

The briefing for the City Council Meeting to be held on Tuesday, July 3, 2018 will be held at 6:30 pm in the Council Chambers.

Agenda for the City Council Meeting on Tuesday, July 3, 2018 at 7:15 pm in the Council Chambers is as follows:

Public Input

MO-1 Whereas the Commonwealth has established a Housing Development Incentive Program (HDIP) to increase residential growth, expand diversity of housing stock, support economic development and promote neighborhood stabilization within Gateway Cities;

Whereas City as a designated Gateway City has created the West End Housing Development Investment District to encourage investment in the City's West End;

Whereas the parcels commonly known as Cabotville Industrial Park are located within the West End Housing Development Investment District;

Whereas the redevelopment of Cabotville Industrial Park as mixed-use, market rate housing is consistent with the goals and objectives of the West End Housing Development Incentive District;

Whereas 4 Perkins St LLC with The SilverBrick Group LLC as managers has acquires the Cabotville Industrial Park with the goal of redeveloping as mixed used, market-rate housing;

Whereas the proposed redevelopment plan requires the property to be designated at a Housing Development (HD) Project so as to be eligible for Housing Development Incentive Program Financing;

Whereas The SilverBrick Group LLC as managers for 4 Perkins LLC has submitted a Preliminary Application which includes a request for a Tax Increment Exemption Agreement (TIE) to the Commonwealth's Department of Housing and Community Development;

Now, therefore, be it resolved, that the City Council supports the designation of the Cabotville project as a Housing Development (HD) project by the Commonwealth of Massachusetts;

Be it further resolved that the City Council of the City of Chicopee with approval of the Mayor hereby commit to negotiate and enter into an agreement for Tax Increment Exemption (TIE) Agreement under M.G.L. c.59 section 5M and M.G.L. c. 40V section 4(b)(i).

MO-2 BE IT ORDERED that the City Council for the City of Chicopee does hereby petition the GENERAL COURT OF MASSACHUSETTS for passage of legislation as follows:

- (1) Repeal ST. 1892, c. 384, *An Act to authorize the city of Chicopee to introduce a public water supply.*
- (2) Repeal ST. 1877, c. 103, *An Act to incorporate the Chicopee Water Company.*
- (3) Amend the City's charter, ST. 1897, c. 239, to strike out Section 45 and to remove the reference in section 38 to the "board of water commissioners".
- (4) Authorize the City to establish a water department and a sewer department under the Department of Public Works, and to establish a combines water and sewer commission through local ordinance.

BE IT FURTHER ORDERED that the City Council for the City of Chicopee does hereby petition the GENERAL COURT OF MASSACHUSETTS that this petition be considered a general vote, which gives the General Court the ability to make substantive changes to the language of the proposed legislation within the general scope of the public objectives.

The purpose of this ORDER is to allow the City of Chicopee, by way of local ordinance, to create a new water department and sewer department to be under the general direction of the City and to allow the City of Chicopee Water Department and Sewer Department to become a division of the City of Chicopee Department of Public Works. Further, this order shall authorize the City of Chicopee to create a combines Water and Sewer Commission by local ordinance whose role and responsibility shall be defined by said local ordinance.

- MO-3 Be it ordered that the City of Chicopee accepts the provisions of section 3(A) of M.G.L. Chapter 64N, and hereby imposes a three percent (3%) local sales tax on the total sales price received by the marijuana retailer operating within the City of Chicopee as a consideration for the sale of marijuana or marijuana products to anyone other than a marijuana establishment. Marijuana retailers shall pay said local sales tax to the Commissioner of Revenue at the same time and in the same manner as the sales tax due the Commonwealth of Massachusetts.
- MO-4 Ordered that the City Council accept the FY'2017 Edward Byrne Memorial Justice Assistance grant (JAG) in the amount of Twenty one thousand nine hundred seventeen and 00/100 dollars (\$21,917.00) from the U.S. Department of Justice to the Chicopee Police Department. Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-5 Ordered that the City Council accept the attached list of donations in the amount of Six hundred fifty five and 00/100 dollars (\$655.00) to the Chicopee Council on Aging. Said donations are for the New Building Fund and are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-6 Ordered that the City Council accept the attached list of donations in the amount of One hundred seventy three and 00/100 dollars (\$173.00) to the Chicopee Council on Aging. Said donations will be used for the Rivermills Reminder Newsletter and are accepted in accordance with M.G. L. Chapter 44 Section 53A.
- 7 A favorable License Committee report, 2018 Auto Repair License renewal for Mr. Clean Auto Detailing located at 1422 Granby Road. Applicant: Evelyn Roman, 71 Blunt Road, Springfield, MA 01109.
- 8 A favorable License Committee report, 2018 Auto Detailing License renewal for Mr. Clean Auto Detailing located at 1422 Granby Road. Applicant: Evelyn Roman, 71 Blunt Road, Springfield, MA 01109.
- 9 A favorable License Committee report, ORDERED THAT Absolute Motors, Inc., 245 East Street, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Absolute Motors, Inc. including compliance with restriction imposed upon any licenses held by Absolute Motors, Inc. The Council may modify, suspend, fine, or revoke any license held by Absolute Motors, Inc.
- 10 A favorable License Committee report, ORDERED THAT Top Dog Auto Service, 238 Meadow Street, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Top Dog Auto Service including compliance with restrictions imposed upon any licenses held by Top Dog Auto Service. The Council may modify, suspend, fine, or revoke any license held by Top Dog Auto Service.
- 11 A favorable Zoning Committee report, an application for a Special Permit under 275-67 for the purpose of a mixed-use development including up to 600 new residential units and up to 400,000

