



Zoning Board of Appeals AGENDA

Monday, June 23, 2025 - 6:30 PM

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

A. Zoning Board of Appeals

- 1) 6:30PM-Public Hearing-Case#2030-MBNZ Holding CO.-223 Garden Street-Special Permit
- 2) Approval of Minutes-April 14, 2025
- 3) Any other matter that may legally come before Zoning Board of Appeals

Special Permit Application

Under the Town of Agawam Zoning Ordinance Section 180-II Special Permits

Proposed Building Addition

Project Location:

223 Garden Street
Feeding Hills, Massachusetts 01030
(Parcel ID: G8-2-3)

Submitted To:

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

Applicant & Property Owner:

MBNZ Holding Co.
c/o Mr. Nasser Zebian
223 Garden Street
Feeding Hills, Massachusetts 01030

RLA Project File No. 250214

May 7, 2025

R LEVESQUE ASSOCIATES, INC.

A LAND PLANNING SERVICES COMPANY

40 School Street, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



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APPENDICES

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I. COVER LETTER

R LEVESQUE ASSOCIATES, INC.

40 School Street, P.O. BOX 640, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rland.com



May 7, 2025

Doreen Prouty, Chairperson
Town of Agawam Zoning Board of Appeals
36 Main Street
Agawam, Massachusetts 01001

**RE: Special Permit Application – Proposed Building Addition
223 Garden Street
Feeding Hills, Massachusetts 01030
(Parcel ID: G8-2-3)
RLA Project File No. 250214**

Dear Chairperson Baldwin and Board Members:

On behalf of the applicant and property owner, MBNZ Holding Co. c/o Mr. Nasser Zebian, please find the requisite number of copies of a Special Permit application and supporting documentation. The applicant proposes a building addition with associated site improvements to be located at the above-referenced property.

As required, a copy of this Special Permit application has been submitted electronically via email to the Town of Agawam Planning Department.

We are requesting to be placed on the Board's next available agenda. Should you have any questions or comments regarding this submission, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
R LEVESQUE ASSOCIATES, INC.

Nina Fazio

Nina Fazio
Permitting Coordinator

A LAND PLANNING SERVICES COMPANY

2. ADMINISTRATIVE FORMS

- 2.1 ZONING DETERMINATION
- 2.2 SPECIAL PERMIT APPLICATION
- 2.3 PREVIOUS SPECIAL PERMIT



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

OFFICE ONLY Date Filed: RECEIVED BY INSPECTION SERVICES APR 10 2025 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		223 Garden Street				b. Zoning District		Business B		
c. Assessor's Map		G8-2				d. Lot(s)		3		
e. Registry of Deeds Book		24996				f. Page		11		
g. Overlay Districts		☐ Historic Preservation ☐ Mixed-Use Business C								
h. Previous Special Permits, Site Plan Approvals, Findings or Variances Issued for this Site										
Unknown										
2) APPLICANT & OWNER INFORMATION										
a. Applicant Name		MBNZ Holding Co. c/o Nasser Zebian				b. Applicant Phone		413-427-2766		
c. Applicant Email		nasserzebian@hotmail.com								
d. Applicant Mailing Address		223 Garden Street, Feeding Hills, MA 01030								
e. Applicant Relationship to Property		☒ Owner ☐ Agent ☐ Other:								
f. Representative Name (if any)		R Levesque Associates, Inc.				g. Rep. Phone		413-568-0985		
h. Rep. Email		NinaF@rlaland.com								
i. Owner Mailing Address										
j. Owner Name (if different)		Same as applicant				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	73,961	SF	73,961	SF	LOT SIZE				☐	
b. Frontage	254.36	FT	254.36	FT	FRONTAGE				☐	
c. Front Lot Line	75.6	FT	75.6	FT	FRONT SB				☐	
d. Side Lot Line (Left/Right)	L: FT 61.0	R: FT	L: 43.6	FT	R: 43.6	FT	SIDE SB		☐	
e. Rear Lot Line	126.5	FT	103.5	FT	REAR SB				☐	
f. Building Height	1.5 stories	FT	1.5 stories	FT	BLDG HT				☐	
g. Total BLDG/Res Area	5070	SF	0	SF	8320	SF	0	SF	AREA LIM	☐
h. BLDG Coverage (Footprint)	5070	SF	7.8	% of lot	8320	SF	12.1	% of lot	LOT COVER	☐
i. Impervious Coverage	26800	SF	36.2	% of lot	26800	SF	36.2	% of lot	IMPERVIOUS	☐
j. Parking/Loading Spaces	P: 33	L:	P: 33	L:	PARKING				☐	
k. Bicycle/EV Charge Spaces	B: 0	EV: 0	B: 0	EV: 0	BIKE/EV				☐	
l. Signs (Size & Type)	x	T: Free-standing	x	T: TBD	SIGNS				☐	
m. Fence (Size & Type)	LIN FT	T:	LIN FT	T: TBD						
n. Wetland Area	0	SF	0	SF						
o. Utility Services	☒ Town Water	☒ Town Sewer	☒ Town Water	☒ Town Sewer	NON-CONFORMING USE ☐					

p. Current Use of Property	Vermette Autobody
q. Proposed Use of Property	Vermette Autobody
r. Project Description	
The applicant proposes a building addition to be utilized by the existing on-site business. (3,250 Sq ft)	
s. I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)	☒ Yes ☐ No
t. Work is proposed in or within 100' of a wetland or 200' of a stream/river, or construction will occur within the Floodplain district. If so, <u>CONSERVATION COMMISSION</u> review is required.	☐ Yes ☒ No ☐ Unsure
u. The following projects shall be required to comply with the requirements of a <u>STORM DRAIN PERMIT</u>: [1] Any alteration to sites on parcels of one acre or greater. [2] Any alteration to individual lots less than one acre, but which are contiguous or are deemed part of a common project which is one acre or greater.	☐ Yes ☒ No ☐ Unsure
v. The project will affect at least one of the following; additional gross floor area by 2,000 square feet, any change of use, changes to parking and/ or curb cuts.	☒ Yes ☐ No

