



Members

George Balakier, Chair
James Tillotson, Vice Chair
Fred Krampits
Frank Laflamme
Jerry Roy
Stan Walczak
Gary Labrie

MINUTES
February 24, 2021

The following are the minutes of a public hearing held Wednesday, February 24, 2021 at 6:30 PM in the Council Chambers, City Hall Annex, 274 Front Street, Chicopee, MA 01013 and via Zoom.

Members Present: Balakier, Tillotson, Krampits, Laflamme, Roy, Walczak, Labrie

Also Present: Daniel Garvey (Associate City Solicitor), Councilor Courchesne, Councilor Galecki, Councilor Zygarowski, Councilor Dobosz, Chris Casali (IT), Scott Provost (IT), Lee Pouliot (Planning Director), Nathan Moreau (Associate Planner)

The meeting was called to order at 6:40 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.

ITEM #1

Zone Change application from Residential to IPUD-1 for 57.46 acres of property located at 0 Fuller Rd. (Assessor Map 316, Parcel 2 for the purpose of Industrial Park development.

Applicant – Westover Metropolitan Development Corp., Michael W. Bolton, 255 Padgette St., Chicopee, MA 01022.

Councilor Laflamme stated that after speaking with the State Ethics Commission he will excuse himself from this application. He then left the Council Chambers.

The following were on zoom – Michael Bolton, Attorney Kathleen Bernardo, Ed Czepiel. Ed Czepiel stated that he is a member of the Board of Director for WMDC. The Board of Directors is made of up 9 members; 3 members are from Chicopee and appointed by the Mayor; the remaining are from surrounding communities. He provided a brief summary of Westover Metropolitan Development Corporation. WMDC was created by an Act of the State Legislature in 1974.

Michael Bolton, President of WMDC, stated that the property in question was purchased from the City of Chicopee in 2008 to protect the air space and so the flight path into Westover would not be impacted by residential uses. Money was needed for permitting which WMDC did not have so in 2018 and 2019 they applied for grants. The project is located off Padgette Street. Padgette Street will be the access point for this proposed industrial park. About 1.5 years ago 2.5 acres were purchased from what was Tarnow Nursery for an emergency public access vehicle lane. He also stated that WMDC is a not for profit company.

Attorney Kathleen Bernardo stated that WMDC was created by state legislation at a time when it was necessary for redevelopment of this area due to the base downsizing. There are no shareholders. This is a not for profit corporation. Board of Directors members volunteer their time and are not paid. They are appointed by the Mayor. This proposed air park was the goal since 2009. All the money spent up to this point was through grants that WMDC has to pay back. This is all for the benefit of the City of Chicopee and the community. There have been rumors that money is being made off of this but Attorney Bernardo stated that this is a not for profit corporation. WMDC is charged to do this by state legislation. \$4 million dollars was given to the City in the last year because of the hard work of WMDC.

Councilor Tillotson asked about the plans for the use of this property. Mr. Bolton stated that it is for industrial development whether it be warehousing distribution; it could be light weight manufacturing. They don't know at this point. They are trying to find a market for this. Councilor Tillotson stated that the entry point will be on Padgette Street and an emergency exit through the old Tarnow Nursery is that correct? Mr. Bolton stated that this is correct. Councilor Tillotson asked if this proposal will have an impact on Burnett Road. Mr. Bolton stated that Burnett Road will not be effected. Councilor Tillotson stated that Slate Road will not be used as an access, correct? Mr. Bolton replied that it correct. Councilor Tillotson asked what the estimated revenue for the city will be with this project. Mr. Bolton replied that at this point he does not have an estimate. He continued that the property will be leased and not sold so that the developers could get their money back through that. This will be long term lease due to the FAA and the state. Councilor Tillotson stated that the property was appraised by Crowley Appraisers and sold for fair market value. He continued that this project would create jobs and revenue for the city.

Councilor Dobosz stated that recently WMDC sold property to a nonprofit which generates no tax revenue for the city. He asked how do we know that this will not be case this this project. Mr. Bolton stated that the last time WMDC sold property it was in Air Park North and it was sold to a distributing company. Mr. Bolton stated that he believes the Councilor is confusing WMDC with West Mass Development Corporation which owns Chicopee River Business Park and recently sold to the food pantry. Councilor Dobosz questioned money recently received by WMDC and what that money is used for. Mr. Bolton stated that the money is used for permitting. Attorney Bernardo stated that any money received from Mass Development are grants that need to be paid back and in order to pay this money back the land has to be developed. Councilor Dobosz stated that he did not realize that the grant money had to be paid back.

Councilor Galecki asked how close this property will be to the neighborhood on Slate Road. Mr. Bolton replied a minimum of 100 foot buffer will be provided. Councilor Galecki asked if that distance could be increased. Michael Bolton replied that the city has a lot of control through the site plan review process. Councilor Galecki stated that come the fall and the leaves fall from the trees the neighbors will clearly be able to see through the woods.

