



Zoning Board of Appeals AGENDA

Monday, August 24, 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) 6:45PM-Public Hearing Contr.-Case#2049-32 Marlene Drive-Solikin-Special Permit
- 3) 7:00PM-Public Hearing-Case#2050-4 Lennox Street-Lewis-Special Permit
- 4) 1000 Suffield Street-Removal Performance Bond-Cellco dba Verizon Wireless
- 5) 580 Main Street-Removal Performance Bond-Diamond COmmunications LLC/Verizon Wireless
- 6) Approval of MInutes-June 22, 2026 & July 14, 2026
- 7) Any other matter that may legally come before ZBA

**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 3rd DAY OF August, 2026.

PER ORDER OF THE AGAWAM CITY COUNCIL



Anthony J. Russo, President

APPROVED AS TO FORM AND LEGALITY



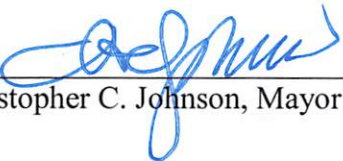
Christopher S. Cappucci, Solicitor

MAYORAL ACTION

Signed by Council President this 3rd day of August, 2026 and received this 4th day of August, 2026 from Council Clerk.

APPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby approve the passage of TOR-2026-3 on this 4th day of August, 2026.



Christopher C. Johnson, Mayor

DISAPPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby veto the passage of the above legislation on this _____ day of _____, 20__ for the following reason(s):

Christopher C. Johnson, Mayor

RETURN OF LEGISLATION TO COUNCIL CLERK

Returned to Council Clerk on August 4, 2026.



Move The Coop 15' away from fence. V.S

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^Y 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.

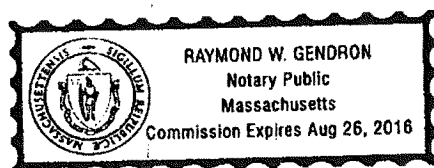
WITNESS my hand and seal this 11 day of June, 2015.

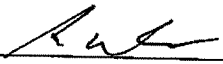

TIMOTHY J. ZAMBELLI, Personal Representative
of the Estate of Nancy Ann Zambelli aka Nancy A.
Zambelli

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

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



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 Marlboro 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 Marlboro dr Street; 200+ 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 <u>32 Marlene dr</u>					b. Zoning District <u>Ag</u>					
c. Assessor's Map <u>C17</u>					d. Lot(s) <u>1-26</u>					
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 <u>Vadim Solokhin</u>					b. Applicant Phone					
c. Applicant Email <u>svadimirina@yahoo.com</u>										
d. Applicant Mailing Address <u>32 Marlene dr 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>11</u>										
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				-FOR BUILDING DEPT. REVIEW- REQUIRED / NCU	
	☐ No changes to building, site or lot									
a. Lot Size	<u>.60 (26,136)</u> SF				SF				LOT SIZE	☐
b. Frontage	<u>123</u> FT				FT				FRONTAGE	☐
c. Front Lot Line	FT				FT				FRONT SB	☐
d. Side Lot Line (Left/Right)	L: FT <u>241</u>	R: <u>238</u> FT	L: FT	R: FT	L: FT	R: FT	SIDE SB	☐		
e. Rear Lot Line	<u>101</u> 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	☐

(413) 579-1379

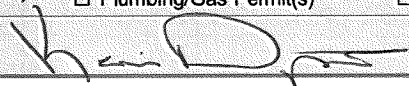
p. Current Use of Property	Single family dwelling
q. Proposed Use of Property	Same
r. Project Description	
12 Hens on property	
s. I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)	☒ Yes ☐ No
t. Work is proposed in 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 STORM DRAIN PERMIT : [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.

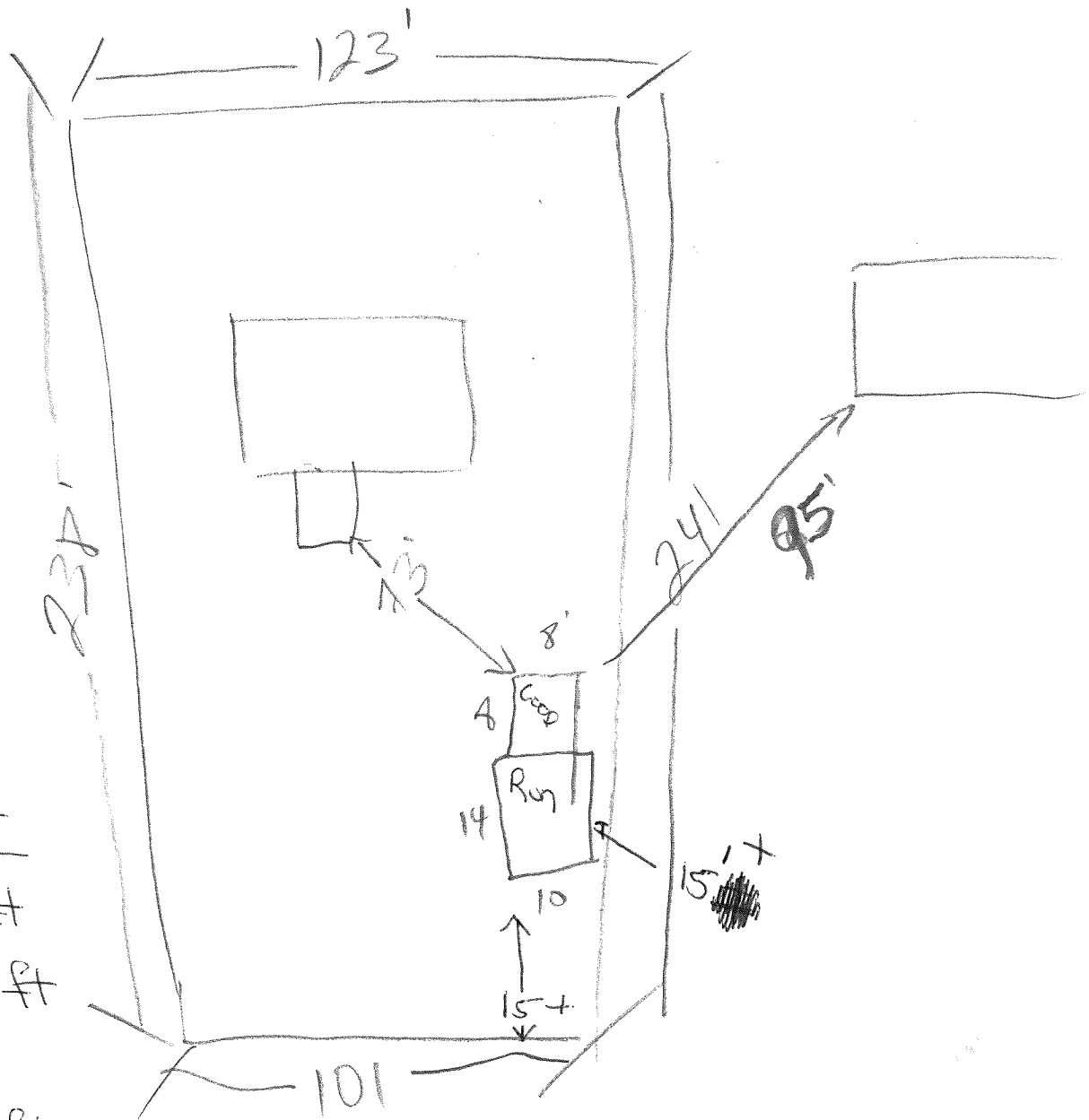
Signature		Date	02-09-2026
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☒ Applicant ☐ Applicant's Representative

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	☐ 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	2/12/2026

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

Lot - 26, 132 ~~Sgt~~ - 12 Hens
allowed



Coop- 36 sq ft

Run - 120 Sq ft

Proposed - 59 ft

Loop. 64 soft

Ron - 140 Sq ft



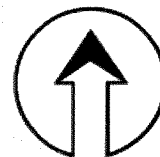
32 Marlene Dr.

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.



