #2, as shown on a plan of land referenced below, for a distance of one hundred fifteen (115) feet to a point on the Western boundary of Lot #3, as shown on a plan of land referenced below, and also being a point at land now or formerly of Julia Daley, thence
- SOUTHERLY** by land now or formerly of said Julia Daley, for a distance of thirty-seven and 20/100 (37.20) feet, more or less to a point at the Northwesterly corner of Lot #1 as shown on a plan of land referenced below and also being a point on land now of formerly of Fakide J. Davis and Alfred P. Davis, thence
- EASTERLY** by land now or formerly of said Fakide J. Davis and Alfred P. Davis, for a distance of one hundred (100) feet, more or less, to a point being the Northeasterly corner of land now or formerly of Alfred P. Davis and Fakide J. Davis and also the Northeasterly corner of Lot #2, as shown on a plan of land referenced below, thence
- SOUTHERLY** by the Eastern boundary of Lot #2, as shown on the plan of land referenced below, for a distance of one hundred seven and 95/100 (107.95) feet, more or less, to a point being the Southeasterly corner of land now or formerly of Alfred P. Davis and Fakide J. Davis and also being the Southeasterly corner of Lot #2, as shown on a plan of land referenced below and also being the point of beginning.

Meaning and intending to convey a fifteen (15) foot by one hundred forty (140) foot by one hundred fifteen (115) foot by thirty-seven and 20/100 (37.20) foot by one hundred (100) foot by one hundred seven and 95/100 (107.95) foot portion of Easternview Avenue and Lot #3, as shown on a plan of land entitled "Plan of Lots Located at Sunnyside Heights, Agawam, Mass., owned by The Hampden Real Estate Trust, Scale: - 1in. =50 ft., Nov. 1908, Geo N. Merrill & Co., Civil Engineers, Springfield, Mass.", which plan is recorded in said Registry at Book of Plans 2, Page 166, to which reference may be had for a more particular description.

For title reference, see Deed of the Estate of Mae E. Davis to Alfred P. Davis dated October 16, 2002 and recorded with said Registry at Book 12706, Page 449. See also the Estate of Alfred P. Davis, Hampden County Probate Court Docket No. HD19P2001EA, who died on August 23, 2019.

S:\WP\CLIENTS\Davis\2Deed of Distribution Strip of Land abating & behind 78 North St Agawam.wpd

CHEYL A. CORALY-RIVERA, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS
E-RECORDED



NEWS

☰ Set weather ▾

Westfield Planning Board grants special permit for 1st flag lot under new law

MASS LIVE

Start for \$1

Sign in ▾

Published: Apr. 06, 2023, 2:49 p.m.



By [Amy Porter](#) | [The Westfield News](#) | aporter@thereminder.com

WESTFIELD — On a 5-2 vote on April 4, the Planning Board approved a special permit for the first flag lot under a new ordinance at 994 Western Ave., zoned Residence A and Rural Residential.

The flag lot ordinance, passed by the City Council in the fall, allows landowners to apply for a special permit to create buildable house lots that meet the zoning requirements for acreage but not road frontage. The ordinance is named after the typical shape of such a lot when viewed from above, with most of their land (the “flag”) set back from the road, connected to the public way by a thin arm (the “flagpole”) wide enough for a driveway.

The new ordinance requires that the lot is located in Rural Residential or Residence A zones; that the minimum frontage and width is 40 feet with no shared driveway; that the lot must be at least 4 acres; and the lot is used for residential purposes only. Also, the dwelling structure must have a minimum setback of 50 feet from its side and rear lot lines, unless a dimensional special permit is granted by the Planning Board.