Councilor Walczak asked Mr. Bolton if he was involved with the purchase in 2009. Mr. Bolton replied that he was present in the Council Chambers when that purchase was approved. Councilor Walczak asked why a zone change request has not come forward since then. Mr. Bolton replied that in 2008 and 2009 the country was in a recession and the airport has layoff as well. It was a difficult time for WMDC. In 2015 Mr. Bolton became

President of WMDC and times were still difficult and were not a good position financially to start this process. He continued that the economy turned around after 2015. He also said that WMDC had to go to Mass Development for the money to do this. Councilor Walczak asked about the traffic impact from this proposed project. Mr. Bolton stated that for example an existing business Cardinal Health has three shifts. He understands that traffic could come off the Turnpike, go north on 33, turn onto Westover Road then go on Padgette Street to make their way to New Ludlow Park Drive. If you were coming from the Springfield area you would travel on 291 come onto Fuller Road, then onto Sheridan Street, to Padgette Street and then onto New Ludlow Park Road. Councilor Walczak stated that he expects that Fuller Road and Sheridan Street would be difficult to maneuver. Councilor Walczak asked if the 5 members of the Planning Board that voted favorably for this zone change had any concerns about this zone change. Lee Pouliot replied that they did not have concerns they were unanimous in their recommendation. The Planning Board has seen numerous projects from WMDC. They have seen the plans developed and they understand the process at the local level and any development would need to go through before building permits could even be granted. He continued that this is the very first step in a long process of permitting and design before any building could be constructed. The Planning Board feels confident with the regulations of the IPUD zoning district and the restrictions placed on any development.

Councilor Zygarowski how much time before the area is developed. Mr. Bolton replied that is a good question. What he knows of the MEPA process through the state is 18 – 24 months. After that WMDC would need to work with the City for site development. Councilor Zygarowski asked if restrictions could be placed on the business operating at this location such as hours of operation. Lee Pouliot stated that could be addressed during the site plan review process and would fall under the Planning Board review. Councilor Zygarowski asked if any of the property in question is conservation property. Lee Pouliot stated that there is a misnomer on a website that has Mass trails that refers to this parcel as the Slate Conservation Area. Through the City's open space and recreation planning a detailed analysis is completed of every parcel in the city for any development restriction or conservation easements that might be in place on the property. This plan was last updated 5 or 6 years ago. This property did not turn up any conservation issues. It is not officially conservation land under any known program that he is aware of. There are wetland resource areas and buffer zones on the parcel. Those are the jurisdiction of the Conservation Commission which is why if MEPA is successful and a permit is granted the next stage of the permitting process would be to review the conceptual layout of development with the Conservation Commission to protect those known resources. There are conservation areas that need to be protected and the local conservation bylaw would do that. But the parcel itself is not protected by any overreaching conservation restrictions locally or at the state level.

Chairman Balakier stated that the committee has received the following letter signed by 300 individuals:

To the Chicopee City Council:

This letter is being sent to you on behalf of individuals that reside in Chicopee or visit Chicopee for work or recreation. A vote to change the Zoning from Residential to Industrial for the property located at "0 Fuller Road" is a small piece of an enormous project. The one piece of paper mailed to a small amount of Chicopee residents, appears inconsequential, but truly affects so many. It will have direct effects on the residents in the immediate vicinity of Fuller Road and Sheridan Street, and on those who enter and exit via the Massachusetts Turnpike exits 5 and 6, and 291, and those who use Fuller Road to travel between Burnett Road and the rest of the City of Chicopee. It will also affect traffic on Memorial Drive due to the Mass Pike entrance/exit. Some of the global effects of this project are described below in detail.

Conservation:

The Planning Board on the January 14th public meeting voted to allow the change to industrial as otherwise the land is “undevelopable”. Cities like West Springfield, which has recently purchased land around their Bear Hole Reservoir for conservation, recognize the value of not needing to build on every available piece of land.

Much of the land in question abuts the Chicopee State Park, or the properties that run along it. If not developed, the extensive forest will continue its important job of storing vast quantities of carbon, combating the accumulation of greenhouse gases in our atmosphere. With miles of trails already on the site, not rezoning will ensure continued public access from both sides of the City of Chicopee State Park. This area is home to dozens of species of plants and animals that are no longer common in Massachusetts. According to mass.gov, this may include the Eastern Box Turtle, the Blue Spotted Salamander and the Climbing Fern. The property serves as a link in an expansive wildlife corridor, that is home to bear, deer, turkeys, fishers, bobcat, coyotes and much much more. These animals will be further forced into residential areas if these 57 plus acres are mowed down and allowed to become an additional industrial park. Many people who live in Chicopee use this area all their lives for hiking, biking, walking, or access to Chicopee State Park, as it was and is listed as “Slate Road Conservation Area” including on City and State websites. If this area is allowed to be destroyed for an industrial park, this will be lost forever.

Traffic:

The Notice of Hearing was sent to just to the closet few abutters to the land, but the massive size of the project would indicate many trucks, planes and employees entering and exiting Chicopee. 291, the Massachusetts Turnpike, Fuller Road and Sheridan Street and Memorial Drive are extremely busy throughout most of the day and night and traffic backups are frequent and significant. Additional traffic, from a million square foot warehouse will cut off Burnett Road from the rest of the City and force those residents to travel to Ludlow for shopping and dining. There are many times during the day when it is difficult for Sheridan Street and Fuller Road residents to get in and out of their condo complexes, driveways and side streets. Turning onto Fuller Road is often difficult, and at busy times nearly impossible. Adding an additional industrial complex, especially one of this size, will cause a traffic nightmare for these residents, employees and visitors.