4) CERTIFICATION	
<i>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.</i>	
Signature	<i>Nina Fazio</i>
☐ Applicant ☒ Applicant's Representative	
Date	04-09-2025

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:			
<u>Per Zoning Ordinance Section(s)</u>	<u>Required Permit(s)</u>	<u>Approval Required</u>	<u>Permitting Authority</u>
4180-13-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	<i>Ken D...</i>	Issue Date	4/11/2025

This determination may be appealable to the Zoning Board of Appeals under the provisions of MGL Ch. 40A Sec. 8.
Draft Plan - dated 4/8/2025
 Revised 09/08/2022



**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 MBNZ Holding Co. c/o Mr. Nasser Zebian

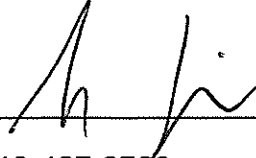
Address 223 Garden Street, Feeding Hills, MA 01030

Application is hereby made for a SPECIAL PERMIT as provided by Section 180-7, Paragraph B of the By-law.

Premises affected are situated on Garden Street Street; >900+/- feet distant from the corner of Logan Place Street and known as street number 223.
Property is zoned as Business B (BB).

Reason(s) for request of Special Permit:

The Zoning Board of Appeals previously granted a Special Permit in April 2000 to allow for the construction of an Auto Body Repair business at the subject property under Section 180-7, Paragraph B.
The applicant respectfully requests a Special Permit to allow for the proposed building addition on the subject property. Please refer to the attached project narrative for greater detail.

Signature of owner or his authorized agent: 

Telephone #: 413-427-2766

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

THE COMMONWEALTH OF MASSACHUSETTS

CITY OR TOWN

BOARD OF APPEALS

Date April 21, 2000

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 Conditional or Limited or Special Permit has been granted

To: Donald Vermette

Owner or Petitioner

Address: 787 Silver Street

City or Town Agawam, MA 01001

223 Garden Street, Feeding Hills

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:

223 Garden Street

Agawam

Street

City or Town

the record title standing in the name of:

Jerry L. Zerra and Rose Z. Dyke

whose address is: 109 Federal Street
Hopson Road

Agawam

Norwich

MA

VT

(former)

(latter)

Street

City or Town

State

by a deed duly recorded in the Hampden County Registry of Deeds in

Book 4635, Page 165 Registry District of the Land Court Certificate

_____, Book _____, Page _____.

The decision of said Board is on file with the papers in Decision or Case # 1635

in the office of the City / Town Clerk Agawam. Signed this 21st day

of April 2000 .

BOARD OF APPEALS:

Doreen A. Prouty Doreen Prouty, Acting Chairman
Larry Hoague Larry Hoague, Acting Clerk

Received and entered with the Register of Deeds in the County of Hampden,

Book 11198, Page 449 at 2 o'clock and

46 minutes P M.

ATTEST: _____ Register of Deeds

Notice to be recorded by Land Owner

RECORDED
AGAWAM, MASS.
J

INSPECTION
2000 MAY 22 P 2:59
AGAWAM, MA



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

INSP. SERV./BD. OF APPEALS

2000 MAY 22 P 2:54 DECISION OF BOARD OF APPEALS
AGAWAM, MA

00 APR 26 PM 3:16

TOWN OF AGAWAM
AGAWAM, MA 01001

Petition of: Donald Vermette

Premises affected - 223 Garden Street, Feeding Hills

Date - April 21, 2000

Case # 1635

The Board of Appeals conducted a public hearing on Thursday, April 17, 2000 at the Agawam Middle School cafeteria, 68 Main Street for all parties interested in the appeal of Mr. Donald Vermette, who is seeking a Special Permit in accordance with Section 180-7, Paragraph B of the Zoning Ordinances which would allow for the construction of an Auto Body Repair business at the premises identified as 223 Garden Street.

After a review of the facts presented at the public hearing along with "on-site" inspections of the property, allowed the Board to conclude the following:

1. The property in question is located at 223 Garden Street, Feeding Hills and located in an area of town zoned Industrial B.
2. The petitioner has stated that he proposes to create an Auto Body Repair Shop, which vehicles may be held on site up to a two week interval.
3. The petitioner has submitted he will provide adequate protection to prevent any fluids from leaking onto the ground from all vehicles on the property.

In rendering a decision for a Special Permit, all Board of Appeals must find that said Special Permit may only be granted if it is found that such a use is in harmony with the intent and general purpose of the Zoning Ordinances and subject to general and specific provisions therein. Furthermore, conditions can and may be imposed which the Board deems necessary to protect the public good.

Based upon all relevant information the Board has examined; the Board is satisfied that the petitioner will not adversely affect the health or safety of the neighborhood and that the Auto Body Repair shop will not be a nuisance or potential hazard to vehicles or pedestrian safety.

