



Zoning Board of Appeals AGENDA

Monday, July 28, 2025 - 6:30 PM

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

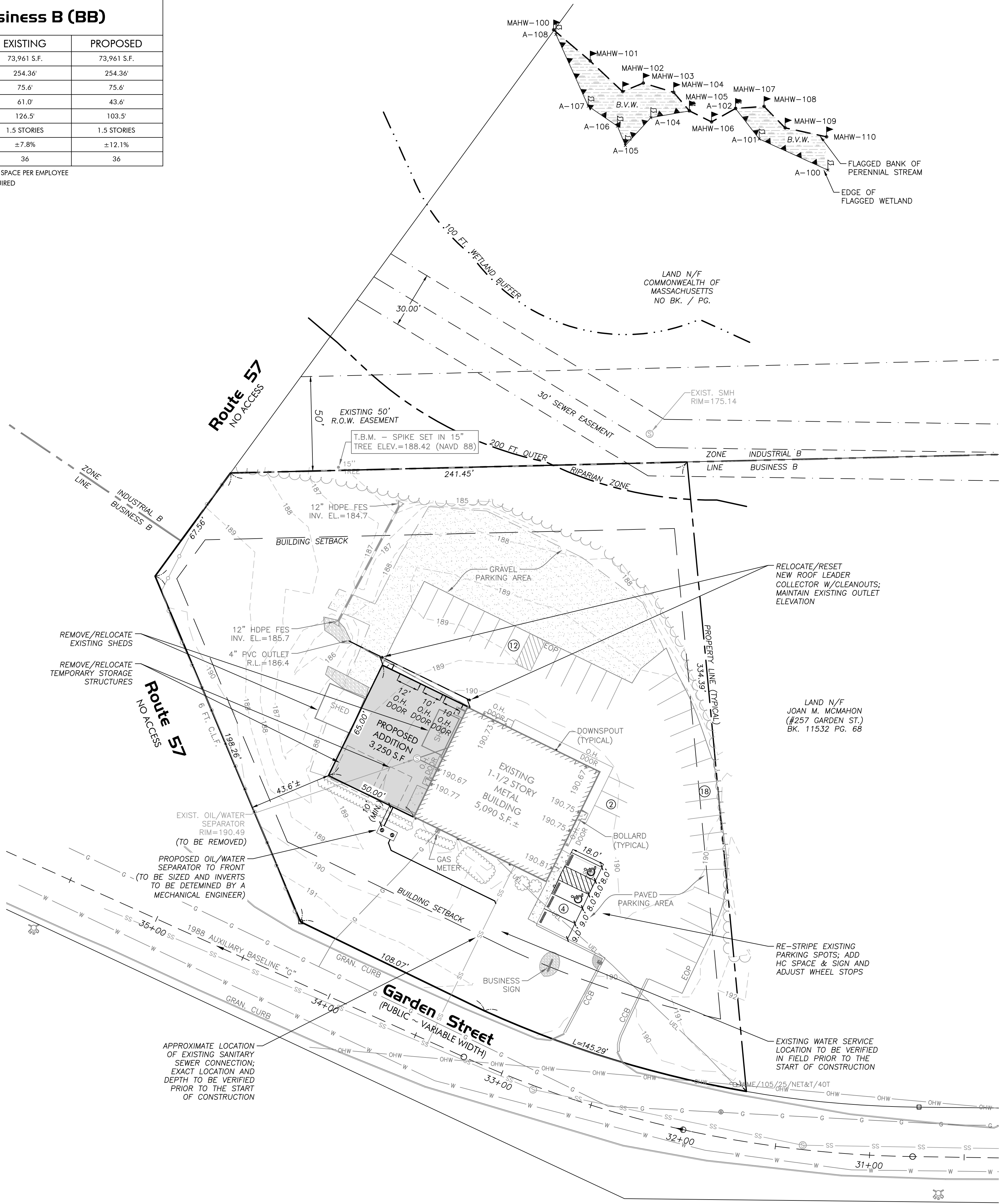
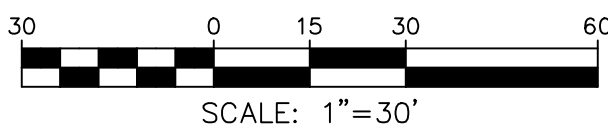
A. Zoning Board of Appeals

