

The following members attended the public meeting:

Doreen Prouty, Chairperson  
Fred Harpin, Vice Chairperson  
Joseph Conte-Clerk  
Larry Hoague, Alternate  
Betty Manchino-Secretary

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**1. Case #1792-Salema**

Chairperson Prouty reopened this public hearing at 6:30PM. Sitting on this case was Prouty, Conte and due to the absence of Mr. Suffriti Mr. Harpin.

Mr. Gary Wiener of Ecotech Environmental Associates represented the petitioners. Mr. Wiener explained that since the last public hearing all the recommendations of the board have been addressed especially the order check zone that the board had recommended after the customers receive their order. They have received a notice of intent from the conservation commission and their site plan was approved by the Planning Board. They have filed for a permit with the State Highway for curb cuts and are awaiting their approval.

Chairperson Prouty read into the record the memos from the Planning Board and Engineering approving this petition.

Chairperson Prouty opened the public hearing to anyone wishing to speak and there was no one speaking in favor or against this petition. The public hearing was closed at 6:44PM and the board went directly into a public meeting.

Chairperson Prouty stated that Dunkin Donuts had made all the requested changes to this plan and that this building would be an improvement to the property at this location.

Mr. Conte reminded the petitioners that if there should be any alterations to this plan they must come back to the ZBA for approval.

Chairperson Prouty made the motion to grant this permit and the results are as follows:

Conte-yeah  
Harpin-yeah  
Prouty-yeah

## **2. Case #1798-Palazzi**

Chairperson Prouty reopened this public hearing at 7:00PM. Sitting on this case was Prouty, Harpin and Hoague.

Mr. Palazzi stated he has been waiting five months for this special permit, he has been back and forth with Planning Department and the Building Department and he would like this case resolved.

Mr. Harpin stated that the Board has not heard from the Building Department and the Board still needs their report regarding unregistered vehicles on their property. He reminded Mr. Palazzi that if the ZBA should deny this permit he would not be allowed to apply for another permit for two years.

Chairperson Prouty stated the Planning Board approved their plans but they still need the report from the Building Inspector before a decision can be made. She read into the record the reports from the Police, Fire and Engineering. Chairperson Prouty also read into the record a memo from the Police Chief dated August 17<sup>th</sup> stating granting this permit would be a definite safety hazard.

Mr. Palazzi stated that in 2002 the State requested the Town to put sidewalks along Main Street for safety reasons but the Town chose not to honor this request. Mr. Palazzi stated that he is willing to put up a chain link fence in front of his property to the Six Flags bridge to insure pedestrians cannot walk in the street.

Chairperson Prouty stated she has sent a memo to the Police Chief requesting a safety report on the last 15 years of accidents at this location, but has not yet received a response.

The public hearing was opened to the public and speaking in favor of this permit was Antoni Veilleux who brought up the action of the public walking down South Street and entering the Six Flags bridge from that way. Mr. Jim Marmo spoke in favor of this permit and stated there have been no accidents from these businesses in over 20 years. Mrs. Rose Palazzi spoke in favor of this permit and stated that her son is not getting the fair treatment that other people have received in Town specifically for BIGE parking. Mr. Charles Carrie, 40 Kanawah Ave. spoke in favor as he has rented space from Mr. Palazzi for over 13 years and there has never been a safety issue.

Speaking in opposition was Attorney Gary Shannon representing Six Flags who questioned the Board if they were making a decision this evening and if not he wished to reserve his opposition until the Board was ready to vote.

Chairperson Prouty stated that the Board could not make a decision this evening because all the information on this petition was not available and asked Mr. Palazzi if he wished to have this public hearing continued and Mr. Palazzi agreed. The public hearing is continued until December 10<sup>th</sup>.

**3. Case #1795-LaMar Advertising**

Chairperson Prouty reopened this public hearing at 7:55PM. Sitting on this case were Prouty, Harpin and Conte replacing Mr. Suffriti.

Representing LaMar Advertising was Patrick Keough.

Chairperson Prouty stated she asked for a legal opinion from the Law Department regarding the bill board structure that has been disallowed since 1978. She also checked with the Building Department and the Assessor’s Office to see if a building permit was ever taken out for this signage and was advised there was never a permit and that bill boards are not allowed in the Town of Agawam.

Clerk Conte stated the only way this sign could be utilized would be for on the premise advertisement.

Mr. LaMar stated that his company wished to turn the sign around and do various advertising.

Chairperson Prouty closed the public hearing at 8:07PM and explained the appeal period to Mr. Keough. The Board went directly into a public meeting.

Chairperson Prouty stated that the board is unable to grant this permit as all bill boards are prohibited in Agawam and called for a vote:

- Conte-no
- Harpin-no
- Prouty-no

Mr. Hoague suggested that a memo be sent to the Building Inspector with the attached Legal Opinion on Bill Boards (a FYI memo) and Chairperson Prouty stated if that was what he wanted to go ahead a do a memo.

**4. Case #1791-Valenti**

Chairperson Prouty reopened this public hearing at 8:05PM. Sitting on this case was Prouty, Hoague and Conte.

The petitioner Mr. Valenti never appeared or sent a request to continue this public hearing. The Board voted unanimously to deny this permit as there was no compromise to the setbacks required for this proposal and Mr. Valenti’s lack of correspondence with the Board.

Chairperson Prouty made the motion to deny this permit

- Conte-no
- Hoague-no
- Prouty-no      Unanimously denied.

**5. Approval of minutes of September 24, 2007 approved by Prouty seconded by Harpin.**

**6.** Mr. Harpin brought up the suggestion of not posting times for public hearings on the agenda that way if a petitioner does not show up the board can entertain the next petitioner without wasting time. This is due to the number of continuances and no shows that have occurred lately at ZBA meetings. Chairperson Prouty stated that the board could give a try and see how it works out.

Chairperson Prouty also had a request from Development Associates (Travis Ward) regarding the placement of a sign at the corner of Suffield and Silver Streets. Mr. Hoague stated that during the public hearing he specifically addressed this matter and was advised that there would be no sign. Chairperson Prouty stated that this signage would have to be revisited.

**Chairperson Prouty made the motion to adjourn at 8:30PM seconded by Mr. Harpin.**