



Members

Stanley Walczak, Chair
Fred Krampits, Vice Chair
Shane Brooks
Frank Laflamme
Derek Dobosz

**MINUTES
June 24, 2019**

The following are the minutes of a public hearing held Monday, June 24, 2019 at 6:30 PM held at the RiverMills Senior Center, Small Garden Room #14A, 5 West Main Street, Chicopee, MA 01020.

Members Present

Walczak, Krampits, Brooks, Laflamme, Dobosz

Also Present

Attorney Daniel Garvey (Associate City Solicitor), Carl Dietz (Building Commissioner), Captain Benjamin Turnberg (Fire Prevention)

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. Hearing none the meeting continued.

Motion made by Councilor Laflamme and second by Councilor Walczak to take item #13 out of order. Motion passed.

ITEM #13

Application for an amendment of a Junk Dealers License. Change of location from 766A Memorial Drive to 1260 Memorial Drive.

Applicant Archie Moe, 125 Ohio Avenue, West Springfield, MA 01089

Mr. Moe was present at the meeting. Requesting to change the location of the business from 766A Memorial Drive to 1260 Memorial Drive.

Councilor Laflamme asked if Mr. Moe rents or owns the new property. Mr. Moe stated that he rents the new location.

Dan Garvey stated that the applicant will need to submit a plot plan of the interior of the building along with a lease agreement of the property.

Councilor Walczak asked if Mr. Moe is operating now out of the new location. Mr. Moe replied that he is operating.

Motion made by Councilor Laflamme to approve the Junk Dealers License with the license change pending the submittal of a plot plan and lease agreement by Friday, June 28 to City Council office.

Committee vote 5 - 0 favorable.

ITEM #1

ORDERED THAT Murray Automotive, LLC, 102 Old Fuller Road, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Murray Automotive, LLC including compliance with restrictions imposed upon any licenses held by Murray Automotive, LLC. The Council may modify, suspend, fine, or revoke any license held by Murray Automotive, LLC.

Restrictions on the license were read by Chairman Walczak - Good housekeeping, no outside storage, no junk cars, no outside repairs, license holder must secure a certificate of occupancy prior to exercising the rights granted under this license, total number of vehicles 17, 13 outside, 4 inside, 1 handicap space, hours of operation M-Sat 8-6, no Sundays.

Michael Murray was present at the meeting.

Councilor Dobosz stated that the license is granted for 17 vehicles. There have been more vehicles on the property. The second violation is junk vehicles on the property. Customer parking is included in the 13 allowed outside. If Mr. Murray wants additional vehicles he needs to come before the Council and request additional vehicles.

Councilor Laflamme stated that he has been to the property once. He is helping Councilor Dobosz with the violations at this property. Councilor Laflamme stated that there were comments made by the License holder that he was holding up his license. Councilor Laflamme stated that the license was postponed for plot plans. Everyone has to provide a plot plan before a license can be granted.

Mr. Murray stated that he lost 4 parking spaces inside the fence because the markings on the plan were off.

Councilor Laflamme stated that some vehicles are parked on city property. He further stated that customer vehicles are to be parked on the business property not on city property.

Mr. Murray stated that he currently has 18 vehicles on the property. 1 is parked on the tree belt. Councilor Laflamme stated that if the Council allows cars to be parked on the tree belt for Mr. Murry than it will have to allow it for all businesses.

Councilor Dobosz stated that he does not want to see a huge pile of junk cars. His constituents call him often about it because it does not look good.

Councilor Laflamme stated that if Mr. Murray wants to amend his license for additional vehicles he should meet with Fire and Building to review the proposal. Then submit the revised plan to the Council for review.

Attorney Garvey explained the process of amending the plot plan. First go to a surveyor to prepare the plan and then bring the plan to Fire and Building before submitting.

Motion made by Councilor Laflamme and second by Councilor Walczak to place on file.

Committee vote 5 - 0 favorable.

ITEM #2

ORDERED THAT Daigle's Truck Master, Inc., 57 Fuller Road, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Daigle's Truck Master, Inc. including compliance with restrictions imposed upon any licenses held by Daigle's Truck Master. The Council may modify, suspend, fine, or revoke any license held by Daigle's Truck Master.