- 1) A. 6:30pm-Public Hearing Cont.-Case#2030-223 Garden Street-MBNZ Holding Co.-Special Permit
- 2) B. Public Hearing Cont.-Case#2033-12 Moore Street-Santanello-Special Permit
- 3) C. Approval of MInutes-July 14, 2025
- 4) D. Any other topic that may legally come before ZBA

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	-

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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5. DEED REFERENCE

LIST OF APPENDICES

APPENDICES

APPENDIX A: SITE PLAN

APPENDIX B: ARCHITECTURAL DRAWINGS

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 43.6	FT 43.6	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, CONSERVATION COMMISSION review is required.	☐ Yes ☒ No ☐ Unsure
u. The following projects shall be required to comply with the requirements of a <u>STORM DRAIN PERMIT</u>: [1] Any alteration to sites on parcels of one acre or greater. [2] Any alteration to individual lots less than one acre, but which are contiguous or are deemed part of a common project which is one acre or greater.	☐ Yes ☒ No ☐ Unsure
v. The project will affect at least one of the following; additional gross floor area by 2,000 square feet, any change of use, changes to parking and/ or curb cuts.	☒ Yes ☐ No

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

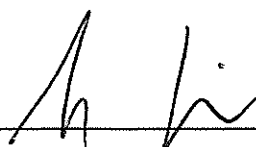
Address 223 Garden Street, Feeding Hills, MA 01030

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

NOTICE OF VARIANCE / SPECIAL PERMIT
AGAWAM, MASS.
J

INSPECTION / BD. OF APPEALS
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

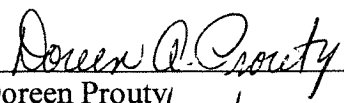
Donald Vermette, 223 Garden Street, Feeding Hills
continued:

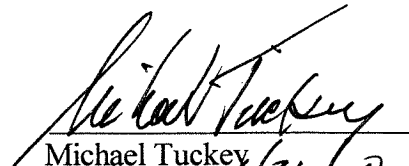
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2000 MAY 22 P 2:59

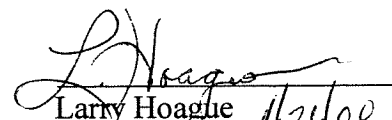
AGAWAM, MA

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



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

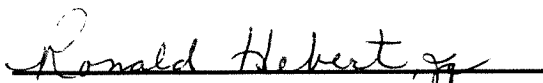
BOARD OF APPEALS

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.

