



**Zoning Board of Appeals
AGENDA**

Monday, March 9, 2026 - 6:30 PM

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

A. Zoning Board of Appeals

- 1) Case#2042-262 Colemore-Dommenko-Appeal
- 2) #Case#2043-371 South Westfield Street-Tsimoshak-Special Permit
- 3) Approval of MInutes-February 9, 2026
- 4) Any other matter that may legally come before the Zoning Board of Appeals



TOWN OF AGAWAM
36 MAIN STREET
AGAWAM, MA 01001

BOARD OF APPEALS

FOR OFFICE USE ONLY	
Case #:	<u>2042</u>
Filed:	<u>11.24.25</u>
Hearing:	<u>1.12.2026</u>
Expires:	_____

Application to Board of Appeals for a hearing on an appeal from a decision of Zoning Ordinance by Building Inspector as allowed under Section 2-8, Paragraph C "Adopted Charter and MGL, Ch. 40A, Section 8.

Applicant Natalya Domnenko and Andrey Domnenko

Address 262 Colemore Street, Agawam, MA 01001

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

Property is zoned as _____.

Reason(s) for request

This appeal is submitted in response to the Building Inspector's Final Notice of Zoning

_____ Ordinance Violation dated October 28, 2025, concerning the height of the existing vinyl fence located on my property.

_____ We respectfully request that the Board approve and allow the existing eight-foot fence is located entirely within the Eversource utility easement, to remain in place.

_____ For your review and consideration, the following documents are enclosed:

_____ Detailed explanation letter, Owner's deed,
_____ Building Inspector's October 28, 2025 notice, Complaint Form (unanimous submission)

THANK YOU!

Signature of owner or his authorized agent: _____
David *Domnenko*

Telephone #: 413-262-8880

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

2025 NOV 24 A 10:54
8

November 20, 2025

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

RE: Request to Retain Existing Eight-Foot Fence Installed by Eversource Electric within Utility Easement at 262 Colemore Street, Agawam, MA 01001

Dear Members of the Agawam Zoning Board:

We respectfully request the Board's formal approval and confirmation allowing the existing eight-foot fence located within the Eversource utility easement on my property at 262 Colemore Street to remain in place.

Approximately four years ago, Eversource installed this fence within its recorded easement (see attached deed) as a replacement for a row of tall/mature evergreen vegetation that was removed during required utility maintenance. Those evergreens had long provided essential noise and privacy screening from the utility corridor with Eversource and privacy buffering between my residence and Robinson State Park, which lies approximately 250 feet from my property. The fence was installed entirely within the easement area and with Eversource's express authorization.

Importantly, this installation was not a private improvement but a necessary restoration measure performed by Eversource to mitigate the loss of the natural buffer removed during their work. The fence continues to serve the same critical functions as the original vegetation—providing privacy screening, noise reduction, and maintaining safe, stable site conditions. It is structurally sound, properly maintained, and presents no visibility, environmental, or public-safety concerns.

Over the past four years, the fence has existed without incident, complaint, or any impact to neighboring properties or public resources. Its consistent presence demonstrates that it is not detrimental to the public good, is compatible with the character of the surrounding area, and provides important environmental and privacy benefits.

Recently, however, the Town initiated enforcement action in response to an unofficial, unsigned, and non-unanimous complaint—considering the fence having been in place for years without issue. (A copy of the complaint provided by the Town of Agawam is attached.)

For the reasons outlined above, we respectfully request that the Board approve and allow the fence to remain in its current location within the Eversource easement.

Thank you for your time, consideration and attention to this matter.

Sincerely,

Natalya and Andrey Domnenko

Property Owners

Bk 21078 Pg 243 #10787
02-26-2016 @ 04:04p

MASSACHUSETTS STATE EXCISE TAX
HAMPDEN COUNTY REGISTRY OF DEEDS
Date: 02-26-2016 @ 04:04pm
Ct1#: 547 Doc#: 10787
Fee: \$581.40 Cons: \$127,500.00

QUITCLAIM DEED

U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust having
a usual place of business at , 6031 Connection Drive, Irving, TX 75039

for consideration of One Hundred Twenty-Seven Thousand Five Hundred and
00/100 Dollars (\$127,500.00), paid

Grants to: Andrey K. Domnenko and Natalya V. Domnenko,
_____ of 262 Colemore Street, Feeding Hills, MA 01030

With quitclaim covenants:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

For Title Reference, see Foreclosure Deed recorded in the Hampden County Registry
of Deeds, in Book 20999, Page 571 on December 22, 2015.

This deed is given in the usual course of the Grantor's business and is not a
conveyance of all or substantially all of the Grantor's assets in Massachusetts.

Property Address: 262 Colemore Street, Feeding Hills, MA 01030

EXHIBIT A

Certain real estate situated on the easterly side of Colemore Street in the Town of Agawam, Hampden County, Massachusetts, being known and designated as Lot #7 (seven) as shown on a plan entitled "Plan of Land in Agawam, Mass. owned by Armand Dubuc and Leonard E. Langavin", dated September, 1952, made by Cobb, Beesley & Miles, C.E., recorded in Hampden County Registry of Deeds in Plan Book 40, Pages 32 and 33, said lot being bounded and described as follows:

Bounded Westerly by Colemore Street seventy- nine and 77/100 (79.77) feet; Northerly by land now or formerly of Armand Dubuc et als and the Western Massachusetts Electric Company right of way as shown on said plan, one hundred fifty and 40/100 (150.40) feet; Easterly by land of owner unknown eighty-five and 84/100 (85.84) feet; and Southerly by Lot #8 (eight) as shown on said plan one hundred fifty (150) feet.

SUBJECT TO pole and line rights, if affecting locus, and restrictions in favor of Turners Falls Power & Electric Company as set forth in instrument dated June 5, 1917 and recorded in said Registry of Deeds, Book 979, Page 327.

SUBJECT TO pole and line rights, if affecting locus, in favor of the American Telephone & Telegraph Company as set forth in instrument dated December 16, 1905, and recorded in said Registry of Deeds, Book 691, Page 406.

SUBJECT TO pole and line rights of Western Massachusetts Electric Company and New England Telephone & Telegraph Company as set forth in instrument dated October 27, 1952, and recorded in said Registry of Deeds, Book 2206, Page 238.

BEING the premises known as #262 Colemore Street.