00 APR 26 PM 3:16

Decision Case #1635

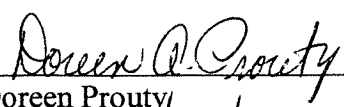
Donald Vermette, 223 Garden Street, Feeding Hills
continued:

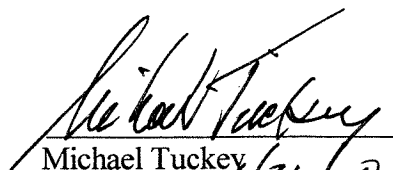
INSP. SERV./BD. OF APPEALS
2000 MAY 22 P 2:59

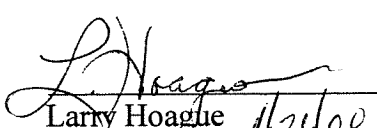
AGAWAM, MA

Therefore, by a unanimous vote of its three members, the Agawam Board of Appeals hereby approves the petitioner's request for a Special Permit subject to the following conditions:

1. The Auto Body Repair shop will be constructed in accordance with the plans submitted to the Board.
2. The petitioner will reposition the driveway by twenty five (25') feet as requested by the Agawam Police Safety Officer.
3. All security lighting shall be directed inward toward the property so as not to disturb neighbors or abutters.
4. The yard is for the temporary storage of vehicles only. No vehicles shall be stored for longer than a two (2) week period.
5. No repair work of any kind shall be performed outside the building.
6. Business hours shall be Monday thru Friday, 7:00 AM to 6:00 PM;
Saturday, 8:00 AM to 1:00 PM.
7. Every effort shall be performed, to insure that no fluids of any type shall drain onto the site or "leach" away from the parking lot.
8. The petitioner shall not exceed the ten (10) vehicle maximum as allowed by this Special Permit.
9. The petitioner shall comply with all conditions as outline by the Agawam Planning Board, Conservation Commission and Engineering Department.
10. The petitioner shall have recorded with the Hampden County Registry of Deeds a "Notice of Special Permit" form, which shall be provided by the Board and which proof of said filing must be submitted to this Board.
11. This Special Permit shall become null and void if construction of the Auto body Repair shop doesn't commence within two (2) years from the dated of this decision.


Doreen Prouty
4/26/00


Michael Tuckey
4/26/00


Larry Hoague
4/26/00



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

BOARD OF APPEALS

Case # 1635

Filed 2-17-00

Hearing 3-16-00 6:50 PM

9
00 FEB 17 AM 8:40

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

Applicant Donald Vermette Address 787 Silver Street Agawam, MA 01001

Application is hereby made for SPECIAL PERMIT as provided by Section 180-7 Paragraph A of the By-law.

Premises affected are situated on Garden Street; 0 feet distant from the corner of Route 57 Street and known as street number 223. Property is zoned as Industrial B.

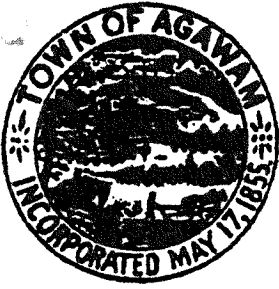
Subject Parcel: Map G8; Block #2; Lot #3

This is a pre-existing lot that now has zero frontage because of the Route 57 land taking.

Signature of owner or his authorized agent

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

Case file



**TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001**

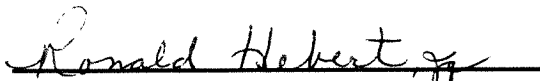
BOARD OF APPEALS

LEGAL ADVERTISEMENT

Date: February 17, 2000

Notice is hereby given that the Board of Appeals will conduct a public hearing at the Agawam Middle School Cafeteria, located at 68 Main St., Agawam, MA on THURSDAY, March 16, 2000 at: 6:50 P.M., for all parties interested in the petition of Donald Vermette who is seeking a Special Permit in accordance with Section 180-7 Paragraph B of the Zoning Ordinances which would allow for construction of an Auto Body Repair business at the premises identified as:

**223 Garden Street
Feeding Hills, Massachusetts**


Ronald Hebert, Chairman

Advertise: March 2, 2000 and March 9, 2000

3. PROJECT NARRATIVE

PROJECT NARRATIVE

For

PROPOSED BUILDING ADDITION
223 GARDEN STREET
FEEDING HILLS, MASSACHUSETTS 01030
(PARCEL ID: G8-2-3)

INTRODUCTION

On behalf of the applicant and property owner, MBNZ Holding Co. c/o Mr. Nasser Zebian, R Levesque Associates, Inc. is providing this project narrative as a supplement to the Special Permit application. The applicant proposes a building addition adjacent to the existing auto body shop on the subject property.

The Zoning Board of Appeals previously granted a Special Permit in April 2000 to allow for the construction of an Auto Body Repair business under Section 180-7(B) of the Town of Agawam Zoning Bylaw. Due to the Route 57 land taking by MassDOT, the subject property has 0' of frontage.

The applicant respectfully requests the Zoning Board of Appeals grant a Special Permit under Section 180-7(B) of the Town of Agawam Zoning Bylaw to allow for the construction of the proposed building addition on the pre-existing non-conforming subject property.

PROPERTY DESCRIPTION

The subject property is located north of Garden Street and consists of approximately 1.6 ± acres as shown on the associated site plan set prepared by R Levesque Associates, Inc. Said property is recorded in the Hampden County Registry of Deeds in Book 24996, Page 11. A copy of the deed reference is included within this application packet under Section 5. According to the Town of Agawam Zoning Map, the subject property is located within the Business B (BB) zoning district. A Locus Map is included within this application packet under Section 4.

EXISTING CONDITIONS & SURROUNDING LAND USES

The subject property currently operates as an auto body / repair shop, Vermette Auto Body, with associated parking, access drives, and site improvements.

The subject property is bound to the north by parcels in the Industrial B (IB) zoning district, to the east by parcels in the Business B (BB) zoning district, to the south by Garden Street, and to the west by a Route 57 on-ramp. The abutting parcels are utilized mostly for commercial and industrial uses, with some residential uses in the surrounding area.