Chairman Walczak read the license restrictions - Good housekeeping, Hours M-Saturday 7 AM to 7 PM, no Sunday, vehicles 7 large 4 cars, all vehicles must be behind stockade fence that are there for more than 2 days, no cars or trucks on city property, no outside storage, Fire Department to see search file.

Councilor Dobosz stated that he has received complaints of trucks idling late at night, vehicles parking too close to the corner, the purchased property adjacent to the one currently owned is not zoned business.

Susan Byrne, 48 Grattan Street, Springfield, MA and Jeffrey Daigle were present at the meeting.

Mr. Daigle stated that he does not work at night so the trucks idle. He further stated that he knows nothing of it. Those are not his trucks. Councilor Dobosz stated that when they spoke on the phone the license holder admitted that customers come and pick them up at night. State law prohibits trucks idling for more than 5 minutes. Susan Byrne asked how is that governed as they can't be at the facility 24/7.

Chairman Walczak asked if trucks come in after 7 PM when the business is supposed to be closed. Mr. Daigle stated that they can come in whenever they want. He further stated that this happens maybe once per month. He also stated that he has unpredicted work come in from all over the country. His business is very active and has grown and he can't govern.

Councilor Laflamme asked if the vehicles that come in after hours park on city property. Mr. Daigle replied yes. Mr. Daigle stated that he can fit 5 trucks in the front. Councilor Laflamme stated that when Fuller Road is reconstructed Mr. Daigle may lose the use of city property. Mr. Daigle stated that he was told that the city will gift him this property.

Mr. Daigle stated that he maintains the property. There is no trash anywhere from Wavel to Fuller.

Susan Byrne stated that once she spoke with Councilor Dobosz she ordered signs to help drivers understand idle laws. Besides that she doesn't know how to govern it. She also stated that it has been mentioned that multiple calls were received complaining about the business. She would like to know why no one stopped into the business and told them about the issues.

Councilor Dobosz stated that with his job it may be difficult to reply because he does work at times 15 hours per day. Idling is a state law. Susan Byrne stated that police cruisers sit across the street and ticket speeding drivers can they also issue citations for trucks idling. It was replied that yes, they can.

Mr. Daigle stated that he does not believe trucks are idling overnight.

Councilor Brooks stated that the line of sight must be maintained because he is fearful that an accident will occur. He suggested that maybe Mr. Daigle could work out an agreement with Mr. Sarat for use of his property across the street. Mr. Daigle said that he could work on that.

Attorney Garvey stated that it's important to remember that customers cannot park on city property. Regarding idling of trucks he suggested that when drivers come in to settle their invoices staff notify the drivers that the state has a 5 minute idling law and Police are watching. Susan Byrne stated that they will add signage on the property.

Carl Dietz asked what activity goes on beyond the gate. He suggested that if that this area be utilized to store the trucks instead of parking in the front. Susan Byrne stated that trucks and trailers will not fit behind the gate. Jeffrey Daigle stated that neighbors are already complaining about idling trucks if he parks a semi behind the gate the noise in the morning will be disturbing the neighbors.

Steve Allen, 299 Sheridan Street, stated that he is the neighbor that Mr. Daigle is referring to. He stated that for the most part the business operation has been OK. But he has a tendency to let things lax. If he gets busy he lets trucks run next to the fence. He stated that he has called the business multiple times to complain. In the last two weeks he has done very well cleaning up the business but it's not like that all the time.

Motion made by Councilor Laflamme and second by Councilor Walczak that trucks not park on city property corner. Continue to use signage regarding 5 minute idling and to place on file.

Committee vote 5 - 0 favorable.

ITEM #3

ORDERED THAT Daniel's Truck Center., 18 Montcalm Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Daniel's Truck Center. including compliance with restrictions imposed upon any licenses held by Daniel's Truck Center. The Council may modify, suspend, fine, or revoke any license held by Daniel's Truck Center.

Daniel Laflamme was present at the meeting.

Councilor Laflamme stated for the record that Mr. Daniel Laflamme is not related to him.

Chairman Walczak read the restrictions - Class II - Good housekeeping, no outside storage, number of vehicles 21 outside, 2 inside, hours of operation M-F 8-5, Saturday 9-3, no Sunday, no cars beyond entrance by house. Repair Restrictions - Good housekeeping, no outside storage, 2 vehicles inside, 2 vehicles outside, minor repairs, no outside repairs, abide by F.D. Regs, Hours of operation M-F 8-5, Saturday 9 - 3, Sunday none.