BUILDING INSPECTOR'S PLOT PLAN

PREPARED FOR

JAMES LEWIS

4 LENOX STREET, FEEDING HILLS, MASS.

JUNE 23, 2026 1" = 30' JOB NO.: 2026-029

DEED REFERENCE

BOOK 22245 PAGE 265

PLAN BOOK D PAGE 40

7,435 SF±

TOWN OF
AGAWAM

ST. DAVID'S EPISCOPAL
CHURCH
BOOK 8203 PAGE 374

LENOX STREET

FENTON ST

JAMES M. LEWIS
LISA M. LEWIS
BOOK 22075 PAGE 75
PLAN BOOK D PAGE 70

#4 LENOX ST
DWELLING

2ND FLOOR
ADDITION

PAVERS

GARAGE

EASEMENT AREA
BK 25503 PG 497

SHED

LEGEND

- △ UNMONUMENTED POINT
- ⊙ IRON PIPE FOUND
- x— CHAIN LINK FENCE
- WOOD FENCE
- VINYL FENCE
- 42.18'(E) EASEMENT DIMENSION

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS

I, **Nathan Hall**, of 45 Family Lane, Agawam, Massachusetts, *MARRIED*

In consideration of One Hundred and Eighty Five Thousand and 00/100 (\$185,000.00) Dollars paid grant to **James Lewis**, of 68 Alhambra Circle N, Agawam, MA 01001, individually

With **QUITCLAIM COVENANTS**

the land in Agawam, Hampden County, Massachusetts, with the buildings thereon, known and designated as Lots numbered sixty-seven (67), sixty-eight (68) and sixty-nine (69) as shown on a Plan of Lots recorded in Hampden County Registry of Deeds, Book of Plans D, Page 70. Said lots are more particularly bounded and described in one parcel as follows:

PLEASE SEE ATTACHED EXHIBIT "A," WHICH IS MADE PART HEREOF AND INCORPORATED HEREIN BY REFERENCE, FOR A DESCRIPTION TO THE PREMISES LOCATED AT 4 LENOX ST, FEEDING HILLS, HAMPDEN COUNTY, MASSACHUSETTS, 01030.

Being the same premises conveyed to Grantor herein by Deed of Rick E. Pfeffer and Kathleen L. Pfeffer, dated January 21st, 2003 and recorded January 27th, 2003 with the Hampden County Registry of Deeds Book 12894 Page 513.

The above Grantors hereby release any possible homestead rights held in the above-described premises and state under the pains and penalties of perjury that the said premises is not their primary residence and that there are no persons entitled to the protection of the Homestead Act through them.

*Sarah J. Hall joins this in order to
EXTINGUISH her homestead rights*

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 06-29-2018 @ 02:51pm
Ct1#: 631 Doc#: 37240
Fee: \$843.60 Cons: \$185,000.00

4 Lenox Street, Feeding Hills, MA 01030

WITNESS my hand and seal this 27th day of June, 2018

Adilson Alves Pereira
Witness

Nathan L. Hall
Nathan L. Hall

Adilson Alves Pereira
Witness

Sarah J. Hall
Spouse - Sarah J. Hall

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

June 27, 2018

On 27th day of June, 2018, before me, the undersigned notary public, personally appeared Nathan L. Hall, and Sarah J. Hall the above-named and proved to me through satisfactory evidence of identification being MA DL , to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

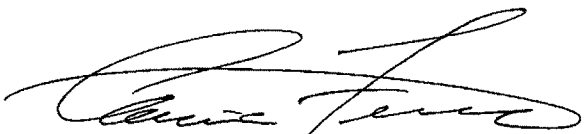

 Carmina Fernandes, Esq., Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires: July 30, 2021

EXHIBIT "A"

Northeasterly	by Lenox Street as shown on said Plan, seventy-five and 19/100 (75.19) feet;
Southeasterly	by Lot numbered seventy (70) on said plan, ninety-seven and 75/100 (97.75) feet;
Southwesterly	by land now or formerly of one Duclos seventy-five and 19/100 (75.19) feet; and
Northwesterly	by School House Lot one hundred (100) feet.

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 #: 2050
Filed: _____
Hearing: _____
Expires: _____

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

Applicant James Lewis

Address 4 Lenox St., Feeding Hills, MA 01030

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

Premises affected are situated on 4 Lenox Street; _____ feet distant from the corner of _____ Street and known as street number _____.
Property is zoned as agricultural.

Reason(s) for request of Special Permit:

Addition on a nonconforming garage structure.

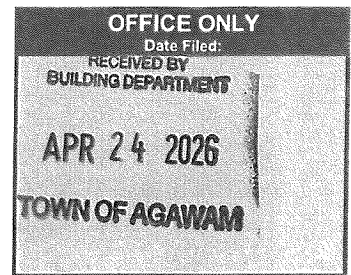
Signature of owner or his authorized agent: J. Lewis neautogroupinc@gmail.com

Telephone #: 413-244-9806

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



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



Application for Zoning Determination

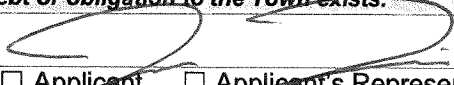
FILING INSTRUCTIONS: Deliver this form (no fee required) to Inspection Services.

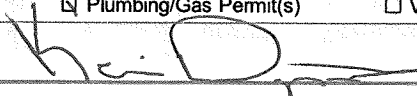
For digital submissions, please confirm receipt. A complete application will be processed within 30 days.

The applicant must pick-up, or arrange for the receipt of, this processed form.

1) PROPERTY INFORMATION																													
a. Street Address					4 Lenox St					b. Zoning District					AG														
c. Assessor's Map					H12 4-2					d. Lot(s)																			
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										James Lewis										b. Applicant Phone					413-244-9806				
c. Applicant Email										neautogroupinc@gmail.com																			
d. Applicant Mailing Address										4 Lenox St																			
e. Applicant Relationship to Property										☒ Owner ☐ Agent ☐ 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																													
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						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				☐ Town Water ☐ Town Sewer				NON-CONFORMING USE ☐															

p. Current Use of Property		Single Family dwelling
q. Proposed Use of Property		Same
r. Project Description		
Requested special permit for addition		
s. I have attached additional narrative, plans or supporting materials (any oversized 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 STORM DRAIN PERMIT : [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
 ☒ Applicant ☐ Applicant's Representative	4/24/26

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
180-7-B-2-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	4/24/2026