DETAILED PROJECT DESCRIPTION

The proposed project includes a building addition with associated site improvements. Associated site improvements include, but are not limited to site grading, relocation of existing sheds, and extension of utilities from the existing structure.

The proposed project work will proceed in the following general sequence:

1. Installation of erosion controls;
2. Relocation/removal of existing sheds;
3. Clearing, grubbing within the permitted limit of work;
4. Installation of a 65' x 50' building addition;
5. Restriping of existing parking spaces;
6. Extension of exiting utility connections;
7. Removal of erosion controls at the direction of the Town of Agawam.

STANDARDS FOR REVIEW

The following text is taken directly from the Town of Agawam Zoning Bylaw Section 180-11(G). The bylaw text is presented below in italic text, followed by an RLA Response presented below in boldface text.

The Board of Appeals shall not approve any such application for a special permit unless it finds in its judgment all of the following conditions are met:

- 1. Social, economic, or community needs which are served by the proposal;*

RLA Response: The proposed addition will allow the existing local business, Vermette Auto, to better meet growing customer demand for repair services in the area. It will provide a reliable, local option for vehicle maintenance, supporting residents and small businesses in maintaining transportation essential for daily life and work.

- 2. Traffic flow and safety, including parking and loading;*

RLA Response: The site plan includes designated parking areas compliant with the Town of Agawam Parking Guidelines. There are no proposed changes to the existing curb cuts.

3. Adequacy of utilities and other public services;

RLA Response: Existing utility infrastructure is sufficient to support the expansion, with no anticipated strain on services. Coordination with the applicable service provider will be coordinated by the contractor/property owner, as needed.

4. Neighborhood character and social structures;

RLA Response: The addition is designed to blend with the current building and surrounding commercial uses. Please refer to the accompany architectural drawings.

5. Impacts on the natural environment;

RLA Response: The proposed building addition is situated on existing impervious area and is located outside of the Conservation Commission's jurisdiction.

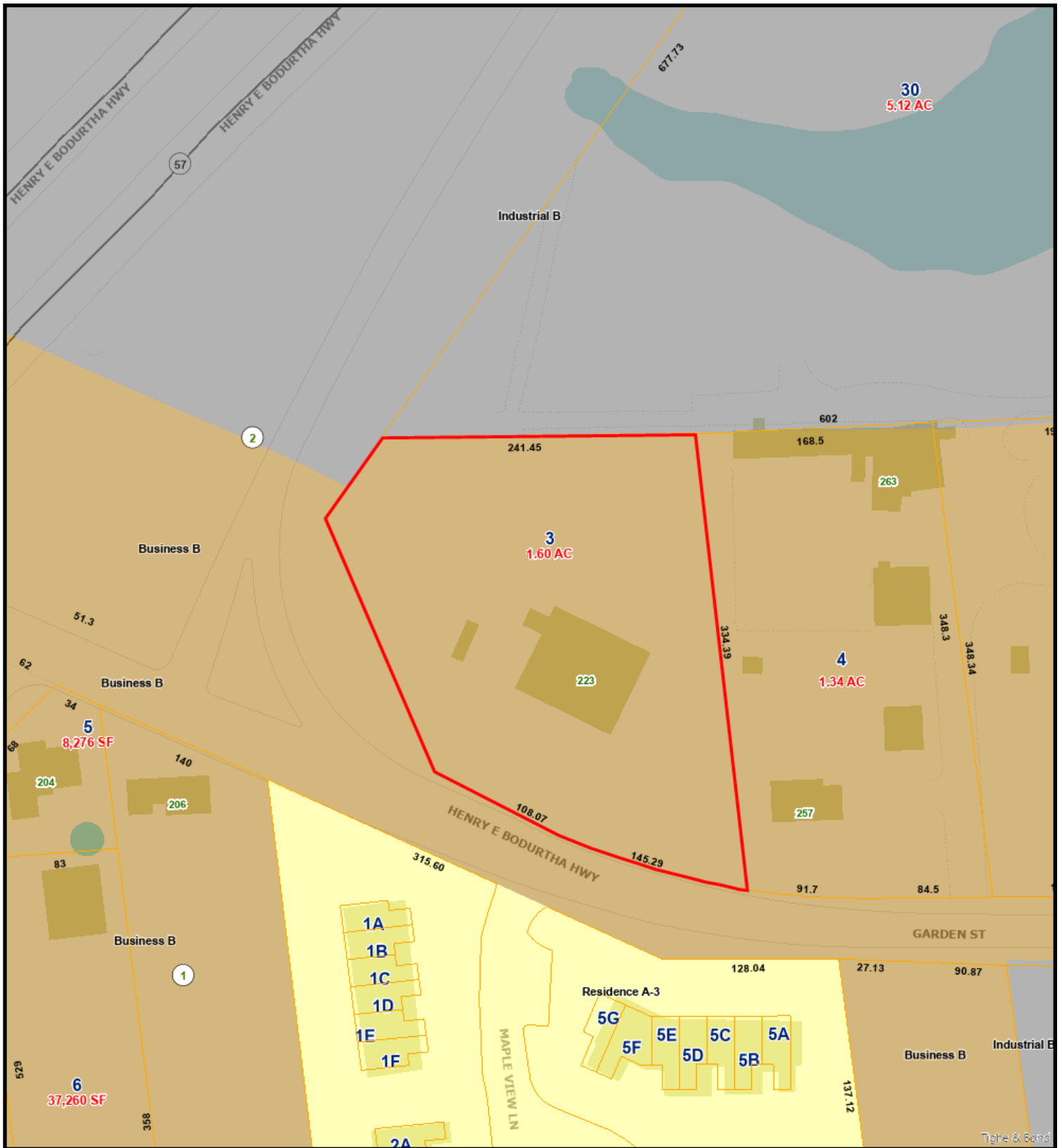
6. Potential fiscal impact, including impact on Town services, tax base, and employment.

