

**Chicopee Planning Board  
Voting Record and Minutes**

The Planning Board of the City of Chicopee public hearing for **Thursday, April 6, 2023 at 7 PM** Chambers Conference Room, 4th Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013

**Meeting was brought to order at 7:00 PM.**

Planning Board Attendance

Member	Present	Absent	Excused
Michael Sarnelli, Chair	X		
Samuel Shumsky, Vice Chair			X
Cynthia Labrie, Clerk	X		
Tom Reniewicz	X		
Eric Oulette	X		
Jay Paul	X		
Nathan Moreau	X		

Planning Department Staff Attendance

Title	Name	Present	Absent	Excused
Director	Lee Pouliot	X		
Development Manager	James Dawson	X		
Assistant Planner	Patrick Collins	X		
Associate Planner	Nick Kiser	X		

**\*NOTE – The Board voted to take Items 1a – 1d out of order and place them at the end of the hearing.**

Motion to take Items 1a – 1d out of order and place at the end of the hearing was made by Cynthia Labrie and seconded by Eric Oulette. Vote was 6-0 to take items 1a – 1d out of order and place at the end of the hearing.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 2: Zone Change** from Garden Industrial Planned Unit Development (IPUD) Type 1 to Industrial for 2.58 +/- acres of property for the purpose of creating a consistently zoned property. Location: Burnett Rd. (Assessor Map 294, Parcels 6 & 7) Applicant: Scannell Properties #705, LLC, 294 Grove Ln., Suite 140, Wayzata, MN 55391

**Notes:** The Applicant’s legal team presented the case on behalf of the Applicant who was in attendance. They explained that the zone change to Industrial for the 2.58 acres of IDUD zoned land would eliminate a split zoned property which is something the City tries to accomplish whenever possible. The zone change would, if approved, create consistent zoning across the entire property. The proposed use as an electric car dealership is an allowable use in both zoning districts on the property. The change to all Industrial would be consistent with surrounding properties and not create a “spot zone”. An Abutter, Mr. David Amo spoke in

opposition to the zone change/project citing nearby wetlands, safety of hybrid/electric batteries, and the fact that the City Council had not voted on the issue. Mr. Amo was reminded by Staff that the Planning Board is a recommending body to the City Council and the City Council would have its own hearings to discuss the issue and ultimately vote on the zone change.

Motion to recommend approval to the City Council was made by Cynthia Labrie and seconded by Jay Paul. Vote was 6-0 to recommend approval to the City Council.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 3: Ordinance Amendment** to add new language to Chapter 275-9 end of section 275-9 (F). Complete text available in the Dept. of Planning & Development and Conservation. Applicant: Councilor Frank Laflamme (At-Large) City Council Office, City Hall Annex, 274 Front St. Chicopee, MA 01013

**Notes:** Staff explained the purpose of the proposed amendment, noting that many projects utilizing the Mill Conversion and Commercial Center Overlay District are large projects that need more time for funding and financing. The extension of the expiration of the permit from one year to three years would streamline the process thus eliminating the need for Applicant’s to renew their permits every year.

Motion to recommend approval to the City Council was made by Nathan Moreau and seconded by Jay Paul. Vote was 6-0 to recommend approval to the City Council.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 4: Ordinance Amendment** to delete Sections 275-41 Home Occupation, 275-52(B)(11), 275-53(B)(12), and 275-54(B)(1)(i) and insert Section 188-22 Home Occupation License. Complete text available in the Dept. of Planning & Development and Conservation. Applicant: Councilor Frank Laflamme (At-Large) City Council Office, City Hall Annex, 274 Front St. Chicopee, MA 01013

**Notes:** Staff explained the purpose of the amendment noting it would streamline the approval process for Applicants applying for Home Occupation Licenses. Ultimately it would eliminate Home Occupation Licenses from the Zoning Chapter and eliminate the Special Permit requirement allowing Home Occupation Licenses to be approved by the City Council under an added Home Occupation Chapter (section 188-22) in the City Code.

Motion to recommend approval to the City Council was made by Cynthia Labrie and seconded by Eric Oulette. Vote was 6-0 to recommend approval to the City Council.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 5: Ordinance Amendment** to delete in its entirety Chapter 275-66A Burnett Rd. and insert new language for Chapter 275-66A. Complete text available in the Dept. of Planning & Development and Conservation. Applicant Councilor Derek Dobosz (Ward 6) City Council Office, City Hall Annex, 274 Front St. Chicopee, MA 01013

**Notes:** Staff explained the proposed ordinance amendment noting it would extend, for an additional year, an ordinance that was originally created due to traffic issues on Burnett Road and was meant to only be temporary. However, it has been in place for over 22 years. The Board’s opinion is that this ordinance creates an undue step for developers who wish to develop their properties even if the proposed use is an allowable use in the zoning district for which the development will occur. Under this ordinance, developers must obtain a Special Permit from the City Council to develop any properties on Burnett Road or appurtenant streets. The Board has never recommended approval of this Ordinance.