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

BUILDING INSPECTOR'S PLOT PLAN

PREPARED FOR

JAMES LEWIS

4 LENOX STREET, FEEDING HILLS, MASS.
JUNE 23, 2026 1" = 30' JOB NO.: 2026-029

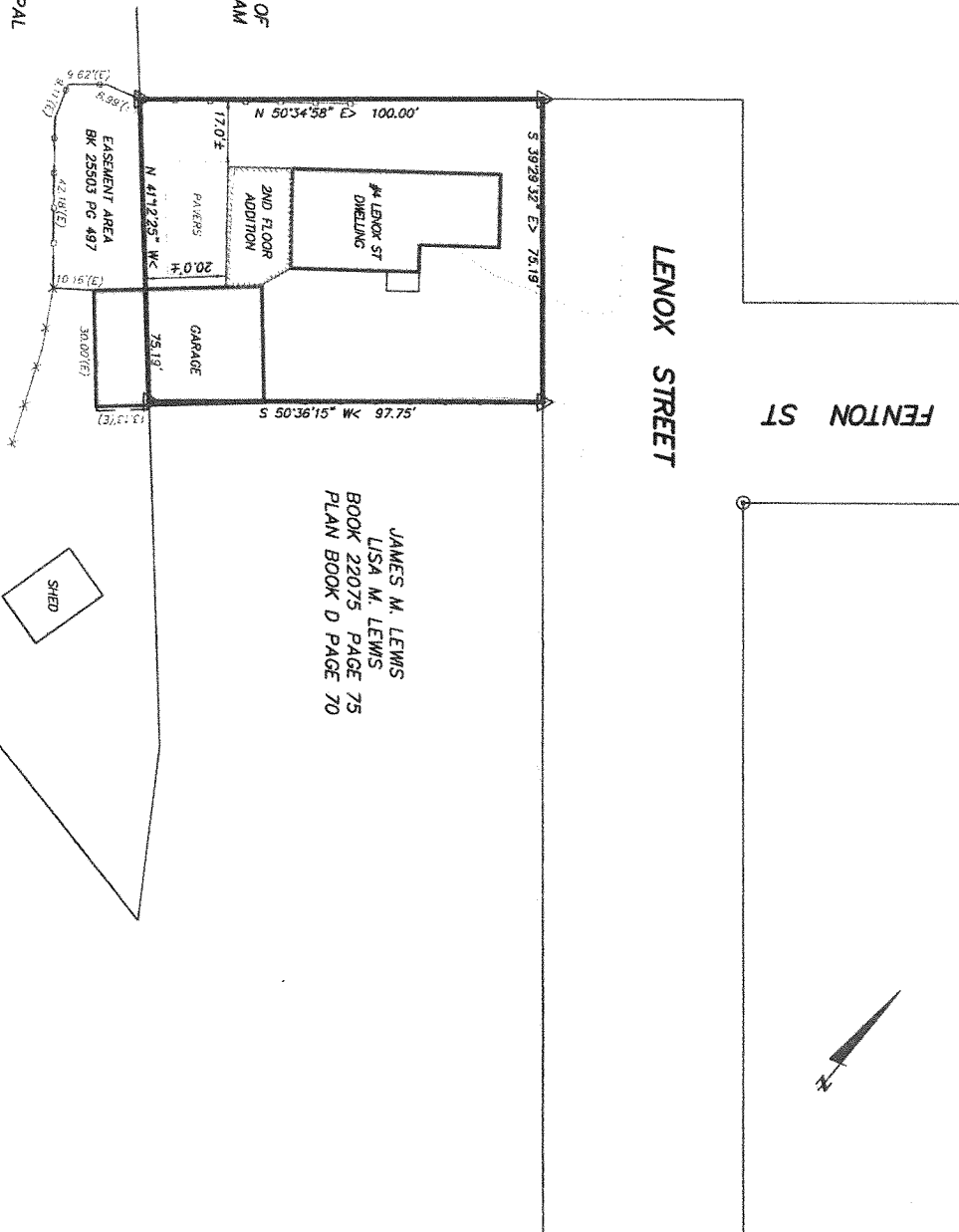
DEED REFERENCE

BOOK 22245 PAGE 265
PLAN BOOK D PAGE 40

7,435 SFT

ST. DAVID'S EPISCOPAL
CHURCH

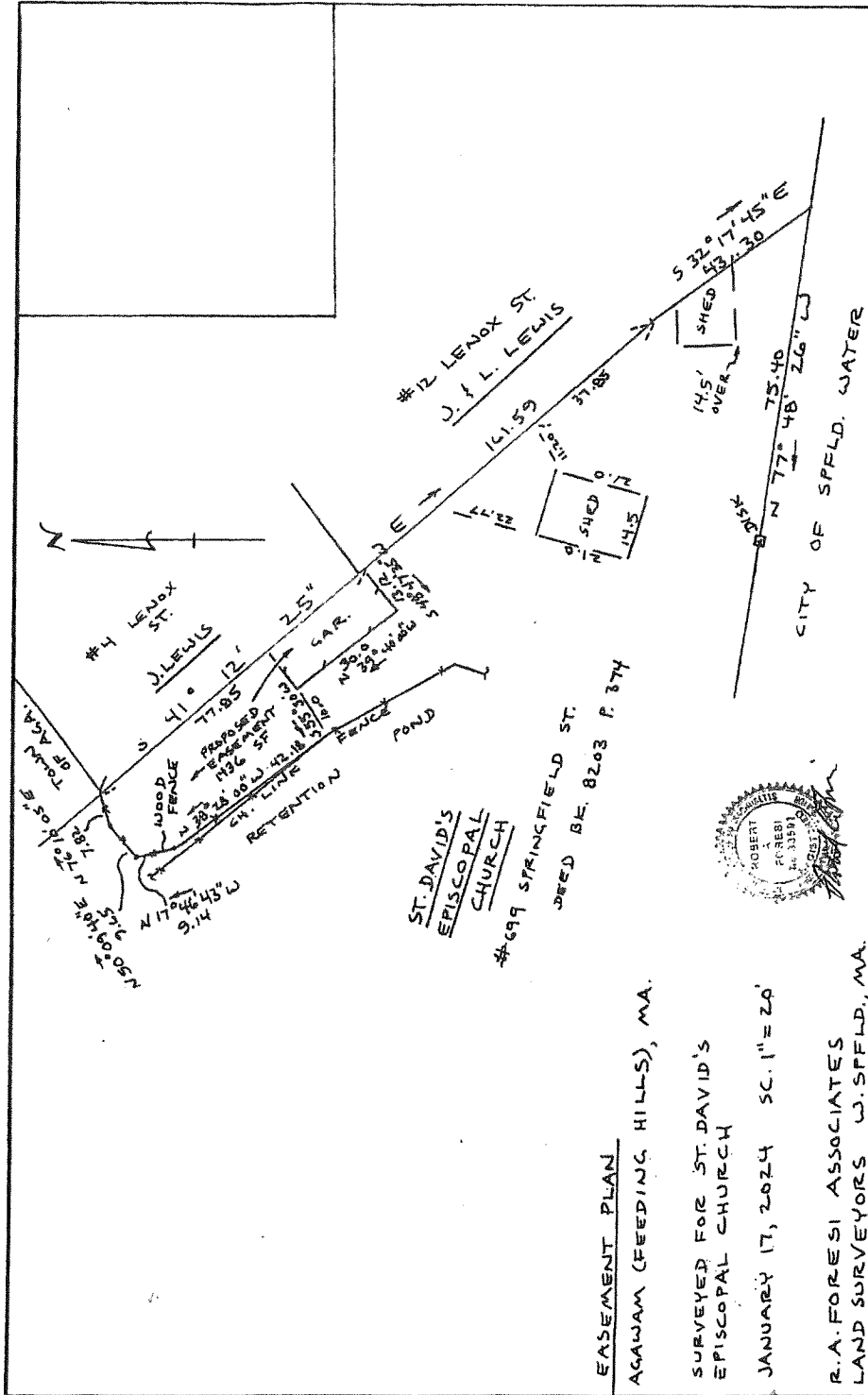
BOOK 8203 PAGE 374



- LEGEND**
- ▲ UNMONUMENTED POINT
 - IRON PIPE FOUND
 - x— CHAIN LINK FENCE
 - o— WOOD FENCE
 - o— VINYL FENCE
 - o— EASEMENT DIMENSION

PREPARED BY: HOLMBERG & HOWE, INC. 87 UNION STREET EASTHAMPTON, MASS.

Exhibit "A"



07-23-2024 @ 02:41p

MASSACHUSETTS STATE EXCISE TAX
 HAMPDEN COUNTY REGISTRY OF DEEDS
 Date: 07-23-2024 @ 02:41pm
 Ctl#: 162 Doc#: 32884
 Fee: \$.00 Cons: \$1.00

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS that St. David's Episcopal Church, a Church with a usual place of business at 699 Springfield Street, Agawam, (Feeding Hills), Massachusetts 01001 in consideration of ONE DOLLAR (\$1.00) and the covenants contained herein paid by James Lewis of 4 Lenox Street, Agawam, Massachusetts hereby grants to James Lewis his heirs, successors and assigns the following easement over a portion of the land of the Grantor known as 699 Springfield Street, Agawam, (Feeding Hills), Massachusetts as described in a deed recorded in the Hampden County Registry of Deeds in Book 8203 Page 374 for the benefit of and to run with the land known as 4 Lenox Street, Agawam, Massachusetts as described in a deed recorded as aforesaid in Book 22245 Page 265.

The easement granted herein is for the purpose of granting the right to maintain the existing garage and wooden fence encroachment and area between the garage and wooden fence at 4 Lenox Street onto the land of 699 Springfield Street both in Agawam, Massachusetts as shown on a plan entitled "Easement Plan, Agawam (Feeding Hills), MA Surveyed for St. David's Episcopal Church January 17, 2024 SC. 1" = 20', R. A. Foresi Associates Land Surveyors W. SPFLD., MA." which plan is attached hereto as Exhibit "A".

Said easement is located as shown on the above-referenced plan and is described as follows: The land in Agawam, Hampden County, Massachusetts bounded and described as follows: Beginning at the Northwest corner of land of the Grantee on the Northeasterly line of land of the Grantor and the Southwesterly corner of land of the Town of Agawam as shown on said plan and running; thence S 76° 10' 05" W along remaining land of Grantor seven and 82/100 (7.82) feet to a point; thence continuing on land of the Grantor S 50° 09' 40" W nine and 65/100 (9.65) feet to a point; thence turning and running along Grantor's land S 17° 46' 43" E nine and 14/100 (9.14) feet to a point; thence continuing along Grantor's land S 38° 28' 00" W forty-two and 18/100 (42.18) feet to a point, said courses running along a wooden fence of Grantee currently existing; thence turning and running on Grantor's land N 55° 30' W ten (10) feet to a point at the Northwesterly corner of Grantee's garage; thence running on land of Grantor S 39° 40' 00" E thirty (30) feet to the Southwesterly corner of Grantee's garage; thence turning and running N 48° 47' 35" E thirteen and 12/100 (13.12) feet to land of Grantee; thence running along land of the Grantee as shown on said plan N 41° 12' 25" W seventy-seven and 85/100 (77.85) feet to the point of beginning. Containing 1, 436 square feet of space.

