



Zoning Board of Appeals AGENDA

Monday, September 22, 2025 - 6:30 PM

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

A. Zoning Board of Appeals

- 1) Public Hearing-Case#2035-580 Main Street-Verizon
- 2) Public Hearing-Case#2034-580 Main Street-Verizon-Special Permit
- 3) Public Hearing Cont.-Case#2037-265 Colemore Street-Mayersky-Variance
- 4) Approval of Minutes-September 8, 2025
- 5) Any other matter that may legally come before ZBA



SHATZ, SCHWARTZ AND FENTIN
COUNSELLORS AT LAW

September 8, 2025

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

Re: Zoning Board of Appeals Meeting Extension Request - Diamond Communications, LLC & Cellco Partnership d/b/a Verizon Wireless (collectively, the "Applicants") Special Permit and Variance Application for Proposed Wireless Communications Installation at 580 Main Street.

Dear Chairwoman Prouty,

The Zoning Board of Appeals is scheduled to conduct a hearing on Monday, September 22nd, 2025, regarding the above-captioned Special Permit and Variance Applications.

As we previously discussed, we are in the process of preparing filings with and appearing before the Conservation Commission relating to the abovementioned Wireless Communications Installation. Unfortunately, it appears as though we will not appear before the Conservation Commission until their September 25th meeting. Therefore, we respectfully request that the Zoning Board of Appeals vote to continue our Special Permit and Variance Applications on the agenda for September 22nd, 2025, to a future meeting of the board to be held on October 27th, 2025. As soon as we complete our due diligence with the Conservation Commission, we will also be back in touch to schedule the balloon floats for the proposed Wireless Communications Installation.

Please do not hesitate to contact me should you have any questions regarding this request.

Very truly yours,

Michael A. Fenton, Esq.

MAF/bss

23\0520\ZBA_Meeting_Rqst_Ltr_September.5702



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MAF/bss

23\0520\ZBA_Meeting_Rqst_Ltr_September.5702



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

BOARD OF APPEALS

FOR OFFICE USE ONLY

Case # _____
Filed _____
Hearing _____
Expires _____

Application to Board of Appeals for VARIANCE from the requirements of the Zoning By-laws.

Applicant Steve Mayesky

Address 265 Coleridge St.

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

Premises affected: 265 Coleridge Address _____

Property zoned as: _____

1. Description of existing building:

- a. Size of building: _____ Height: _____ # of stories 2
b. Occupancy or Use: (of each floor) _____
c. Date of Erection: 195
d. Has there been a previous appeal, under zoning on these premises no ?

2. Description of proposed work or use:

Vegetation Replacement

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

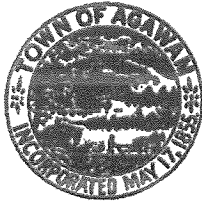
An 8' fence was put up to replace vegetation. There were
12 Arborvitae that grew too close to power lines &
needed to be replaced

Signature of owner or his authorized agent: _____

Telephone #: 609 284 3110

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

Steve Mayesky
@gmail.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 BUILDING DEPARTMENT
JUL 08 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 <u>265 Cdemore st</u>					b. Zoning District <u>AG</u>					
c. Assessor's Map <u>G13</u>					d. Lot(s) <u>1-7</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>Steve Mayersky</u>					b. Applicant Phone <u>609 284 3110</u>					
c. Applicant Email <u>Steve.Mayersky@gmail.com</u>										
d. Applicant Mailing Address <u>265 Cdemore St</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>265 Cdemore St</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 No changes to building, site or lot				-FOR BUILDING DEPT. REVIEW- REQUIRED (NO)	
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				NON-CONFORMING USE ☐	

p. Current Use of Property	Residential
q. Proposed Use of Property	
r. Project Description	
I'd like to submit a Variance Application for the fence EverSource installed 5 years ago. They had to cut down Arborvitae & replaced with an 8' fence to retain privacy & safety from overhead wires. We just purchased this property about 2 weeks ago. Is it weird someone conducted after 5 years?	
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