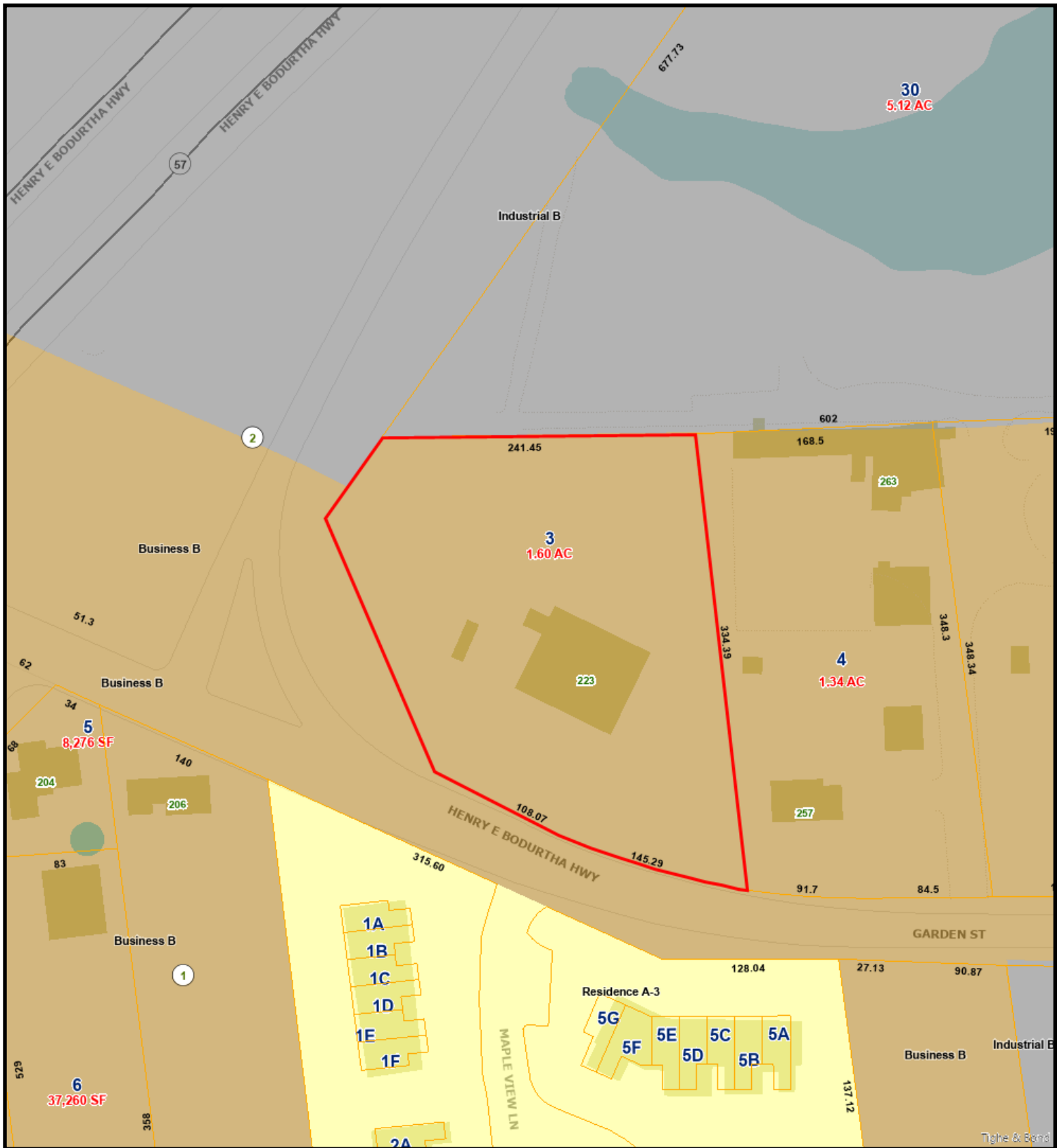
6. Potential fiscal impact, including impact on Town services, tax base, and employment.

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

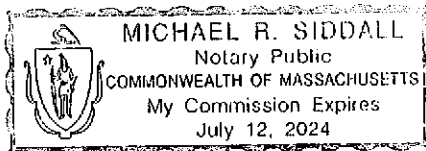
[Signature]
Donald J. Vermette a/k/a Donald H. Vermette

[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.

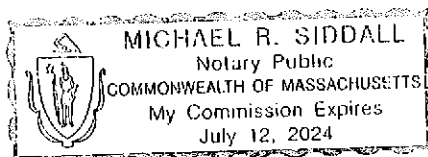


[Signature]
Michael R. Siddall
Notary Public
My Commission Expires: July 12, 2024

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



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

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

June 11, 2025

To: Office of Planning and Community Development:

Re: Zoning Board of Appeals – Case #2033- Special Permit Comments for 12 Moore Street;

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

Respectfully,

Kevin Duquette

Kevin Duquette
Inspector of Buildings
Town of Agawam



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

BOARD OF APPEALS

FOR OFFICE USE ONLY

Case #: 2033
Filed: _____
Hearing: _____
Expires: _____

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

Applicant Jamie Santanello

Address 12 Moore St Agawam, MA 01001

Application is hereby made for a SPECIAL PERMIT as provided by Section 180, Paragraph 23-K & 81 of the By-law.

Premises affected are situated on Moore Street; 0 feet distant from the corner of Valley Street and known as street number _____.

Property is zoned as Bus-A.