The easement shall allow the Grantee and his heirs, successors and assigns the right to use and maintain the existing garage and fence and area between the fence and the garage encroachment as shown on said plan and to access such encroaching area and building and structure to maintain, repair or replace the existing building, yard area and fence as it currently stands from 4 Lenox Street only. However, the Grantee, his successors and assigns may not expand the encroaching building further into Grantor's land or relocate the fence.

The Grantee and his heirs, successors and assigns will be responsible to pay any real estate property taxes assessed by the City of Agawam to the Grantor its successors and assigns for the portion of Grantee's building and fence which encroaches upon Grantor's land and be responsible to maintain the garage and fence that encroaches onto Grantor's land in compliance with all laws and regulations and in good order and repair at all times and carry casualty insurance on the Grantee's improvements including the fence and garage.

The Grantee his heirs and assigns will hold Grantor its successors and assigns harmless for any injuries, damages to persons or property in connection with the encroaching structure and the use, maintenance, repair or replacement of such garage and fence on area between the garage and fence except for any gross negligence or intentional acts of the Grantor its successors and assigns and Grantee's successors and assigns will maintain a comprehensive general liability policy for \$1,000,000.00 single occurrence \$2,000,000.00 aggregate occurrences naming Grantor as additional insured on said policy while this easement is in place which comprehensive liability policy may be part of a general homeowners insurance policy covering casualty and damages to persons or property as the result of the use, maintenance, repair or replacement of the encroaching garage, fence or use of easement area on Grantor's land. Grantee will provide Grantor with an annual insurance certificate evidencing the above coverages.

The Grantee agrees to provide written notice to Grantor any time that Grantee is going to enter onto the easement area for maintenance, repair, improvement or replacement of garage or fence at least 48 hours before such entry stating the nature of the entry and estimated time frame for such entry; however, this shall not apply to entries to address emergencies with respect to the garage in which case the Grantee will use its best efforts to give notice to Grantor as soon as practicable after the onset of the emergency.

The Grantee hereby waives any claims for adverse possession or prescriptive easement over Grantor's land for the portion of the garage, fence and area from the Northerly side of the garage extended Westerly to the wooden fence and enclosed by the wood fence at 4 Lenox Street which encroaches onto 699 Springfield Street and accepts the terms of this Agreement.

Executed as a sealed instrument this 19th day of March, 2024.

Grantor:
St. David's Episcopal Church

Mary J. Moore
Witness

By Mary J. Moore
Mary Moore, its Vesting Clerk, duly authorized

Grantee:

Mary J. Moore
Witness

James Lewis

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

On this 19th day of March, 2024, before me, the undersigned notary public, personally appeared before me Mary Moore, Vesting Clerk, ST. DAVID'S EPISCOPAL CHURCH, proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, specifically _____, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned to be the person whose name is signed on this document and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the aforesaid St. David's Episcopal Church.



MARK J. BEGLANE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
September 21, 2028

Mark J. Beglane
_____, Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

On this 19th day of March, 2024, before me, the undersigned notary public, personally appeared before me James Lewis, proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, specifically _____, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned to be the person whose name is signed on this document and acknowledged to me that he signed it voluntarily for its stated purpose.

Mark J. Beglane
_____, Notary Public
My Commission Expires:



MARK J. BEGLANE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
September 21, 2028



SHATZ, SCHWARTZ AND FENTIN
COUNSELLORS AT LAW

September 18, 2024

Zoning Board of Appeals
Agawam Town Hall
36 Main Street
Agawam, MA 01001
ATTN: Doreen Prouty, Chairperson

Re: Notice of Recording – ZBA Notice of Variance/Special Permit
Case #2019
1000 Suffield Street, Agawam, MA

Dear Doreen:

Enclosed please find notice of recording of the above-referenced ZBA Decision on Special Permit, along with proof of recording. A copy of the recorded Decision is also enclosed for your file.

Thank you.

Sincerely,

Cynthia R. Stefaniak
Paralegal

/crs
Enclosure

cc: Town of Agawam
Inspector of Buildings

Springfield Office:
1441 Main Street, Suite 1100
Springfield, MA 01103
Tel: 413-737-1131

Northampton Office:
64 Gothic Street
Northampton, MA 01060
Tel: 413-584-1600

Albany Office:
6 Automation Lane
Albany, NY 12205
Tel: 800-737-4178

ssfpc.com

The Commonwealth of Massachusetts
Agawam
Zoning Board of Appeals
August 12, 2024

NOTICE OF VARIANCE/SPECIAL PERMIT
Conditional or Limited Variance or Special Permit
(General Laws Chapter 40a, Section 18 as amended)

Notice is hereby given that a Special Permit has been granted to:

Owner or Petitioner: **Cellco Partnership dba Verizon Wireless**

Address: **1000 Suffield Street**

City or Town: **Agawam, MA 01001**

Identify Land Affected

by the City / Town of Agawam Board of Appeals affecting the rights of the owner with respect to the use of
premises on: **1000 Suffield Street** **Agawam**

Street **City or Town**
the record title standing in the name of: **Town of Agawam** **Agawam**

whose address is: **36 Main Street** **Agawam** **MA** **01001**

Street **City or Town** **State** **Zip Code**

by a deed duly recorded in the Hampden County Registry of Deeds Land court document #152,230 certificate 31182

The decision of said Board is on file with the papers in Decision or Case #2019

in the office of the City / Town Clerk of Agawam. Signed this 12th day of August, 2024.

ZONING BOARD OF APPEALS:

Dwight A. Prouty Chairperson
[Signature] Clerk

NOTICE TO BE RECORDED BY LAND OWNER

Cynthia Stefaniak-Starzyk

From: noreply@cscglobal.com
Sent: Thursday, September 12, 2024 11:56 AM
To: Cynthia Stefaniak-Starzyk
Subject: CSC ePrepare Notification - Package VER005-190044 has recorded in Hampden County, MA

Hello,

Package: **VER005-190044** has returned with the following document(s).

Recorded Date: 9/12/2024 11:47:00 AM

Jurisdiction: Hampden County, MA

Document Name: *Order of Conditions*

Status: *Recorded*

Recordation Fee: \$105.00

Entry Number: 237633

Document Name: *ZBA Decision*

Status: *Recorded*

Recordation Fee: \$105.00

Entry Number: 237634

Thank you!

CSC®
eRecording.com
cscglobal.com



We are the business behind business



Town of Agawam Zoning Board of Appeals

36 Main Street, Agawam, Massachusetts 01001-1801

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

Petition of: Cellco Partnership dba Verizon Wireless

Premises Affected: 1000 Suffield Street

Date: August 12, 2024

Case #: 2019

DECISION

The Agawam Zoning Board of Appeals conducted a public hearing on July 8, 2024 along with a public hearing followed by a public meeting on August 12, 2024 for all parties interested in the request of Cellco Partnership, d/b/a/ Verizon Wireless, which is seeking a Special Permit in accordance with the Town of Agawam's Zoning Ordinances, Ch. 180, Article XIV, Sections 90-103 to allow for the installation of a wireless communication facility at the premises identified as 1000 Suffield Street.

After the public hearings, along with on-site inspections, and a thorough review of the facts presented, the Agawam Board of Appeals made the following findings:

1. The subject property is located in an area of Town zoned Industrial B and is also located within the Town's designated Wireless Telecommunications Overlay District.
2. The Town of Agawam is the owner of the subject property and has entered into a lease agreement with the petitioner dated June, 2024.
3. The petitioner wishes to install a personal wireless service facility which will consist of a 160' monopole located inside a 50'x 50' equipment compound.
4. During its Site Plan review process, the Agawam Planning Board voted to approve the Site Plan on July 18, 2024.
5. The Agawam Conservation Commission approved and issued an Order of Conditions on April 25, 2024.
6. An independent consultant, Mr. Michael Lawton, WCP, of Isotrope, LLC, was hired by this Board for a critical review of the information provided by Verizon with this application. Mr. Lawton's submittals to this Board are dated July 9, 2024 and August 2, 2024.
7. Mr. Lawton's initial report of July 9th to this Board states the initial information provided has mostly satisfied (with some exceptions) the requirements, as stated under Chapter 180, Sections 96 through 99. Mr. Lawton pointed out the issues that still need to be addressed by Verizon.
8. A response from Att. Michael Fenton, representing Verizon Wireless, dated July 18th, 2024 addressing the issues raised by Mr. Lawton was submitted to this Board and to Isotrope, LLC.