NORTH ST

Location NORTH ST

Mblu H14/ 6/ 10/ /

Owner DAVIS FAKIDE J

Assessment \$102,600

PID 4507

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2026	\$0	\$102,600	\$102,600

Owner of Record

Owner DAVIS FAKIDE J

Sale Price \$0

Co-Owner

Book & Page 23946/114

Address 78 NORTH ST
AGAWAM, MA 01001

Sale Date 06/17/2021

Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
DAVIS FAKIDE J	\$0	23946/114	06/17/2021
FAKIDE DAVIS J TR	\$0	10329/042	06/17/1998
DAVIS, FAKIDE J	\$0	7372/202	01/22/1990
DAVIS	\$1	4497/351	10/12/1977

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Building Attributes	
Field	Description
Style	
Model	
Grade	
Stories	

Building Photo

 Building Photo

(<https://images.vgsi.com/photos/AgawamMAPhotos/default.jpg>)

Building Layout

 Building Layout (ParcelSketch.ashx?pid=4507&bid=4507)

Building Sub-Areas (sq ft)

Foundation	
Ext Wall 1	
Ext Wall 2	
Roof Structure	
Roof Cover	
Int Wall 1	
Int Wall 2	
Int Floor 1	
Int Floor 2	
Heat Fuel	
Heat Type	
CNS_AC_TYPE	
Bedrooms	
CNS_NUM_BATHRM	
CNS_NUM_HALF_BATHS	
CNS_NUM_XTRA_FIX	
Total Rooms	
Bath Type	
Kitchen Type	
CNS_NUM_KITCHENS	
CNS_CNDTN	
Fireplace Rating	
WS Flue Rating	
Electric	
Insulation	
Addl HB Rating	
CNS_FIREPLACES	
Stories_2	
Bsmt Garage	
Half Baths	
CNS_USRFLD_302	
View	
Frame	
Bsmt Floor	
Total # Units	
Full Baths	
Solar HW	
Central Vac	
3QB Rating	
Addl FB	

No Data for Building Sub-Areas

Land

Land Use

Use Code 1300
Description RES ACLNDV MDL-00
Category

Land Line Valuation

Size (Acres) 1.4

Outbuildings

Outbuildings
No Data for Outbuildings

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$0	\$95,200	\$95,200
2024	\$0	\$95,200	\$95,200
2023	\$0	\$86,100	\$86,100

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MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 07-28-2015 @ 02:42pm
Ct1#: 279 Doc#: 40622
Fee: \$893.76 Cons: \$196,000.00

KNOW ALL MEN BY THESE PRESENTS, that I,

TIMOTHY J. ZAMBELLI, Personal Representative of the Estate of Nancy Ann Zambelli
aka Nancy A. Zambelli of 205 Main Street, Easthampton, Massachusetts, under License to Sell
allowed by the Hampden County Probate Court (See 15P 0444)

for consideration paid, and in full consideration of

ONE HUNDRED NINETY SIX THOUSAND AND 00/100 (\$196,000.00) DOLLARS

grant to **VADIM SOLOKHIN** of 44 Taylor Avenue, Westfield, Massachusetts,

WITH WARRANTY COVENANTS

The land in **AGAWAM**, Hampden County, Massachusetts, being known and designated as Lot
No. 1 (one) as shown on a plan of lots entitled "Subdivision Plan, Agawam, Mass. Giant Acres for
Charles Grasso and Richard Cebrelli", Pharmer Engineering Corporation, February 12, 1973, and
recorded in Hampden County Registry of Deeds in Book of Plans 144, Pages 82 and 83, said lot
being more particularly bounded and described as follows:

SOUTHEASTERLY by Marlene Drive, one hundred twenty and no one-hundredths
(120.00) feet;

SOUTHWESTERLY by land now or formerly of Santinello as shown on said plan, two
hundred thirty-six and seventy-nine one-hundredths (236.79) feet;

NORTHWESTERLY by Land now or formerly of Bates as shown on said plan; and

NORTHEASTERLY by Lot No. 2 (two) as shown on said plan, two hundred thirty-six
and fourteen one-hundredths (236.14) feet.

SUBJECT TO easements of record.

BEING the premises known as 32 Marlene Drive, Feeding Hills, Massachusetts 01030.