Mr. David Amo was in favor of the ordinance amendment, stating the extra step in the approval process was for safety and traffic. He stated the Board Members are not familiar with the traffic issues on Burnett Road and that Burnett Road area residents don’t trust City officials but they are not opposed to development.

Motion to recommend denial to the City Council was made by Cynthia Labrie and seconded by Jay Paul. Vote was 6-0 to recommend denial to the City Council.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair		X		
Cynthia Labrie, Clerk		X		
Tom Reniewicz		X		
Eric Oulette		X		
Jay Paul		X		
Nathan Moreau		X		

**ITEM 6a: Site Plan Waiver of Preliminary Plan** - request for increasing outdoor storage yard (5.05 acres) on IPUD Type 1 zoned property for the temporary storage of finished goods awaiting pick-up. Location: 301 Griffith Rd. Applicant: Griffith Road Property Owner, LLC, 133 Pearl St., Boston, MA 02110

**Notes:** Attorney Peter Shrair and Representatives of Griffith Road Property Owner, LLC were in attendance to present the plans to the Board. At the advisement of Planning Staff the Applicant submitted a Waiver of Site Plan Regulations request asking to waive the Preliminary Plan submittal as the site is predeveloped. The Board requested the Applicant review the SPRAC comments and address how each comment was to be addressed. Staff noted the Applicant had successfully obtained required Special Permits and Variances to allow for outdoor storage greater than 5% of the site. The Board added a comment requiring that the Applicant submit a revised set of site plans to the Planning Department that address all of the SPRAC comments. The revised site plans must be reviewed and approved by Staff prior to the issuance of Building Permits.

Several residents were opposed to the project citing safety concerns if a fire should occur, road conditions of James Street, hours of operation, lighting, deliveries, equipment noise, and combustion load of the lumber. The property owner of several properties in the industrial park, Ken Vincunas referred to expired park covenants, stating it was not the intention of the industrial park covenants to allow the type of use being proposed. Abutters' complaints also included the need for more time for the project to be reviewed. Staff reminded the Board that the Applicants had already been through two public hearings for the Special Permit and Variance to allow for the increased outdoor storage and a SPRAC review by City Departments. Staff also reminded the Board that only abutters within 300' are required to be notified via mail. The majority of the Board voted to approve the Waiver of Site Plan Regulations to waive the Preliminary Site Plan submittal.

Motion to approve the requested Waiver of Site Plan Regulations waiving the submittal of a Preliminary Site plan was made by Cynthia Labrie and seconded by Jay Paul. Vote was 5 in favor to 1 opposed.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau		X		

**ITEM 6b: Site Plan** request for increasing outdoor storage yard (5.05 acres) on IPUD Type 1 zoned property for the temporary storage of finished goods awaiting pick-up. Location: 301 Griffith Rd. Applicant: Griffith Road Property Owner, LLC, 133 Pearl St., Boston, MA 02110

**Notes:** Attorney Peter Shrair and Representatives of Griffith Road Property Owner, LLC were in attendance to present the plans to the Board. At the advisement of Planning Staff the Applicant submitted a Waiver of Site Plan Regulations request asking to waive the Preliminary Plan submittal as the site is predeveloped. The Board requested the Applicant review the SPRAC comments and address how each comment was to be addressed. Staff noted the Applicant had successfully obtained required Special Permits and Variances to allow for outdoor storage greater than 5% of the site. The Board added a comment requiring that the Applicant submit a revised set of site plans to the Planning Department that address all the SPRAC comments. The revised site plans must be reviewed and approved by Staff prior to the issuance of Building Permits.

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Motion to approve the plans as Definitive Site Plans with Conditions was made by Cynthia Labrie and seconded by Eric Oulette. Vote was 6-0 to approve the plans as Definitive Site Plans with Conditions.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 7: (Tabled from March 2, 2023) Waiver of Frontage** from Chapter 275-53 frontage from 100' to 50' to allow an existing two-family house to remain on a lot with reduced frontage lot. Location: 25-27 State St. Chicopee, MA. Applicant: Miroslav Nesterchuk, 73 Chestnut St., Chicopee, MA 01013

**Notes:** No one was in attendance to present the petition. Staff reminded the Board that the Applicant requested the hearing be tabled from the previous month. The Board voted to table one more time to May 4, 2023 to allow Staff to contact the Applicant's attorney to determine what course of action they intend to take on the Waiver.