02

9. Mr. Lawton's response of the July 18, 2024 memo from Verizon Wireless to this Board was dated August 2, 2024.
10. Mr. Lawton was present at the August 12, 2024 hearing and stated he is satisfied Verizon has met all requirements as stated under Agawam's Zoning Ordinances, Ch. 180, Article XIV.
11. The proposed personal wireless service facility is located within the Town of Agawam's wireless Telecommunications Overlay District.
12. The use of existing towers/facility sites, either with or without the use of repeaters, has been shown insufficient to provide adequate capacity needed to the Town of Agawam.
13. No evidence was submitted showing that the proposed use, as developed, will have any undue adverse impacts on historic resources, natural or man-made resources, scenic views or residential property values.
14. The petitioner has agreed to implement all reasonable measures to mitigate the potential adverse impacts of the tower and facility.
15. The proposed facility complies with FCC 96-326 and all other applicable FCC regulations regarding emissions of electromagnetic radiation. A monitoring program will be installed and paid for by the petitioner.
16. The proposed facility, located within the Town's WTOD, is an appropriate location for this use.
17. Installation of this facility will not create a nuisance or potential hazard to vehicle or pedestrian safety.
18. Compliance with regulations imposed by multiple agencies, including local, state and federal, will help ensure that adequate and appropriate facilities and controls will be provided for the proper and safe operation of this proposed use.
19. The proposed facility is not considered so objectionable or obnoxious that the proposed use would be against the public interest or detrimental or injurious to the character of the neighborhood.

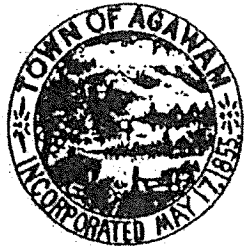
Based on its findings, the Board is of the opinion that this request for a special permit has met all requirements set forth under the Town of Agawam's Zoning Ordinances, Article XIV, Chapter 180, Sections 90 through 103.

Therefore, by a unanimous vote of its three members, the Agawam Zoning Board of Appeals grants a Special Permit to construct a personal wireless service facility located at 1000 Suffield Street subject to the following conditions:

1. The proposed facility shall be constructed according to the plans submitted July 12, 2023 entitled "Cellco Partnership, d/b/a/Verizon Wireless, Agawam Southwest MA" drawn by Chappell Engineering Ass., R.K. Executive Centre, 201 Boston Post Rd. West, Suite 101, Marlborough, MA and signed by the members of this Board.
2. Only trees necessary for the construction of this facility are to be removed. At no time, shall the vegetated buffer strip be less than 20 feet.

3. The petitioner shall post a "Removal Performance Guaranty" in the form of a bond as required under Ch. 180-100 (B). Such bond shall be agreed upon between the petitioner and this Board before the issuance of a building permit. All costs necessary to obtain estimates for any removal/demolition shall be borne by the petitioner. An updated "Removal Performance Guaranty" shall be submitted to this Board every five (5) years with a cost affidavit to support any change.
4. The petitioner shall provide a certificate of insurance, with the Town of Agawam as an additionally named insured, to the Inspector of Buildings prior to the issuance of building permit and on an annual basis to the Agawam Planning Board as required under Section 180-101.
5. This proposed facility shall be removed if said facility ceases to operate for a period of one (1) year.
6. The petitioner shall immediately notify the Town of Agawam if its license/permit from the FCC is revoked or suspended.
7. There will be no lighting of the monopole unless required by the Federal Aviation Administration.
8. The uppermost ten (10) feet on the monopole is to be reserved for the Town of Agawam's use, as well as the section between 80' through 90'. If such equipment to be utilized by the Town is available at the time of construction, the petitioner shall install such equipment without charge to the Town.
9. The petitioner shall file with the Hampden County Registry of Deeds a "Notice of Special Permit". This form (which shall be provided by this Board) and proof of said filing must be submitted to this Board and to the Inspector of Buildings before the issuance of a building permit.
10. This Special Permit shall become null and void if construction does not commence within three (3) years from the date of this decision.

This decision is subject to appeal in accordance with M.G.L. Ch. 40A, Section 17 within twenty (20) days following the filing thereof with the Agawam Town Clerk.



Town of Agawam
Zoning Board of Appeals
36 Main Street Agawam, Massachusetts 01001-1801
Tel. 413-786-0400 Fax 413-786-9927

Signatory Page of Decision

Case #: 2019

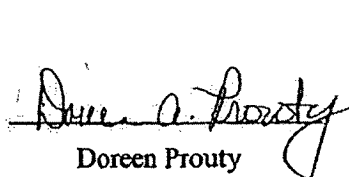
Date: August 12, 2024

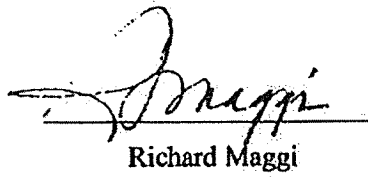
Applicant: Cellco Partnership dba Verizon Wireless

Address: 1000 Suffield Street

By a unanimous vote of its three members, the Zoning Board of Appeals hereby approves the petitioner a Special Permit.

The conclusion and findings are set forth in the attached written decision.


Doreen Prouty
Chair


Richard Maggi
Vice Chair


Gary Geiger
Clerk

Aldo Mancini Jr. (Alternate)

Vincenzo Ronghi (Alternate)



The Commonwealth of Massachusetts

Agawam

Zoning Board of Appeals

August 12, 2024

NOTICE OF VARIANCE/SPECIAL PERMIT

Conditional or Limited Variance or Special Permit

(General Laws Chapter 40a, Section 18 as amended)

Notice is hereby given that a Special Permit has been granted to:

Owner or Petitioner: **Cellco Partnership dba Verizon Wireless**

Address: **1000 Suffield Street**

City or Town: **Agawam, MA 01001**

Identify Land Affected

by the City / Town of Agawam Board of Appeals affecting the rights of the owner with respect to the use of

premises on: **1000 Suffield Street** **Agawam**

Street **City or Town**

the record title standing in the name of: **Town of Agawam** **Agawam**

whose address is: **36 Main Street** **Agawam** **MA** **01001**

Street **City or Town** **State** **Zip Code**

by a deed duly recorded in the Hampden County Registry of Deeds Land court document #152,230 certificate 31182

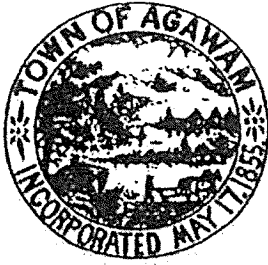
The decision of said Board is on file with the papers in Decision or Case #2019

in the office of the City / Town Clerk of Agawam. Signed this 12th day of August, 2024.

ZONING BOARD OF APPEALS:

Dwight P. Prouty Chairperson
[Signature] Clerk

NOTICE TO BE RECORDED BY LAND OWNER



Town of Agawam

Clerk's Office

36 Main St, Agawam, Massachusetts 01001-1837

Tel. 413-786-0400 x 8215, Fax 413-786-9927

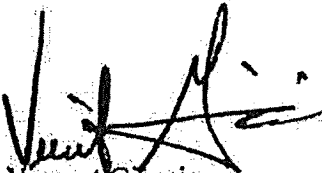
Email: clerk@agawam.ma.us

September 3, 2021

To Whom it May Concern;

Please be advised that according to records kept in the Town Clerk's Office,
no appeal has been received in the twenty (20) day appeal period for a special permit
for Cellco Partnership dba Verizon Wireless. The premises affected is at 1000 Suffield St.,*Case
#2019 and filed on August 12, 2024. Thank you.

*Agawam, MA 01001


Vincent Girosia,
Town Clerk



Town of Agawam
Zoning Board of Appeals
36 Main Street, Agawam, Massachusetts 01001-1801
Tel. 413-786-0400 Fax 413-786-9927

Petition of: Cellco Partnership dba Verizon Wireless

Premises Affected: 1000 Suffield Street

Date: August 12, 2024

Case #: 2019

DECISION

The Agawam Zoning Board of Appeals conducted a public hearing on July 8, 2024 along with a public hearing followed by a public meeting on August 12, 2024 for all parties interested in the request of Cellco Partnership, d/b/a/ Verizon Wireless, which is seeking a Special Permit in accordance with the Town of Agawam's Zoning Ordinances, Ch. 180, Article XIV, Sections 90-103 to allow for the installation of a wireless communication facility at the premises identified as 1000 Suffield Street.

