



Members

George Balakier, Chair
William Courchesne, Vice Chair
Mary Beth Pniak-Costello
Joel McAuliffe
Delmarina López
Robert J. Zygarowski
Gary Labrie

MINUTES
April 26, 2023

The following are the minutes of a public hearing held Wednesday, April 26, 2023 at 6:30 PM in the Chambers, 4th floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013 and via Zoom.

Members Present: Courchesne, Pniak-Costello, López (zoom), Zygarowski, Labrie

Absent: Balakier, McAuliffe

Also Present: Daniel Garvey (Associate City Solicitor), Councilor Laflamme, Jerry Rivera (IT), Councilor Dobosz, Lee Pouliot (Planning Director), Patrick Collins (Assistant Planning Director), Councilor Krampits (zoom)

The meeting was called to order at 6:30 PM

In compliance with the Open Meeting Law the Chairman asked if anyone in the audience was recording the meeting. Western Mass News Maria Wilson, Andrew Evans and from The Chicopee Register, Kristin Rivers identified themselves as recording the meeting.

ITEM #1

Special Permit application under Chapter 275-66 A for the purpose of allowance of a business, commercial, or industrial development on Burnett Rd. (Parcel ID Map 294, Lot 6 & Lot 7) Applicant – Scannell Properties #705, LLC, c/o Leo Leighton, 294 Grove Ln, Suite 140, Wayzata, MN 55391.

Councilor Courchesne asked committee members if they had an opportunity to review the traffic study.

Public Input

Jeannette Jaz, 71 Fairway Drive, asked the committee to look at the City globally. Each business will add to traffic. She asked that the committee and Council look at green space and open space because it helps beautify the City and attracts families to the community.

Conditions

- Entrance/Exit moved to the traffic light at New Lombard Road and Burnett Road
- 310 parking spaces
- 37,000 square foot building maximum
- 20 bay maximum
- 6 off network charging stations
- Batteries stored properly per Chicopee Fire and Building Departments
- Permit to run with the land

Motion made by Councilor Labrie and seconded by Councilor Courchesne to approve with conditions.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)	X				
Zygarowski	X				
Labrie	X				

Motion passed.

ITEM #2

Special Permit application under Chapter 275-9 for the purpose of installing small wireless facilities on one (1) existing utility poles under Chapter 277 located on Pole P17S – 357 Burnett Road. Applicant – Cellco Partnership, d/b/a Verizon Wireless, 1441 Main Street, Suite 1100, Springfield, MA 01103.

Attorney Michael Fenton was present representing Verizon Wireless. He stated that the application is for permission to allow a canister antenna on the top of an existing utility pole outside the property commonly known as 357 Burnett Road. He continued that this is an existing utility pole that is approximately 32.9 feet. With the addition of the antenna on top, it will be only 36.6 feet. The addition of the antenna on top of this utility pole will add less than four feet in height to the existing structure in an otherwise commercial and highly trafficked area where coverage is desperately needed. He stated that Verizon Wireless has secured the necessary license and approval to co-locate on this pole.

The following was read from the Planning Department:

The Department of Planning & Development has received, reviewed, and completed a Site Plan Review Advisory Committee (SPRAC) Review for the enclosed Special Permit, submitted by Cellco Partnership d/b/a Verizon Wireless, for the proposed installation of Wireless Telecommunications Facilities (Batch 3) per City Ordinance Chapter 277 (Wireless Facilities).

As the review of a Special Permit follows an unusual process as compared to traditional Special Permits submitted under City Ordinance Chapter 275 (Zoning), I will summarize work completed as of this submission:

The Department of Planning & Development received a draft Special Permit Application with supporting materials on January 19, 2023 – as date stamped on the original application I, as Planning Director, with support from Planning Department Staff, completed an initial review of the draft Special Permit Application and supporting materials on January 30, 2023 and deemed the submission complete. The Special Permit Application with supporting materials was distributed to the Departments noted in Chapter 277 for SPRAC Review. The Departments included: Building, DPW, Engineering, Health, and Chicopee Electric Light. As Planning Director, I did not deem any further Departments necessary to complete this SPRAC Review. Comments from reviewing Departments were received through February 16, 2023. Comments were then aggregated into the SPRAC Report included with his Memo with SPRAC complete, I am now submitting the complete Special Permit Application with supporting materials and SPRAC Report to the City Council which will schedule the required public hearing for the Application. Should you have any questions regarding this Memo, the enclosed SPRAC report, or Special Permit Application please do not hesitate to contact me at any time. I look forward to completing the review of this project.

