

**Zoning Board of Appeals**  
**Voting Record and Minutes**

The Zoning Board of Appeals of the City of Chicopee public hearing for **Thursday, January 21, 2021, 6:30 PM** City Council Chambers, 4th Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013 and via video conference (Zoom)\*.

**Meeting was brought to order by Anthony Gallant at 6:37 PM.**

Board of Appeals attendance:

Member	Name	Present	Absent	Excused
Regular	Anthony Gallant, Chair	X		
Regular	Carissa Lisee, Vice Chair	X		
Regular	Katherine Baldiga, Clerk	X		
Regular	Gary Stamborski	X		
Regular	Christina Loy	X		
Assoc.	Matthew Bieda		X	

Planning Department Staff Attendance

Title	Name	Present	Absent	Excused
Director	Lee Pouliot	X		
Assistant Planner	Patrick McKenna	X		
Development Manager	James Dawson			X
Associate Planner	Nathan Moreau			X

**\*NOTE: Due to COVID-19, meeting was held via video conference (Zoom).**

Pursuant to Massachusetts General Laws Chapter 131, Section 40 the Chicopee Zoning Board of Appeals calls to order this public hearing today, January 13, 2021 at 6:30 pm.

Board Members are meeting in person and through video conference utilizing Zoom.

In order to ensure and satisfy CDC social distancing guidelines during the COVID-19 Pandemic and pursuant to Governor Baker’s March 23, 2020 Order as amended, the Chicopee Planning Board is conducting public hearings utilizing remote collaboration technology in accordance with Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 18.

Copies of application materials for items on the Board’s agenda may be requested by phone: 413-594-1517 or by emailing Jim Dawson at [jdawson@chicopeema.gov](mailto:jdawson@chicopeema.gov)

Tonight’s public hearings will be available for viewing via the Spectrum Community Access Channel 191 or the Chicopee TV website at [www.facebook.com/ChicopeeTV](https://www.facebook.com/ChicopeeTV) or <https://vimeo.com/chicopeetv>

Public comment will be received during two timeframes. The first public comment period took place prior to the January 13, 2021 public hearings. The second public comment period occurred following the January 13, 2021 public hearings through January 21, 2021.

Public comments were submitted in writing to the Chicopee Planning Board, 4<sup>th</sup> floor City Hall Annex, 274 Front Street Chicopee, MA 01013. By email to Jim Dawson at [jdawson@chicopeema.gov](mailto:jdawson@chicopeema.gov) or by calling 413-594-1517. All comments received regarding the agenda items were be provided to all Board Members and will be discussed at this hearing or previously at the January 13, 2021 hearing.

**Item 1: VARIANCE** from Chapter 275-52 rear yard accessory building setback from 3’ to 2.6’ for Lot #1 (Maplewood Ave.) and from 3’ to 2.5’ for Lot # 2 (418 Chicopee St.). Side yard setback for accessory building from 3’ to 3’+/- for Lot #1 (Maplewood Ave.) and from 3’ to 2.2’ for Lot #2 (418 Chicopee St.) for the purpose of subdividing 418 Chicopee St. into two lots. Applicant: Roseann Bonatakis, 21 Meadow Lane, Southwick, MA 01077

**Notes:** The Applicant was not in attendance. Edward Chapdelaine of Durkee, White, Towne and Chapdelaine presented on her behalf as he provided the Applicant with survey plans and was familiar with the Variance request. Planning Staff explained the Applicant would need a Special Permit from the City Council to allow for an accessory structure without a principal structure on the parcel. Staff noted there were no public comments from Abutters however there was some confusion about meeting dates due to multiple meetings for both the Variance and the Special Permit (City Council). The Planning Department did not receive any public comments regarding the petition. The Board voted to approve the Variance contingent upon the Applicant obtaining a Special Permit to allow an accessory structure to stand on a lot without a principal structure.