Reason(s) for request of Special Permit:

We would like to have 4-Chicken
and a 43 Gal outdoor compost Bin Tumbled

Signature of owner or his authorized agent: Jamie Santanello

Telephone #: 413-342-4732

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

OFFICE ONLY Date Filed
INSPECTION SERVICES
MAY 27 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		12 MOORE ST.		b. Zoning District		Bos A	
c. Assessor's Map		I17		d. Lot(s)		1-10	
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		JAMIE SANTANELLO		b. Applicant Phone		413-342-4132	
c. Applicant Email		JAMIESanta@agmail.com					
d. Applicant Mailing Address		12 MOORE ST.					
e. Applicant Relationship to Property		☒ Owner ☐ Agent ☐ Other:					
f. Representative Name (if any)				g. Rep. Phone			
h. Rep. Email							
i. Owner Mailing Address		12 MOORE ST.					
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 / NOU		
			☒ No changes to building, site or lot				
a. Lot Size	10,454 SF				LOT SIZE	☐	
b. Frontage	237.67 FT				FRONTAGE	☐	
c. Front Lot Line	118.82 FT				FRONT SB	☐	
d. Side Lot Line (Left/Right)	L: 100.73 R: 43.38 FT		L: FT R: FT		SIDE SB	☐	
e. Rear Lot Line	APPROX. 100.00 FT				REAR SB	☐	
f. Building Height					BLDG HT	☐	
g. Total BLDG/Res Area	SF	SF	SF	SF	AREA LIM	☐	
h. BLDG Coverage (Footprint)	SF	% of lot	SF	% of lot	LOT COVER	☐	
i. Impervious Coverage	SF	% of lot	SF	% of lot	IMPERVIOUS	☐	
j. Parking/Loading Spaces	P:	L:	P:	L:	PARKING	☐	
k. Bicycle/EV Charge Spaces	B:	EV:	B:	EV:	BIKE/EV	☐	
l. Signs (Size & Type)		T:	x	T:	SIGNS	☐	
m. Fence (Size & Type)	264' LIN FT		6' LIN FT				
n. Wetland Area							
o. Utility Services	☐ Town Water ☐ Town Sewer		☐ Town Water ☐ Town Sewer		NON-CONFORMING USE ☐		

p. Current Use of Property	RESIDENCE
q. Proposed Use of Property	RESIDENCE
r. Project Description	
INSTALL 4 BIRD (HEN) COOP 43 GAL OUTDOOR COMPOST BIN TUMBLER	
s. I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)	☒ Yes ☐ No
t. Work is proposed in or within 100' of a wetland or 200' of a stream/river, or construction will occur within the Floodplain district. If so, <u>CONSERVATION COMMISSION</u> review is required.	☐ Yes ☐ No ☒ Unsure
u. The following projects shall be required to comply with the requirements of a <u>STORM DRAIN PERMIT</u> : [1] Any alteration to sites on parcels of one acre or greater. [2] Any alteration to individual lots less than one acre, but which are contiguous or are deemed part of a common project which is one acre or greater.	☐ Yes ☒ No ☐ Unsure
v. The project will affect at least one of the following; additional gross floor area by 2,000 square feet, any change of use, changes to parking and/ or curb cuts.	☐ Yes ☒ No

4) CERTIFICATION

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

Signature	<i>Jamie Sinstadler</i>	Date	5-27-25
☒ Applicant ☐ Applicant's Representative			

ZONING DETERMINATION - OFFICE USE ONLY

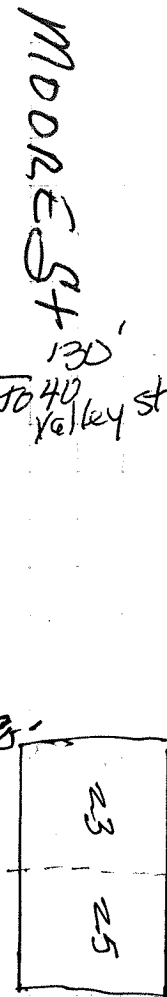
☐ Approved ☐ Denied:		☐ The proposed use is not permitted in the subject zoning district ☐ Only permissible with variance relief from the Zoning Board of Appeals	
☒ Approved Pending additional approval:			
Per Zoning Ordinance Section(s)	Required Permit(s)	Approval Required	Permitting Authority
180-23-K (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	<i>Ken D...</i>	Issue Date	5/29/2025