Secrecy:

According to the City of Chicopee’s website, Westover Metropolitan Development Corporation is a quasi-public development corporation created in 1974 to convert former military property at Westover Air Force Base to civilian use. Destroying this valuable green space does not remove blight, and only further damages Chicopee environment, making it a less desirable place to live. This clearly does not meet their mission and is being done purely for the profit of WMDC. For some unknown reason, this project is top secret, causing some city residents to be suspicious of it. It should be clear what company and type of industry and the size of this project, so the City Councilors can make an informed decision. All residents should be aware of the project and its scope, and its effect on traffic and the environment, so they are free to contact their councilors and voice their opinions, prior to it being too late. There is no room for lack of transparency in today’s world. As WMDC is a business that stands to have significant financial gain from this new proposed industrial park, transparency for this entire project is a MUST.

Taxes:

Year after year, Chicopee residents have seen an increase in their taxes and water bills. The volume of taxes generated by the proposed industrial park, will not make up for the wear and tear on the road ways, and the loss of property values to the surrounding areas. Ultimately, long term the many areas condo complexes and homes will be work much less tax wise. It will be unfair to the tax paying citizens of Chicopee who will still see increases in taxes despite the “expected” windfall of taxes from this project, while the industrial parks trucks and employees’ cars, tear up our roads, pollute our air, create traffic for existing residents, separate Chicopee at Fuller Road and the following years we continue to pay more.

Property Values:

Slate Road, Dejordy Lane, and Nawrocki Drive is such a desirable neighborhood to live in, due to the vicinity to shopping, highways, and access to the Chicopee State Park. There are beautiful condominiums and homes that line Fuller Road and Sheridan Street. An industrial park of the proposed size, behind and alongside these streets, will make it extremely difficult to live in due to noise and traffic. This will force residents to leave Chicopee. Slate Road is a very busy street due to the access to the State Park and we love sharing it with the community. We feel bad for those who do not realize this area is about to be demolished for something that will be globally harmful to Chicopee. Brand new homes are still being constructed within several hundred feet of the proposed entrance to the proposed industrial park. These homes will be worth much less due to the intolerable noise of tractor trailers. Also, as the Westover Airport has been approved for 24 hour service and the proposed tenant being selected is choosing this space to fly in goods, the noise pollution to the neighbors will become intolerable.

In closing, due to the significant negative environmental impacts, the need for transparency, the absolute nightmarish traffic that will follow, we ask that you utilize all available resources in a transparent manner while considering this request. We also ask that you be long sighted about the effects on the environment and traffic, and not simply short sighted about building something. This is not simply about a Zone Change on Fuller Road. Chicopee often boasts about being a great place to live. This proposed project and its effects will make Chicopee a less desirable place to live if this is passed.

Public Input

Katie Collins-Kalbaugh, 14 Nawrocki Drive, stated that this proposal will cause pollution issues, asthma. People come from all over to utilize this proposed area. 100 foot buffer is not a lot. Doesn't want this area turned into an industrial park. This will also impact the environment.

James Kalbaugh, 14 Nawrocki Drive, stated that he is concerned about noise, pollution; quality of life will be impacted. This is a conservation area. Many of the folks in this area were sold their properties with that information that it is conservation area. If a distribution center is constructed it will not create jobs in the city because robots do a lot of the work at Amazon not people.

Mary Kukla, 175 Slate Road, gave a synopsis of the Dr. Seuss book, *The Lorax*.

Marc Kukla, 175 Slate Road, stated that about 20 years ago WMDC took over one of the oldest golf courses in the country and turned it into a technology park. Today there are only 4 businesses there. He stated that he doesn't know how much you can trust WMDC.

Sean Goonan, 6 Lincoln Street, he stated that this is another example of large scale corporate economic development for its own sake with no consideration for the negative effects to small businesses.

Jeff Pycko, 34 Nawrocki Drive, stated that this area has been cleaned up. Built a house on Nawrocki Drive 20 years ago and has enjoyed this area for all those years. There are environmental issues. He has been a coach for many years in the city and couldn't get gym time for his team. In his selfish thoughts this area could be turned into a sports complex.

Mary Hayner, 145 Slate Road, is requesting that this zone change be denied. The applicant wants to merge this property with other property they own to create the 100 acre Airpark South. Why are potential developers not interested in the prior Airpark sites? She questioned why Chicopee River Business Park was not considered. When she purchased the house in 2000 the real estate agent said that the property behind the house was owned

by the City of Chicopee and that it was a conservation area upon which no one could build. Several online maps listed the property as the Slate Conservation area. There are many things to consider physical health, mental well-being and community goals when considering this application. Large companies such as Amazon can make a dramatic positive impact but an equally dramatic negative impact. She also said if you look at a satellite view of Chicopee there is little green space left. Biking along the street is no comparison to biking or hiking the trails in the proposed 57 acres.