Also hereby granting the following described real estate adjoining the above described real estate on the north:

Beginning at an iron pin in the easterly line of Colemore Street at the northwesterly corner of the parcel above described, and running thence easterly by the northerly line of the parcel above described one hundred fifty and 40/100 (150.40) feet;

thence running Northerly in a straight line in extension of the easterly line of the parcel above described fifty and 17/100 (50.17) feet;

thence running Westerly in the course of the middle line of the right of way of the Western Massachusetts Electric Company as shown on the plan of land above mentioned one hundred forty and 77/100 feet to Colemore Street.

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS

Executed as a sealed instrument this 18 day of Feb, 2016.

See POA recorded in the
Hampden County Registry of
Deeds at Book 20999, Page 564.

U.S. Bank Trust, N.A., as Trustee for LSF8
Master Participation Trust by Caliber Home
Loans, Inc., its Attorney-in-Fact

By: [Signature]
Name: Odette Hodges
Title: Authorized Signatory

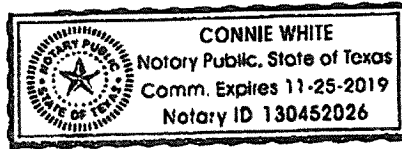
State of Texas
County of Dallas

On this 18 day of Feb, 2016, before me, the undersigned
Notary Public, personally appeared Odette Hodges, as
Authorized Signatory of Caliber Home Loans, Inc., Attorney-in-fact
for U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust, who is either
personally known to me, or proved to me through satisfactory evidence of identification,
to be the person who signed the preceding or attached document, and acknowledged to
me that he/she executed the same for its stated purpose as the free act and deed of
U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust.

Property Address: 262 Colemore Street, Feeding Hills, MA 01030

[NOTARY SEAL]

[Signature]
Notary Public
Printed Name: Connie White
My Commission Expires: _____



DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS
WESTFIELD, SATELLITE OFFICE



Town of Agawam

Building Department

1000 Suffield Street, Agawam, Massachusetts 01001

Telephone - (413) 821-0632

Final Notice of Zoning Ordinance Violation

Andrey & Natalya Domnenko
262 Colemore Street
Feeding Hills, MA 01030

October 28, 2025

RE: 262 Colemore Street Feeding Hills, MA 01030- Vinyl Fence Installation Exceeding Zoning Height Requirement;

Town of Agawam's Zoning Ordinance #180-8- B Supplementary Regulations, which states;

B. Fences or walls. Fence heights shall not exceed four feet on the setback portion of any lot perimeter and shall not exceed 6 1/2 feet in height on the remainder of the lot perimeter. On a lot which is adjacent to a higher zone classification, the fence heights shall conform to the higher classification. Notwithstanding the foregoing, fences may be erected by special permit to a height in excess of four feet, but not to exceed 6 1/2 feet, on the setback portion of any corner lot perimeter only. No fence, wall or natural barrier shall be constructed so as to create a safety hazard for vehicles or pedestrians entering or exiting driveways and streets. All fences and walls shall be properly maintained. Any fence or wall found to be in disrepair shall be promptly repaired or removed.

October 24, 2025- Findings- Property is still in violation of the vinyl fence height installation. Fence height needs to be rectified FORTHWITH for zoning compliance.

May 28, 2025- Findings- It has been noted this parcel of land is in violation of the Town's zoning ordinance for fence height regulations.

Required Action- Per the Town's zoning ordinances, the vinyl fence structure exceeding the allowed 6 1/2 feet height will need to be lowered in height and or removed to rectify the situation.

This course of action needs to be conducted FORTHWITH for zoning compliance. Follow-up inspections will be conducted within / upon thirty (30) days for verification of compliance. If no course of action is taken or if the issue is not rectified, violation fines will be issued for the property. **Once the issue has been rectified, please notify the Building Department for a follow-up verification inspection.**

Your attention to this matter is greatly appreciated.

§ 180-15. Enforcement. The provisions of this Chapter shall be enforced by the Inspector of Buildings, and no permit shall be granted for the construction, alteration, relocation or use of any building, structure or premises in violation of any provision of this Chapter. Whenever any permit or license is refused because of some provision of this Chapter, the reason therefor shall be clearly stated in writing and kept on file.

§ 180-16.1. Noncriminal Enforcement. In addition to the procedures for enforcement as described above, the provisions of this Chapter, the conditions of a permit or special permit granted under this Chapter, or any decision rendered by the Zoning Board of Appeals or Planning Board under this Chapter shall be enforced by the Inspector of Buildings, by noncriminal complaint pursuant to the provisions of Massachusetts General Laws Chapter 40, §21D, as amended from time to time. The fine for any violation disposed of through this procedure shall be one hundred (\$100.00) dollars for the first offense; two hundred (\$200.00) dollars for the second offense; and three hundred (\$300.00) dollars for the third and each subsequent offense. Each day such violation continues shall be deemed a separate offense. Unpaid fine(s) shall be subject to the municipal charges lien pursuant to Massachusetts General Laws Chapter 40 §58, as amended from time to time.

If you are aggrieved by this Zoning Violation Notice you have a right to Appeal to the Board of Appeals. Appeals to the Board of Appeals may be taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative office under the provisions of said Chapter 40A, or by any person, including an Officer or Board of the Town or of an abutting Town aggrieved by an order or decision of the Building Official, or other administrative Official, in violation of any provision of said Chapter or the Zoning Ordinances of the Town of Agawam.

“Such appeal shall be taken by the Board within (30) thirty days from the date of the order or decision which is being appealed, by filing a notice of appeal with the Town Clerk in accordance with the provisions of Chapter 40A.”

Sincerely,



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

Date of Notification: June 3, 2025	To Be Re-Inspected: Within / Upon (30) Thirty Days	File: Certified Mail:
Compliance: No	Ticket Issue Date: Upon re-inspection results	C.C:



Town of Agawam

Inspection Services

1000 Suffield Street
Agawam, MA 01001
(413) 821-0632

Kevin Duquette
Inspector of Buildings

Complaint Form

Date: 5-26-25

Location of Complaint: Feeding hills - Colmore St. Parcel ID _____

Property Owner or Alleged Violator (if known): None

Alleged Violation of: Building Code Zoning Ordinance General Ordinance¹

Relevant Section(s) of subject code (if known): _____

Nature of Complaint (attach additional pages/evidence as necessary):

267 Colmore St. 8 Ft Vinal Fencing against
Code
265 Colmore St. 8 Ft Vinal Fencing against Code

COMPLAINANT INFORMATION

This document should not be considered confidential and may be subject to M.G.L. ch. 66 § 10, MA Public Records Law.

Name: ??