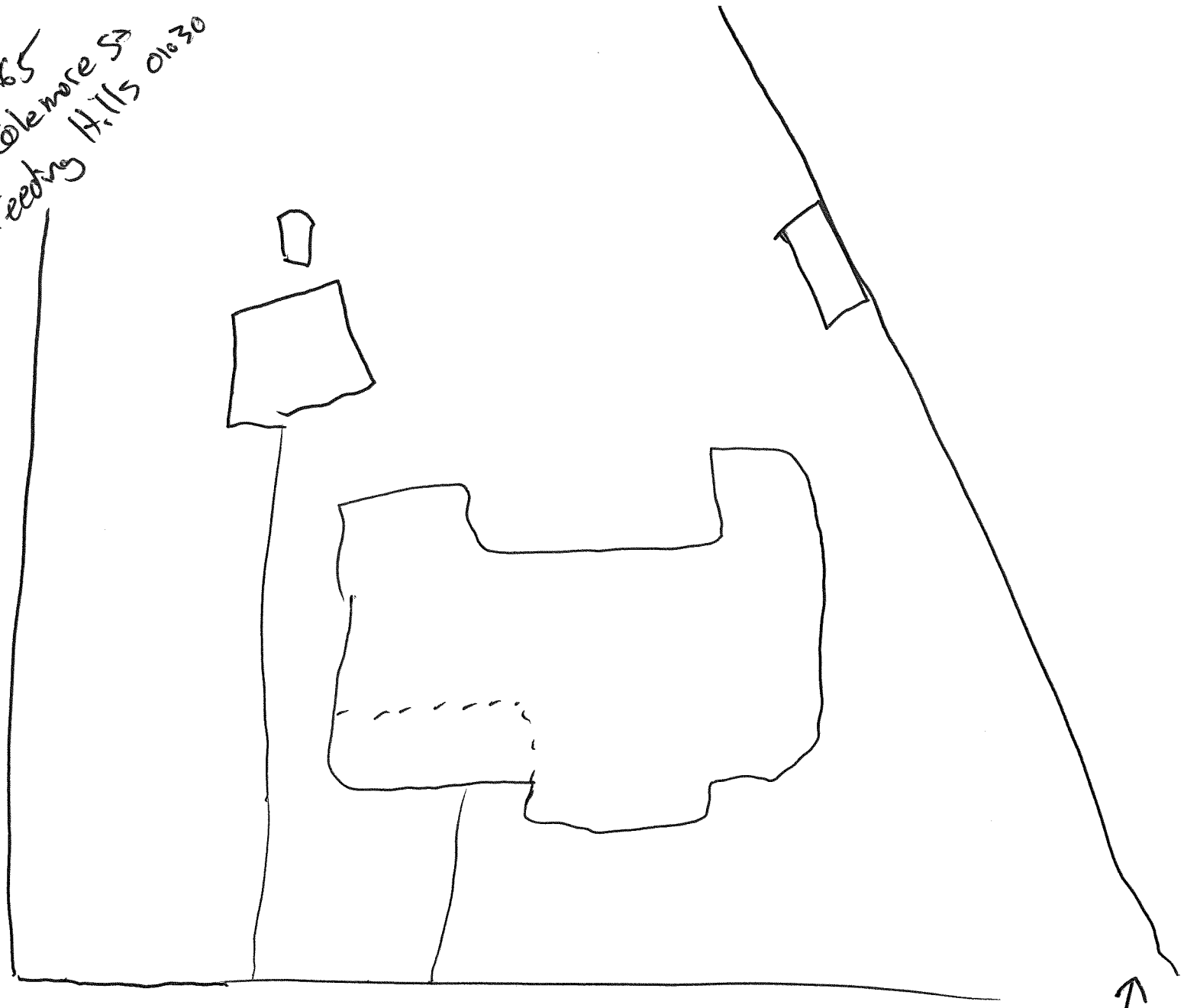
4) CERTIFICATION	
This determination is based only on the information provided, which I represent as accurate. The issuance of a Zoning Determination does not relieve the Applicant of the responsibility to obtain other zoning or non-zoning permits, as may be required, and this determination is based 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	7/7/25
☒ 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
180-8-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
			7/8/2025

