



Members

George Balakier, Chair
William Courchesne, Vice Chair
Mary Beth Pniak-Costello
Joel McAuliffe
Delmarina López
Robert J. Zygarowski
Gary Labrie

MINUTES
April 27, 2022

The following are the minutes of a public hearing held Wednesday, April 27, 2022 at 6:30 PM in the Chambers, 4th floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013 and via Zoom.

Members Present: Balakier, Pniak-Costello, McAuliffe (zoom,), López, (zoom,), Zygarowski, Labrie

Also Present: Daniel Garvey (Associate City Solicitor), Councilor Laflamme, Lee Pouliot (Planning Director), Councilor Dobosz

The meeting was called to order at 6:00 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.

Councilor Zygarowski motion to take Item #1 out of order – Councilor Balakier 2nd the motion – motion passed

Item #1

Delete Chapter 275-66 A in its entirety

And insert in place thereof

275-66 A Burnett Road

- A. No further business, commercial or industrial development shall occur on Burnett Road from the Ludlow/Chicopee line to the intersection of New Lombard Road and Burnett Road and any appurtenant street for a period of one year commencing on April 1, 2022, and terminating on April 1, 2023, except by special permit.

Councilor Dobosz stated that this only affects a couple of business parcels that could be developed here and the city owned land on Burnett Road. He stated he believes it is the only business land yet that is not developed. He stated this would require a traffic study in order for new development to be passed. Traffic is a major issue on Burnett Road. There should be a major consideration in any zone change or development. He stated that he is trying to work with the state and there will have to be an in-depth traffic study.

Lee Pouliot stated that this type of moratorium within zoning language is meant to be used as a temporary measure to either adjust zoning regulations permanently or pass new regulations. He stated the most recent example is the City Council passed a moratorium on all marijuana facilities until the city had enough time to draft, finalize and adopt regulations within the zoning code for that type of use. He stated that zoning moratoriums are not meant to be a long term solution to a problem.

Lee Pouliot stated we never want to create an obstacle to development uses that are permitted by right in zoning districts and land use lawn, that is a classic takings case which would end up in court. If a reviewing department determined that a traffic study was needed they can require an applicant to do one. He stated that the first time it was added was 1999 ordinance 99-79.

Councilor Zygarowski asked if a traffic study was done.

Lee Pouliot stated a traffic study was done for that development.

Councilor Pniak-Costello stated that a temporary solution is better than no solution at all.

Motion to pass proposal on Burnett Road for one year regarding 275-66 A Burnett Road
Councilor Zygarowski motion to approve – Councilor Balakier 2nd the motion – motion passed

Committee vote 6 – 0 favorable

Item #2

Special Permit application under Chapter 275-9 (L) for the purpose of renewing the special permit granted on March 2, 2021 to exercise the regulations of the Mill Conversion and Commercial Center Overlay District located at 10 Southwick St. Applicant – Valley Opportunity Council, Inc., Stephen Huntley, 35 Mt. Carmel Ave., Chicopee, MA 01013.

Applicant was present he stated years ago they started a process with Architects, Engineers and we removed an oil tank. He stated that he is here today because the permit expires after one year and we asked for an extension. He stated that it's twenty five apartments, one, two and three bedroom apartments. He stated we have three at the market rate, and twenty two will be affordable. He stated that affordable is different than low income. Low income housing is based off a person's income. Affordable housing is a set rate and we bring the people that can pay the rents that are set. They applied for grants to redo the units. He stated for a two bedroom unit it will be around eleven hundred dollars. He stated that they have about one hundred and twenty units around the city already.

Lee Pouliot stated that he will address the special features plan to identify unique structures or historic elements on a property. He stated this is just a building and parking lot so no special features exist. He stated a complete impact traffic study was done back in 2021, the brief analysis was done from the use of an elementary school to the use of the property of twenty five units and with the change we would see less traffic.

Councilor Pniak-Costello was concerned how many parking spaces there would be because East Street is a very busy street.

Stephen Huntley stated there will be forty three parking spaces, plus adequate places to put the snow.

Councilor Pniak-Costello stated do you anticipated those three bedroom units being family units.

Stephen Huntley Yes.

Councilor Pniak-Costello stated that there is no elementary school in that general area. She suggested letting the school department know how many children you anticipate coming here.

Stephen Huntley stated we typically don't track age of children we just do household size. We will get a sense to let the schools know.

Councilor Pniak-Costello was concerned about rate increases. She has received many calls throughout the city from residents about rent rate increases.

Stephen Huntley stated that HUD is not allowed to have rate increases. In the market rate it's just not the right thing to do to people and we would not do that.

Lee Pouliot stated that the forty three parking spaces on the plans meet our parking formula which is one and a half parking spaces per unit and two stalls per ten units for guest spaces. He stated the school department is included in our SPRAC review also.

Stephen Huntley stated that we haven't been awarded all the funding. We are hopeful that we will be funded this round based on the enormous resources from the state and federal government. He stated if that's the case we would likely start a year from now and it would take about a year to complete.