Address: _____

Telephone: _____

Email: _____

Signature: _____

I have discussed this issue with the alleged violator

FOR INSPECTION SERVICES USE	
Received/Logged by _____	Date _____
<input type="checkbox"/> in person	<input type="checkbox"/> letter
<input type="checkbox"/> email	<input type="checkbox"/> phone
Investigated by _____	Date _____
Notes _____	

<input type="checkbox"/> Response sent to complainant on _____	
<input type="checkbox"/> Letter	<input type="checkbox"/> Email
<input type="checkbox"/> _____	

¹ Use this form only if the enforcing authority is specified as the Inspector of Buildings or Inspection Services.

² Inspection Services does not customarily act on anonymous complaints.

Stefanie Kesecker

From: Michael Albro
Sent: Wednesday, December 17, 2025 11:32 AM
To: Stefanie Kesecker
Subject: RE: Upcoming ZBA Case

Stefanie,

Engineering has no comments regarding the ZBA case for 262 Colemore Street.

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: Monday, December 8, 2025 9:59 AM
To: Lauren Kennedy <health@agawam.ma.us>; Kelly McCormick <assessor@agawam.ma.us>; Emma Martin <EMartin@agawam.ma.us>; Nadine Porfilio <NPorfilio@agawam.ma.us>; Barbara Bard <BBard@agawam.ma.us>; Christopher Cappucci <solicitor@agawam.ma.us>; Christopher C. Johnson <mayor@agawam.ma.us>; Sue Conlon <sconlon@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>; Kevin Duquette <inspections@agawam.ma.us>; Charles Elfman <CElfman@agawam.ma.us>; Frank DeStefano <FDeStefano@agawam.ma.us>; Michael Cleavall <MCleavall@agawam.ma.us>; Michael Dillullo <MDillullo@agawam.ma.us>; Vi Baldwin <VBaldwin@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>
Subject: Upcoming ZBA Case

Please see the attached ZBA case and respond with any comments before the January 12, 2026 meeting. Thank you.

Sincerely,

Please be aware that applications approved by the Town of Agawam are considered public information. Unfortunately, email spammers often monitor municipal records and attempt to compromise communications by sending fraudulent emails, many of which appear to be invoices from the town to applicants.

To avoid confusion or potential scams, please note that the Planning Office including the Planning Board, Zoning Board of Appeals, and Conservation Commission requires all application fees to be submitted at the time of application.

If you receive an invoice after submitting your application, we recommend you to contact our office at 413-726-9737 to determine the authenticity of the invoice.

NOTES

1. THE RECORD OWNER OF THE SUBJECT PARCELS IS LUIGI CHIARELLA. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 7726 PAGE 246 AND BOOK 9124 PAGE 67.
2. SEE ALSO HAMPDEN COUNTY REGISTRY OF DEEDS PLAN BOOK 167 PAGE 34 AND PLAN BOOK 258 PAGE 25.
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 PARCELS CONTAIN APPROXIMATELY 15.4 ACRES ACCORDING THE AGAWAM ASSESSORS RECORDS
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 EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A SURVEY PERFORMED BY R. LEVESQUE ASSOCIATES, INC. ON APRIL 15, 2022.
8. ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM THE TOWN OF AGAWAM MUNICIPAL GIS WEBSITE.
9. SUBJECT PARCEL IS SPLIT ZONED INDUSTRIAL A AND AGRICULTURAL ACCORDING TO THE TOWN OF AGAWAM ZONING MAP.
10. THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 2501300391E - EFFECTIVE DATE: JULY 16, 2013.
11. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

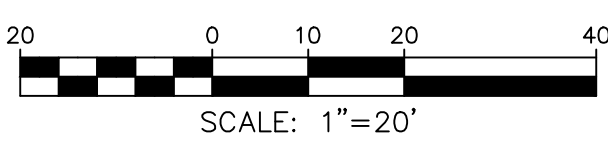
- Van Accessible Handicap Parking
- Customer Parking
- Employee Parking
- Dealership Building - Existing (4176 sq ft)
- Display Area (16 Cars) - Existing
- Driveway - Existing
- Street Light - Existing
- Monument Sign - Existing
- Landscaping Beds

Additional Notes:

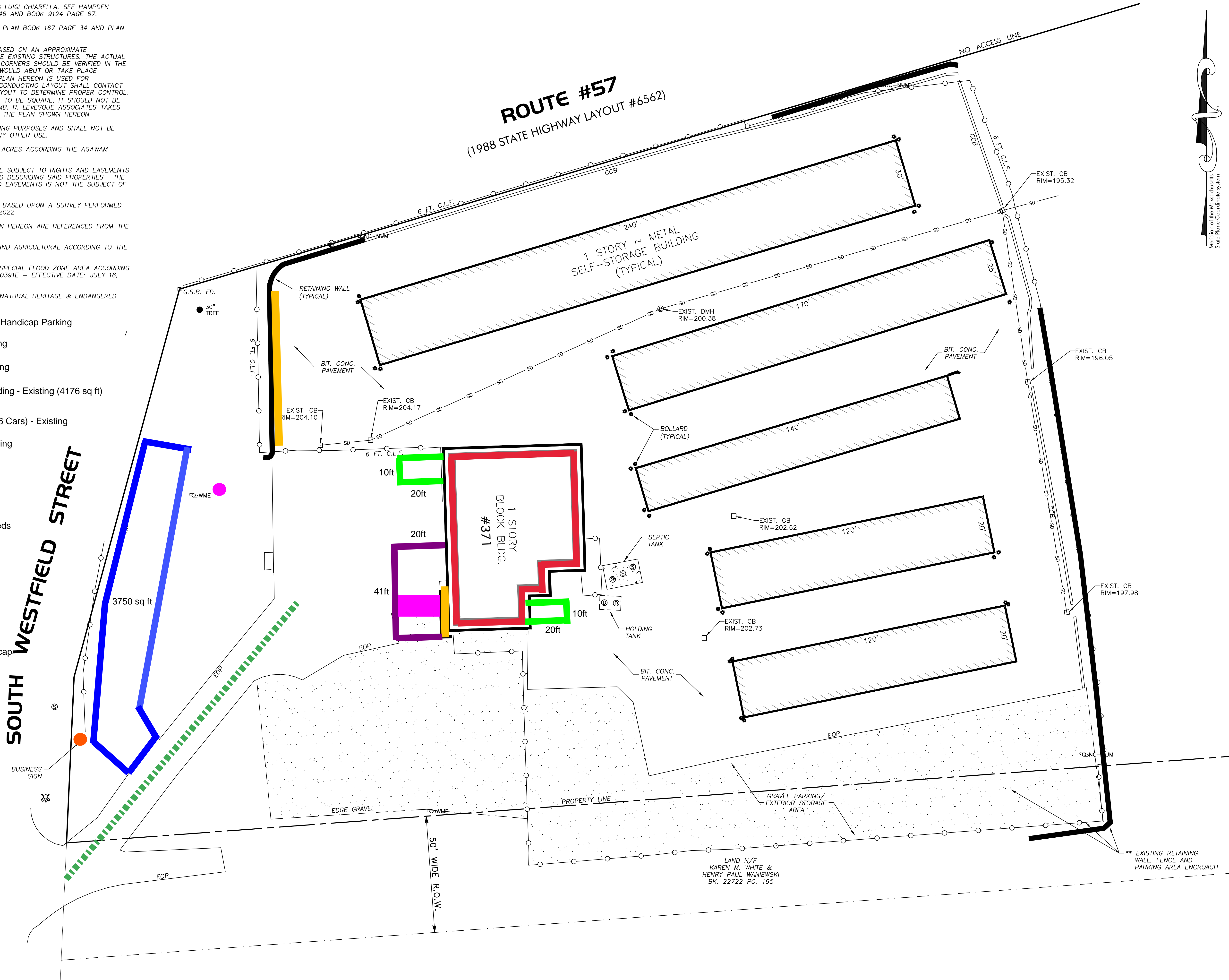
- 1) Car Display Area = 3750 sq ft
- 2) Customer Parking:
 - (2) 10ftx20ft spots
 - (1) 11ftx20ft + 5ft no park van handicap
 - 41ftx20ft total size (820sq ft)
 - See detailed sketch in supplemental
- 3) Employee Parking:
 - (2) 10ftx20ft spots (1 front, 1 rear)
 - See detailed sketch in supplemental
 - 20ftx20ft total size (400 sq ft)

