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CITY COUNCIL  
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday February 2, 2021 at 6:48 pm in the City Council Chambers are as follows:

Brooks, Shane D.	Ward 2 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Present
Tillotson, James K.	At-Large Councilor	Present
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Galecki, Lucjan J.	Ward 3 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Present
Labrie, Gary R.	Ward 8 Councilor	Present
Walczak, Stan	Ward 9 Councilor	Present

Public Input—Pat Randall, 4 John Lane, South Hadley re: 30 Buckley Blvd project, is a neighboring business, supporting as a neighboring business. Carol Campbell, 107 North Chicopee Street, owner and president of CIC, here because of the Special Permit at 30 Buckley Blvd. concerned, know it's an eyesore and needs to be redone. Concern with the retail aspect. Parking and traffic, traffic issues, can take from 1-10 minutes to exit the parking lot. There is an easement that is shared. Tractor trailers use this parking lot. Worrying about people walking there is a big concern. Not enough parking. John McMillan, 129 Silver Creek Drive, Suffield, CT, the architect for the Lonczak Drive project, Special Permit for a sign. Want to put the sign 20-21 ft. of pavement by bringing the sign closer to the road, it will allow space to pile snow. Hope you give it consideration. Adam Brady-owner of 30 Buckley Blvd. owned building for the last 4 years, lots of pros to the Special Permit, little cons. Issues with parking, they will be by appointment only. Will increase property value. Will create 40-50new jobs, will be good paying jobs. Try to hire within the City of Chicopee. Holyoke has 4-5 buildings that have been converted to what he wants to do with no issues. David Peskin, 88 Winter Street, Holyoke, partners in this project. Works across the street from the largest grower in Holyoke. No effect on the area, will be a win/win with all the revenue streams. Appreciate the consideration.

MO-1 Mayors appropriation of Seventy two thousand and 00/100 dollars (\$72,000.00) to the following named account: Police Special Account for Bullet Proof Vests from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated all officers are given bullet proof vests, two cycles most are replacements, 4 are for new recruits. It's a win/win for the city. Motion passed through all stages by a unanimous roll call vote.

MO-2 Ordered that the City Council accept the National Fish and Wildlife Foundation Water Pollution Control Nitrogen Project Grant in the amount of Fourteen thousand seven hundred thirty seven and 50/100 dollars (\$14,737.50) to the Chicopee Water Pollution Control. The grant will provide funding to prepare a study to identify low cost improvements to reduce nitrogen pollution from the facility and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Dobosz to receive, pass and the grant accepted. Councilor Dobosz stated grant that will help Water Pollution Control the pollution levels. Mass DOP and EPA require standards. Keep the nitrogen levels low. Councilor Tillotson stated beginning of a long journey,

being asked to reduce the amount of nitrogen being put into the sound. Motion passed through all stages by a unanimous roll call vote.

MO-3 Ordered that the City Council accept the State Food Security Infrastructure Grant in the amount of Twelve thousand three hundred eleven and 20/100 dollars (\$12,311.20) to the Chicopee Council on Aging. Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Courchesne to receive and pass with a second by Councilor Laflamme. Councilor Courchesne stated this is a grant for senior meals. Motion passed through all stages by a roll call of 12 yes, 1 abstained. Councilor Brooks abstained.

MO-4 Ordered that the City Council accept the Westmass Eldercare FY 2021 Title III-B Cares Grant in the amount of Two thousand nine hundred seventy three and 00/100 dollars (\$2,973.00) to the Chicopee Council on Aging. Said grant is for the Chicopee Council on Aging Tablet Loan Program and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Zygarowski to receive and pass with a second by Councilor Laflamme. Councilor Zygarowski stated a grant used for a tablet loan program. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Brooks abstained.

MO-5 Ordered that the City Council accept the attached list of donations in the amount of Three thousand five hundred seventy one and 00/100 dollars (\$3,571.00) to the Chicopee Council on Aging. Said donations are for senior programming and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive, pass and the donations accepted with a second by Councilor Laflamme. Councilor Balakier stated list of donations for the Senior programming. A letter of thanks should be sent to The Grace Foundation of Terrie O'Connor Realtors. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Brooks abstained.

MO-6 Ordered that the City Council accept the attached list of donations in the amount of Four hundred seventy nine and 00/100 dollars (\$479.00) to the Chicopee Council on Aging. Said donations are for the Rivermills Newsletter and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Tillotson to receive and pass with a second by Councilor Laflamme. Councilor Tillotson stated self-explanatory. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Brooks abstained.