BEING the same premises conveyed to Nancy A. Zambelli by deed of Robert O. Miller, Jr. et al dated July 29, 1976 and recorded in the Hampden County Registry of Deeds in Book 4300, Page 174.

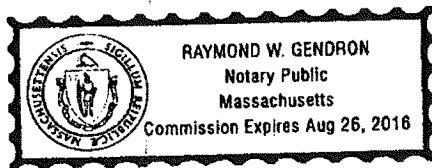
WITNESS my hand and seal this 11 day of June, 2015.

TIMOTHY J. ZAMBELLI, Personal Representative of the Estate of Nancy Ann Zambelli aka Nancy A. Zambelli

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss:

On this 11 day of June, 2015, before me, the undersigned Notary Public, personally appeared TIMOTHY J. ZAMBELLI, as Personal Representative of the Estate of Nancy Ann Zambelli aka Nancy A. Zambelli, proved to me through satisfactory evidence of identification, which was personally known driver's license other _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purposes.



RAYMOND W. GENDRON
Notary Public
My Commission expires 08/26/2016

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS



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 Vadim Solokhin

Address 32 Marlene dr

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

Premises affected are situated on 32 Marlene dr Street; 300+ feet distant from the corner of Northwestfield Street and known as street number 32.

Property is zoned as Agricultural.

Reason(s) for request of Special Permit:

Getting Permit to have some chickens

Signature of owner or his authorized agent: _____

Telephone #: (413) 579-1379

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

arkbuildtech@yahoo.com



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
 BUILDING DEPARTMENT
 FEB 09 2026
 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.

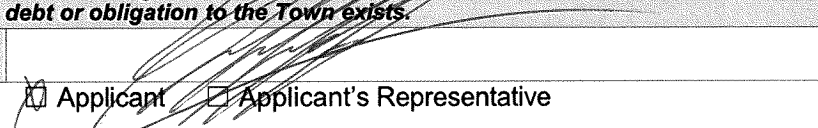
1) PROPERTY INFORMATION										
a. Street Address	32 Marlene dr				b. Zoning District	Ag				
c. Assessor's Map	C17				d. Lot(s)	1-26				
e. Registry of Deeds Book					f. Page					
g. Overlay Districts	<input type="checkbox"/> Historic Preservation <input type="checkbox"/> Mixed-Use Business C									
h. Previous Special Permits, Site Plan Approvals, Findings or Variances Issued for this Site										
2) APPLICANT & OWNER INFORMATION										
a. Applicant Name	Vadim Solokhin				b. Applicant Phone					
c. Applicant Email	svadimirina@yahoo.com									
d. Applicant Mailing Address	32 Marlene dr Feeding Hills MA 01030									
e. Applicant Relationship to Property	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Other:									
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										
<i>NOTE: Any omission of requested information may result in an INCOMPLETE determination</i>										
	Existing				Proposed				-FOR BUILDING DEPT. REVIEW- REQUIRED / NCU	
					<input type="checkbox"/> No changes to building, site or lot					
a. Lot Size	.60 (26,136) SF				SF				LOT SIZE	<input type="checkbox"/>
b. Frontage	123 FT				FT				FRONTAGE	<input type="checkbox"/>
c. Front Lot Line	FT				FT				FRONT SB	<input type="checkbox"/>
d. Side Lot Line (Left/Right)	L: FT	241	R: 238	FT	L: FT	FT	R: FT	SIDE SB	<input type="checkbox"/>	
e. Rear Lot Line	101 FT				FT				REAR SB	<input type="checkbox"/>
f. Building Height	FT				FT				BLDG HT	<input type="checkbox"/>
g. Total BLDG/Res Area	SF		SF		SF		SF		AREA LIM	<input type="checkbox"/>
h. BLDG Coverage (Footprint)	SF		% of lot		SF		% of lot		LOT COVER	<input type="checkbox"/>
i. Impervious Coverage	SF		% of lot		SF		% of lot		IMPERVIOUS	<input type="checkbox"/>
j. Parking/Loading Spaces	P:		L:		P:		L:		PARKING	<input type="checkbox"/>
k. Bicycle/EV Charge Spaces	B:		EV:		B:		EV:		BIKE/EV	<input type="checkbox"/>
l. Signs (Size & Type)	x		T:		x		T:		SIGNS	<input type="checkbox"/>
m. Fence (Size & Type)	LIN FT		T:		LIN FT		T:			
n. Wetland Area	SF				SF					
o. Utility Services	<input type="checkbox"/> Town Water <input type="checkbox"/> Town Sewer				<input type="checkbox"/> Town Water <input type="checkbox"/> Town Sewer				NON-CONFORMING USE	<input type="checkbox"/>