ROUTE #57
(1988 STATE HIGHWAY LAYOUT #6562)

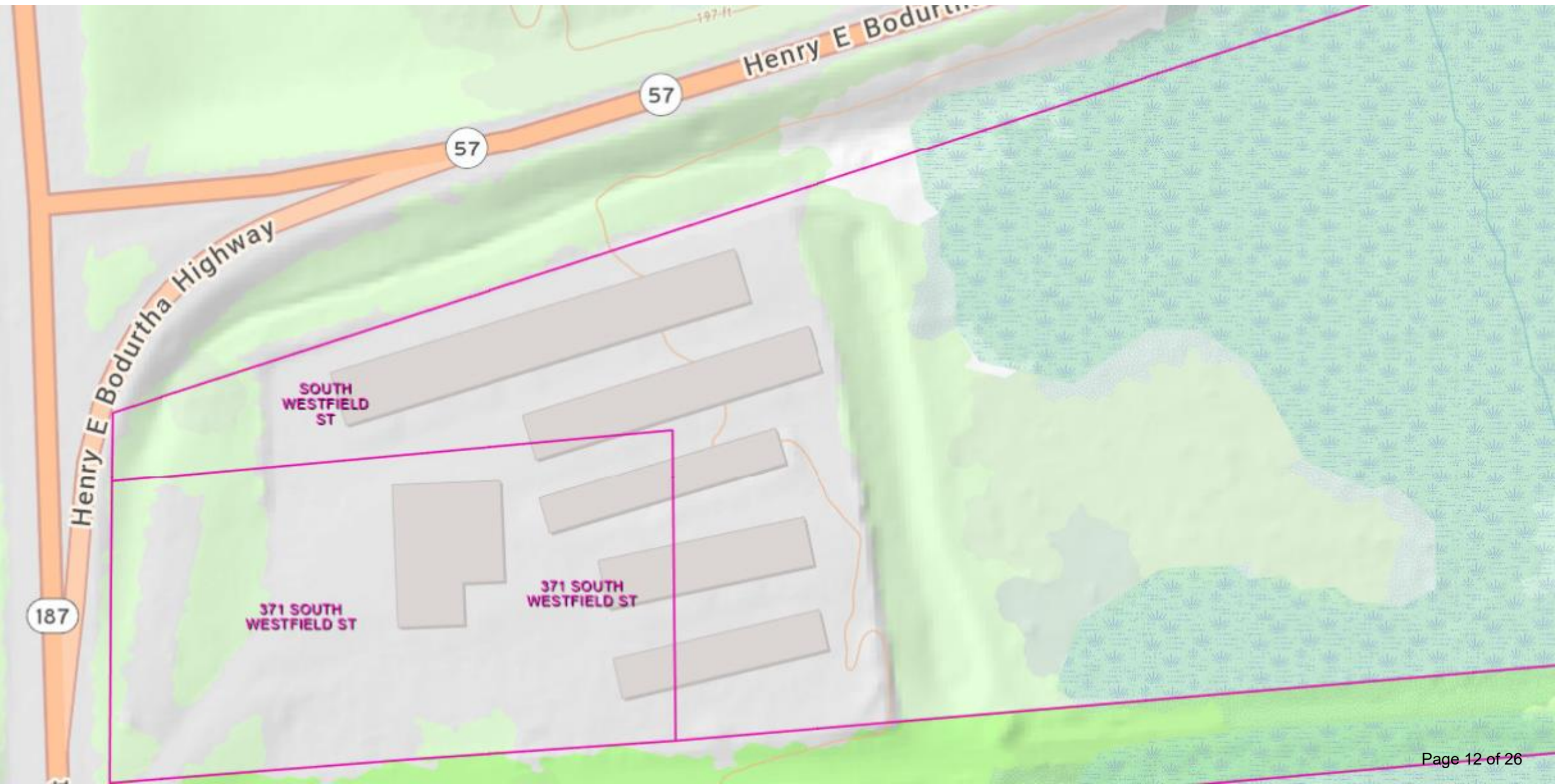
SOUTH WESTFIELD STREET



S:\Projects\2022\220314 - Dombrowski - 371 South Westfield St. Agawam\Civil 3D\220314 - EXIST.dwg



