



City Council AGENDA

Monday, July 13, 2026 - 6:20 PM

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

- A. Approval of Minutes
 - 1) Minutes dated June 15, 2026
- B. Agenda Items
 - 1) **TOR-2026-3** - An Ordinance regarding fence height in the Town of Agawam (Sponsored by Council President Anthony J. Russo)
- C. Any other business that may legally come before the Committee
- D. Adjournment

LEGISLATIVE SUB-COMMITTEE MINUTES

June 15, 2026

Present: Rosemary Sandlin – Vice Chair
George Bitzas
Cecilia Calabrese
Christine Rickmon

Absent: Thomas Hendrickson

Also Present: Councilors Borgatti, McNair, Mercadante, Rossi, Russo, Suffriti, Mayor Johnson, Auditor Cheryl St. John, Rob Levesque, Mrs. Brown, and Corinne Wingard

Called to Order: Meeting was called to order by Vice Chair Sandlin at 6:10pm in the Agawam Senior Center Seminar Hall

AGENDA

1. Approval of minutes dated June 1, 2026

Motion to approve the minutes made by Councilor Calabrese and seconded by Councilor Rickmon

The vote was 4 Yes, 0 No, 1 Absent (Councilor Hendrickson) approving the minutes.

2. ZC-2026-3 - Petition for Zone Change by Chanda Care, Inc. on behalf of VIP Homes & Associates, LLC for property located at 430 North West Street, Feeding Hills section of Agawam, Hampden County, Massachusetts (Assessor Parcel C13-4-4) from the Business B District to the Residence A-2 District

Questions were asked and answered regarding zone change. Motion to NOT send a recommendation to the Full Council made by Councilor Bitzas and seconded by Councilor Rickmon. The vote was 4 Yes, 0 No, 1 Absent (Councilor Hendrickson).

3. Any other business that may legally come before the Committee.

None.

4. Adjournment.

Motion to adjourn was moved by Councilor Sandlin and seconded by Councilor Rickmon. The meeting was adjourned at 6:30pm.

Respectfully submitted,

Councilor Rosemary Sandlin, Vice Chair
Legislative Committee

**AN ORDINANCE REGARDING
FENCE HEIGHT IN THE TOWN OF AGAWAM**

(Sponsored by Council President Anthony J. Russo)

WHEREAS, Section 180-8B of the Code of the Town of Agawam allows fence heights up to 4 (four) feet on the setback portion of any lot perimeter and up to 6 ½ (six and one-half) feet on the remainder of the lot perimeter; and

WHEREAS, the state building code allows for fences to be built without the need for a special permit up to 7 (seven) feet; and

WHEREAS, the current town code has inhibited the construction of residential privacy fences in the town where such fences may not pose any safety hazard nor create a private nuisance; and

NOW THEREFORE, the Agawam City Council hereby amends the Code of the City of Agawam by striking Paragraph B of Chapter 180-8 entitled Supplementary regulations and inserting in place thereof the following new Paragraph B in:

B. Fences or walls. Fence heights shall not exceed four feet on the setback portion of any lot perimeter and shall not exceed eight feet in height on the remainder of the lot perimeter. 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. Any fence that is higher than seven feet in height shall require a building permit per state building code 780 CMR. No fence, wall or natural barrier shall be constructed so as to create a safety hazard for vehicles or pedestrians entering or exiting driveways, streets and public properties. In addition, no fence, wall or natural barrier shall be constructed so as to create a public nuisance. All fences, walls and natural barriers shall be properly maintained. Any fence, wall or natural barrier found to be in disrepair shall be promptly repaired or removed. All outdoor swimming pools shall meet the safety barrier requirements set forth in the state building code 780 CMR.

DATED THIS ____ DAY OF _____, 2026.

PER ORDER OF THE AGAWAM CITY COUNCIL

Anthony J. Russo, President

APPROVED AS TO FORM AND LEGALITY

Christopher S. Cappucci
Christopher S. Cappucci, Solicitor



Town of Agawam

Planning Board

1000 Suffield Street
Agawam, MA 01001
Telephone:
413-786-0400 ext. 8245
Fax: 413-786-9927

June 18, 2026

Anthony J. Russo, President
Anthony R. Suffriti, Vice President
George Bitzas, Councilor
Edward Borgatti, Councilor
Cecilia P. Calabrese, Councilor
Thomas D. Hendrickson, Councilor
Peter T. McNair, Councilor
Dino R. Mercadante, Councilor
Christine Rickman, Councilor
Robert E. Rossi, Councilor
Rosemary Sandlin, Councilor

Agawam City Council
36 Main Street
Agawam, MA 01001

Dear Councilors:

At its duly called meeting held on June 18, 2026 the Agawam Planning Board voted 4 – 0 to send a positive recommendation to the City Council regarding the Zoning Amendment for the Ordinance Regarding Fence Height (TOR-2026-3), with the suggestion that the Building Inspectors recommendations (attached) be incorporated into the final ordinance.

If you have any questions, please contact this office at 413-786-0400, extension 8245.

Sincerely,


Violet Baldwin, Chair
Agawam Planning Board

cc: Clerk, Solicitor, File



Town of Agawam

Building Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

May 28, 2026

To: Office of Planning and Community Development:

Planning Board Meeting- June 18, 2026:

Re: TOR-2026-3- Zoning Ordinance Amendment- "Fence Height" 180-8 (B):

The Building Department has the following recommendations for the proposed Zoning Ordinance Article amendment for "Fences or walls" as proposed in section #180-8 (B):

B. Fences or walls. Fence heights shall not exceed four feet on the setback portion of any lot perimeter and shall not exceed eight 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. Any fence that is ~~seven feet or~~ higher than seven feet in height shall require a building permit per state building code 780 CMR. No fence, wall or natural barrier shall be constructed so as to create a safety hazard for vehicles or pedestrians entering or exiting driveways, streets and public properties. In addition, no fence, wall or natural barrier shall be constructed so as to create a public nuisance. All fences, walls and natural barriers shall be properly maintained. Any fence, wall or natural barrier found to be in disrepair shall be promptly repaired or removed. All outdoor swimming pools shall meet the safety barrier requirements set forth in the state building code 780 CMR.

- Referencing- "On a lot which is adjacent to a higher zone classification, the fence heights shall conform to the higher classification." is an invalid zoning ordinance reference. There are no noted sections in the zoning ordinances that reference a higher classification for fence heights. Strike out referenced sentence.
- State Building code 780 CMR references a permit is required for fences over seven feet in height. Code section 105.2. Revise as noted.

Respectfully,

Kevin Duquette

Kevin Duquette
Inspector of Buildings
Town of Agawam

To: Agawam City Council
From: Doreen Prouty

May 22, 2026

Dear City Council President and Members,

I would like to comment on the proposed amendment to Ch, 180-8B regarding fences. The sentence which states “Any fence that is seven feet or higher in height shall require a building permit per the state building code”.

My question concerns someone who may wish to erect a fence that is 6’ 9” in height. The ZBA can issue a permit for a fence up to 6 ½’. That leaves 6 inches in limbo.

Instead, I would suggest the wording for the highlighted sentence be changed from “Any fence that is seven feet or higher” to “Any fence in excess of 6 ½’ in height”. That way there will be no confusion if such a case with a fence higher than 6 ½’ but less than 7’ is to be constructed.

Thank-you for your time and consideration.

Sincerely,
Doreen Prouty