RLA Response: The expansion is expected to increase the local tax base through property improvements and employment at the existing local business.

[END OF PROJECT NARRATIVE]

4. LOCUS MAP

(SOURCE: TOWN OF AGAWAM GIS)



Locus Map

2/27/2025 2:15:38 PM

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.



5. DEED REFERENCE

(SOURCE: HAMPDEN COUNTY REGISTRY OF DEEDS)

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 05-05-2023 @ 02:21pm
Ctl#: 262 Doc#: 20527
Fee: \$2,964.00 Cons: \$650,000.00

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT DONALD J. VERMETTE a/k/a DONALD H. VERMETTE and REBECCA A. VERMETTE, individuals residing at 119 Hamilton Circle, Feeding Hills, Hampden County, Massachusetts, in consideration of Six Hundred Fifty Thousand and 00/100 Dollars (\$650,000.00) paid, grants to MBNZ HOLDING CO., a Massachusetts corporation with an address of 223 Garden Street, Feeding Hills, Hampden County, Massachusetts, with quitclaim covenants, the land in Agawam, Hampden County, Massachusetts, being more particularly bounded and described as follows:

See Exhibit A attached hereto and incorporated herein.

[SIGNATURE PAGE TO FOLLOW]

Property address: 223 Garden Street, Agawam, Massachusetts

Witness our hands and seals this 5th day of May, 2023.

[Signature]
Witness

[Signature]
Witness

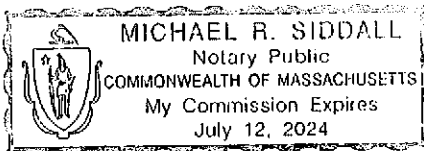
[Signature]
Donald J. Vermette a/k/a Donald H. Vermette

[Signature]
Rebecca A. Vermette

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

On this 5th day of May, 2023, before me, the undersigned notary public, personally appeared Donald J. Vermette a/k/a Donald H. Vermette, proved to me through satisfactory evidence of identification, which was ☒ photographic identification with signature issued by a federal or state governmental agency, namely a Massachusetts driver's license, ☐ personal knowledge of the undersigned, ☐ oath or affirmation of a credible witness, to be the person whose name is signed on the preceding or attached document, and who swore, subscribed and affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief and that he signed the document voluntarily for its stated purpose.

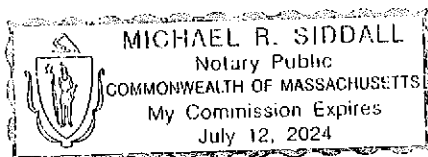


[Signature]
Michael R. Siddall
Notary Public
My Commission Expires: July 12, 2024

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

On this 5th day of May, 2023, before me, the undersigned notary public, personally appeared Rebecca A. Vermette, proved to me through satisfactory evidence of identification, which was ☒ photographic identification with signature issued by a federal or state governmental agency, namely a Massachusetts driver's license, ☐ personal knowledge of the undersigned, ☐ oath or affirmation of a credible witness, to be the person whose name is signed on the preceding or attached document, and who swore, subscribed and affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief and that she signed the document voluntarily for its stated purpose.



[Signature]
Michael R. Siddall
Notary Public
My Commission Expires: July 12, 2024

EXHIBIT A

The land in Agawam, Hampden County, Massachusetts, known as Garden Street, more particularly described as Parcel A on a plan of land entitled "Plan of Land in the Town of Agawam – Massachusetts, Hampden County Owned by Jerry L. Zerra and Rose Z. Dyke", prepared by Durkee, White, Towne & Chapdelaine, Civil Engineers & Land Surveyors, dated July 20, 1988 and recorded in the Hampden County Registry of Deeds in Book 319, Page 43, and more particularly bounded and described as follows:

Beginning at a point on the northerly side of Garden Street on the southwesterly corner of land now or formerly of Norman J. McMahon and Joan M. McMahon, thence N 64° 13' 39" W along a curve having a radius of 570.00, a length of one hundred forty-five and 29/100 (145.29) feet to a found GSB; thence continuing along Garden Street a distance of one hundred eight and 07/100 (108.07) feet to a found GSB, thence N 22° 51' 14" W, along land identified as Parcel No. 3 – 71, as shown on said plan a distance of one hundred ninety-eight and 26/100 (198.26) feet to a GSB found; thence N 36° 04' 36" E, along Route 57, 120-7192 L O, Layout No. 6562 as shown on said plan a distance of sixty-seven and 56/100 (67.56) feet to a point, thence turning N 88° 33' 06" E a distance of two hundred forty-one and 45/100 (241.45) feet to an iron pin found; thence S 05° 26' 15" E, a distance of three hundred thirty-four and 39/100 (334.39) feet to the place of beginning.

Being the same premises conveyed to Donald H. Vermette and Rebecca A. Vermette by deed of Rose Z. Dyke, Paul Zerra, Valrye Zerra and W.C. Conlin, dated June 2, 2000 and recorded in the Hampden County Registry of Deeds in Book 11413, Page 415.