GIS - Wetlands



Aerial

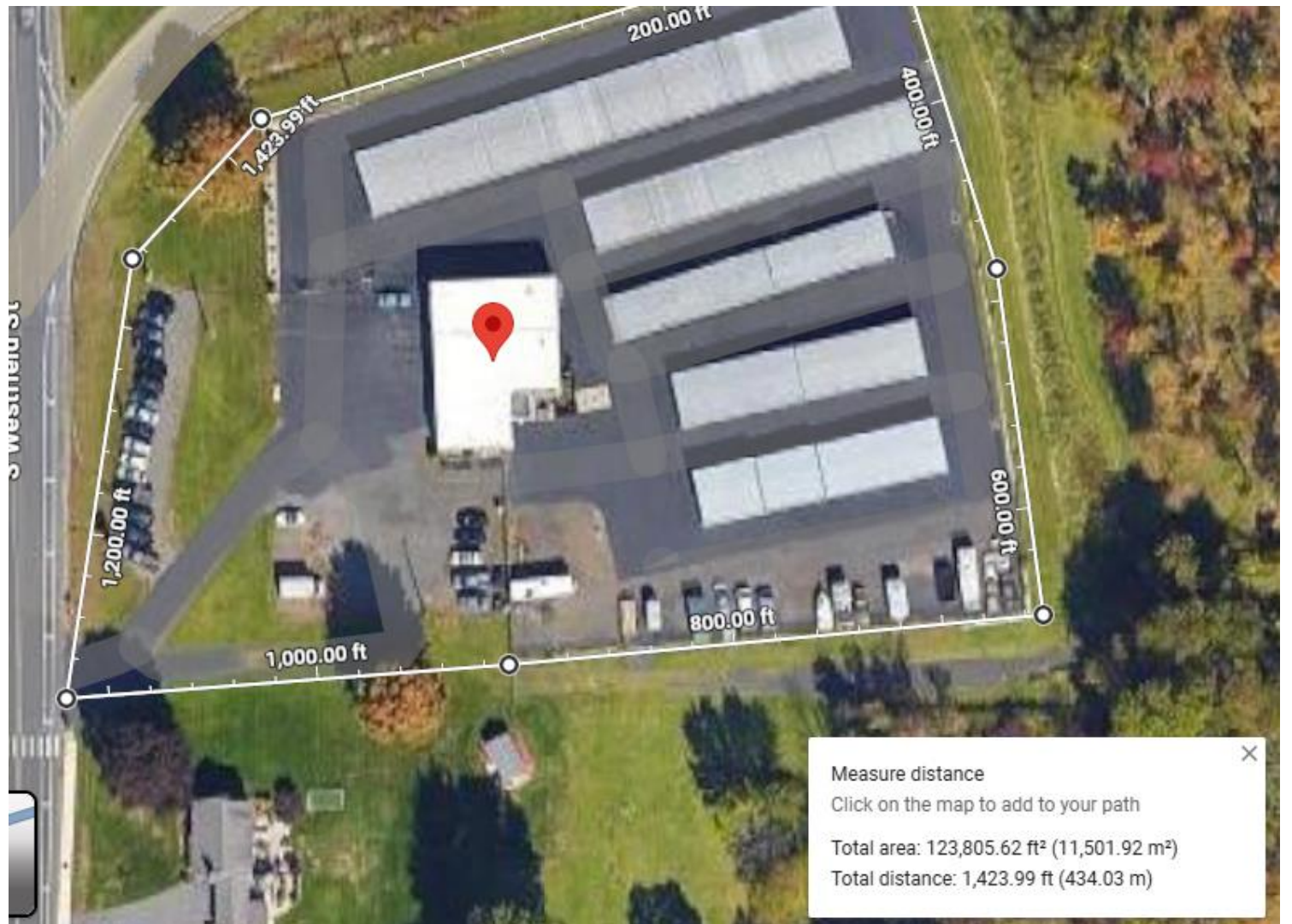


Improved Area

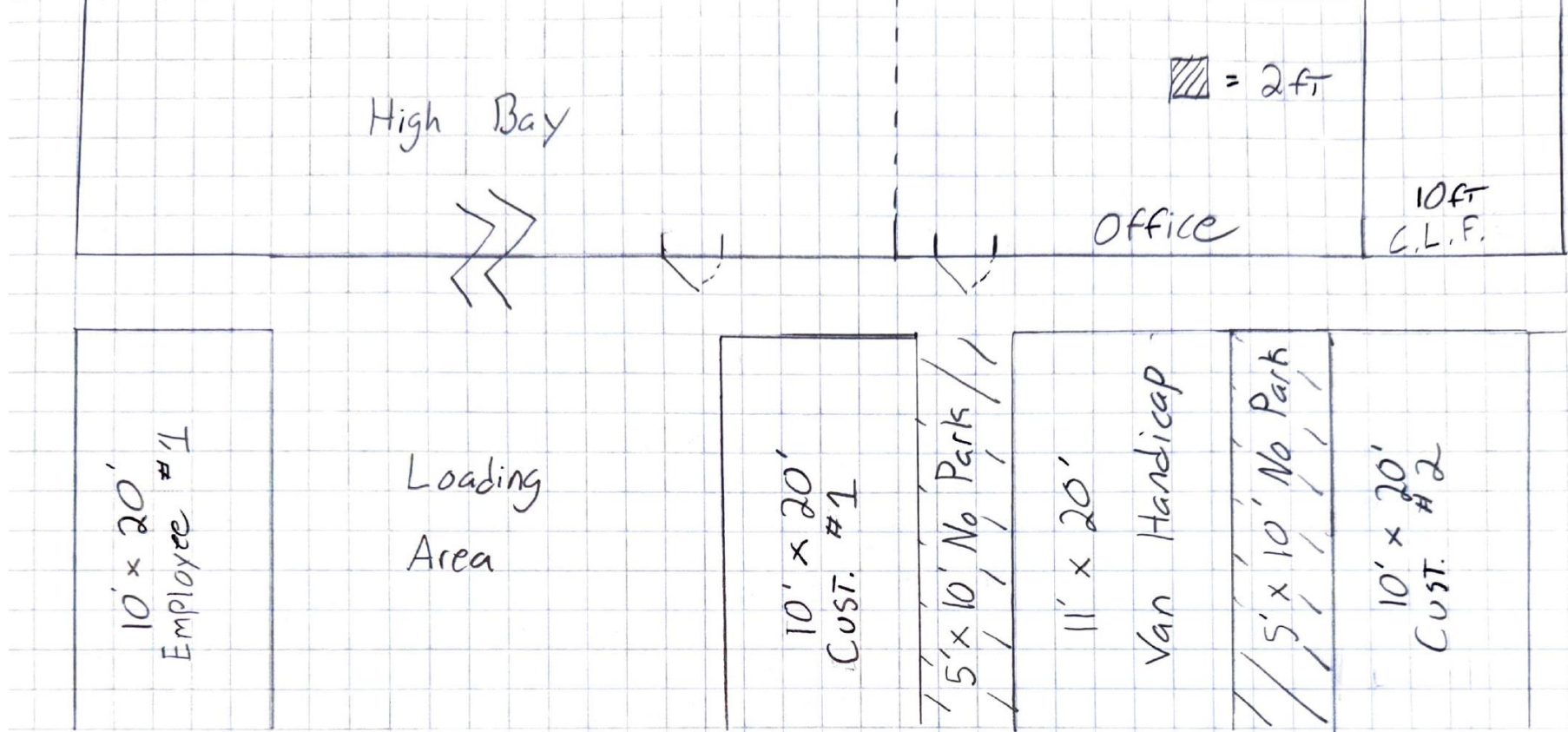
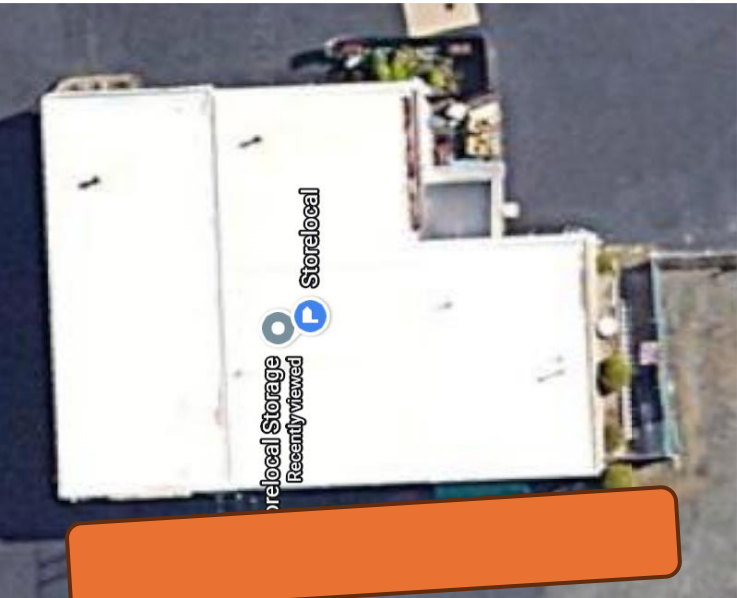
E6-2-1: 1.32 acres (57,499 sq ft)
 E7-3-6: 14.1 acres (614,196 sq ft)
Total Square Feet: 671,695 sq ft