(413) 579-1379

p. Current Use of Property	Single family dwelling
q. Proposed Use of Property	Same
r. Project Description	
12 Hens on property	
s. I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	02-09-2026
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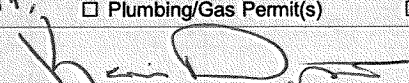
Applicant Applicant's Representative

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:**

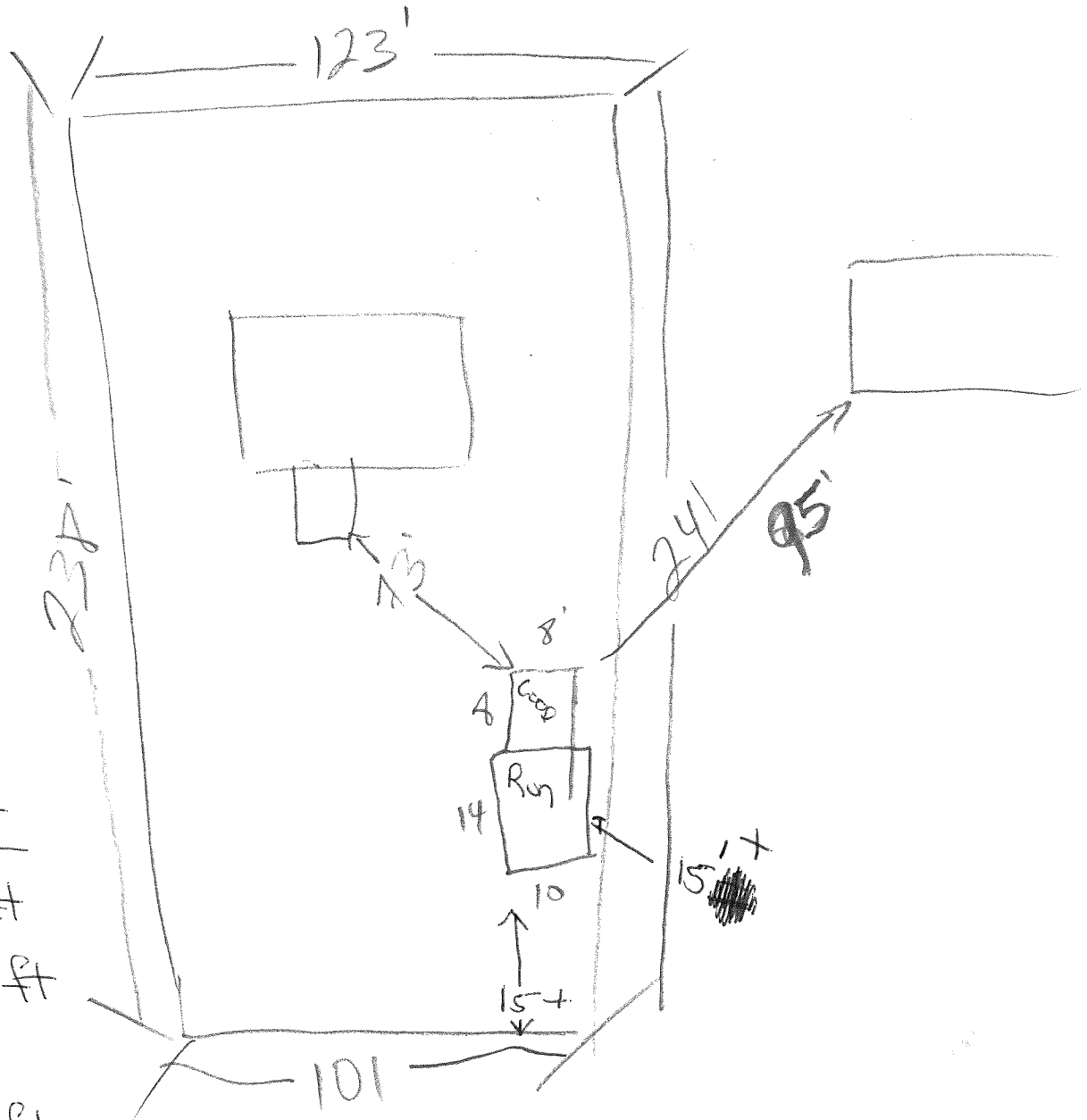
Per Zoning Ordinance Section(s)	Required Permit(s)	Approval Required	Permitting Authority
# 180-37-B-USE	<input type="checkbox"/> Building Permit(s)	<input checked="" type="checkbox"/> Special Permit(s)	<input type="checkbox"/> Planning Board
# 180-8.1-S.P.	<input type="checkbox"/> Electrical Permit(s)	<input type="checkbox"/> Site Plan Review	<input checked="" type="checkbox"/> Board of Appeals
	<input type="checkbox"/> Plumbing/Gas Permit(s)	<input type="checkbox"/> Variance	<input type="checkbox"/> City Council