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

* written Complaint - 5/27/2025

265
Colemore S
Feeding H. 1/5 01030



↑
8' fence
was 12'
Arborvities



Fence Variance Application

1 message

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

Wed, Jul 9, 2025 at 8:29 AM

To Whom It May Concern,

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

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

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

Sincerely,

Chris Magnano

[Quoted text hidden]
[Quoted text hidden]

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

WMA News from the Field

Date: 9/29/21

ROW: WT-22

Line & kV: 1007 & 1302 / 115kV

Structures: 43017-43016

Town: Agawam

Work Type: Cut Floor / SMT & Hazard

Contractor: Supreme & Outback

Tree Species: Green Giant Arborvitae

Narrative: Last year Supreme tree crews removed this green giant arborvitae hedge from the wire & border zones during our cut floor work. This year Supreme completed the tree work by trimming the ROW edge trees as part of or SMT and Hazard tree work. Outback Landscaping finished the job with the installation of a fence rather than plantings for the property owner.

Attach pictures:

Before



During



After





MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 06-20-2025 @ 01:41pm
Ctl#: 250 Doc#: 27548
Fee: \$1,824.00 Cons: \$400,000.00

QUITCLAIM DEED

WE, GARY LAMBERT and PATRICIA LAMBERT, of 265 Colemore Street, Feeding Hills, Massachusetts,

IN full consideration of Four Hundred Thousand and 00/100 Dollars (\$400,000.00)

Grant to **JANNA MAYERSKY and STEVE MAYERSKI JR.**, of 76 Hazen Street, Springfield, Massachusetts, as Tenants by the Entirety

With QUITCLAIM Covenants

The land in said Agawam being known and designated as lot #1 (one) as shown on a plan of lots recorded in Hampden County Registry of Deeds in Book of Plans 40, Pages 32 & 33, said lot being more particularly bounded and described as follows: Bounded

EASTERLY by Colemore Street, one hundred twelve and 86/100 (112.86) feet;

SOUTHERLY by lot #2 (two) on said plan, two hundred (200) feet;

WESTERLY by land now or formerly of Armand Dubuc et al, forty-three and 62/100 (43.62) feet;

NORTHWESTERLY by land now or formerly of Wesley H. Nutbrown, one hundred twelve and 70/100 (112.70) feet;

WESTERLY by land now or formerly of Armand Dubuc et al, fifty-four and 77/100 (54.77) feet; and

NORTHERLY by land now or formerly of Armand Dubuc et al, one hundred seventeen and 08/100 (117.08) feet.

SUBJECT to pole and line rights, etc. granted Turner Falls Power & Electric Company as set forth in instrument dated June 5, 1917 and recorded in the Hampden County Registry of Deeds in Book 979, Page 327, if affecting the locus.

SUBJECT to pole and line rights granted American Telephone and Telegraph Company as set forth in instrument dated December 16, 1905 and recorded as aforesaid in Book 691, Page 406, if affecting the locus.

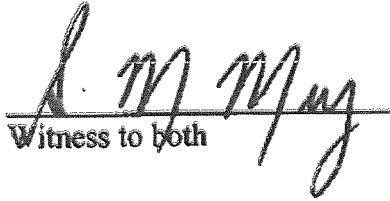
SUBJECT to pole and line rights, etc. granted Western Massachusetts Electric Company and New England Telephone and Telegraph Company as set forth in instrument dated October 27, 1952 and recorded as aforesaid in Book 2206, Page 238.

265 Colemore Street, Feeding Hills, Massachusetts

We, GARY LAMBERT and PATRICIA LAMBERT, do hereby voluntarily release all of my rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state, under the pains and penalty of perjury, that there is/are no other person or persons entitled to any homestead rights in the granted premises.

BEING the same premises conveyed to Grantors by Deed dated November 18, 2019, and filed in the Hampden County Registry of Deeds in Book 22967, Page 462.

Witness my hand and seal this 28th day of May, 2025.