Improved Area: 123,805 sq ft

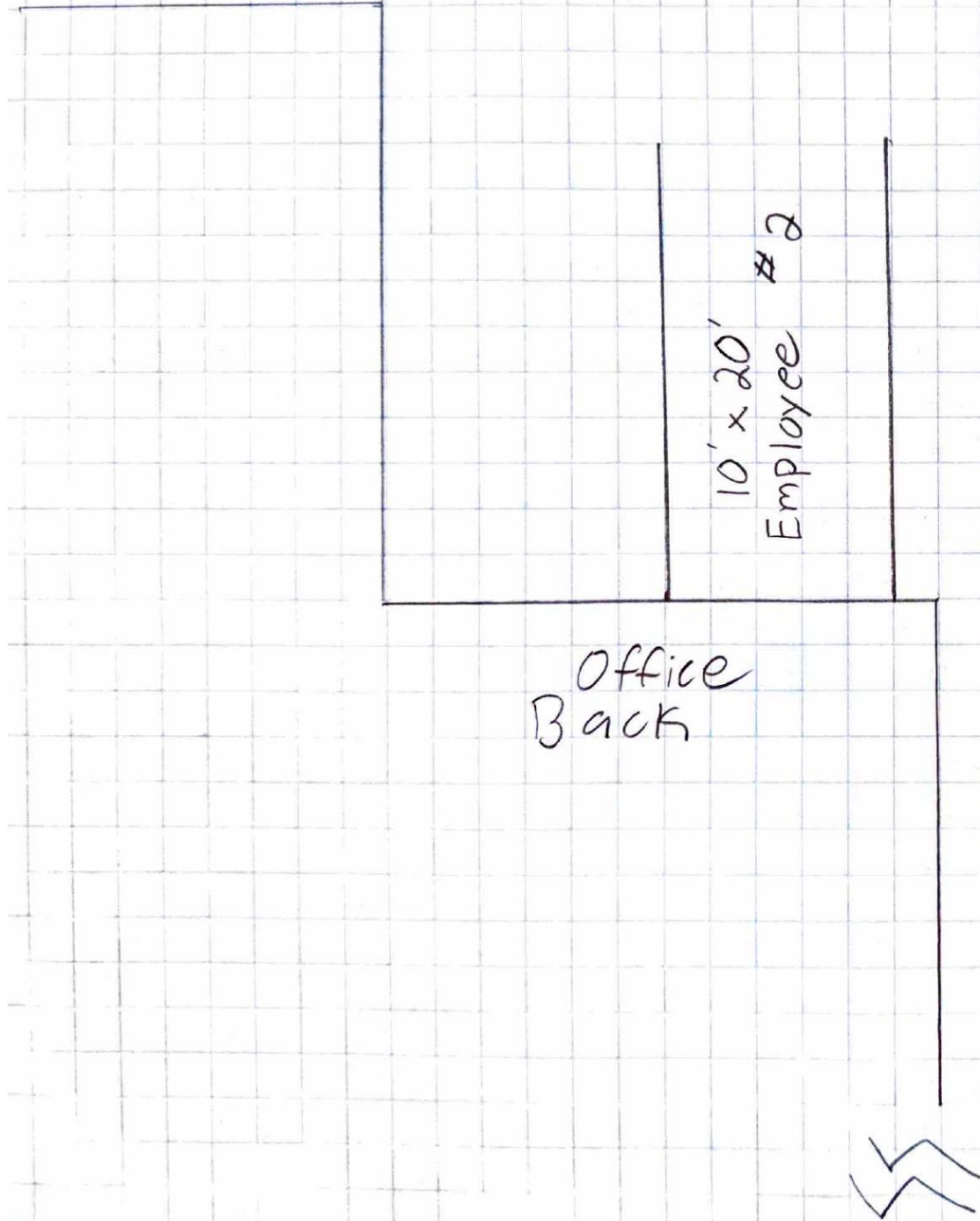
Free Area: 547,890 sq ft
% Improved: 18.4%



Results										
Address	Owner	Map	Map Cut	Block	Block Cut	Lot	Lot Cut	Unit	Unit Cut	PID
371 SOUTH WESTFIELD ST	371 S WESTFIELD LLC	E6		2		1				2601
SOUTH WESTFIELD ST	371 S WESTFIELD LLC	E7		3		6				2622

