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Members Present:

Doreen Prouty – Chair  
Gary Geiger – Clerk  
Vincenzo Ronghi - Alternate  
Aldo Mancini - Alternate

Members Absent:

Richard Maggi – Vice Chair

Also Present:

Hope Goff

Via Zoom

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Chairperson Prouty opened the meeting at 6:30 PM. She explained the Town of Agawam virtual public meeting protocol during the Covid-19 State of Emergency.

1. PUBLIC HEARING – Variance – Andrew Felix – 0 Prospect Street – Case# 1998.  
Members sitting on this case: Doreen Prouty, Chairperson, Aldo Mancini, acting Vice-Chairman and Vinny Ronghi, acting Clerk.

Chairperson Prouty opened this hearing by introducing the sitting members and explaining the procedure to be followed.

Mr. Andrew Felix, along with his Attorney Gary Liquori, were present via Zoom. Att. Liquori explained that Mr. Felix is proposing to build a 2,048s.f. single family home on this vacant lot at 0 Prospect St. The property is located in a Residence A2 zoning district that requires 15,000s.f. of land area with a 110’ frontage. Att. Liquori stated that this lot has 10,000s.f. in area, larger than many lots in the area. Dating back to 1945, this was a buildable lot. He went on to say that the house being proposed is a colonial style house. The lot is unique in its topography, having a ridge crosses the lot. It would not be detrimental to the public good and would increase revenue to the town. Chairperson Prouty stated this property lost its “separate lot” protection in 2014 when it was purchased by Daniel Jury, owner of 18 Tower Terrace, an abutting lot to this property. It now falls under the “common lot” exemption under Ch.40A, Sections 6 and 10. Att. Liquori said this property has not been held in common ownership. It is described on a separate deed, separate and distinct. Chairperson Prouty said this property originally contained 2 separate lots as shown on the approved and recorded 1926 subdivision plan (lots 27 & 28). Since at least 1945, this property has been described in its deed as one combined area which contain lots 27 & 28.

Chairperson Prouty then opened the hearing for comments from the public. Robert DeFilipi, 24 Prospect St. said that written statements in opposition were submitted and asked if they will be read at the meeting. Chairperson Prouty said they will be read. Several people spoke against this

application. Jim Hanks, 49 Prospect St said the house will be an eyesore for the neighborhood and that lot would not sustain a house of that size. Janice DeFilipi, 24 Prospect St. stated there are lots of children on this dead-end street and she would like to prevent over-crowding. Gloria Mitchell, 30 Prospect St, said she is new to the neighborhood but feels the house will be an eyesore. Dave & Karen Sterling, 33 Prospect St. said they object to the Variance and feel Att. Liquori is incorrect in saying that this is an equal size to others in the neighborhood. This lot does not meet current guidelines. This construction would have an economic impact on the neighborhood. The proposed house would be the largest and highest house in the area and would negatively impact other property values in the area. He feels a Variance should not be granted. Kathy Norris, 141 Maple St. said she feels the proposed house is way too tall and bigger than anything else on the street. She is happy with having one undeveloped lot in the area. Linda & Steven Bonasoni, 12 Tower Terrace, spoke that their backyard abuts the property. They feel the house will be an eyesore and will consume the lot. The house is too massive. They feel property values will go down and the house is inappropriate for the neighborhood. Lawrence Scherpa, 24 Tower Terrace, said he has been at this address since 1958 and feels the proposed house is too big and the lot too small. He said there is no financial hardship for Mr. Felix as his purchase of this lot from Mr. Jury is contingent upon a Variance being granted, He went on to say the proposed house is a 21<sup>st</sup> century house in a mid 20<sup>th</sup> century neighborhood. The house will loom over the neighborhood. Property values will go down and neighborhood children's safety is also an issue. This construction would mean a substantial loss of quality of life in the neighborhood. As of 2014, this is no longer a viable building lot. Marcia Scherpa, 24 Tower Terrace, asked if the owner will be living in the house or will he sell it.

Several letters of opposition were read into the record by Chairperson Prouty. These letters were from Robert & Janice DeFilipi, Lawrence & Marcia Scherpa, Karen & David Sterling, Catherine & Eric Norris, Gloria Mitchell and Linda Bonasoni. Their concerns are the same as was verbally expressed.

Chairperson Prouty addressed the Board members and asked if they were ready to close this hearing and open a meeting to make a decision. Member Ronghi said he was inclined to table to the next meeting to have more time to do further research. Member Mancini agreed and would also like more time. Att. Liquori stated his client is willing to change the structure to a smaller ranch style house as he wants to work with the neighbors. Att. Liquori concluded by saying he believes the requirements for the granting of a Variance have been met.

Chairperson Prouty explained this lot became legally nonconforming no later than 1960 when the zoning requirements for a Residence A2 district stated a lot must have a minimum of 12,000sf in area with a frontage of 100'. In regards to a Variance, she went on to say that the first requirement to be met must be related to a uniqueness in the land due to soil conditions, shape or topography but not specifically affecting the surrounding properties. The proof of hardship, financial or otherwise, also must be uniquely specific because of those conditions. Mr. Felix does not own this property.

Motion was made by Member Ronghi and seconded by Member Mancini to continue the Public Hearing for a Variance – Andrew Felix – 0 Prospect Street – Case# 1998 to Monday, February 8, 2021 at 6:30pm. Mancini- yes, Ronghi- yes and Prouty- yes.

2. & 3. PUBLIC HEARING CONTINUED – Variance & Special Permit – Cellco d/b/a Verizon Wireless – 128 Southwick Street – Case# 1993 and Case# 1994. Members sitting on these cases: Doreen Prouty, Chairperson, Vinny Ronghi, acting Clerk and Aldo Mancini, acting Vice-Chair.

The Board received a letter, dated January 25, 2021 from Attorney Michael Fenton, who represents the petitioner, requesting to be allowed to withdraw, without prejudice, both applications that had been seeking a Variance and a Special Permit for a wireless telecommunications facility at 128 Southwick St. A new application for a different location on the same property will be submitted at a later date.

Motion was made by Member Ronghi and seconded by Member Mancini to accept this request to withdraw without prejudice.

Ronghi – yes, Mancini – yes, Prouty – yes.

#### 4. APPROVAL OF MINUTES

Motion was made by Member Mancini and seconded by member Geiger to approve the minutes of November 23, 2020 with the discussed minor changes.  
Geiger – yes, Ronghi – yes, Mancini – yes, Prouty – yes

Motion was made by Member Mancini and seconded by Member Ronghi to approve the minutes of December 28, 2020 as written.  
Geiger – yes, Mancini – yes, Ronghi – yes, Prouty – yes.

#### 5. Any other matter that may legally come before the Board—None

Chairperson Prouty called for a vote to adjourn.  
Geiger-yes, Ronghi-yes, Mancini – yes, Prouty-yes.

Meeting Adjourned at 8:05 pm

Submitted by DP/hpg