sq. ft. of commercial space within the former Cabotville Mill Complex under the City's Mill Conversion and Commercial Center Overlay District located at 165 Front Street. Requesting the following waivers:

1. A waiver of 275-67 K 1 (b) (d) for screening of mechanical equipment and loading areas, and interior vehicular use. While we plan to use landscaping and possibly some screening that is attractive, fits within the overall design and is cognizant of the environment we feel that these specific standards may create an unnecessary burden.
2. A waiver of 275-67 K 3 (a) for parking. Our engineer projects parking usage of up to 1,550 spots that we are required to supply 70% (1,085) in the Overlay District. Since commercial use will be needed during working hours and residential use will be needed outside of working hours we believe the up to 50% waiver is applicable. We are requesting a 44% waiver of the 1,085 so that the 623 spot capacity can cover the requirement. A higher ratio could limit the number of units.
3. A waiver of 275-67 K3 (d) (f) for parking areas being screened, for location of lots only to rear and side, for shade trees, shrubs, etc., While we plan to make parking areas attractive with appropriate landscaping, we feel these standards may create an unnecessary burden. The existing Ames Privilege and planned Lyman Mills are both Mill projects within the zone so we feel screening is not necessary.
4. A waiver 275-67 K 7(a) for specific noise level. We plan to use materials such as Coretec flooring that uses noise restraint cork and rubber. We have used Coretec flooring at other residential and mixed-use buildings that are former mills. Further, the residential and commercial spaces will be separated by existing wood as thick as 6 ft in addition to Coretec flooring so we feel the specific noise level standard may create an unnecessary burden.
5. A waiver of industrial zoning 275-62 (D) for signage restrictions, if any, such as setback so we can install signage that clearly identifies the property. We plan to use up to 12 signs at ground of first floor level of varying sizes but not to exceed 12 ft x 4 ft near 165 Front Street at the corner of Front and Springfield and both sides of the entrance from Springfield St. closest to the river. Further, we plan to use signage that fits within the overall design and respects the historical quality of the property.

Applicant - 4 Perkins, LLC, Aaron Papowitz, c/o SilverBrick, 307 W 38th St., Suite 1414, NY, NY 10018.

- 12 A favorable Zoning Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-51.1 Membrane-covered structures

Add to Chapter 275-51.1 B (3)

Notwithstanding anything to the contrary, the City Council may waive the dimensional requirements for good cause shown.

To read: The structure complies with the dimensional requirements of the zoning district in which it is located and the requirements of the Massachusetts Building Code. Notwithstanding anything to the contrary, the City Council may waive the dimensional requirements for good cause shown.

- 13 A Zoning Committee report, Be it Ordained that the Chicopee City Council does hereby delete Chapter 275 Section 72 and hereby inserts in place thereof the following:

Chapter 275, Section 72: Adult use of marijuana (recreational)

Please refer to Exhibit A attached hereto and incorporated herein

14 An Ordinance Committee report, Be it Ordained that the Chicopee City Council does hereby delete Chapter 275 Section 72 and hereby inserts in place thereof the following:

Chapter 275, Section 72: Adult use of marijuana (recreational)

Please refer to Exhibit A attached hereto and incorporated herein

15 A NEW gas storage license application for 10,121 gallons of diesel fuel at 158 New Lombard Road. Applied for by: J + L Realty Mgt., 652 Prospect Street, Chicopee, MA 01020.

16 A NEW Class 2 application for Matt's Auto Mall, LLC located at 1840 Memorial Drive. Applied for by: Matthew Jenson, 229 Miller Street D6, Ludlow, MA 01056.

17 A RENEWAL application for a Flea Market License at 929 Chicopee Street. Applied for by: Tracey Bryson, 282 Schoolhouse Road, Chicopee, MA 01020.

ATTEST:



KEITH W RATTELL
CITY CLERK