Departmental (SPRAC) Comments

Special Permit – Verizon Wireless Facility Installation on Existing CEL Utility Pole – 357 Burnett Road
March 9, 2023

Planning Department

1. The Planning Department defers its comments to CEL whose poles the wireless facilities will be affixed.
2. Application fee of \$500 received
3. The Application meets all submission requirements under 277-4

Chicopee Electric Light

4. CEL provided an email stating they have no comments

Engineering Department

5. The Engineering Department takes no exception to the application as submitted.

Building Department

6. The Building Department provided an email stating they have no comments

Health Department

7. The Health Department provided an email stating they have no comments.

Department of Public Works

8. No Comments submitted to the Planning Department.

Conditions

Permit to run with the applicant

Motion made by Councilor Pniak-Costello and seconded by Councilor Courchesne to approve with conditions.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)	X				
Zygarowski	X				
Labrie	X				

Motion passed.

ITEM #3

Special Permit application under Chapter 275-58 (c)(5) for the purpose of four (4) residential units located at 1682 Memorial Dr. Applicant – 896-900 Prospect Street, Inc., David B. Williams, 32 Haig Ave., South Hadley, MA 01075. (On 4-10-2023 the applicant submitted a continuance request to be considered by the committee).

Applicant emailed the following to the City Council Office:

Thank you for taking the time to speak with me today. As discussed, I am out of the Commonwealth on April 26, which is the date of the City Council hearing. I am attending a show and will not be available for a zoom conference. May we please table the hearing until Wednesday, May 31? Thank you for your assistance and cooperation in this matter.

Jim

Motion made by Councilor Labrie and seconded by Councilor Courchesne to postpone to the May 31, 2023 Zoning Committee at 6:30 PM in the Council Chambers located at 274 Front Street.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)	X				
Zygarowski	X				
Labrie	X				

Motion passed.

ITEM #4

Zone Change application to apply the Mill Conversion and Commercial Center Overlay District for 33,130 SF of property located at 105 East Street (Parcel ID 0149-00007) for the purpose of allowing for future construction of a residential development to be located at the above referenced property. Applicant – PREM, LLC c/o Mr. Dennis Patel, 36 Yarmouth Dr., Agawam, MA 01001.

Rob Levesque was present at the meeting. He stated that the proposal is for a zone change to allow for the Mill Conversion Center Overlay District to be applied to this property. Currently, the property is zoned commercial. The building is to be constructed perpendicular to each of the surrounding streets and the parking area is proposed to the left. Initially, the proposal was for 24 units. After receiving feedback from the Ward Councilor as well as the neighborhood regarding the density and the amount of units the petitioner has reduced that. He took half of every other unit and applied it so instead of studio or one-bedroom units these would be two-bedroom units. It will also accommodate the parking requirements a little bit better, two per unit. In the end it will probably be higher end units and higher rents. The units will be reduced to 16. He stated that they did take into consideration the comments from the neighborhood.

Councilor Krampits asked that the committee consider the comments and concerns of the neighborhood with this development.

Public Input

Dan Roy, 86 East Street, stated that he feels that 16 units is still too much. He feels that there are parking problems already and this would just add to that.

Rob Levesque stated that there will be 2 parking spaces per unit and all parking for the residential building will be on the premise.

Dan Roy, asked if this will be low-income housing. Rob Levesque replied that the developer is proposing market rate housing. No subsidized housing.

Jack Patry, 100 East Street, stated that 10 to 12 units would be ideal. The site right now needs to be cleaned up. He stated that East Street has increased in traffic and it's a drag strip.

Marianne Cierpial, 69 East Street, stated that she agrees with her neighbors that this should be less than 12 units. The traffic is already bad, this would just increase.

Eugene Przybylowicz, 11 Caddyshack Drive, stated that the City should establish a moratorium on apartments in the City.

Dave Boucher, Linden Street, stated that there are parking problems on Linden Street. He stated that he feels this property should have single family homes.

Councilor Pniak-Costello stated that she is listening to the concerns of the residents. The City has traffic problems. There are studies going on in different wards to address the increase of traffic. These residents live in this area and they know the area. She can feel for the residents concerns about too much traffic with housing that is not something that is going to lessen the traffic.