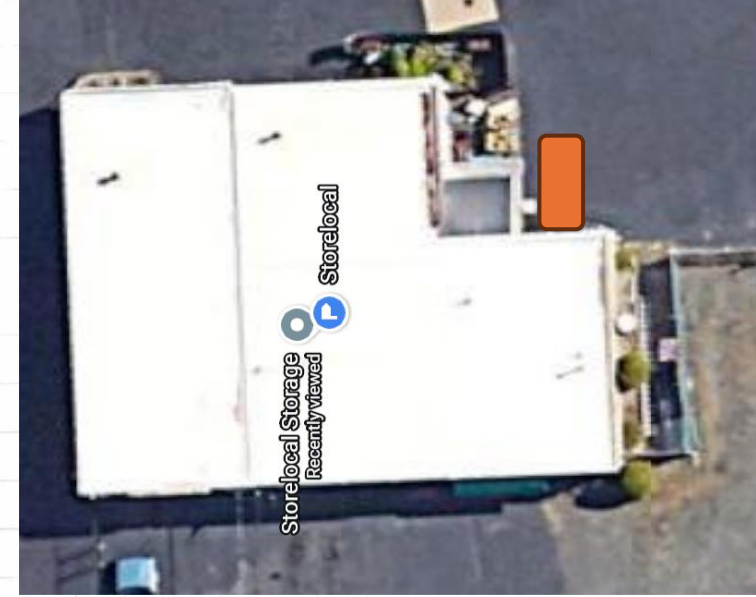


PARK DETAIL 1 OF 2

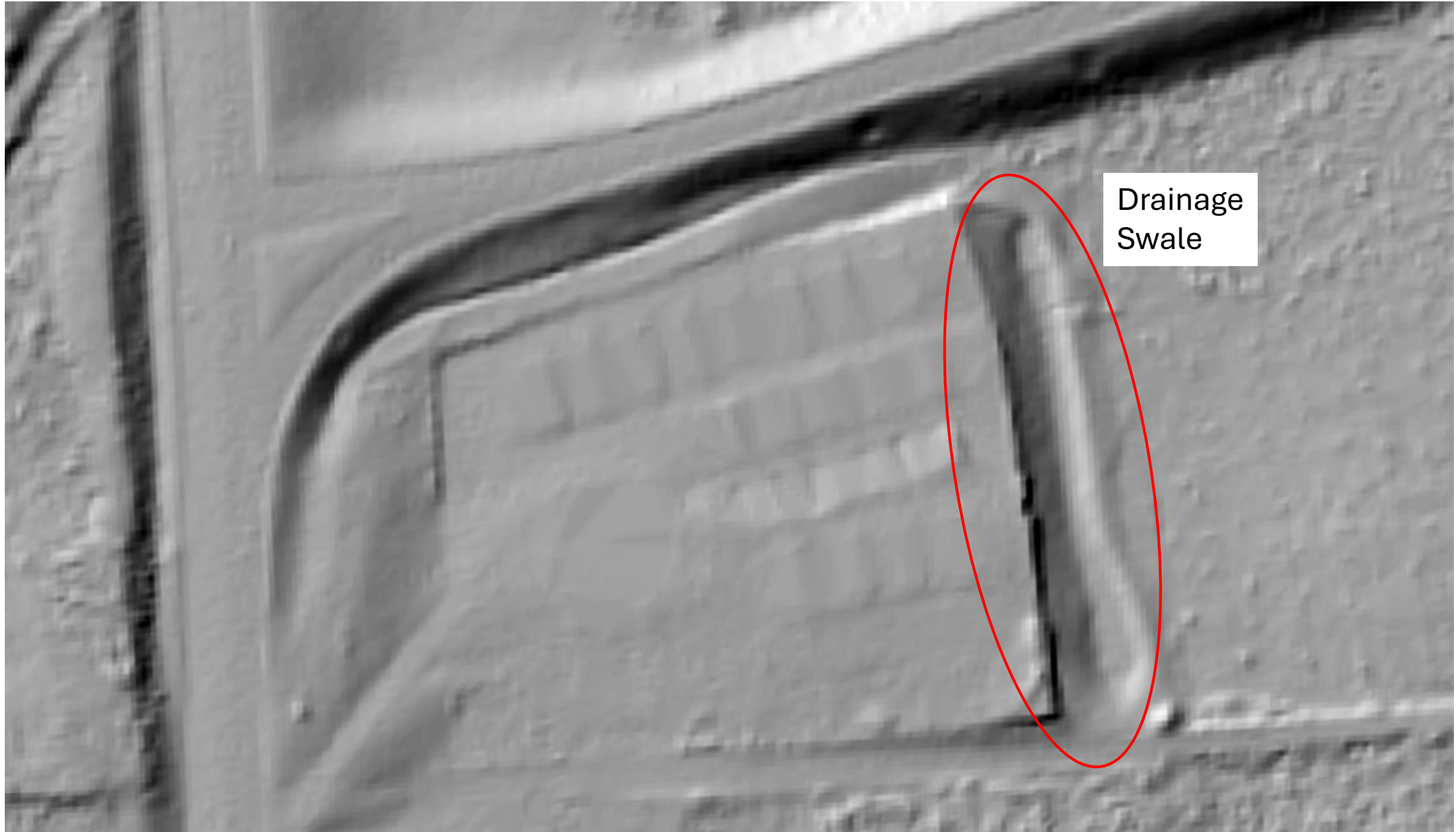


PARIS DETAIL

2 OF 2



Elevation - LIDAR



Year Built: 1977
 Living Area: 4,176

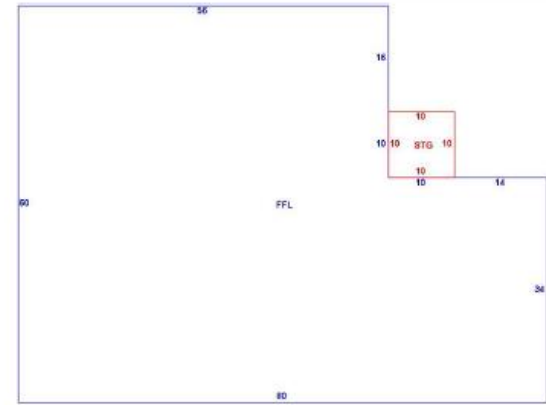
Building Attributes	
Field	Description
Style	Repair Garage
Model	SERV STATION
Grade	Average
Addl HB	0
CNS_NUM_UNITS	0.00
Ext Wall 1	Concr/Cinder
Ext Wall 2	
Roof Structure	Flat
Roof Cover	Tar & Gravel
Int Wall 1	Minim/Masonry
Int Wall 2	
Int Floor 1	Concr-Finished
Int Floor 2	
Heat Fuel	Oil
Heat Type	Forced Air-Duc
% AC	0
Struct Class	
Bldg Use	AUTO REPR MDL-94
Total Rooms	0
Bedrooms	0
Full Baths	0
Half Baths	2
Extra Fixtures	0
1st Floor Use:	
Heat/AC	
Frame Type	Concrete
Baths/Plumbing	
Ceiling/Wall	
Rooms/Prtns	Typical