Motion to table to May 4, 2023 was made by Nathan Moreau and seconded by Jay Paul. Vote was 5 in favor to 1 opposed.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz		X		
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 8a: ANRs – 23-1005 – Nyles Courchesne – 30 Buckley Blvd**

**Notes:** Staff explained the ANR plan to the Board.

Motion to approve was made by Nathan Moreau and seconded by Jay Paul. Vote was 6-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 8b: ANRs – 23-1006 – Lee Pouliot – Chicopee Riverwalk Encroachment**

**Notes:** Staff explained the ANR plan to the Board.

Motion to approve was made by Nathan Moreau and seconded by Eric Oulette. Vote was 6-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			
Jay Paul	<b>X</b>			
Nathan Moreau	<b>X</b>			

**ITEM 8c: ANRs – 23-1007 – Stephen Morris – Chartier Driver**

**Notes:** Staff explained the ANR plan to the Board.

Motion to approve was made by Eric Oulette and seconded by Jay Paul. Vote was 6-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			
Jay Paul	<b>X</b>			
Nathan Moreau	<b>X</b>			

**ITEM 8d: ANRs – 23-1008 – Monica Egan – Lukasik Street**

**Notes:** Staff explained the ANR plan to the Board.

Motion to approve was made by Nathan Moreau and seconded by Eric Oulette. Vote was 6-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			
Jay Paul	<b>X</b>			
Nathan Moreau	<b>X</b>			

**ITEM 9a: Minutes** from February 15, 2023. (Special Meeting)

Motion to approve was made by Nathan Moreau and seconded by Jay Paul. Vote was 6-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 9b: Minutes** from March 2, 2023

Motion to approve was made by Eric Oulette and seconded by Jay Paul. Vote was 6-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 10: New Business/Discussion**

**Notes:** Staff noted that Definitive Site Plans for the Walmart Expansion Project were on the agenda for May 4, 2023 along with the tabled Waiver of Frontage from this agenda.

**ITEM 1a: Board Elections (Chair)** – All Board members are eligible for the position of Chair except Michael Sarnelli who has served two consecutive terms as Chair.

**Notes:** The Board nominated Cynthia Labrie for the position of Chair. Cynthia accepted the nomination.

Motion to elect Cynthia Labrie Chair was made by Eric Oulette and seconded by Nathan Moreau. Vote was 6-0 to elect Cynthia Labrie as Chair.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 1b: Board Elections (Vice Chair)** – All Board members are eligible for the position of Chair except Michael Sarnelli who has served two consecutive terms as Chair.

**Notes:** The Board nominated Nathan Moreau for the position of Vice Chair. Nathan accepted the nomination.

Motion to elect Nathan Moreau as Vice Chair was made by Michael Sarnelli and seconded by Eric Oulette. Vote was 6-0 to elect Nathan Moreau as Vice Chair.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 1c: Board Elections (Clerk)** – All Board members are eligible for the position of Chair except Michael Sarnelli who has served two consecutive terms as Chair.

**Notes:** The Board nominated Eric Oulette for the position of Clerk. Eric accepted the nomination.

Motion to elect Eric Oulette as Clerk was made by Thomas Reniewicz and seconded by Cynthia Labrie. Vote was 6-0 to elect Eric Oulette as Clerk.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			

**ITEM 1d: Board Elections (PVPC)** – All Board members are eligible for the position of Chair except Michael Sarnelli who has served two consecutive terms as Chair.

**Notes:** The Board nominated Samuel Shumsky for the Board’s Representative to the PVPC. Samuel was not in attendance.

Motion to elect Samuel Shumsky for the Board’s Representative to the PVPC was made by Cynthia Labrie and seconded by Eric Oulette. Vote was 6-0 to elect Samuel Shumsky as the Board’s Representative to the PVPC.

Member	Approve	Deny	Table	Abstain
Michael Sarnelli, Chair	X			
Cynthia Labrie, Clerk	X			
Tom Reniewicz	X			
Eric Oulette	X			
Jay Paul	X			
Nathan Moreau	X			



**ITEM 11: Adjournment** next meeting is scheduled for May 4, 2023

Motion to adjourn was made by Nathan Moreau and seconded by Michael Sarnelli. Vote was 6-0 to adjourn.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			
Jay Paul	<b>X</b>			
Nathan Moreau	<b>X</b>			

**Meeting adjourned at 9:04 PM.**