Witness to both

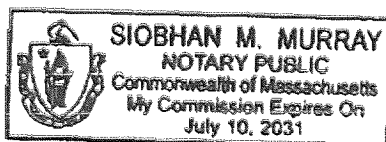

GARY LAMBERT

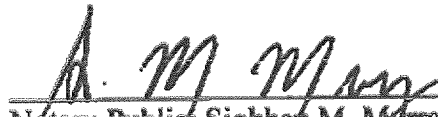

PATRICIA LAMBERT

COMMONWEALTH OF MASSACHUSETTS

Hampden: ss

On this 28th day of May, 2025, before me, the undersigned notary public, personally appeared, **GARY LAMBERT** and **PATRICIA LAMBERT**, proved to me through satisfactory evidence of identification, which was ☒ photographic identification with signature issued by a federal or state governmental agency, which was a MA Drivers License, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that this instrument is the free act and deed of **GARY LAMBERT** and **PATRICIA LAMBERT**.




Notary Public: Siobhan M. Murray
My Commission Expires: July 10, 2031

Stefanie Kesecker

From: Michael Albro
Sent: Friday, September 5, 2025 3:53 PM
To: Stefanie Kesecker
Subject: RE: Upcoming ZBA Cases

Stefanie,

Engineering has no comments concerning the ZBA cases for 265 Colemore Street and 45 Cricket Road.

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

From: Stefanie Kesecker <SKesecker@agawam.ma.us>
Sent: Tuesday, August 5, 2025 9:48 AM
To: Barbara Bard <BBard@agawam.ma.us>; Nadine Porfilio <NPorfilio@agawam.ma.us>; Sue Conlon <sconlon@agawam.ma.us>; Christopher Cappucci <solicitor@agawam.ma.us>; Christopher C. Johnson <mayor@agawam.ma.us>; All_Engineering Department <All_Eng_Dept@agawam.ma.us>; Mario Mazza <MMazza@agawam.ma.us>; Brian Machos <BMachos@agawam.ma.us>; Derek Myers <afdinsp@agawam.ma.us>; Lauren Kennedy <health@agawam.ma.us>; Kelly McCormick <assessor@agawam.ma.us>; Kevin Duquette <inspections@agawam.ma.us>; Allison Strong <AStrong@agawam.ma.us>; Frank Meagher <FMeagher@agawam.ma.us>; henry kozloski <vedany@comcast.net>; Jill Messick <JMessick@agawam.ma.us>; Keven Brown <KBrown@agawam.ma.us>; Magda Galiatsos <MGaliatsos@agawam.ma.us>; Page Fallon <PFallon@agawam.ma.us>; Sheryl Becker <SBecker@agawam.ma.us>; frank meagher <wiater@comcast.net>; jill ward <jill.messick@comcast.net>; keven brown <Keven.brown42@gmail.com>; magda galiatos <magda0515@comcast.net>; page fallon <pfallon@ecsconsult.com>; Sheryl Becker <Sher1earth69@gmail.com>; Charles Elfman <CElfman@agawam.ma.us>; Frank DeStefano <FDeStefano@agawam.ma.us>; Michael Cleavall <MCleavall@agawam.ma.us>; Michael Dilullo <MDilullo@agawam.ma.us>; Vi Baldwin <VBaldwin@agawam.ma.us>; Charles Elfman <charleselfman@gmail.com>; Frank DeStefano <FDeStefano@comcast.net>; Michael Cleavall <cleavall@comcast.net>; Mike DiLullo <MDiLullo@mholland.com>; Taryn Egerton <TEgerton@agawam.ma.us>; Violet Baldwin <eden214@aol.com>
Subject: Upcoming ZBA Cases

Please see the attached upcoming ZBA cases and respond with any comments or concerns by September 8, 2025 ZBA meeting.

Sincerely,

Please note: the Planning Office is now located at 1000 Suffield Street in Inspection Services



Town of Agawam

Building Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

Kevin Duquette

Inspector of Buildings
inspections@agawam.ma.us

August 12, 2025

To: Office of Planning and Community Development:

Re: Zoning Board of Appeals – Case #2037- Variance Request for Installation of an 8’ Fence-
265 Colemore Street Feeding Hills, MA 01030;

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

Per Mass State Building Code 780 CMR Section R105.2, if the variance is granted, the owners will need to apply for a permit with the Building Department for the 8’ fence installation.

Respectfully,

Kevin Duquette

Kevin Duquette
Inspector of Buildings
Town of Agawam