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

SANTANELLO
1175 to 1194 valley

Coop: 76.6" x 40.0" $\frac{15}{16}$ x $\frac{54}{16}$ Val

6' WOOD STOCK AND FENCE





<u>Required - (4) Hens</u>		<u>Provided</u>
Coop - 12 Sq ft	_____	24 Sq ft
Run - 40 Sq ft	_____	<u>40</u> Sq ft

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, *MARIA LA FRANCE*, of
650 Dickinson Hill Road, Russell, Hampden County, Massachusetts

FOR CONSIDERATION AND CONSIDERATION PAID IN THE AMOUNT OF ONE
HUNDRED FIFTY FOUR THOUSAND (\$154,000.00) DOLLARS,

grants to *JAMIE SANTANELLO* of 12 Moore Street, Agawam, Hampden County,
Massachusetts,

with **WARRANTY COVENANTS**

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

BEGINNING at an iron pin that is distant approximately Six Hundred (600) Feet from
the intersection of the Westerly side of Moore Street with the Northerly side of High
Street and which is the Southeasterly bound of the premises conveyed and running
thence:

SOUTH ~~79~~ 47' 30" West a distance of Forty Three (43) Feet to an iron pin;
thence

NORTH ~~26~~ 48' West a distance of One Hundred Nineteen and 34/100
(119.34) Feet to an iron pin; thence

NORTH 54° 40" East a distance of Seventy and No/100 (70.00) Feet to
an iron pin; thence

SOUTH 85° 03' 30" East a distance of Thirty and 73/100 (30.73) Feet to an
iron pin; thence

SOUTH 42° 07' 30" East a distance of Eighteen and 12/100 (18.12) Feet to an
iron pin; thence

SOUTH 1° 52' 30" West a distance of One Hundred Twenty One and 82/100
(121.82) Feet along Moore Street to the Point of
Beginning.

Also, one half of the roadway bounding on this plot as follows:

BEGINNING at the first mentioned iron pin that is distance approximately Six Hundred
Five (605) Feet from the intersection of the Westerly side of Moore Street with the
Westerly side of High Street and running thence

NORTH 77° 47' 30" East a distance of fifteen (15) Feet to the center of the road
known as Moore Street; thence

NORTH 1° 52' 30" East approximately One Hundred Twenty One and 82/100
(121.82) Feet; thence

NORTH 42° 07' 30" West a distance of approximately Twenty Three (23) Feet;
thence

NORTH 85° 03' 30" West a distance of approximately Thirty Eight (38) Feet;
thence

SOUTH 54° 40' West a distance of approximately Seventy (70) Feet to a point
Opposite the iron pin marking the Northwesternly bound
of the first mentioned plot; thence

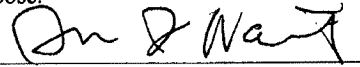
12 Moore St. Agawam

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

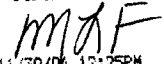
NOVEMBER 30, 2004

On this 30th day of November, 2004, before me, the undersigned Notary Public, personally appeared MARIA LA FRANCE, who proved to me, through satisfactory evidence of identification, which was her Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that she signed it voluntarily for its stated purpose.



IRWIN I. WEITZ Notary Public
My Commission Expires: 04/05/07

SPRINGFIELD
DEEDS REG12
HAMPDEN


11/30/04 12:25PM 01
000000 #6473

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS

FEE \$702.24

CASH \$702.24

The following members attended the public meeting:

Richard Maggi-Acting Chair

Vinny Ronghi-Acting Clerk

Viktor Savonin-Acting Vice Chair

Stefanie Kesecker-Administrative Assistant

CASE #2032—248 River Road-Special Permit-Nakhabenko

Sitting on this case:

Richard Maggi Acting-Chair, Viktor Savonin-Acting Vice Chair, Vinny Ronghi-Acting Clerk

Chair Maggi opened the meeting and introduced the Board members.

Rob Levesque, with R. Levesque Associates was present for this agenda item. He stated the proposal is for a 1,250 sq. ft. addition to the existing single-family home. He stated this project is in a floodplain. He stated they have received an Order of Conditions, issued by the Conservation Commission, as well as NHESP approval. He stated the compensatory storage area is for the displacement. He stated they are required to compensate at a 1:1 ratio to offset the displacement. He stated the addition will need to be 2 ft. above base flood elevation. He stated the base level is 58ft. The new addition will be raised to elevation 60 ft. He stated there is no living space below the floodplain. He went on to say there will be a garage and possibly a full basement, as well as a crawl space.