APPENDIX A: SITE PLAN

SITE PLAN ENTITLED "PROPOSED SITE IMPROVEMENTS"

PREPARED FOR VERMETTE AUTO BODY

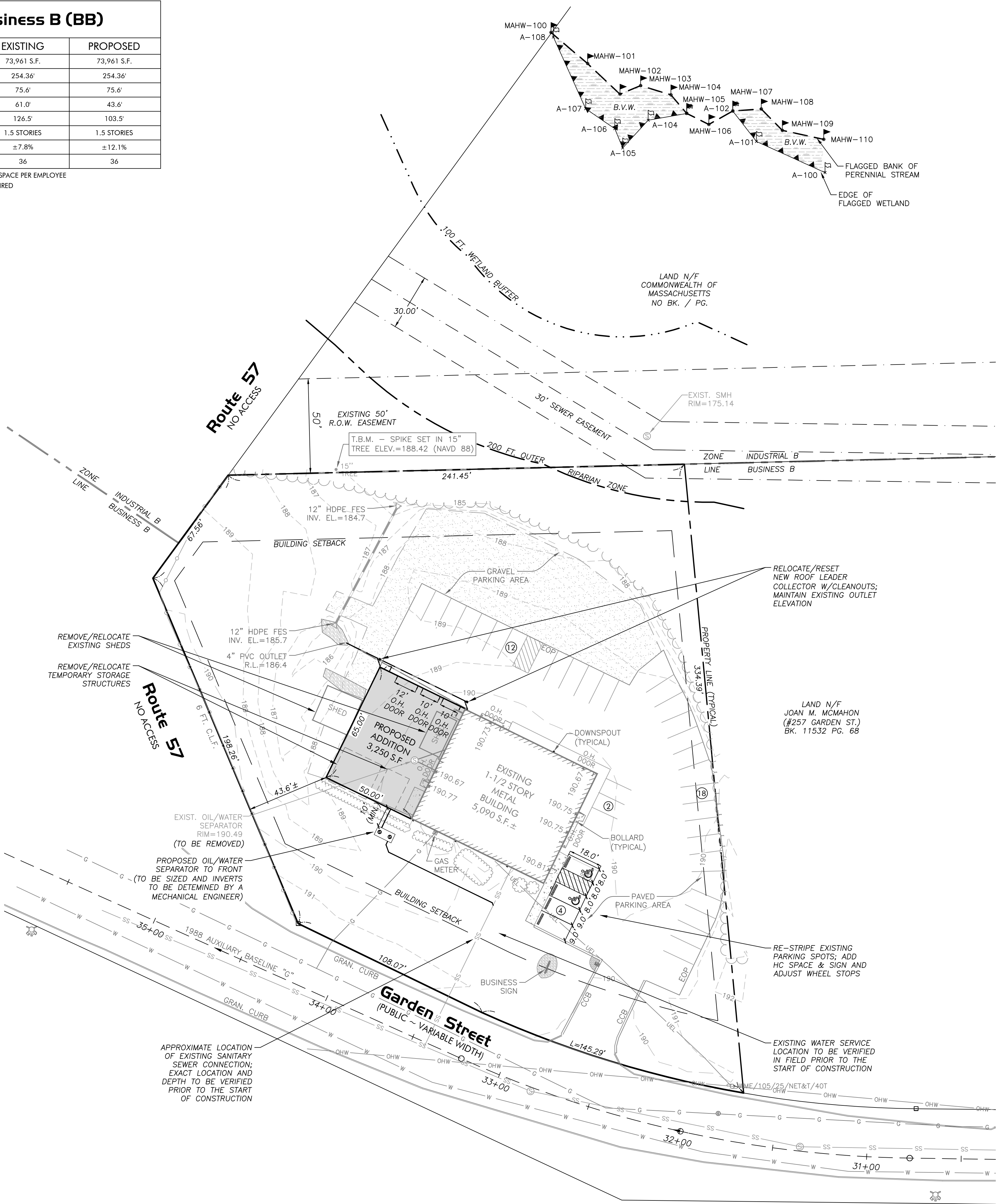
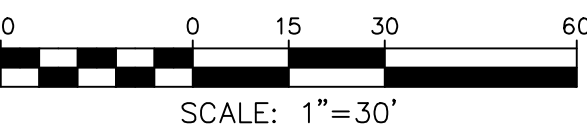
PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED APRIL 16, 2025

APPENDIX B: ARCHITECTURAL DRAWINGS

ZONING REVIEW - Business B (BB)			
TYPE (MINIMUM)	REQUIRED	EXISTING	PROPOSED
AREA	10,000 S.F.	73,961 S.F.	73,961 S.F.
FRONTAGE	100 FT	254.36'	254.36'
FRONT YARD	35 FT	75.6'	75.6'
SIDE YARD	10 FT	61.0'	43.6'
REAR YARD	35 FT	126.5'	103.5'
HEIGHT (MAX)	45 FT (3 STORIES)	1.5 STORIES	1.5 STORIES
BUILDING COVERAGE (MAX)	50%	±7.8%	±12.1%
REQUIRED PARKING *	36	36	36

* ONE (1) SPACE PER 300 S.F. OF GROSS FLOOR AREA PLUS ONE (1) SPACE PER EMPLOYEE
8,300 S.F. / 300 = 27.8 (OR 28) + 8 (EMPLOYEE SPACES) = 36 REQUIRED