Chairman Walczak stated that he and the Building Commissioner have visited the business and they have concerns regarding the plot plan.

Carl Dietz stated that last week between the truck bodies and other vehicles there are +/- 40 vehicles. There was one van, engine. It looks very disorganized. There appears to be other space that could be better utilized.

Chairman Walczak stated that there are about 3 or 4 vehicles that appear to be going nowhere and have been sitting there for quite a few years. There's an ambulance. Daniel Laflamme stated that he is waiting on a title for the ambulance.

Daniel Laflamme stated that he agrees with the comments made. The issues are being taken care of at this moment. About 60% of the work is completed and he will continue to work on improving the site.

Motion made by Councilor Laflamme and second by Councilor Walczak that the good housekeeping issue be addressed within 30 days and to place on file.

Committee vote 5 - 0 favorable.

ITEM #4

ORDERED THAT Matt's Auto Mall, LLC., 1840 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Matt's Auto Mall, LLC. including compliance with restrictions imposed upon any licenses held by Matt's Auto Mall, LLC. The Council may modify, suspend, fine, or revoke any license held by Matt's Auto Mall.

Matthew Jensen was present.

Chairman Walczak read the following restrictions - Good housekeeping, no outside storage, no junk cars, no outside repairs, license holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license. Hours of operation M-Saturday 9 - 5, closed Sunday, total number of vehicles 30, customer 4, 26 cars for sale. First curb cut - no parking for 4 cars, traffic flow should be indicated by arrows marked on pavement, owner will drive a for sale car, cars serviced at B & G Automotive.

Chairman Walczak stated that he and the Building Commissioner visited the property. According to the license he is not allowed to have boats, trailers, and campers on the site.

Carl Dietz stated that the front looked good but behind the trailers it looked as if there were extra 14 cars on the property including a trailer and a wrecker. The items not permitted need to be removed from the lot.

Attorney Garvey explained that if Mr. Jensen would like to amend the number of vehicles allowed by the license he will need to see a surveyor to prepare a plan and then present it to Fire and Building.

Matthew Jensen stated that he no longer uses B & G Automotive for repair work. He needs a building to do repairs on the vehicles. The property owner has given him permission to level off the back to be able to put up a garage. Attorney Garvey stated that the first step would be to go to a surveyor and then bring the plans to the Building Department for permits.

Motion made by Councilor Krampits and second by Councilor Walczak to place on file and reduce the number of vehicles to plot plan, good housekeeping rule in effect.

Committee vote 5 - 0 favorable.

ITEM #5

Application for an Auto Repair License for Mr. Clean Auto Detailing located at 904 Meadow Street.

Applicant - Evelyn Roman, 71 Blunt Rd., Springfield, MA 01109

Evelyn Roman was present at the meeting. She stated that they had to relocate from Granby Road because their lease was not renewed. The new site is leased also.

Reports read from the following departments:

Building - 904 Meadow Street is zoned Business A. Automobile repair services is a permitted use within the Business A district. The lot is situated such that no parking within the lot meets the Parking Regulations for building setback requirements per 275-40 of the city code.

Planning - Property is zoned Business A; use is permitted in the zone. One repair bay required two parking spaces, 3 are provided. Confirm where on property repaired vehicles will be stored prior to pick up. Two spaces on south side of building are too close to the building **façade** and property line. Concern regarding +/- 9 feet driving aisle for customer parking.

Engineering - Having parking spaces where the driver must back out onto a city street is not recommended according to ordinance 275-40 H2 parking and loading; off street parking and loading facilities that make it necessary for vehicles to back our directly into a public road are prohibited.

Fire - None at this time

Councilor Laflamme stated that the lease agreement provided does not have signatures. Ms. Roman stated that she must have submitted the wrong copy. Councilor Laflamme stated that he has concerns about parking on this property. He is also concerned about pedestrians walking on the sidewalk and cars backing up into Meadow Street from the business.

Applicant stated that all work is by appointment only. Cars are done the same day if. It's a dealer they leave the next morning.

Councilor Laflamme that in the past he has called this business in when they were operating at a different location for violations of their license restrictions. He further stated that he does not want to see activity at this new location that is not allowed under the license.

