

**Chicopee Planning Board  
Voting Record and Minutes**

The Planning Board of the City of Chicopee public hearing for **Thursday, January 26, 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

<b>Member</b>	<b>Present</b>	<b>Absent</b>	<b>Excused</b>
Michael Sarnelli, Chair	<b>X</b>		
Samuel Shumsky, Vice Chair	<b>X</b>		
Cynthia Labrie, Clerk	<b>X</b>		
Tom Reniewicz	<b>X</b>		
Eric Oulette	<b>X</b>		
<i>Vacant</i>			
<i>Vacant</i>			

Planning Department Staff Attendance

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

**ITEM 1: Open Meeting Law Complaint** – Review and respond to an Open Meeting Law complaint received on January 17, 2023 regarding the Planning Board’s January 5, 2023 meeting. Complaint Received From: Councilor Derek Dobosz, Ward 6, 70 Post Rd., Chicopee, MA 01020

**Notes:** This Open Meeting Law complaint is in reference to a Site Plan with Waiver request on the Planning Board’s January 5, 2023 agenda for the construction of a 6,315 SF addition to existing WalMart building and restriping of merchandise pickup parking stalls. Location: 545 Memorial Dr., Chicopee, MA. Applicant: Amy Miles, PB2 Architecture & Engineering, 2809 Ajax Ave., Suite 100, Rogers, AR 72758

The Planning Board received an email from the project Applicant’s engineer on December 21, 2022 requesting to table the hearing to February 2, 2023 as the Applicant was not in a position to present the site plans on January 5, 2023 due to necessary modifications brought to their attention during the Site Plan Review Advisory Committee meeting on December 20, 2022. Chairman Michael Sarnelli read the request into the meeting record of January 5, 2023. The Board voted to accept the request to table without any further discussion and proceeded with the meeting.

At the January 26, 2023 Special Meeting of the Planning Board, Lee Pouliot explained that the Planning Board was in receipt of an Open Meeting Law complaint filed by Ward 6 City Councilor Derek Dobosz. Councilor Dobosz alleged the Planning Board violated the Open Meeting Law by not taking Public Comment during their meeting on January 5, 2023, regarding Item #1. Councilor Dobosz was not in attendance for comment during this meeting.

Mr. Pouliot advised the Board that there is no stipulation in the Open Meeting Law requiring actions contained in the complaint, noting that it is solely at the discretion of the Chair of the Board whether or not public comment is accepted.

Associate City Solicitor Kevin Corridan of the City Law Department validated Mr. Pouliot’s input and advised the Board to deliberate on and delegate a response for written record to the Massachusetts Attorney General and Councilor Derek Dobosz.

The Board deliberated and made a determination that no violation to the Open Meeting Law occurred at the January 5, 2023 Planning Board Meeting.

Motion to Admit to No Wrongdoing was made by Eric Oulette and seconded by Cynthia Labrie. Vote was 5-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Samuel Shumsky, Vice Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			

Motion to delegate Associate City Solicitor Kevin Corridan of the City Law Department to draft and send the letter of response on behalf of the Planning Board to the Massachusetts Attorney General and Councilor Derek Dobosz was made by Cynthia Labrie and seconded by Eric Oulette. Vote was 5-0 to approve.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Samuel Shumsky, Vice Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			

**ITEM 2: Adjournment** next regularly scheduled meeting is February 2, 2023.

Motion to adjourn was made by Cynthia Labrie and seconded by Samuel Shumsky. Vote was 5-0 to adjourn.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Table</b>	<b>Abstain</b>
Michael Sarnelli, Chair	<b>X</b>			
Samuel Shumsky, Vice Chair	<b>X</b>			
Cynthia Labrie, Clerk	<b>X</b>			
Tom Reniewicz	<b>X</b>			
Eric Oulette	<b>X</b>			

**Meeting adjourned at 7:12 PM.**