NOTES

1. THE RECORD OWNER OF THE SUBJECT PARCEL IS MBNZ HOLDING CO. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 24996 PAGE 11.
2. THE PROPERTY LINES SHOWN HEREON ARE BASED UPON A PLAN RECORDED IN THE HAMPDEN COUNTY REGISTRY OF DEEDS IN PLAN BOOK 319 PAGE 43.
3. THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING WALLS AND CORNERS SHOULD BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVESQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVESQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
4. THIS PLAN HAS BEEN PREPARED FOR SITE PLANNING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
5. SUBJECT PARCEL CONTAINS 73,961 S.F.
6. THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
7. THE OFFSITE BORDERING VEGETATED WETLANDS AND PERENNIAL STREAM DEPICTED HEREON WERE FLAGGED BY R LEVESQUE ASSOCIATES INC. AND LOCATED VIA RTK GPS SURVEY ON APRIL 14, 2025.
8. THE EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A TOPOGRAPHIC SURVEY PERFORMED BY R LEVESQUE ASSOCIATES, INC. ON MARCH 12, 2025.
9. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, DIGSAFE MARKINGS AND AVAILABLE RECORD DATA. R LEVESQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R LEVESQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION.
10. ABUTTERS DEPICTED HEREON ARE TAKEN FROM THE TOWN OF AGAWAM MUNICIPAL GIS WEBSITE
11. SUBJECT PARCEL IS ZONED BUSINESS B ACCORDING TO THE TOWN OF AGAWAM ZONING MAP.
12. THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25013C0383E - EFFECTIVE DATE: JULY 16, 2013.
13. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

PROPOSED SITE IMPROVEMENTS

223 GARDEN STREET - PARCEL G8 2 3
AGAWAM, MASS.

PREPARED FOR:

Vermette Auto Body
c/o Mr. Nasser Zebian
223 Garden Street
Agawam, MA 01030

ISSUANCE DATE: April 15, 2025

REVISIONS:	DATE:

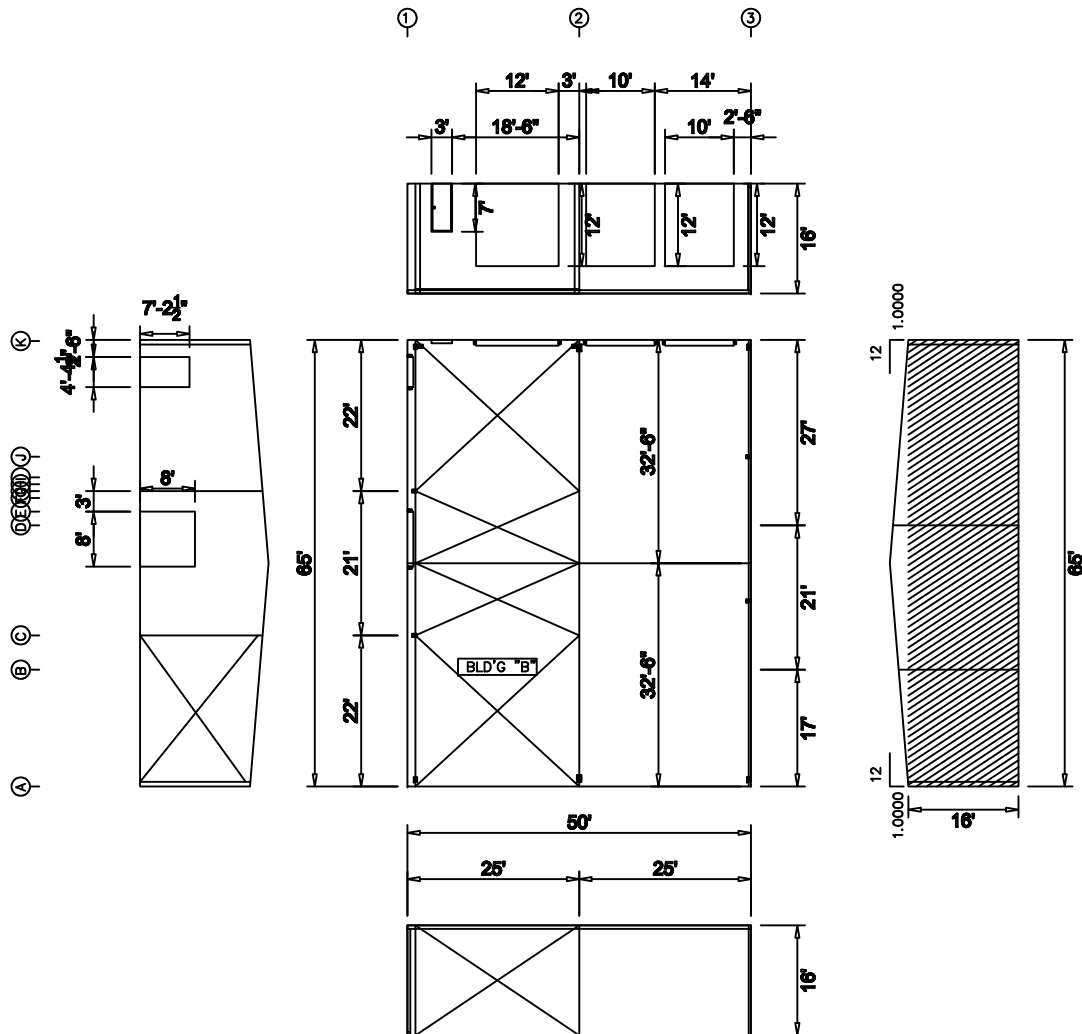
DRAFTED BY: J.L. & J.W.M.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE LAW

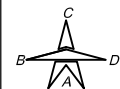
SCALE: 1" = 30'

RLA PROJ. NUMBER: 250214

DRAWING#	REV.
C-1	-



2D BUILDING SKETCH - (B) Addition



ENGINEERING CERTIFICATION OF MATERIALS
SUPPLIED BY STAR WILL BE PROVIDED
BY SEAL AND SIGNATURE OF LICENSED
ENGINEER ON FINAL ERECTION DRAWINGS.