After the public hearings, along with on-site inspections, and a thorough review of the facts presented, the Agawam Board of Appeals made the following findings:

1. The subject property is located in an area of Town zoned Industrial B and is also located within the Town's designated Wireless Telecommunications Overlay District.
2. The Town of Agawam is the owner of the subject property and has entered into a lease agreement with the petitioner dated June, 2024.
3. The petitioner wishes to install a personal wireless service facility which will consist of a 160' monopole located inside a 50'x 50' equipment compound.
4. During its Site Plan review process, the Agawam Planning Board voted to approve the Site Plan on July 18, 2024.
5. The Agawam Conservation Commission approved and issued an Order of Conditions on April 25, 2024.
6. An independent consultant, Mr. Michael Lawton, WCP, of Isotrope, LLC, was hired by this Board for a critical review of the information provided by Verizon with this application. Mr. Lawton's submittals to this Board are dated July 9, 2024 and August 2, 2024.
7. Mr. Lawson's initial report of July 9th to this Board states the initial information provided has mostly satisfied (with some exceptions) the requirements, as stated under Chapter 180, Sections 96 through 99. Mr. Lawton pointed out the issues that still need to be addressed by Verizon.
8. A response from Att. Michael Fenton, representing Verizon Wireless, dated July 18th, 2024 addressing the issues raised by Mr. Lawton was submitted to this Board and to Isotrope, LLC.

3. The petitioner shall post a "Removal Performance Guaranty" in the form of a bond as required under Ch. 180-100 (B). Such bond shall be agreed upon between the petitioner and this Board before the issuance of a building permit. All costs necessary to obtain estimates for any removal/demolition shall be borne by the petitioner. An updated "Removal Performance Guaranty" shall be submitted to this Board every five (5) years with a cost affidavit to support any change.
4. The petitioner shall provide a certificate of insurance, with the Town of Agawam as an additionally named insured, to the Inspector of Buildings prior to the issuance of building permit and on an annual basis to the Agawam Planning Board as required under Section 180-101.
5. This proposed facility shall be removed if said facility ceases to operate for a period of one (1) year.
6. The petitioner shall immediately notify the Town of Agawam if its license/permit from the FCC is revoked or suspended.
7. There will be no lighting of the monopole unless required by the Federal Aviation Administration.
8. The uppermost ten (10) feet on the monopole is to be reserved for the Town of Agawam's use, as well as the section between 80' through 90'. If such equipment to be utilized by the Town is available at the time of construction, the petitioner shall install such equipment without charge to the Town.
9. The petitioner shall file with the Hampden County Registry of Deeds a "Notice of Special Permit". This form (which shall be provided by this Board) and proof of said filing must be submitted to this Board and to the Inspector of Buildings before the issuance of a building permit.
10. This Special Permit shall become null and void if construction does not commence within three (3) years from the date of this decision.

This decision is subject to appeal in accordance with M.G.L. Ch. 40A, Section 17 within twenty (20) days following the filing thereof with the Agawam Town Clerk.



Town of Agawam

Zoning Board of Appeals

36 Main Street Agawam, Massachusetts 01001-1801
Tel. 413-786-0400 Fax 413-786-9927

Signatory Page of Decision

Case #: 2019

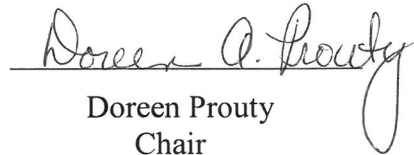
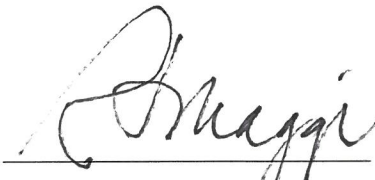
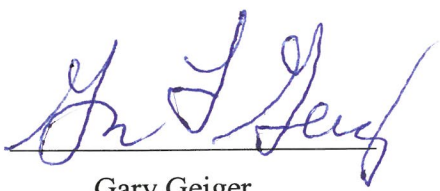
Date: August 12, 2024

Applicant: Cellco Partnership dba Verizon Wireless

Address: 1000 Suffield Street

By a unanimous vote of its three members, the Zoning Board of Appeals hereby approves the petitioner a Special Permit.

The conclusion and findings are set forth in the attached written decision.

		
Doreen Prouty Chair	Richard Maggi Vice Chair	Gary Geiger Clerk

Aldo Mancini Jr. (Alternate)

Vincenzo Ronghi (Alternate)

The Commonwealth of Massachusetts
Agawam
Zoning Board of Appeals
August 12, 2024

NOTICE OF VARIANCE/SPECIAL PERMIT
Conditional or Limited Variance or Special Permit
(General Laws Chapter 40a, Section 18 as amended)

Notice is hereby given that a Special Permit has been granted to:

Owner or Petitioner: **Cellco Partnership dba Verizon Wireless**

Address: **1000 Suffield Street**

City or Town: **Agawam, MA 01001**

Identify Land Affected

by the City / Town of Agawam Board of Appeals affecting the rights of the owner with respect to the use of
premises on: **1000 Suffield Street** **Agawam**

Street City or Town
the record title standing in the name of: **Town of Agawam** **Agawam**

whose address is: **36 Main Street**

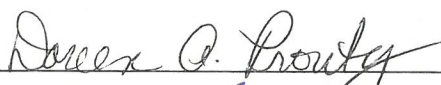
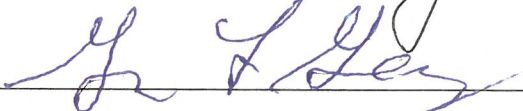
Street City or Town State Zip Code

by a deed duly recorded in the **Hampden** County Registry of Deeds Land court document #**152,230 certificate 31182**

The decision of said Board is on file with the papers in Decision or Case **#2019**

in the office of the City / Town Clerk of Agawam. **Signed this 12th day of August, 2024.**

ZONING BOARD OF APPEALS:

 Chairperson
 Clerk

NOTICE TO BE RECORDED BY LAND OWNER

August 10, 2026

Town of Agawam, MA
36 Main Street
Agawam, MA 01001
Hampden County

Re: TowerCo
Site Name: Agawam SW (MA0085)
Address: 1000 Suffield Street
Agawam, MA 01001
Hampden County

To Whom it May Concern:

As requested, Colliers Engineering & Design has prepared the following removal cost estimate based upon the removal of a 2,500 S.F. fenced compound with a 160' monopole (165' to top of lightning rod), equipment cabinets and standby generator on a 12'-0"x20'-0" concrete pad, propane tank on 5'-0" x 17'-0" concrete pad, 8'-0" long utility frame, and all other equipment associated with the proposed compound at the address referenced above. Information utilized to prepare this estimate was taken from Revision 1 Construction Drawings prepared for TowerCo by Chappel Engineering Associates, LLC dated 10/24/2025.

	Item	Task	Amount	Unit	Unit Cost	Total
1	Mobilization		1.0	LS	\$6,000.00	\$6,000.00
2	Equipment Removal	<i>Concrete (utility frame and cable bridge foundations)</i>	4.0	EACH	\$40.00	\$160.00
		<i>Concrete Slab</i>	325.0	SF	\$10.00	\$3,250.00
		<i>Tower Including Coax and Antennas</i>	1.0	EACH	\$35,000.00	\$35,000.00
		<i>Equipment Cabinets & Generator</i>	1.0	EACH	\$10,000.00	\$10,000.00
		<i>Tower Foundation</i>	1.0	EACH	\$4,000.00	\$4,000.00
		<i>Propane Tank</i>	1.0	EACH	\$800	\$800.00
3	Fence/Gate Removal	<i>8' Chain-link Fence</i>	186.0	LF	\$8.00	\$1,488.00
		<i>Gate</i>	1.0	EACH	\$200.00	\$200.00
4	Site Removal	<i>Gravel Compound Surface</i>	1.0	LS	\$2,000.00	\$2,000.00
	Subtotal					\$62,898.00
	Contingency (20%)					\$12,579.60
	Total					\$75,477.60

If you have any questions or comments, or require additional information, please do not hesitate to contact me.

Very truly yours,

COLLIERS ENGINEERING & DESIGN

Stephanie Mulhern, P.E.