7 A favorable License Committee report: 2021 Auto Repair License renewal for Murray Automotive, LLC, 102 Old Fuller Road-failure to submit required Business Certificate.

--Motion made by Councilor Walczak to receive and the license granted with current restrictions. Councilor Walczak stated the gentleman didn't have an updated business certificate. He has it now. Motion passed.

8 A favorable License Committee report: Application for a Class II License for Nice Cars, LLC located at 451-455 Memorial Drive. Applicant: Roseann Bergdoll, 127 Cables Drive, Brimfield, MA 01010.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record. Motion passed.

- 9 A favorable License Committee report: Application for an Auto Detailing License for Nice Cars, LLC located at 451-455 Memorial Drive. Applicant: Roseann Bergdoll, 127 Cables Drive, Brimfield, MA 01010.
- Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak stated same as previous, read the restrictions into the record. Motion passed.
- 10 A favorable License Committee report: Application for a Junk Dealers License to buy and sell new and used clothing at 131 Church Street. (Rubidia's Sew & Consignment Shop). Applicant: Rubidia Lopez, 155 Oakland Street, Springfield, MA 01108.
- Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record. Motion passed.
- 11 A favorable License Committee report: Be it Ordered that KLM Auto Repair, Inc., located at 606 Front Street, be called in before the License Committee to discuss the number of vehicles for sale on the property.
- Motion made by Councilor Walczak to receive and placed on file. Councilor Walczak deferred to Councilor Balakier. Councilor Balakier stated some concerns with the license after driving by. Prudent to request them to come in. Public safety concerns on a busy corner. Councilor Laflamme stated also asked owners to work on a site plan for the committee. Plan on file wasn't up to current standards. Motion passed.
- 12 A favorable Zoning Committee report: Special Permit application under Chapter 275-58 (C) (4) for the purpose of serving beer and wine at restaurant – an eating and drinking place with the consumption of alcohol located at 17 White Birch Plaza.
- Applicant – Emiray, Inc., dba Pizza Palace, Onur Onder, 17 White Birch Plaza, Chicopee, MA 01020.
- Motion made by Councilor Balakier to receive and the Special Permit granted. Councilor Balakier stated for serving beer & wine at Pizza Palace, they had one in the past. Councilor Dobosz stated support this, just a change in owners. Motion passed through all stages by a unanimous roll call vote.
- 13 A favorable Zoning Committee report: Special Permit application under Chapter 275-50C and 275-9 for the purpose of installation of an accessory sign within 35 ft setback within an Industrial Garden Planned Unit Development, type 1 zone located at 27 Lonczak Drive.
- Applicant – University of Massachusetts, Amherst c/o Facilities & Campus Services, Gaetan Blais, 360 Campus Center Way, Amherst, MA 01003-9248.
- Motion made by Councilor Balakier to receive and the Special Permit granted. Councilor Balakier stated sign within the setback in an industrial unit. Need space for snow removal. Councilor Tillotson stated others have been allowed the same privilege. Motion passed through all stages by a unanimous roll call vote.
- 14 A favorable Zoning Committee report: Special Permit application under Chapter 275-72 for the purpose of an adult use of marijuana facility. The project proposes to redevelop an

existing 80,000 +/- square foot building and open a marijuana cultivation facility (License Group A, B2B) and retail marijuana dispensary (License Group B, B2C). In the City of Chicopee both License Group A & B are allowed by Special Permit approval within the Industrial Zoning District in accordance with Section 275-72 D 3 of the Zoning Ordinance. This application includes the request for the City Council to waive the 100-foot wide vegetated screen along the parcel boundary that is abutting any residentially-zoned or residentially-used parcel (Section 275-72 D 4 d 3). The project proposes a planted vegetated buffer with a minimum depth of 9 feet on the eastern property lines and project does not include a vegetated buffer along the western property line. Located at 30 Buckley Boulevard. Applicant: Revolution Greencare, LLC c/o Greenglove Consulting, David Peskin, 139 Damon Road #5, North Hampton, MA 01060.