Councilor Laflamme stated that he has seen some of their projects and they do good work. He asked if section 8 was the same as affordable housing.

Stephen Huntley Stated that section 8 works like the Housing Authority. He stated that folks with section 8 voucher they pay thirty percent of their income and the section 8 or the federal government pays the balance. So if someone makes one thousand dollars per month their rent would be three hundred dollars per month no matter what size of the unit. He stated that we can't stop section 8 that's housing discrimination but we don't build for section 8's.

Councilor Balakier asked what the projected cost is.

Stephen Huntley stated that the constructions costs seems to be about eight million.

Councilor Zygarowski motion that the traffic study be done – Councilor Balakier 2nd the motion – motion approved

Waiver #1

Waiver of the requirement that applicant provide a complete traffic study in connection with this application

Committee vote 6 – 0 favorable

Councilor Zygarowski motion to approve special feature plan – Councilor Labrie 2nd the motion – motion passed

Waiver #2

Waiver of the requirement that the applicant provide a special features plan in connection with the application

Committee vote 6 – 0 favorable

Motion to approve the special permit with conditions stated and being satisfied from the ODRC Committee report.

Permit to run with land

Councilor Zygarowski motion to approve – Councilor Labrie 2nd the motion – motion passed

Committee vote 6 – 0 favorable

Item #3

Special Permit application under Chapter 275-50 (c) (1) for the purpose of 60' tall highway pole sign for Milton Rents; increase in sign face area from 120 sf to 432 sf, reduction of setback requirement from 25 ft. to +/- 0 ft. located at 60 Fuller Rd. Applicant – Milton Real Properties, Brad Farrin, Corp Facilities Manager, 100 Quarry Dr., Milford, MA 01757.

Brad Farrin, Corp Facilities Manager, 100 Quarry Drive, Milford, MA 01757 was present on zoom. He was having trouble with the audio.

Jeff Hightman, Regional Facilities Manager for Milton rents, 60 Fuller Road, He stated that they would like to put up a 60' sign on 60 Fuller Road. He stated that there are no concerns with DOT. He stated that our sign should not block any of our neighbor's signs. The sign will be 50' high and 9x24.

Councilor Balakier read a letter for the record from Milton Rents Properties.

Some concerns were brought up at the City Council meeting.

#1 Contact Mass DOT for their approval as the sign boarder's I-90

#2 The possibility of blocking a neighborhood sign.

Mass DOT does not have any concerns with our proposed signage. We have also attached a rendering so our signage in relation to our neighbors signs on both the east and west travel lanes on I-90.

I hope this clears up any concerns, please reach out with any questions or concerns.

Fire Department

No issues

Planning Department

Special Permit recommendation. Property is zoned business B relief from assessor signage requirements shall be governed by special permit under chapter 275-50 (c) (1). Applicant is looking to obtain a special permit for three regulations for signage increase sign face area from 120 square feet to 432 square feet. Reduction in the property line setback 25' to +/- 0' and increase of signage height from 20' to 60'. Sign to be located at rear property line site advertising business to the Mass Pike. There are other signs that exist. Planning sees no issues to request a relief.

Engineering Department

Applicant should contact Mass Dot for comment due to the proximity, the proposed sign and the Mass Turnpike property line. The proposed 60' tall sign is approximately 60 – 65' offset from the east bound travel lane on the Mass Turnpike. Also consideration the proposed sign has potential to block the existing view of the turnpike billboard. These were addressed and they have no issues.

Lee Pouliot stated that Mass Dot has no concerns as the signage is not on Mass Dot right-of-way. Milton rents did provide the renderings of both lanes on the Mass Pike.

Councilor Labrie stated this was tabled because of these two items and they were addressed.

Councilor Zygarowski stated they have addressed all their issues.

Councilor Lopez thanked them for following up and doing the rendering to insure that this wasn't blocking the neighbors.

Councilor Zygarowski motion to approve – Councilor Balkier 2nd the motion – motion passed

Waiver #1

Increase the size face area from 120 sf to 432 sf

Committee vote 6 – 0 favorable

Councilor Zygarowski motion to approve – Councilor Balakier 2nd the motion – motion passed
Waiver #2
Reduction in the property line setback from 25 sf to +/- 0 ft.

Committee vote 6 – 0 favorable

Councilor Zygarowski motion to approve – Councilor Balakier 2nd the motion – motion passed
Waiver #3
Increase in sign height from 20' to 60'

Committee vote 6 – 0 favorable

Councilor Zygarowski motion to approve the special permit application regarding signage at 60 Fuller Road to be in compliance with the city regulations – Councilor Balakier 2nd the motion – motion passed

Committee vote 6 – 0 favorable

Item #4

Special Permit application under 275-59 (c) (11) for the purpose of adding 3 new drive up self-storage buildings, (2) 20'x50' and (2) 10'x100' to the existing 7 outside storage units located at 499 Montgomery St. Applicant – UH STORAGE (DE) LIMITED, Jeff Nadeau, P O Box 29046, Phoenix, AZ 85038.