Conditions

Good housekeeping

No outside storage

No junk cars

No outside repairs

License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license

Total number of vehicles 11 (5 inside, 2 outside, 1 employee, 2 customer, 1 handicap)

Hours of Operation M-Sat 8-8, Sunday 2-6

Motion made by Councilor Laflamme and second by Councilor Brooks to approve with restrictions and the Fire Department regulations and a copy of lease to City Council office by Friday.

Committee vote 5 - 0 favorable.

ITEM #6

Application for an Auto Detailing License for Mr. Clean Auto Detailing located at 904 Meadow Street. Applicant - Evelyn Roman, 71 Blunt Rd., Springfield, MA 01109

Evelyn Roman was present at the meeting. This license will run the same as the Auto Repair license.

Conditions

Good housekeeping

No outside storage

No junk cars

No outside repairs

License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license

Total number of vehicles 11 (5 inside, 2 outside, 1 employee, 2 customer, 1 handicap)

Hours of Operation M-Sat 8-8, Sunday 2-6

Motion made by Councilor Laflamme and second by Councilor Brooks to approve with restrictions and the Fire Department regulations and a copy of lease to City Council office by Friday.

Committee vote 5 - 0 favorable.

ITEM #7

Application for a Class II License for Veteran Auto Service located at 238 Meadow Street.

Applicant - Pablo Morales, 19 Dianne Drive, Springfield, MA 01104

Pablo Morales was present at the meeting.

Reports read from the following departments:

Building - 238 Meadow Street is zoned Business A. Automobile repair services is a permitted use within the district. The location of the fence on the southeast side of the property has rendered the "Existing hardpack parking lot" area unusable per the Chicopee Parking ordinances 275-40C (14) and 275-40 H (2) as referenced below.

C(14) All parking spaces must be separated from walkways, sidewalks, roads, streets, or alleys by curbing, and all roads, streets, alleys, sidewalks, walkways, and lot lines must be protected from vehicular overhang by wheel bumpers or curbs. Wheel bumpers or curbs must be installed at least five feet from a street right-of-way line.

H(2) Off-street parking and loading facilities that make it necessary for vehicles to back out directly into a public road are prohibited, except that this prohibition does not apply to the off-street parking area of one single-family detached or semidetached dwelling units.

Engineering - Having parking spaces where the driver must back out onto the street is not recommended. According to ordinance 275-40 H2 parking and loading off street parking and loading facilities that make it necessary for vehicles to back out directly into a public road are prohibited

Planning - Property is zoned Business A; use is permitted in the zone. Two spaces per bay required, six customer spaces provided. Handicap space must be relocated to be closest to office door.

Concern regarding 10 foot driving aisle for customer parking. Please review with Engineering, Police, and Fire. Concern regarding public safety access to the rear gravel parking lot. Parking layout should be reviewed with Police and Fire.

Fire - None at this time.

Mr. Morales stated that he was planning to sell the cars from the front. However, he has just learned that he would not be able to sell from that area because it's not paved.

Councilor Laflamme stated that you cannot back out into the street. It's a safety issue for vehicles and pedestrians. He asked Mr. Morales if someone is operating at this property. Mr. Morales stated that he is in the process of cleaning up the property. Councilor Laflamme asked about the trailers on the property. Mr. Morales stated there is a 53 foot trailer.

Mr. Morales stated that he is leasing the property with the option to buy.

Chairman Walczak stated that there were outstanding taxes owed on the property. Mr. Morales stated that he paid the outstanding bills today for the property. He just hasn't paid his own personal property tax.

Councilor Brooks stated that the handicap parking space must be relocated.

Mr. Morales stated that he is trying to get the donation box moved so that he can rearrange his parking.

Carl Dietz stated that you need a 5 foot buffer plus 18 feet from the sidewalk. You need 23 from the sidewalk not the street. You need a 14 foot drive by.

The committee suggested that Mr. Morales work with his surveyor and the city departments to design a plan that will meet all requirements of 275-40.

Motion made by Councilor Laflamme and second by Councilor Walczak to postpone to the call of the chair. Motion passed.