--Motion made by Councilor Balakier to receive and the application including waiver provision be voted on, vote on the waiver. Councilor Balakier stated interesting one, two requests/waive the vegetated screening. Have to vote on two motions. Without approving this request, we can't vote on the Special Permit. Councilor Courchesne stated he did his research on Monday, spoke with business owners. Al's diner has a bird's eye view. People do block the intersection, two other entrances on the property. Very small retail shop. There is enough parking, hoping we don't get a business that brings a number of tractor trailers. Clean up a section of the city, will bring income for the city, many benefits to having this here. Councilor Tillotson stated have concerns to waive so close to the residency. Setting a dangerous precedent. Councilor Laflamme stated received calls. Drive through there a lot. By appointment only, was for cultivation only, mentioned jobs have a problem with the recreational in this spot. Traffic on Fuller Road, this affects the whole city. Lot of traffic. If it was just by appointment only. No one obeys the do not block the box. Have never given a waiver, needs to be in the right area. Traffic issue in that area. Carol Campbell sees the issues every day. You don't know what's going to go in there. Too many issues. Councilor Zygarowski stated he read the minutes of the meeting, that intersection is a major problem there. Why can't they hire off duty officers to do traffic? Councilor McAuliffe stated he expressed support for the project. Primary areas of traffic are ward 1 & 7. Have an opportunity to generate more revenue. The vote on the waiver was passed by a roll call vote of 8 yes, 5 no. Councilors Brooks, Laflamme, Tillotson, Zygarowski and Labrie voting no. Motion made by Councilor Balakier to award the Special Permit with restrictions. Motion made by Councilor McAuliffe to add restriction: upon written request from the Police Chief add an officer for traffic if deemed necessary. Motion passed. Councilor Balakier read the restrictions for the special permit as attached. Received a copy of the traffic study, investigation stated proposed Special Permit will not have an effect on the property. No other departments had concerns, don't want another Uniroyal situation. This is a situation that is viable. Potential revenue coming in with potential jobs coming in. Councilor Tillotson stated thought the permit required 9 votes. Councilor Courchesne stated public meeting, Carol was the only one not in favor. Your concerns are not lost. The owner is the one that brought up by appointment only. Concerns are valid. Councilor Krampits stated if there are issues with parking can the Special Permit be revoked? Councilor McAuliffe asked to suspend the rules to hear from Lee Pouliot. Councilor Brooks stated will hear from Lee once the Councilors are all done. Councilor Roy stated impressed with the whole situation. They have spent a lot of money. Think it will be a good thing for the city. Councilor Walczak stated the city was allowed to grant four licenses. Grilled the applicants about design. Hard to say they don't know what they're doing when they've done four or five. Will take care of only so many people at a time. Theory had a problem with traffic, had the police come and now it's resolved. Theory wants to support Lorraine's Soup Kitchen. Councilor Dobosz stated plan to

vote in favor, was very skeptical, impressed with Theory on Fuller Road. Traffic is the main concern. Can work with the developer, could be a lot of money, revenue for the city. Worth giving it a chance, a chance for one to be in a ward other than Ward 6. Councilor Labrie stated was unfavorable early on, spent time there last Friday afternoon. Only downfall was traffic. Can regulate that, will vote for this. Councilor Laflamme stated they know what they're doing, they've done this before. Once the Special Permit is granted it can't be changed. Now or never. Simard Drive is horrendous. Schools and busses aren't there now either. No different than wanting a junk yard. Wish it was a different location. Councilor Tillotson stated still find 3 issues that haven't been adequately addressed. Major issue. Not convinced by appointment will work. Don't have confidence they won't help people that just show up. Traffic, people are going to have all kinds of problems. Putting so close to residential will be a problem. Councilor Galecki stated good spot for cultivation, not retail. Planning Director Lee Pouliot stated there are a few items to keep in mind, parcel is entirely zoned industrial. Most other uses would generate higher traffic. Could have much higher impact in the area. Could limit the amount of impact, there was a standard comprehensive traffic report. Did actual traffic counts pre-covid, followed the industry standard. As accurate a study as could be expected. Fear from planning prospective is cleaning this up if it is neglected. Opportunity to see this property used. Councilor Krampits stated is there something else to add so the spots for CIC can't be parked on by the abutters guests? Councilor Balakier stated back to the parking issue, re: parking they have 9 spaces, 1 handicap space and an additional 38 spaces in the rear. Councilor Courchesne stated she has every right to have illegally parked cars towed. Motion passed through all stages by a roll call vote of 9 yes, 4 no. Councilors Brooks, Laflamme, Tillotson and Galecki voting no.