Town Building Official		Issue Date	2/12/2026
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*This determination may be appealable to the Zoning Board of Appeals under the provisions of MGL Ch. 40A Sec. 8.
Revised 09/08/2022*

32 Marlone DR

Lot - 26, 132 Sqft - 12 Hens allowed



Required - Sqft

Coop - 36 Sqft

Run - 120 Sqft

Proposed - Sqft

Coop - 64 Sqft

Run - 140 Sqft

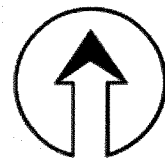


32 Marlene Dr.

2/9/2026 11:50:23 AM

Scale: 1"=100'
Scale is approximate

The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.





Town of Agawam

Building Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

May 12, 2026

To: Office of Planning and Community Development:

Re: Zoning Board of Appeals – Case #2049- Special Permit- Comments for 32 Marlene Drive Feeding Hills, MA 01030;

The Building Department has no specific zoning issues or concerns for the special permit request for the keeping of hens for the property referenced above.

Respectfully,

Kevin Duquette

Kevin Duquette
Inspector of Buildings
Town of Agawam

The following members attended the public meeting:

Doreen Prouty-Chair
Richard Maggi-Vice Chair
Clerk-Aldo Mancini
Viktor Savonin-Alternate

Members Absent
Vincenzo Ronghi-Alternate

Chair Prouty open the meeting at 6:30pm.

- A. 6:30PM-PUBLIC HEARING-Case#2048-0 North Street-Davis-Variance
Sitting on this case:-Chair-Prouty, Vice Chair-Maggi, Clerk-Mancini

Chair Prouty opened the meeting and introduced the members of the Board and who was sitting on the case. Joseph Davis, 33 Morningside Circle stated he is the petitioner and submitted this variance requested for a 1.4 acre pre-existing non-conforming lot. He stated the lot has been here for 50 years and he is attempting to sell it to buyers who want to build at 2,500 sq. ft. ranch-style home on the parcel. A variance is needed due to the lot not meeting the frontage requirements. Chair Prouty read Chapter 180, Section 6, from February 27, 2025 that states, “Adjacent lots under common ownership can be built if the lots conform to the then existing requirements of area frontage with yard or depth at the time of the recording or endorsement. Each lot shall have not less than 10,000 sq. ft. of area and 75 sq. ft. of frontage if located in zoning district that allow a single-family residential use.....and any single family residential structure constructed on such lot shall not exceed 1,850 sq. ft. of heated living area, shall contain not less than 3 bedrooms, and shall not be used as a seasonal home or short-term rental.”