ITEM #8

Application for an Auto Repair License for Veteran Auto Service located at 238 Meadow Street.
Applicant - Pablo Morales, 19 Dianne Drive, Springfield, MA 01104

Motion made by Councilor Laflamme and second by Councilor Walczak to postpone to the call of the chair. Motion passed.

ITEM #9

Application for an Auto Detailing License for Veteran Auto Service located at 238 Meadow Street.
Applicant - Pablo Morales, 19 Dianne Drive, Springfield, MA 01104

Motion made by Councilor Laflamme and second by Councilor Walczak to postpone to the call of the chair. Motion passed.

ITEM #10

Application for a Class II License for A and J Trust Auto Repair located at 920 A Meadow Street.

Applicant Angel Alicea, 128 Exchange Street, Chicopee, MA 01013

Angel Alicea was present at the meeting.

Reports read from the following departments:

Building - 920 Meadow Street is zoned Business A. Automobile repair services is a permitted use within the Business A district. The lot is situated such that any parking within the lot except for perhaps 3 spaces parallel with and located on the northerly property line does not meet the Parking Regulation building setback requirements per 275-40 of the city code. The plan does not show an overhead door for 920A Meadow Street. Has the proponent also secured 920B to perform auto repair inside the building?

Planning - Property is zoned Business A; use is permitted in the zone. Adequate parking area for used cars to be located on site are not detailed on the plan; site may not have need capacity for used car sales. Customer parking spaces at front of building do not meet required dimensions of 9x18' with required street lot setback of 8'. Recommend approval of Auto Repair license if adequate parking can be provided. Recommend denial of Class II - site maybe be too small to support this use.

Engineering - Having parking spaces where the driver must back out onto a city street is not recommended according to ordinance 275-40 H2. Parking and loading: off street parking and loading facilities that make it necessary for vehicles to back out directly into a public road are prohibited. Parking stall dimensions shall have minimum dimensions of 9 ft by 18 ft. Pavement setbacks: paved areas shall not extend within 8 ft from a street lot line.

Fire - None at this time.

Chairman Walczak stated that parking seems to be of issue with this application.

Mr. Alicea stated that there is a church on this property also and since they start their services at 7 PM and he finishes at 5 PM they share parking. He stated that he repairs BMW's, Mercedes. He also stated that he used to work for Tony's Auto Repair for 4 years.

Carl Dietz asked the applicant if he is renting the middle portion of the building 920A? Mr. Alicea stated that no, the middle is the church. Carl continued that the application states that the license request is for 920A. The correct address should be 920B Meadow Street. Committee changed the address to reflect 920B Meadow Street.

Mr. Alicea stated that he can comfortably fit 2 vehicles inside and that's what he will do.

Conditions

Good housekeeping

No outside storage

No junk cars

No outside repairs

License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license

Total number of vehicles 8 (2 inside, 2 employee, 8 customer, 1 handicap)

Hours of Operation M- F 8 - 8, Saturday 8 -1, no Sunday

Motion made by Councilor Laflamme and second by Councilor Walczak to approve with restrictions and Fire Department approval.

Committee vote 5 - 0 favorable.

ITEM #11

Application for an Auto Repair License for A and J Trust Auto Repair located at 920 A Meadow Street.
Applicant Angel Alicea, 128 Exchange Street, Chicopee, MA 01013

Angel Alicea was present at the meeting.

Address changed to 920B Meadow Street.

Conditions

Good housekeeping

No outside storage

No junk cars

No outside repairs

License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license

Total number of vehicles 8 (2 inside, 2 employee, 8 customer, 1 handicap)

Hours of Operation M- F 8 - 8, Saturday 8 -1, no Sunday

Motion made by Councilor Laflamme and second by Councilor Walczak to approve with restrictions and Fire Department approval.

Committee vote 5 - 0 favorable.

ITEM #12

Application for a Service Station License for Big Y Express #119 located at 1177 Granby Road.
Applicant Big Y Express, 1177 Granby Road, Chicopee, MA 01020

Applicant not present at the meeting.

Councilor Dobosz abstained from this application.

Motion made by Councilor Krampits and second by Councilor Walczak to postpone. Motion passed.

Committee vote 4 - 0 favorable to postpone.

ITEM #14

Minutes - April 29, 2019 Motion made by Councilor Laflamme and second by Councilor Krampits to approve. Motion passed.

Meeting adjourned at 9:00 PM.