Motion to approve contingent upon obtaining a Special Permit was made by Anthony Gallant and seconded by Carissa Lisee. Vote was 5-0 to approve contingent upon the granting of a Special Permit.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Chair	X			
Regular	Carissa Lisee, Vice Chair	X			
Regular	Katherine Baldiga, Clerk	X			
Regular	Gary Stamborski	X			
Regular	Christina Loy	X			

**Item 2: VARIANCE** from Chapter 275-58 Side yard setback from 15’ to 6’. Chapter 275-40 C (8)(a)&(b) pavement setbacks from (a) setback from residentially zoned land from 10’ to 1’ and (b) setback from street lot line from 8’ to 0’. Chapter 275-40 C (15) parking space setback from building from 8’ to 0’ and drive access aisle setback from a building from 5’ to 0’. Purpose is to allow for construction of an Office/Storage building. Location: 1230 Montgomery St., Chicopee, MA. Applicant: DJR Holdings, LLC – Donald J. Ruel, 72 Parenteau Ct., Chicopee, MA 01020

**Notes:** Edward Chapdelaine of Durkee, White, Towne and Chapdelaine represented the Applicant. Mr. Chapdelaine stated the lot predates the City’s Zoning Regulations adopted in 1940. Mr. Chapdelaine explained the proposed plans including upgrades to the stormwater management system that improve over existing conditions. Planning Staff explained that Site Plan Review for the proposed new building initiated the need for a Variance as proposed setbacks could not meet the Zoning Regulations (see above). Staff noted there were no public comments on the petition. The Board voted to approve the Variance.

Motion to approve was made by Anthony Gallant and seconded by Christina Loy. Vote was 5-0 to approve.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Chair	X			
Regular	Carissa Lisee, Vice Chair	X			
Regular	Katherine Baldiga, Clerk	X			
Regular	Gary Stamborski	X			
Regular	Christina Loy	X			

**Item 3: VARIANCE** from Chapter 275-53 frontage from 75’ to 50’ and 55’ and area from 7,500 SF to 5,486 SF and 5,014 SF to create two new single-family building lots fronting Harding St. from property at 287 Chicopee St. Applicant: John L. Vieau, 287 Chicopee St., Chicopee, MA 01013

**Notes:** Planning Director Lee Pouliot discussed the response he requested of the Massachusetts Ethics Commission. Mr. Pouliot stated it was advised that the Board Members and Staff each sign a disclosure statement ensuring that there is no conflict of interest surrounding the Board’s decision regarding Applicant’s personal property as the Applicant is the sitting Mayor of the City. Mr. Vieau stated he is confident that he is fully able to conduct himself before the Board as a City citizen and can separate himself and his application for a Variance from his professional role as Mayor. Planning Staff noted there had been no public comments to date. Mr. Pouliot recommended the Board table the petition to allow the Board Members time to complete the disclosure statements and return them to the Planning Department who would file them with the City Clerk.

Motion to table to February 10, 2021 was made by Anthony Gallant and seconded by Katherine Baldiga. Vote was 5-0 to table to February 10, 2021.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Chair			X	
Regular	Carissa Lisee, Vice Chair			X	
Regular	Katherine Baldiga, Clerk			X	
Regular	Gary Stamborski			X	
Regular	Christina Loy			X	

**Item 4: Discussion Old/New Business**

**Notes:** No Discussion

**Item 5: Minutes** from October 14 and 22 and November 10, 2020

**Notes:** The Board noted it had approved the minutes at the January 13, 2021 meeting.

**Item 6: Adjournment - Next Meeting** February 10, 2021

Motion to adjourn was made by Anthony Gallant and seconded by Christina Loy. Vote was 5-0 to adjourn.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Chair	X			
Regular	Carissa Lisee, Vice Chair	X			
Regular	Katherine Baldiga, Clerk	X			
Regular	Gary Stamborski	X			
Regular	Christina Loy	X			

**Meeting adjourned at 6:57 PM.**