MA License #60584

Project Manager

R:\PROJ\Year\2026\26905000\26905004\Cost Removal Estimate\Rev 0\Word



Town of Agawam

Zoning Board of Appeals

36 Main Street, Agawam, Massachusetts 01001-1801

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

Petition of: Diamond Communications, LLC

Premises Affected: 580 Main Street

Date: January 12, 2026

Case #: 2034

DECISION

The Agawam Zoning Board of Appeals conducted several public hearings between October 2, 2025 through January 12, 2026 and concluded with a meeting on January 12, 2026 for all parties interested in the request of Diamond Communication, LLC and Verizon Wireless who are seeking a Special Permit in accordance with the Town of Agawam's Zoning Ordinances, Chapter 180, Sections 90-103 (Article XIV) to allow for the installation of a wireless telecommunications facility at the premises identified as 580 Main Street.

After the public hearings and a thorough review of the facts presented, the Agawam Board of Appeals made the following findings:

1. The subject property is located within a district zoned Agricultural and is also located within the Town's Wireless Telecommunications Overlay District.
2. The petitioners propose to construct a wireless telecommunications facility which includes a one hundred-fifteen foot (115') monopole tower located within a fifty by fifty (50' by 50') equipment compound surrounded by a six (6') foot tall wooden stockade fence.
3. Bethany Assembly of God is the owner of the subject property and has entered into a lease agreement with the petitioner.
4. A variance has been granted (Case #2035, dated 1/12/26) for the construction of the one hundred-fifteen foot (115') tall monopole to be located within the minimum setbacks as required under Ch. 180-97 (K) of the Town's Zoning Ordinance.
5. During its site plan review process, the Agawam Planning Board voted to approve the site plan on November 6, 2025.
6. An independent consultant, Michael Lawton, WCP, of Isotrope, LLC, was hired by this Board as a peer review expert to assist the Board with this application.
7. Multiple communications occurred between Mr. Lawton and the petitioners' technical staff to address the concerns raised by Mr. Lawton. Each concern was addressed to the satisfaction of Mr. Lawton. The final report to this Board from Mr. Lawton, dated January 9, 2026, states "the latest materials demonstrate conclusively that the proposed

site at Bethany Church is a technically superior site (for Verizon's network) to the SBA 'Mushy's' tower".

8. Several people spoke in opposition to this petition. The majority expressed concerns regarding possible negative health effects on children attending the day care facility which operates in the church located on the subject property. A concern about lightning strikes and another about the material used to simulate the appearance of pine tree branches attached to the monopole were also mentioned.
9. The use of existing towers/facility sites, either with or without the use of repeaters, has been shown insufficient to provide adequate capacity needed to the Town of Agawam.
10. No evidence was submitted showing that the proposed use, as developed, will have any undue adverse impacts on historic resources, natural or man-made resources, scenic views or residential property values.
11. The petitioner has agreed to implement all reasonable measures to mitigate the potential adverse impacts of the tower and facility.
12. The proposed facility complies with FCC 96-326 and all other applicable FCC regulations regarding emissions of electromagnetic radiation. A monitoring program will be installed and paid for by the petitioner.
13. The proposed facility, located within the Town's WTOD, is an appropriate location for this use.
14. Installation of this facility will not create a nuisance or potential hazard to vehicle or pedestrian safety.
15. Compliance with regulations imposed by multiple agencies, including local, state and federal, will help ensure that adequate and appropriate facilities and controls will be provided for the proper and safe operation of this proposed use.
16. The proposed facility is not considered so objectionable or obnoxious that the proposed use would be against the public interest or detrimental or injurious to the character of the neighborhood.

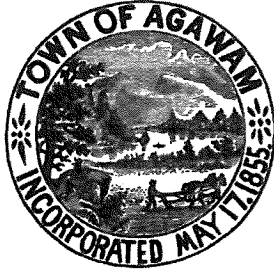
Based on its findings, the Board is of the opinion that this request for a special permit has met all requirements set forth under the Town of Agawam's Zoning Ordinances, Article XIV, Chapter 180, Sections 90 through 103.

Therefore, by a unanimous vote of its three members, the Agawam Zoning Board of Appeals grants a Special Permit to construct a personal wireless service facility located at 580 Main Street subject to the following conditions:

1. The wireless communications facility is to be relocated further onto the subject property from its northern property line to be a minimum of one-hundred fifteen (115') from the edge of the highway, Rt. 57.
2. The petitioners shall submit a revised plan showing the relocation of the facility, to be approved and signed by the members of this Board, before the issuance of a building permit.
3. The wooden stockade fence shall be six (6') feet in height.

4. A twenty (20') foot buffer strip will be maintained to the north and west side of the facility.
5. There is to be no simulated pine tree appearance on the monopole.
6. There will be no lighting of the monopole unless required by the Federal Aviation Administration.
7. There will be no night lighting of the service facility except for manually operated emergency lights for use only when operating personnel are on site.
8. No signs are allowed except for the following: a) a sign no greater than two square ft. an emergency telephone number shall be posted adjacent to the entry gate. No trespassing or other warning signs may be posted on the fence which must conform to the sign requirements of this chapter.
9. The petitioner shall post a "Removal Performance Guaranty" in the form of a bond as required under Ch. 180-100 (B). Such bond shall be agreed upon between the petitioner and this Board before the issuance of a building permit. All costs necessary to obtain estimates for any removal/demolition shall be borne by the petitioner. An updated "Removal Performance Guaranty" shall be submitted to this Board every five (5) years with a cost affidavit to support any change.
10. The petitioner shall provide a certificate of insurance, with the Town of Agawam as an additionally named insured, to the Inspector of Buildings prior to the issuance of building permit and on an annual basis to the Agawam Planning Board as required under Section 180-101.
11. This proposed facility shall be removed if said facility ceases to operate for a period of one (1) year.
12. The petitioner shall immediately notify the Town of Agawam if its license/permit from the FCC is revoked or suspended.
13. The petitioner shall file with the Hampden County Registry of Deeds a "Notice of Special Permit". This form (which shall be provided by this Board) and proof of said filing must be submitted to this Board and to the Inspector of Buildings before the issuance of a building permit.
14. This Special Permit shall become null and void if construction does not commence within three (3) years from the date of this decision.

This decision is subject to appeal in accordance with M.G.L. Ch. 40A, Section 17 within twenty (20) days following the filing thereof with the Agawam Town Clerk.



Town of Agawam

Zoning Board of Appeals

36 Main Street Agawam, Massachusetts 01001-1801
Tel. 413-786-0400 Fax 413-786-9927

Signatory Page of Decision

Case #: 2034

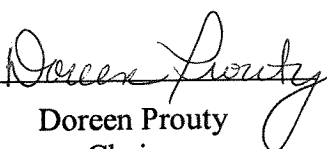
Date: January 12, 2026

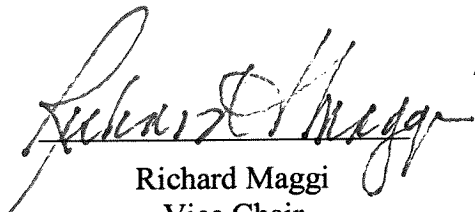
Applicant: Verizon Wireless

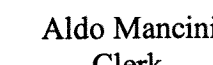
Address: 580 Main Street

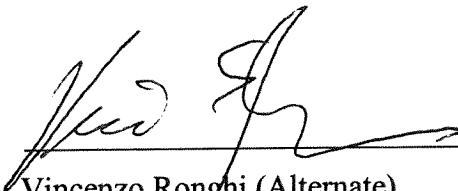
By a unanimous vote of its three members, the Zoning Board of Appeals hereby approves the petitioner a Special Permit.

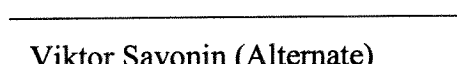
The conclusion and findings are set forth in the attached written decision.


Doreen Prouty
Chair


Richard Maggi
Vice Chair


Aldo Mancini
Clerk


Vincenzo Ronghi (Alternate)


Viktor Savonin (Alternate)

6



May 7, 2026

The Town of Agawam
Planning Board
36 Main St,
Hampden, MA 01036

RE: *Diamond Communications – Bethany Assembly of God – MA054 – Engineers Estimate of Cost*

To Whom It May Concern,

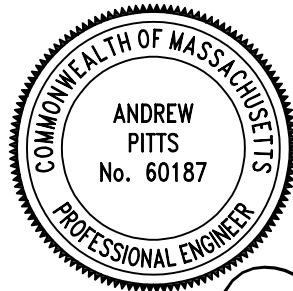
Kimley-Horn respectfully submits this Engineers Estimate of Cost for the Removal for the proposed development of a 115' Monopole Telecommunications Tower on behalf of Diamond Communications to The Town of Agawam, MA. The aforementioned project is approximately located at 580 Main St, Agawam, MA 01001. Please utilize the below table for the estimated costs.