Rob Levesque, R. Levesque Associates Inc. Consultant for the applicant was present he stated that we came in a little late on this. There was some concern of a use that was located on site. He stated that some units were permitted and some were not so the applicant had submitted a special permit. The applicant was concerned about some of the requirements they have to meet.

Jeff Nadeau was no longer on zoom.

Lee Pouliot stated that we did review the markups on the plans. To address Rob's comments that was the point of this committee and the SPRAC review because there was lingering concerns. He stated he did follow-up and ask R. Levesque if there was any updates to the plans but I have not received anything to date.

Councilor Balakier stated do we just go with a continuance at this point.

Lee Pouliot stated he thought the council was clear when you requested a SPRAC review to get a handle on property, additions and how they lay and particularly if Police and Fire were comfortable with the access.

Councilor Balakier stated we don't have all the pieces of the puzzle and we're still waiting to hear some further information. He stated based on the information that he has been given he asked for a motion to continue until the May 25, 2022 Zoning Committee meeting.

Lee Pouliot stated that if the applicant can get him the plans he can get that done and he will have the reports by the next meeting.

Rob Levesque stated that the applicant was looking for some feedback tonight.

Lee Pouliot recommend the council continue this meeting until May 25, 2022 and he will have a conversation with Rob Levesque. He stated that some of the prevue Rob is looking for we can do as part of the SPRAC and the reviewing departments have an opportunity to provide recommendations on the request for relief.

Councilor Zygarowski motion to continue until the May 25th zoning meeting – Councilor Balakier 2nd the motion – motion passed

Committee vote 6 – 0 favorable

Item #5

Special Permit application under Chapter 275-9 (L) (3) for the purpose of renewal of an existing Special Permit for a proposed multi-family development with waiver of parking requirements from 88 to 75 spaces located at 0 Oak St (Parcel ID 0147-0005H). Applicant – Culper Properties, LLC, Erik Szyluk, 444 A North Main St., #125 East Longmeadow, MA 01028.

Some of the audio is not audible.

Erik Szyluk was not present.

Greg Szyluk 191 Chestnut Street, Springfield, MA was present.

Rob Levesque of R. Levesque Associates, Inc. stated that they want to be re-permitted to start the construction in September 2022 with eighteen to twenty four months for the construction frame with the reuse of an existing property. He stated we worked closely with the Planning Department and were able to provide them with information on the traffic related to environmental conditions, site and waiver requests. He stated there's two buildings with two bedroom units. There are ten studio units proposed, fourteen two bedroom units and twenty six one bedroom units.

Fire Department

Need a fire apparatus in turn radius analysis. Mulch prohibited within eighteen inches of the building. No obstruction by plantings. Alarm panels to be located in both front and back of the larger buildings.

Health Department

No concerns

Engineering Department

If appears this project has a different owner from the submitted materials. Owner must comply with all requirements of past approvals of the city including the conveyance along Oak Street.

Planning Department

Recommends approval of the special permit renewal with the conditions that were accepted by the overlay district ODRC committee from August 20, 2020.

Councilor Balakier stated that the real estate taxes have been paid.

Lee Pouliot stated that this project did receive a special permit with the requested waivers back in 2020 but the project was delayed for a number of reasons but there has been no substantial changes. This project represents a continued redevelopment in the fall neighborhood. He stated this parcel was historically part of the Uniroyal complex. We did work closely through the review process with Rob Leveque's office to address the situation on the property and to address all the committees' comments. He stated he is comfortable recommending that the council renew the special permit. It's private development and will generate tax revenue. He stated the parking formula is one and one half spaces per parking unit.

Councilor Pniak-Costello asked if they expect a lot of children in this development.

Greg Szyluk stated it is geared toward singles and couples. He stated that's why there are only studio or one bedroom units. He stated that it's ground up, it's a vacant lot. There was some usage well over one hundred years ago.

Councilor Pniak-Costello asked why do you want to reduce the parking.

Greg Szyluk stated that it was the calculation for one and two bedroom units and it gives more open space on the property

Lee Pouliot stated that all of the reviews from the Fire Department are in the overlay district review committee report, they simply repeated them. He stated they all have been addressed in the updated plans. He stated if there are any other concerns they will be caught in the Building Department when the applicant applies for building permits. He stated on reviewing the applicants original application projected for the project in schools they have initially relied on a formula provided by the National Association Home Builders which was 21.9 students for every one hundred new units. He stated if you run the math on that this development would generate ten to eleven new students in the school system.

Waiver

Councilor Zygarowski motion to approve the waiver of parking restriction from 88 to 75 parking spaces – Councilor Labrie 2nd the motion – motion passed

Councilor Zygarowski motion to approve the special permit subject to the ODRC review conditions – Councilor Labrie 2nd the motion – motion passed

Permit to run with land

Committee vote 6 – 0 favorable

Item #6

Councilor Pniak-Costello motion to approve the minutes of March 30, 2022 – Councilor Labrie 2nd the motion – motion passed

Meeting adjourned at 8:55 PM