- 15 A favorable Zoning Committee report: Special Permit application under Chapter 275-52 (B) (3) for the purpose of garage which is not accessory to a principal structure-undeveloped lot with existing garage accessory to the residential structure at 418 Chicopee Street located at 0 Maplewood Avenue (Parcel ID 414-58). Applicant Roseann Bonatakis, 21 Meadow Lane, Southwick, MA 01077.

--Motion made by Councilor Balakier to receive and the Special Permit granted. Councilor Balakier stated for a garage. Interesting discussion went into the midnight hours, clarity to be provided by the Building Department. Motion passed through all stages by a unanimous roll call vote.

- 16 Be it Ordered that the DPW provide a written update on proposed road improvements this year.

--Motion made by Councilor Walczak to receive and sent to the DPW for implementation. Councilor Walczak stated Mayor brought this up at the last meeting, want to know what is scheduled. Give a better idea of what is going on. Councilor Balakier stated excellent idea, can share with constituents. Motion passed.

- 17 Be it Ordered that the Education Committee meet to discuss school ventilation issues and other issues.

--Motion made by Councilor Walczak to receive and refer to the Education Committee. Councilor Walczak stated no update lately, want to know if things are going as planned. Hope facilities are up to code. Cost? Mr. Chapdelaine or member of the School Committee can update. Councilor Zygarowski stated last year the same order was brought by Councilor



Courchesne. Councilor Courchesne stated September asked for the same meeting, glad the appetite is still there. Councilor Walczak stated don't get a lot of communication from the School Department. Councilor Tillotson stated have the head of the Health Department attend as well. We ought to be trying to get part of the 1.9 trillion dollars. Scott said they are meeting all the codes now. Going to be expensive, not talking nickels and dimes. Need to look at every source. Motion passed, referred.

18 Be it Ordered that Murray Automotive, LLC come before the License Committee to review all restrictions on the license including required fence screening.

--Motion made by Councilor Walczak to receive and refer to the 2/22/2021 License Committee Meeting. Councilor Walczak stated back in November spoke to him about fencing the property, want to make sure it's done. Councilor Dobosz stated thank Councilors Walczak and Laflamme for all their support, met a year ago about the screening on the fencing. Appreciate all the support. Motion passed, referred.

19 Be it Ordered that the following licenses continue for 2021:

- Al Lafleur, Inc. d/b/a East Main Street Auto, 467 East Main Street – Class II
- East Main Street Auto II, 400 East Main Street – Auto Repair

--Motion made by Councilor Walczak to receive and the licenses granted with existing restrictions. Councilor Walczak stated initial application was missing information. All set now. Motion passed.

20 Be it Ordered that the Health Department install "No Dumping" signs at the end of Butler Ave. and the beginning of Reed Ave (north side).

--Motion made by Councilor Krampits to receive and refer to the Health Department for implementation. Councilor Laflamme asked why not send to DPW to put up the sign? Councilor Brooks stated they will work together. Motion passed.

21 An application for a NEW Special Permit under Section 275-50(A)(1)(g)(1) of the Municipal Zoning Ordinance for the purpose of a off-premise, non-accessory sign (also defined as a billboard) for the Leadfoot Brewing located at 95 North Chicopee Street and any needed waivers under 275-50(A)(1)(f). Location of property: sign is to be located at 30 Buckley Blvd. Name of applicant: Leadfoot Brewing, LLC, 4 John Lane, South Hadley, MA 01075.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee, Planning, Engineering and Building Departments. Councilor Balakier stated will take up in committee. Motion passed, referred.

22 An application for a NEW Special Permit under Section 275-72 of the Municipal Zoning Ordinance for the purpose of the establishment of A-Adult Use of Marijuana – Marijuana Retailer – License Group B. Location of Property: 1269 Memorial Drive. Name of Applicant: JimBuddys Rec Shop, Inc. – James Robinson, 30 Vadnais Street, Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee, & SPRAC Committee. Councilor Balakier stated will take up in committee. Motion passed, referred.

23

An application for a NEW Special Permit under section 275-52 (B) (11) of the Municipal Zoning Ordinance for the purpose of a home occupation permit to legally produce baked goods such as cakes and cookies in a residential kitchen. Location of property: 64 McCarthy Ave. Applicant: Jessica Carrano, 64 McCarthy Ave.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee, Planning, Health and Building Departments. Councilor Balakier stated will take up in committee. Motion passed, referred.

ATTEST:

A handwritten signature in black ink, appearing to read "Keith W. Rattell", written in a cursive style.

Keith W. Rattell  
City Clerk