David Boisselle, 117 Dejordy Lane, stated that this will destroy the area. Trucks will be constantly running, beeping. The area will be surrounded by pavement and concrete.

William Smith, 17 Nawrocki Drive, stated that this is a great place to live. He is concerned about this zone change moving quickly during a pandemic. The proposal is to develop one million square feet but we don't know who wants to move in. He also questioned if WMDC has a 70 year lease with someone for the property. He is also concerned about the noise from trucks on this site and the noise from back-up alarms.

Ryan Zygarowski, 8 Harvest Lane, Southwick. He stated that he has grown up going to the state park in Chicopee. He is responsible for creating all the trails in that area. Chicopee has nothing left that looks this beautiful and it will be destroyed.

Chuck Kulig, 521 Sheridan Street, he stated that doesn't see the benefit of an industrial park in this area. He questioned why Uniroyal and the old mills can sit vacant.

Kellie Niemiec, 78 Dejordy Lane, suggested that available buildings be utilized before constructing new buildings. Traffic is already an issue on Sheridan Street. This proposal would just create more traffic.

Fergus Marshall, 55 Gaylord Street, said that climate change should be aggressively addressed and forests should be kept intact.

Margaret Vatter, 303 Fairview Avenue, stated that this park has a lot of natural and cultural significance to the City of Chicopee and to get rid of it would have a lot of negative impacts on the community, displacement of the environment. She asked the Council to consider what environmental compromises did you decide would be worth this development and why are these compromises worth it. To Mr. Bolton what are your plans to ensure that businesses and other companies will be attracted to this industrial park so that it doesn't go empty. Also does Mr. Bolton plan on working with the City and other environmental consultants to help mitigate the inevitable environmental consequences of this industrial park.

Maria Gauthier, 566 Sheridan Street, recently built on home on Sheridan Street and would not have done that if she knew this industrial park was going to be proposed.

Nancy Kellum, 12 Carlton Street, South Hadley stated that her family has owned property in this area for 100 years. She has no issues with people going across her property to access the Chicopee State Park. She is concerned that the Planning Board did not deliberate long when reaching their decision. She requested that the people's concerns be taken into consideration. Has the EPA or DEP investigated this area?

Carol Valego, 185 Slate Road, stated that she and her husband built their home on Slate Road 44 years ago. The property abutting her backyard is a beautiful nature reserve. Money is not the be all and end all.

Lee Pouliot stated that the city's zoning code has a variety of business, commercial and industrial zones. He continued that there is what is known as Garden Industrial Planned Unit Development also referred to as IPUD

which is the request for this evening. Lee read the purpose of the zoning which was recommended by the Planning Board and approved by the City Council.

The purpose of allowing industrial planned unit development is to provide flexibility in the design and siting of multiple industrial and office buildings on a single site, thereby promoting aesthetic sensitivity; the preservation of land for open space; the efficient use of municipal services; and minimization of the overall impact of development on the immediate environment, while maximizing the use of the site's natural characteristics, wherever possible.

Lee continued with some of the design considerations that this chapter requires; building height max is 45 feet, maximum building coverage for the entire parcel area is maximum 33%. Meaning only 30% of the total acreage could have buildings. Rear and side yard setbacks wherever there are residential properties are to be a minimum of 100 feet. Development that is adjacent to residential properties requires a solid wall, earth and berm, or minimum 6 foot high fence or natural planting area as a solid buffer. Maximum of 70% of the total tract can be rendered impervious. That is a combination of roof and pavement. Three trees for every six parking spaces for the first 80% of the spaces provided and for the remaining 20% of spaces three trees or shrubs for every six parking spaces. Only 2% of the area could be used for outdoor storage. Any development would have to follow the city's storm water regulations.

Lee continued that many of the concerns that were brought up at the Planning Board hearing would be addressed during the MEPA (Massachusetts Environmental Protection Act) process. That process involves looking at everything greenhouse gas emissions, traffic, generation of electricity, air emissions. The process is extensive allowing not only community, residents to provide public comment but also comments from every state agency that might have some jurisdiction. Following that at the state and local level the city has its own conservation regulations that need to be followed. Then the Planning Board will conduct a review.

Lee stated that there has been a lot of misinformation about this project in particular on social media. The zone change is just the beginning. Many of the concerns that were expressed tonight are things that will have to be addressed if and when a site plan is provided to consider.

Lee stated that this site is not flat. So the idea that a 1 million SF structure could be created on this property would only be possible with a piece of architectural engineering that he has not seen. One side of the building would have to be elevated 40 feet in the area. Lee continued that there is no selected tenant at this point.

Lee clarified that the city has a second non-profit organization known as West Mass Development Corporation. West Mass is the owner and operator of Chicopee River Business Park.

The Planning Board when considering this request opened the public hearing, heard comments during the first hearing, received comments via email, phone calls or letters, which were all read into the record. Then the meeting was continued for a week to allow additional comments to be received before the Planning Board made their recommendation to the City Council. This is how the meetings have been conducted since the beginning of the pandemic.