ELZ - ELIZABETHTON, TN

4381 ADAMS RD.
NORMAN, OK 73069

STAR

BUILDING SYSTEMS

Builder

MBM INC dba VERMONT AUT

222 GARDEN STREET

AGUINON, MA 01009

Customer

Nasser Zakiem

225 GARDEN STREET

AGUINON, MA 01009

Scale: NOT TO SCALE

VERSION

PAPER SIZE

ABS 2.0.4

22x34

ESTIMATOR

DATE

JLK

3/31/2025

JOB NAME

MA Copy of Vermont Affidavit

30960

MEMBER

MBMA

The engineer whose seal appears hereon

is an employee for the manufacturer for the

materials described herein. Said seal or

certification is limited to the products

designed and manufactured by

manufacturer only. The undersigned

engineer is not the overall engineer of

record for this project.

For Construction Permit

For Enclosure

For Approval

For Enclosure Installation

The following members attended the public meeting:

Doreen Prouty-Chair
Richard Maggi-Vice Chair
Viktor Savonin-Acting Clerk
Vinny Ronghi-Alternate

Stefanie Kesecker-Administrative Assistant

Chair Prouty opened the meeting at 6:30pm.

CASE #2029-Perrone-37 Hampden Lane-Special Permit

Sitting on this case:

Doreen Prouty-Chair, Richard Maggi-Vice Chair, Viktor Savonin-Acting Clerk

Petitioner Marc Perrone, 37 Hampden Lane, was present for this agenda item. He stated he would like to obtain a Special Permit for 6 hens. He presented the Board with a plot plan, and all the required drawings and measurements were shown on his plan.

Mr. Ronghi asked if he already had chickens and for how long. Mr. Perrone stated since the Fall and he was unaware a Special Permit was needed. Mr. Maggi asked what would be done with the chicken waste. Mr. Perrone stated they would be composting the hen waste and will have a compost bin beside the coop.

Chair Prouty read a letter from Jeffrey Blanchard, 27 Hampden Lane, he has been a homeowner in Agawam for 30 years and he is an abutter to 37 Hampden Lane. He stated he provides limited support of the Special Permit, as long as there is no odors, proper removal of hen waste, no roosters or disruption of peace, and support from the Town to enforce the ordinance.

Chair Prouty stated Engineering comments had been received and there was no opposition to the Special Permit.

Chair Prouty opened the public hearing for public comment.

Diane Mercier, 36 Hampden Lane stated she has no opposition to the hens. She stated he has had chickens and if you don't know they are there you would never know. She stated she is for granting the Special Permit.

Denise Wheeler-42 Sherwood Lane-stated she has no problem with this petitioner being granted a Special Permit.

Mark Sabourin-36 Hampden Lane-state there has never been any problems with the chickens and they are quiet. He is for granting the Special Permit.

Motion was made by Mr. Savonin and seconded by Mr. Maggi to close the public hearing.

Prouty-yes, Maggie-yes, Savonin-yes, Ronghi-yes

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

Chair Prouty called for a vote to approve, with conditions that the petitioner place everything, as it is located on the plot plan, limited to 6 hens, must compost hen waste, everything must be in compliance with building regulations, Health Department regulations, and to allow Town personnel access to the property from time to time for inspections. The Special Permit is only for the petitioner and his wife and must be recorded with the Hampden County Registry of Deeds.

Chair Prouty called for a vote.

Prouty-yes, Maggi-yes, Savonin-yes.

Chair Prouty explained the 20 day appeal process.

Chair Person Prouty closed the public hearing at 6:45pm.

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

Prouty-yes, Maggi-yes, Savonin-yes, Ronghi-yes

Approval of Minutes-March 24, 2025

Motion was made by Mr. Maggi and seconded by Mr. Savonin to approve the March 24, 2025 minutes.

Prouty-yes, Maggi-yes, Savonin-yes, Ronghi-yes.

Any other matter that may legally come before ZBA

Nothing for this agenda item.

CASE#2021-Eversource-180 South West Street-Special Permit

Sitting on this case:

Doreen Prouty-Chair, Richard Maggi-Vice Chair, Mr. Ronghi-Acting Clerk

Chair Prouty opened the continued public hearing at 7:00pm stating that the Zoning Board of Appeals had received a request to withdraw this Special Permit.

She stated she the Board had reached out to the Town Solicitor for legal advice regarding this case. She then read from a letter he had written that stated, "Eversource may petitioner the ZBA for a Special Permit."

Chair Prouty also read a letter from Eversource's legal counsel, Kenneth Collette in it he stated, "the opposition memos grossly exaggerate the proposed use of the property. The use of a show-

up facility, essentially a small parking lot, a small office building, vehicle driveway, and garage building is not equivalent to a trucking terminal, which is defined in the Agawam Zoning Ordinance, as ‘terminal facilities for handling freight, with or without maintenance facilities.’” The letter goes on to say that it would have been utilized by 4 Eversource bucket trucks and that the planned use of the property was largely administrative. He stated the proposed use would have also fostered the use of areas largely maintained as open space. Existing vegetation would have remained as well as additional screening plantings. He stated this project at this location was at a cost of 10 times less than other sites in Town, and 180 S. West Street already contained a preexisting footprint. He went on to say Eversource will evaluate options for additional relief or alternations to its plan that may be required to support the proposed use and has requested ZBA permit Eversource to withdraw their Special Permit request without prejudice.

Motion was made by Mr. Ronghi and seconded by Mr. Maggi to close the public hearing-180 South West Street-Eversource.

Prouty-yes, Maggi-yes, Ronghi-yes.

The members went directly into a public meeting.

Motion was made by Mr. Ronghi and seconded by Mr. Maggi to accept Eversource’s request to withdraw their Special Permit without prejudice.

Prouty-yes, Maggi-yes, Ronghi-yes.

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

Prouty-yes, Maggi-yes, Savonin-yes, Ronghi-yes.

Meeting adjourned at 7:30pm.