Building Photo



(<https://images.vgsi.com/photos/AgawamMAPhotos/A20001666001.JPG>)

Building Layout



(ParcelSketch.aspx?pid=2601&bid=2601)

Building Sub-Areas (sq ft)			
Code	Description	Gross Area	Living Area
FFL	First Floor	4,176	4,176
STG	Storage	100	0
		4,276	4,176

View from Corner Rt.57 & S Westfield



View from S Westfield & Driveway



Exterior Lighting



Signage



Landscaping



Stefanie Kesecker

From: Kevin Duquette
Sent: Friday, February 20, 2026 9:04 AM
To: Stefanie Kesecker
Subject: RE: Site Plan

Hi Stef,

Site plan is more defined this time around. However, the site plan should still be noted for the detailed parking areas for the vehicle display sales area and customer parking area with the noted handicap accessible parking space/ van location. This shall include dimensions noted for width and length of the parking spaces. The total square footage area of the "Lot/ Display Area" and the "Customer/ Employee Parking Area" should be noted in the foot notes of the site plan.

It is also unlawful to use a Register design professional's stamped plan if the company/ RDP is not part of the project. Confirm if R. Levesque Associates is part of the submittal process, if not the company name and RDP stamp must be omitted from the proposed site plan.

Regards,

Kevin Duquette
Inspector of Buildings
Town of Agawam | Building Department
1000 Suffield Street, Agawam, MA 01001
Office: 413-821-0632



From: Stefanie Kesecker <SKesecker@agawam.ma.us>
Sent: Friday, February 20, 2026 8:37 AM
To: Kevin Duquette <inspections@agawam.ma.us>
Subject: FW: Site Plan

Can you take a look at this and let me know your thoughts please. Thank you.

From: Arkadzii Tsimoshaks <atsimoshaks@gmail.com>
Sent: Thursday, February 19, 2026 7:40 PM

The following members attended the public meeting:

Doreen Prouty-Chair
Aldo Mancini-Clerk
Vinny Ronghi-Alternate
Viktor Savonin
Stefanie Kesecker-Administrative Assistant

Members Absent:
Richard Maggi-Vice Chair

Chair Prouty open the meeting at 6:30pm and introduced the members of the Board.
Sitting on this case: Prouty-Chair, Mancini-Clerk, Savonin-Acting Vice Chair

A. Case#2042-262 Colemore Street-Dommenko-Appeal

Natalya and Andrey Dommenko were present for this agenda item. Ms. Dommenko stated that 4 years ago Eversource installed an 8 ft. fence after removing a natural vegetative barrier, and they received a notices from the Building Inspector that the fence is in violation of the zoning requirements. She stated Eversource has an easement and does lots of maintenance at the sight and this fence gives privacy and reduces noise. She stated there is a large metal structure on the edge of their property Eversource has to maintain and inspect often. Ms. Dommenko stated she is appealing the Building Inspector's decision, and asking the Board to allow the 8ft. fence to remain in place to retain her privacy as well as providing screening and noise reduction.

Mr. Savonin asked if Eversource received the homeowner's permission to remove the vegetation. Ms. Dommenko stated Eversource stated the vegetation was too tall and needed to come down, so the homeowner could take it down or Eversource would. Ms. Dommenko stated this ocured during the covid pandemic and an 8ft. fence was all that was available.

Mr. Savonin stated Eversource has a utility easement, which in most cases is a 15ft easement. He stated a maintenance easement is not for destruction of property. He stated maintaining and removing the hedges are two different things. Mr. Savonin asked if the homeowner granted Eversource permission. Ms. Dommenko stated yes. Mr. Savonin asked if Eversource paid for the fence. Ms. Dommenko stated yes and they have it professionally installed.

Ms. Prouty stated the Building Inspector received a complaint and had to act. Ms. Dommenko stated the complaint was not signed. Ms. Prouty stated when she spoke to the Building Inspector about this he stated the name is on the email address, although the complaint was not signed.

Mr. Savonin asked if a cease and desist letter was sent to Eversource. Ms. Prouty stated it went to the homeowner. Mr. Savonin questioned why the letter was not sent to the easement holder since they installed the fence. Ms. Prouty stated Eversource had sent a letter to the homeowner from the Variance for 265 Colemre Street, from his statements at the September ZBA meeting.stating they would agree to fix the issue, once the Board reached an agreement. Ms. Dommenko stated Eversource told her to go through the ZBA process first.

Mr. Ronghi stated even if it was an easement, it is still the homeowner who is responsible. He asked if the homeowner was given the option for shrubbery or the fence. Ms. Dommenko stated yes, but the trees would have to be maintained more often than a permanent fence. Mr. Ronghi stated if it was a natural barrier the trees can exceed 8ft., but Eversource would have to take them down and replant them periodically. Mr. Ronghi suggested reaching out to the Town Solicitor to require the easement holder remedy the issue, once a ZBA decision has been reached.

The Board discussed this at length as well as Town Councilor Russo who was in attendance who stated he would look into addressing the zoning ordinance making an 8ft. fence a legal right in certain situations, if this was a possibility.

Ms. Prouty read into the minutes a memo from the Engineering Department dated, December 17, 2025 and Engineering had no issues with this appeal

Motion was made by Mr. Savonin and seconded by Mr. Mancini to continue the public hearing to March 9, 2026.

All in favor.

B. Approval of Minutes-December 8, 2025 & January 12, 2026

Motion was made by Mr. Ronghi and seconded by Mr. Savonin to approve the December 8, 2025 minutes as written.

All in favor.

Motion was made by Mr. Ronghi and seconded by Mr. Mancini to approve the January 12, 2026, amending the conditions to site the relevant chapters of the code.

All in favor.

C. Any other matter that may legally come before ZBA

Ms. Prouty stated she is still working on getting a training class to educate the Board on variances, but has been unable to get that scheduled at this time, but she will keep working on it, and keep the members posted.

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

All in favor.

Meeting adjourned at 7:30pm.