Chairman Balakier read the recommendation from the Planning Board. The Board met and voted unanimously to recommend approval of the zone change.

Councilor Krampits stated that only about 19 acres of the 57 could be developed. He is not in favor.

Councilor Dobosz stated that he is opposed to this request. He continued that there seems to be a notion of this Board that he was behind the signatures submitted and he wants the Board to know that he wasn't. 100% of residential abutters oppose this proposal. The petition has been verified meaning that when this application comes before the City Council for a vote it will require 10 votes. He continued that this area is home to the cross country teams, valued forest and trails. He continued that it's important to preserve it. Councilor Dobosz stated that he has conservation concerns with this property. He is also concerned that this would create a spot zone because it's directly next to residential property. He is concerned about property values. He stated that he is deeply upset at the lack of transparency from the applicant and city officials.

Lee Pouliot stated that this would not create a spot zone. It would actually clear up a spot zone. He continued that as part of this project there is a proposal negotiated to put some significant areas of land in this neighborhood into permanent conservation, the details of that are intimately tied to this project and is in negotiation with the Commonwealth.

Councilor Courchesne stated that a warehouse could be developed and be multilevel and still fit on this property. Lee replied that he can't talk to that because it will depend on what MEPA decides and other agencies that will review this project and place conditions.

Councilor Roy stated that as a Councilor At-Large he has to look at the benefit of this project for the whole city and hearing the input from residents he has not heard one benefit. He stated that he will have to vote against this proposal tonight.

Councilor Galecki stated that he represents Ward 3 and there is a distribution center in his ward which has been slowly expanding over the years. He receives a lot of complaints from neighbors that live nearby (noise from diesel trucks, trucks idling in the early morning, beeping while reversing).

Councilor Walczak asked if MEPA will need to know what type of project is being proposed before they can approve anything. Lee stated that an actual plan would need to be submitted as part of that package. Councilor Walczak stated that he would like to know what the proposal is before he could approve it. Councilor Walczak asked Attorney Garvey how many votes are required by the full Council. Attorney Garvey replied that 9 votes are typically needed to pass a zone change request but with this particular application a petition has been submitted and certified; therefore, 10 votes are required. He walked this area and it would be a shame to cut these trees down. WMDC had 12 years to do something with this property. Meanwhile people built homes in this area.

Councilor Labrie stated that he came in this evening with an open mind and at first liked the idea of developing an industrial park to gain tax revenue for the city. He continued that if this proposal was in his neighborhood he would not be for it. He has listened to the residents on zoom and in person and they are very passionate and presented good arguments. We do not know what is going in there. If the zone change is granted the Council has no control over it after. His opinion right now is to defeat the zone change.

Councilor Tillotson stated that WMDC currently has some property in this area zoned industrial. If the Council defeats this zone change request the Council should ask the Mayor to negotiate with WMDC and buy it back and make it into something compatible with the neighborhood. He continued that the appraiser used at the time of sale is one of the better commercial appraisal firms and he believes that the number was accurate. This property is not all developable and currently it's not developed it would be worth more with it was developed.

Councilor Brooks stated that he grew up in this area and the residents of this area have always kept the area in question sacred. He has hesitation supporting redevelopment because for the residents in the area this was not

land that was supposed to be developed. The city has other available industrial space. He supports the Councilors that are voting no on this zone change.

Councilor Courchesne stated that he is not a yes vote but is always for development but sometimes you have to listen to the people. He asked Lee if this zone change is denied what recourse does the applicant have. Lee replied what he understands is that the applicant cannot reapply for 2 years if the application is denied unless there is a substantial deviation to the plan.

Councilor Zygarowski stated that he doesn't think that anything will change the residents minds in 2 years if it is defeated on Tuesday night. He knows people that utilize this area for biking and hiking. The residents deserve a tranquil place. He continued that when it comes to the City Council he will vote no.

Motion made by Councilor Roy and second by Councilor Walczak to deny.

Committee vote 6 favorable to deny (Councilor Laflamme out of chair)

Strong opposition from the neighbors.

Meeting recessed at 9:15 PM. Meeting resumed at 9:18 PM.

ITEM #2

Zone Change application from Business A to Residential B for 8200 SF for property located at 0 Montgomery St. (Parcel ID 0230-00014) for the purpose of constructing a single family home.

Applicant – Sergey Savonin / MS Homes, LLC, 21 West School St., West Springfield, MA 01089.

Jim Ferrera, 215 Fort Pleasant Street, Springfield, MA, was present in the chambers representing the applicant. Sergey Savonin was present via zoom.

Mr. Ferrera stated that currently the lot is split zone. One side of the lot is zoned Business A. The other side is Residential B. The proposal is to rezone the entire parcel to Residence B which would match residential zoning in that neighborhood. On January 14th The Planning Board met and their vote was to approve 5 – 0. The intention is to build a single family home on that parcel. Mr. Ferrera presented a petition from November from 6 abutters that support this zone change request. Mr. Ferrera also stated that the petitioner is not a stranger to Chicopee. He has done multiple projects in the City.