Councilor Krampits stated that the vote tonight and also before the City Council next week is to allow that residential component. There will be a second public hearing that will come up at some point for when the actual plan for that residential component will come forward. The decision tonight and at next week's meeting is, do you want to have a residential component or do you want it to be commercial only. No one has told him that they would like the property to remain commercial. The concern of the neighborhood is they want to see it residential, but they want to see it a lighter density of residential. He is hoping that the comments presented tonight the petitioner can work with the developer and possibly downsize it more.

Lee Pouliot stated what is allowed right now on Commercial A property, greenhouses, educational services, finance insurance and real estate services, membership clubs, personal services, professional services, repair services for other items outside of automobiles, trucks, motorcycles, retail trade with outdoor storage and welfare and charitable services. Those uses the current owner and applicant could develop by right now with just site plan review. It would not involve the City Council at all. If the city so grants this request through the Council, then the applicant will have to come back to the City Council with a full special permit submission, which would include a narrative report and a full plan set for the project that would then go through review with the District Review Committee, which is similar to SPRAC. He also stated that the base zoning does not go away. If it was determined in the future that that was a better avenue or an opportunity came up, they could still develop a buy right use in the commercial district. He stated that many people in his profession would say that residential development is the least invasive in new growth for traffic.

Councilor Labrie asked for a show of hands in the audience of those who would like to see commercial use of the property and who would like to see residential use. Those present would like to see residential use.

Rob Levesque stated that the developer is listening to all that is being said tonight.

Public Input

Dan Roy, 86 Roy Street, asked if there is a possibility for this project to be condos instead of apartments. He also stated that Belcher School is going to be apartments and St. George's is supposed to be turned into apartments as well by VOC which will bring low-income people to this area. He stated that if you own property you take pride in the property.

Lee Pouliot stated that the zoning codes cannot dictate the ownership structure of a residential development. He stated that's a type of housing discrimination. It's up to the entity who owns and develops if they want it to be condos or apartments. No public body can dictate what the structure of a housing project is.

Ron Riopelle (SP), Indian Orchard, stated that the trash on the property is from the neighborhood. He also stated that the proposed project has enough parking for each unit. This project will generate tax income. He stated that he is concerned about what he has heard from the abutters about what type of people are going to be moving into Chicopee. It's not the right thing to hear. As it is zoned right now a convenience store could be built on the property which would generate more traffic.

Jack Patry, 100 East Street, stated that he has spent a lot of money on his property and he wants the property across the street to be taken care of and he feels that low-income tenants will not keep up the property. Condos would be the way to go.

Councilor Courchesne stated that the Planning Board voted 3 to 1 favorably on this project.

Motion made by Councilor Labrie and seconded by Councilor Courchesne to approve the Mill Conversion and Commercial Center Overlay District.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)	X				
Zygarowski	X				
Labrie	X				

Motion passed.

ITEM #5

Zone Change application to apply the Mill Conversion and Commercial Center Overlay District for 118,613 +/- SF of property located at 480 Burnett Road and 510 Burnett Road (Parcel ID 0294-00005 and 0294-00004) for the purpose of constructing a residential development with associated site improvements to be located at the above-referenced properties. Applicant – Salmar Realty, Inc. c/o Peter Martins, 350 Cottage St., Springfield, MA 01104.

Councilor Courchesne stated that the committee has received a request for postponement. The request was read into record.

I hope you are doing well. Please see the attached Request for Continuance Letter for Wednesday evening’s Zoning Committee Public Hearing regarding the Burnett Road Zone Change submission. Please confirm the next scheduled Zoning Committee meeting date in which the proposal will be heard. Thank you so much for your time in advance.

Rob Levesque stated that he appreciates the committee’s patience.

Motion made by Councilor Zygarowski and seconded by Councilor Courchesne to postpone to the May 31, 2023 Zoning Committee meeting at 6:30 PM located in the Council Chambers at 274 Front Street.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)	X				
Zygarowski	X				
Labrie	X				

Motion passed.

ITEM #6

Minutes – March 29, 2023

Motion made by Councilor Zygarowski and seconded by Councilor Courchesne to approve.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)					X
Zygarowski	X				
Labrie	X				

Motion passed.

Motion made by Councilor Zygarowski and seconded by Councilor Courchesne to adjourn at 7:40 PM.

Roll Call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Balakier			X		
Courchesne	X				
Pniak-Costello	X				
McAuliffe			X		
López (zoom)					X
Zygarowski	X				
Labrie	X				

Motion passed.