Mr. Maggi asked what consideration for determining if this will be full basement. Mr. Levesque stated only if the basement was a concern to the Building Inspector.

Mr. Maggi asked if the existing home would be raised 2 ft. Mr. Levesque stated no, just the addition. Mr. Savonin asked if the existing structure should be elevated 2ft as well since it is substantial improvement with both a remodel and addition. Mr. Levesque stated no, just the addition.

Mr. Savonin asked if the existing house would be remodeled, in addition to the proposed addition. Mr. Levesque stated yes.

Mr. Ronghi asked if the existing structure has steps that lead up to the ingress and egress. Mr. Nakhabenko stated yes.

Mr. Maggi asked if there was a history of flooding in the basement. Mr. Nakhabenko stated no.

Mr. Savonin asked the elevation from the side of the building from grade to peak, to the river.

Mr. Levesque stated it is 2 stories, but will stay under the 35 ft. requirement. Mr. Savonin asked finally height of the building, above the proposed grade of the floodplain grade. Mr. Levesque stated they have to stay below the 35 ft. with grade. Mr. Levesque stated the grade at the front of the house is 57.3. Mr. Savonin asked the final grade proposed. Mr. Levesque stated 57.36, the rest of the structure will be 60ft. or above.

Mr. Maggi asked about the Order of Conditions. Mr. Levesque stated it was recorded on July 7, 2025 and they have received a sign off from NHESP.

Mr. Levesque requested the ZBA issue a waiver for environmental impact statement.

Mr. Maggi closed the public hearing and went directly into a meeting.

Motion was made by Mr. Ronghi and seconded by Mr. Savonin to issue a waiver for environmental impact statement.

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

Motion was made by Mr. Ronghi and seconded by Mr. Savonin to approve the Special Permit-248 River Rd-Nakabenko, conditional upon following:

1. The proposed additions/revisions will be constructed according to the plan submitted by Levesque. Upon completion of the project "As Built" certification by Levesque must be submitted to the Board;
 2. The "Order of Conditions" granted by the Agawam Conservation Commission, and the condition required by MASSWILDLIFE, must be complied with;
 3. All zoning and building code requirements must be adhered to;
 4. Petitioner is required to give notice to prospective purchasers or existing landowners by sign, notation of plans and permits or otherwise, of past flooding of said premises, and the steps taken by petitioner or successor in title to alleviate the effects of same;
 5. Petitioner shall record with the Hampden County Registry of Deeds a "Notice of Special Permit" 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; and
 6. This Special Permit shall become null and void if construction has not commenced within three (3) years from the date this decision is filed with the Agawam Town Clerk's office.
- This decision is subject to appeal, in accordance with M.G.L. ch. 40A, Sec. 17, within twenty (20) days following the filing hereof with the Agawam Town Clerk's office.

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

Mr. Maggi informed the petitioner that if the home is sold, any water or flooding issues, must be given to the new owner.

Mr. Maggi explained the 20 day appeal process.

7:00PM-Public Hearing-Case#2033-12 Moore Street-Santanello-Special Permit

Jamie Santanello-12 Moore Street was present for this agenda item. She stated she would like to obtain 4 chickens and she has a large enough lot for 6 chickens. She had previously presented the Board with written drawings that met the chicken ordinance requirements, however; at this meeting she present a picture of the coup and run she had ordered and they were much smaller than the required area.

The Board informed here this hearing will be continued to the July 28, 2025 meeting, in order for the petitioner to resubmit her plot plan with accurate measurements.

Motion was made by Mr. Ronghi and seconded by Mr. Savonin to continue the Public Hearing Case#2033-12 Moore Street-Santanello-to the July 28, 2025.

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

Approval of Minutes-June 23, 2025

Motion was made by Mr. Ronghi and seconded by Mr. Savonin to approve the June 23, 2025 minutes, as written.

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

Any other matter that may legally come before Zoning Board of Appeals

None

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

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

Meeting adjourned at 7:20pm.