Public Input

Robert Kelley, 13 Wells Avenue, stated that he has spent 8 years on this project. He collected signatures against the project. He has safety concerns in this area. Dangerous accidents are frequent. The reason why this project was denied several times had to do with the danger at that intersection. There was a car that crashed into the home next to this property injuring a person inside. He also witnessed an accident where a pickup truck was turned upside down.

Mr. Ferrera stated that tonight the committee is asked to vote on a request for a zone change for a property that is currently split zone. He continued that he would think that the neighborhood would want residential instead of business development.

Councilor Galecki stated that the applicant is doing a project in Ward 3 currently and doing a great job.

Councilor Labrie stated that the property has been sold over and over. You can only make a right out of the driveway from this property. There are police reports of accidents in this area. There were 40 accidents in less than 2 year period at this intersection. This is a very dangerous intersection. To him this is an unbuildable lot. There is a business next door, Pride. He receives numerous calls from residents of Wells Avenue that they cannot exit the street onto Montgomery Street. There is a petition of abutters certified by the Registrar in opposition of this proposal. This is not the spot for a residential dwelling.

Councilor Laflamme asked if the property owner can by right put up a business on this property. Lee replied that a business could be developed with a site plan and building permit. 4100 SF of the property is zoned Business A. Councilor Laflamme stated that everyone has a right to put something on their property. Councilor Laflamme stated that a small business could go on the business portion and the residential portion could be used for 3 -4 car parking.

Lee stated that under Business A there is no lot size requirements. So the city defaults to the state zoning requirements. A small building could be constructed and the residential portion of the property with a special permit could be used for parking. He continued that they could do some architectural design where parking stays on the business portion of the property. Then only a site plan and building permit is required and the City Council would have no say in it. Lee stated that the beauty of getting rid of the split zone and doing all Residential B is that a Special Permit from the Council is required because it is short on frontage even for a single family home. Through the Special Permit process the City Council would have the opportunity to place conditions on the Special Permit for the single family home. Lee continued that the Planning Board has reviewed the Zone Change and has approved it. The Board has been consistent is trying to eliminate split zones. The split zone may be the reason why the property is valued so low because it limits what can be done there.

Councilor Galecki asked if on the Business A portion of the property parking commercial vehicles is permitted.

Lee Pouliot stated that under Business A the following permitted uses are allowed: Automobile parking, automobile service stations, automotive trade, business and professional services, commercial greenhouses, communications, eating and drinking places without the consumption of alcohol, with or without live entertainment, education services, entertainment assembly, finance, insurance and real estate, funeral and crematory services, hotels and motels, membership clubs, personal services, repair services other than for automobiles and trucks, retail trade with or without outdoor storage, welfare and charitable institutions, lodging house, motor vehicle repair services, and animal kennels.

Councilor Galecki stated that this could be turned into an area where vehicles are parked.

Councilor Labrie stated that the business portion is 4000 SF and the cars could not be parked on the Residential B side. He continued that 12 abutters do not want to see this zone change approved and do not want to see more traffic in this area. He stated that he has to go with the people.

Councilor Laflamme asked how many people signed the petition in favor of the zone change.

Councilor Roy stated that the lesser of 2 evils would be a single family home.

Councilor Balakier stated that the report from the Planning Board states that the Board voted to recommend approval of this zone change.

Motion made by Councilor Krampits and second by Councilor Balakier to approve.

Committee vote **4 favorable (Balakier, Walczak, Krampits, Roy)**
3 unfavorable (Laflamme, Tillotson, Labrie)

ITEM #3

Special Permit application under Chapter 275-67G for the purpose of exercising the regulations of the Mill Conversion and Commercial Overlay District in connection with the redevelopment of the below described property and pursuant to Chapter 275-67H of the Ordinance, the Applicant respectfully requests that the City Council waive the following requirements: (1) Requirement that Applicant provide a complete traffic impact study in connection with this application. (2) Requirement that the Applicant provide a special features plan in connection with this application. Location – 10 Southwick St.

Applicant – Valley Opportunity Council, Inc., Stephen Huntley, 35 Mt. Carmel Ave., Chicopee, MA 01013.

Present at the meeting were Stephen Huntley and Alex Jansen and on Zoom is Ellen Fryman, Stephen Sobey, and Brian Fitzgerald and Jesse Moreno.

Stephen Huntley stated that this is the former Belcher School. The proposal is for 25 apartment units to consist of 2 - 1 bedrooms, 17 – 2 bedrooms, and 6 – 3 bedrooms. This is not set in stone but at this point that is the proposal. 90% will be affordable housing and 10% will be market rate. Affordable housing is not based on the persons income. The rent is set. The rent for a 1 bedroom is \$850, 2 bedroom is \$1050 and 3 bedroom is \$1250. They have budgeted \$7 million and they have been awarded \$2 million in historical credits.

Councilor Roy asked if VOC is a nonprofit organization. Mr. Huntley replied that they are a 501C nonprofit but do pay property tax on all property owned except Mt. Carmel School. They pay \$250,000 in property taxes per year.

Councilor Walczak asked if the same group that did the Kendall will be doing Belcher School. Mr. Huntley replied that it will be the same group.