Milestone	Estimated Cost
Compound Fencing / Gate Removal	\$7,500
Site Restoration to Pre-Construction Conditions	\$15,000
Conduit Removal (18" below grade)	\$7,500
Foundation Removal (18" below grade)	\$10,000
Removal of 115' Monopole Tower	\$35,000
Total	\$75,000

If you have any additional questions, please do not hesitate to contact me by phone (470-571-1306) or e-mail (Drew.Pitts@kimley-horn.com).

Very truly yours,

Drew Pitts, P.E.



KIMLEY-HORN AND ASSOCIATES, INC.

The following members attended the public meeting:

Doreen Prouty-Chair

Richard Maggi-Vice Chair

Aldo Mancini-Clerk

Viktor Savonin-Alternate

Vincenzo Ronghi-Alternate

Chair Prouty open the meeting at 6:30pm and introduced the members of the Board.

- A. 6:30PM-Public Hearing Cont.-Case#2042-262 Colemore Street-Dommenko-Appeal
Sitting on this case: Chair-Prouty, Clerk-Mancini, Alternate-Savonin

The ZBA received a request to continue this agenda item to the July 13, 2026. The members agreed a continuance is necessary until the City Council has held their hearings and made a decision.

Motion was made by Mr. Savonin and seconded by Mr. Mancini to continue the Public Hearing for 262 Colemore Street for Dommenko to the August 24, 2026 meeting.

All in favor.

- B. 6:40PM-Public Hearing Cont.-Case#2048-0 North Street-Davis-Variance
Sitting on this case: Chair-Prouty, Vice Chair Maggi, Clerk-Mancini

The Zoning Board of Appeals had previously heard this case and Mr. Maggi had requested additional time to review Chapter 40, Section 6. Chair Prouty stated the ZBA had received a memo from the Building Inspector in which he states he has no issues or concerns with this variance request.

Chair Prouty read Chapter 40a, Section 6: "Adjacent lots under common ownership shall not be treated as a single lot for local zoning purposes if, at the time of recording or endorsement, the lots: (i) conformed to then existing requirements of area, frontage, width, yard or depth, where each such lot has not less than 10,000 square feet of area and 75 feet of frontage; and (ii) are located in a zoning district that allows for single-family residential use. Any single-family residential structure constructed on said lot shall not exceed 1,850 square feet of heated living area, shall contain not less than 3 bedrooms and shall not be used as a seasonal home or short-term rental."

Chair Prouty opened the hearing for public comment and there was none. She then explained the 20 day appeal process.

Chair Prouty closed the public hearing and the members went directly into a meeting.

Chair Prouty stated when this lot was created in 1977 it conformed to the Business-A zoning requirements. It was endorsed and recorded at the Hampden County Registry of Deeds. The lot 78 North Street, is also held in common ownership with a square foot area of 16,431 and 115 feet

of frontage. She stated 78 North Street has 16,431 sq. ft. of area and 115 ft. of frontage. She went on to say both lots meet this requirement.

The Board members agreed the subject property conformed to the then existing requirements of area frontage with yard and depth for a Business-A zoning district when created in 1977. The zone change for the subject property does not negate the fact that the lot was legally created back in 1977. The subject parcel has allowed a single-family dwelling since 1977 until the present time. Both the subject property and 78 North Street which are held in common ownership exceed the frontage and area requirements under Mass General Law Chapter 40a, Section 6. The requirements regarding the size of the house and the minimum number of bedrooms and the dwelling not to be used for seasonal or short-term rental was explained to the petitioner. The Board decided a variance was not required as long as MGL, Chapter 40a, Section 6 were followed.

Chair Prouty called for a vote that the Board agrees this does not need a variance because the proposal complies with MGL Chapter 40a, Section 6.

Maggi-yes, Mancini-yes, Prouty-yes.

Chair Prouty reminded the petitioner that the buyer needs to be aware of this decision. Christine Ferris, Realtor with Ideal Real Estate stated that both the buyer and sellers attorney would be made aware. Mr. Maggi also suggested the petitioner record this language with the deed restriction. Mr. Ronghi agreed with Mr. Maggi's comment.

Motion was made by Mr. Ronghi and seconded by Mr. Maggi to take the agenda items out of order.

All in favor.

D. Approval of Minutes-June 8, 2026

Motion was made by Mr. Savonin and seconded by Mr. Mancini to approve the June 8, 2026 minutes as written.

All in favor.

E. Another other matter that may legally come before ZBA

None

C. 7:00PM-Public Hearing Cont.-Case#2049-32 Marlene Drive-Solikin-Special Permit

Vadim Solokhim, 32 Marlene Drive was present for this agenda item. Chair Prouty stated at the last public hearing Mr. Solokhim had been asked to present the Board with a better drawn plan. She asked Mr. Solokhim if he had the requested plan. He stated no it was going to cost him \$2,000 for an engineered plan. Chair Prouty stated an engineered plan was not needed for a Special Permit for chickens, rather the Board would like the plan drawn to scale on one piece of paper, in a legible and semi-professional fashion, to include all the requirements of the chicken

ordinance. Mr. Solokhim stated he would get the plan to the Board. He stated he has had chickens in the past at this property.

Fred Perry, 36 Marlene Drive, stated he is an abutter and his dog has been sick on more than one occasion from eating the chickens waste and required a vet. He stated they have to check the yard for chicken waste, so the dog doesn't get sick. He stated in 2021 the petitioner replaced a wooden fence with a vinyl fence and he could smell fertilizer and saw a small hen house then and the petitioner has had chickens on and off since that time. His concern is for the health of his dog and he is not opposed to the petitioner having chickens if he takes care of them and keeps them out and away from his yard.

Charlotte Perry, 36 Marlene Drive found one chicken stuck in the fence and had to assist get the chicken out and putting it back in the yard at 32 Marlene Drive.

Chair Prouty stated since the last public hearing she researched Mr. Perry's concerns regarding the safety of his dogs' health. She said she found in her research that dogs can get sick from chicken waste, but only if the chicken is sick. She stated her research shows on rare occasion dogs get sick. Chair Prouty stated she also spoke to the Health Agent, Lauren Kennedy who did not express concerns, other than if the chickens are sick then it could be harmful to the dog and potential cause the dog to attract salmonella.

Mr. Ronghi stated the role of the ZBA is to make sure the petitioner follows the requirements of the chicken ordinance for the Town of Agawam, which allows residents to obtain chickens through a Special Permit. He stated the Boards responsibility is to make sure they are conforming to the zoning ordinance. Mr. Ronghi stated if someone has a Special Permit, the Health Department and other departments can be notified and will investigate the complaint, when and if a petitioner is not following the ordinance.

Mr. Savonin stated the ZBA also did a site visit, which they normally do not do, because the Chair had raised the issue of importance so the Board went to the property to inspect it.

Mr. Solokhim stated he would do what the ordinance requires and he wants to be a good neighbor. Chair Prouty stated that Mr. Solokhim would need to reduce the number of chickens he currently has down to 12, which is the allowed amount per the ordinance for the size of his property. He stated he would take the remaining chickens to a family member in the town of Southwick.

Motion was made by Mr. Ronghi and seconded by Mr. Maggi to continue this agenda item to the August 24, 2026 at 6:45pm.

All in favor.

Motion was made by Mr. Maggi and seconded by Mr. Mancini to adjourn the meeting.

All in favor.

Meeting adjourned at 7:45pm.

The following members attended the meeting:

Doreen Prouty-Chair

Richard Maggi-Vice Chair

Aldo Mancini-Clerk

Vincenzo Ronghi-Alternate

A. 580 Main Street-Sign Amended Plan & Bond-Diamond Communications/Verizon

The Board signed the amended plan showing the new location of the tower.

The Bond could not be signed as it had incorrect information on it, and still has to be read by the Town Solicitor.

Motion was made by Mr. Ronghi and seconded by Mr. Maggi to approve the Amended Plan for 580 Main Street for Diamond Communications/Verizon.

All in favor.

Motion was made by Mr. Maggi and seconded by Mr. Ronghi to adjourn the meeting.

All in favor.

Meeting adjourned at 2:30pm.