Mr. Savonin stated it appears it to have grandfathered status under Chapter 40a, section 6, and there have been similar cases on Mill Street, Emerson Street, Carr Ave, and Liberty, etc. Chair Prouty stated there is distinction between common lots and single lots.

Chair Prouty opened the meeting for public comment.

Christine Ferris, 7 Olivia Circle in Ludlow, spoke in favor of the Variance.

Carlos Dos Santos, Jr. with Ideal Real Estate, who is working with the petitioner spoke in favor of the Variance.

Chair Prouty read a letter of opposition to the variance from abutters Douglas & Melissa Nooney, 104 North Street, dated June 2, 2026, which cited zoning, such as failure to meet statutory hardship criteria, environmental issues, and derogation of intent and purpose.

The members discussed the variance and decided to continue this public hearing to the Monday, June 22, 2026 at 6:40pm meeting to allow for further research.

B. 7:00PM-PUBLIC HEARING-Case#2049-32 Marlene Drive-Solokin-Special Permit
Sitting on this case:-Chair-Prouty, Vice Chair-Maggi, Clerk-Mancini

Vadim Solokin, 32 Marlene Drive was present for this agenda item. He stated he is seeking a Special Permit for the keeping of hens. He obtained them last Spring and did not realize he was not allowed. There is a roof over the chicken coup and run. He stated the chickens are 96 ft. away from the closest dwelling structure and there are no roosters. Chair Prouty stated the petitioner was asked to provide a plot plan that was a little more legible, but had failed to do so. Mr. Savonin stated the dimensions are corrects and setbacks. He asked if Mr. Solokin was on a well. Mr. Solokin stated no, city water. Mr. Maggi asked if the petitioner had started the more detailed plan. Mr. Solokin stated not yet. Chair Prouty asked what was done with the waste. Mr. Solokin stated he had a compost pile. Chair Prouty opened the hearing for public comment.

Fred Perry, 36 Marlene Drive, stated Mr. Solokin has had the chickens for years and his dog consumes the chicken waste and it makes his dog very sick, and this has happened on more than one occasion. He stated the chickens have also wandered into his yard and garage, and have also gotten caught in the fence. He stated the coup was a few feet away from his fence. Chair Prouty asked how far from the property line is the compost bin. Mr. Solokin stated 5ft. Mr. Perry stated between chickens getting into the yard and the waste leeching into the grass in his yard, it has made his dog sick. Mr. Maggi asked how the chickens were getting into his yard. Mr. Perry stated over the fence, as the coup is near the fence. Chair Prouty stated she would like to speak to the Town Health Department about the compost/waste. Mr. Perry stated Mr. Solokin has at least 40 chickens, and for the size of his lot he is allowed 12 hens.

James Messier, 20 Marlene Drive, stated he is not bothered by the petitioner having hens. He stated he has never even seen the chickens at this location.

Mr. Solokin stated he had 40 hens, but right now he has about 20. Mr. Maggi asked if the chicken waste has been used as fertilizer Mr. Solokin stated this year was the first time for his garden, but they are raised beds.

Heather Messier, 20 Marlene Drive, stated the petitioner has had the chickens less than 2 years.

Chair Prouty stated she would like the Board to perform a site visit to inspect the property and look at the compost pile, and location of the chicken structures. The Board and the petitioner agreed to perform a site visit, June 9, 2026 at 9:00am.

Chair Prouty continued the hearing to the Monday, June 22, 2026 meeting at 7:00pm.

C. Approval of Minutes-May 11, 2026

Motion was made by Mr. Mancini and seconded by Mr. Savonin to approve the May 11, 2026 minutes as written.

All in favor.

D. Any other matter that may legally come before Zoning Board of Appeals
None.

Meeting adjourned at 7:00pm.