Lee stated that the City had gone out for RFPs for this site. The Mayor’s review committee reviewed the proposal and recommended that the City work with VOC to convert the school to apartments. Lee continued that this project also went before the Overlay District Review Committee and the report below includes the comments from departments. Lee stated that the comments are all minor technical details. As in past projects the VOC development team is very detail oriented. The Planning Department recommends approval of the Special Permit with the ODRC reports be conditions of the approval.

Lee stated that the number of parking spaces provided onsite meets the requirements for this project. No on street parking can be used when calculating parking.

Former Belcher School Renovation Project
ODRC Review
Departmental Comments – February 9, 2021

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1. Update plans to reverse the layout of the tree lawn and sidewalk along Cochran Street so sidewalk is within the City Right-of-Way.
2. Work with the City to transfer narrow portions of subject property to abutting property owners (Parcels 0127-00046, 0127-00047 and 0127-00048) along western property line.

3. Continue new privacy fence along the entire western property line with residential abutters.
4. Add snow management plan to plans (snow storage areas and/or snow removal procedure).
5. Add Mill Conversion and Commercial center Overlay District to the Site Data Zoning Table along with Residential A.
6. Use different ornamental grass in place of Miscanthus as it is becoming an invasive species. Consider using a Panicum cultivar.
7. All plant material approved as part of the site plan must be maintained/replaced if necessary in perpetuity.

Water Department:

8. All materials are subject to our approval and should meet Water Department Specifications as outlined in our “Construction Standards and Materials Specifications.” i.e. Water Mains shall be class 52 ductile iron. All materials shall be new and of the type currently being used by the Chicopee Water Department. This can be found on The City of Chicopee website under Water Dept. along with Water Department Fee Schedule and Permit Documents.
9. The proposed fire lines to buildings to be sized by licensed fire engineer. Chicopee Water Department requires written, stamped letter from Fire Engineer depicting the size of fire lines & that the size(s) will be sufficient for fire suppression.
10. All Water Services have to be at least 10 feet away from Sewer/ Electric Utilities.
11. Existing 4” Domestic is new up to property line. Installed by Ludlow Construction.

Please add the following to page GN-1; Sitework- Water Section:

12. A preconstruction meeting is required with General Contractor and Site Work Contractor with any utilities involved and the City of Chicopee Engineering Department. Provide most up to date plans.
13. Water Service Application form to be submitted ten business days prior to commencement of any water work.
14. All connection fees to be paid prior to commencement of any water work.
15. Test Pits are required to verify the location, depth and outside diameter of the water mains.
16. All water main shut down requests are to be submitted in writing to Water Superintendent a minimum of five business days prior to requested date.
17. Contractor is to notify all residents affected by water main shutdown, with shutdown notice 72 hours prior to being done.
18. Chicopee Water Department requires plumbing plans for review prior to our Cross Connection Survey & Backflow Testing.

19. Contractor is to schedule pressure test for new services 72 hours in advanced with CWD.
20. Contractor is to provide sample test bottles for Bacteriological testing and must have test done at a state approved lab.
21. All water gate and service valves are only operated by Chicopee Water Dept. Personnel.
22. Any service boxes or gate valves must not be paved over. Any concerns please call Water Department.
23. Chicopee Water Department is a non-member utility of DIGSAFE and you MUST contact us directly at 413-594-3420.

Fire Department:

24. With regard to concerns noted by the Commission for the Disabled, a Knox Box can be installed at the main entrance with master keys inside for the main entrances and for individual apartments to minimize delay and damage to the building when Fire and EMS crews have to access the building in an emergency.

Water Pollution Control:

25. Sanitary sewer looks good. Exact location of SS stub on Cochran St is shown (Service card attached)
26. No stub was left for drainage. Defer to Engineering on drainage and stormwater.
27. Must fill out a stormwater permit application
<https://www.chicopeema.gov/DocumentCenter/View/8171/Stormwater-Discharge-Permit-Application>

Community Development:

28. The residential use appears to be the viable best and highest use for the property. Any modifications triggered by public funders can be addressed through the City's Home Fund Commitment Loan.

Assessors:

29. The project will positively impact the neighborhood and provide additional tax revenue.

Electric Light:

30. The Developer/Electrical Contractor is required to install the following:
 - A) 2-4" conduits concrete encased from new Pole 23-1 East St. to the new three phase pad-mounted transformer location.
 - B) A three phase precast 76"x70"x36" transformer box pad with a ground grid. Bollards to be installed at CEL Engineering's preferred location.
 - C) 1-2" conduit from new Pole 23-1 East St. to a location in the electrical room that 3FT square box can be mounted on the wall. Conduit to be used for Crossroads Fiber service.
 - D) Install the conduit and secondary cable from the new pad-mounted transformer to the metering equipment located in the building.
31. CEL will install the following at a service charge to the developer:
NOTE: (all service charge amounts to be determined)

- A) CEL to install new Pole 23-1 East St. (40' pole) and install the three-phase overhead primary wire from Pole 23 East St. to new Pole 23-1 East St.
- B) CEL will install the Primary Cable from new Pole 23-1 East St. to the pad-mounted transformer.
- C) Contractor to provide load breakdown for appropriate transformer sizing.

NOTE: Currently 10 Southwick St, Old Belcher School, has a total of 4 contract lights. Once VOC takes over property please advise CEL whether to remove said contract lights or continue to be billed monthly.

If you have any additional questions please call Mike Stefanelli at 413-377-6061(work) or email me at mstefanelli@celd.com

Conservation Commission:

32. No Conservation Issues.

Commission of the Disabled:

33. Handicap parking spaces appear to be adequate as planned.

34. Safety and Accessibility to the building, appropriately sloped and marked sidewalk access is a benefit to everyone.

35. An option to include an EMERGENCY ALARM system in each apartment is a useful assist to everyone, as well, not only for handicapped areas. Anyone can become “disabled” and have an emergency any time. The ability to call for help 24/7 and easily is a priceless addition to any living space.

36. An elevator is also a priceless addition for convenience and ease of access, safety, and convenient to all. The observation that a second elevator is being considered is excellent because in my experience, our apartment elevator has been disabled at times for a couple of days even with an emergency repair call. With persons with disabilities on different floors, extra care and assistance had to be provided using stairs.

37. The plan to include a community room is an excellent consideration and convenience.

Engineering Department:

38. I generally agree with the drainage report and its conclusions. A reduction of 16% of the impervious area on site is proposed. The Stormwater Report states that proposed peak flows are reduced for the 2, 10, 25 and 100-year storms from existing conditions. All stormwater flows will be captured on-site and sent through various stormwater treatment and infiltration systems. A variety of Stormwater BMPs (best management practices) are being proposed to renovate and infiltrate stormwater.

39. The sidewalk along Cochran Street needs to be relocated within the City right-of-way. It must be placed at the outer edge of the existing City right-of-way, providing a tree belt between the sidewalk and the roadway. The sidewalk on the adjacent 115 Cochran Street to the west must also be realigned with the relocated sidewalk. A right of entry must be obtained to perform this work on this property.

40. No ADA ramps shall be provided at the entrances to the parking lots. The sidewalks must be continuous through the access drives. Driveway aprons must be used between the roadway and the sidewalk. The sidewalk shall be 6” through the drivable portions at the entrances. Detectable warning strips shall not

be used at entrance / exit driveways per Access Board R221 Public Right of Way Accessibility Guidelines (PROWAG).

41. As confirmed in the 2/9/2021 SPRAC meeting, Portland concrete sidewalks are to be used (not HMA sidewalks).
42. Any granite curbing to be removed is City property and shall be salvaged and stockpiled. Contractor shall coordinate for delivery to City. This should be noted on the plans.
43. The grading plan shows that stormwater would shed onto the neighbor's property to the west at 115 Cochran Street. Additional runoff cannot shed onto a neighbor's property. This situation must be remedied.
44. Stormwater System:
 - a. On-site underground stormwater storage systems include "R-Tank" units by ACF Environmental. The sizes of the "R-Tank" units are not indicated on the plans. "UD" (ultra-duty) units are specified.
 - b. The detail of the underground (stormwater) storage system on Sheet D-3 does not indicate a geogrid above the "R-Tank" units. The manufacturer's recommendations suggest that a geogrid is required.
 - c. Contech Stormgate adjustable weirs are being used in manholes to divert stormwater towards the underground stormwater storage systems. The orientation of the weirs within the Diversion Manholes should be show on the plans to ensure that they are installed correctly. The relationship of the weir elevation versus the "R-Tank" units could not be evaluated without knowing the size of the "R-Tanks".

Police Department:

45. No comments submitted to the Planning Department

Building Department:

46. No Comments submitted to the Planning Department

School Department:

47. No Comments submitted to the Planning Department

Mr. Huntley stated that item #35 on the list is great for elderly housing and the disabled but difficult to manage with small children. He asked that this item be not included as part of the restrictions placed on the Special Permit.

Motion made by Councilor Laflamme and second by Councilor Balakier to remove #35 from the comments as conditions. Motion passed.

Motion made by Councilor Roy and second by Councilor Balakier to approval waiver request #1 Requirement that Applicant provide a complete traffic impact study in connection with this application.

Committee vote 7 – 0 favorable.

Motion made by Councilor Walczak and second by Councilor Balakier to approve waiver request #2 Requirement that the Applicant provide a special features plan in connection with this application.

Committee vote 7 – 0 favorable.

Motion made by Councilor Roy and second by Councilor Balakier to approve Special Permit with conditions.

Committee vote 7 – 0 favorable.

Conditions

- Permit runs with the land
- All departmental requirements (as referenced in the attached ODRC Review Departmental Comments dated February 9, 2021) and regulations shall be satisfied prior to the issuance of the Special Permit as evidenced by a written communication sent to the City Council by the Director of Planning confirming that the requirements and regulations have been met to the satisfaction of our Director of Planning. (See below)

**Former Belcher School Renovation Project
ODRC Review
Departmental Comments – February 9, 2021**

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ITEM #4

Minutes – January 27, 2021 Motion made by Councilor Krampits and second by Councilor Balakier to approve. Motion passed.

Meeting adjourned at 10:18 PM.